



New Mexico Public Education Commission (PEC)

Additional Square Footage Amendment Instructions

Purpose: To notify the Public Education Commission (PEC) when the school is adding square footage to the existing facility or adding another building, including portable buildings, on or adjacent to the current site. This amendment cannot be used to add a second site or school with its own administration that serves, or will serve, the same grades as the first (primary) site.

Submission Deadline: The form must be approved prior to the change being implemented. Amendments completed 28 days prior to the next PEC meeting will be placed on the next agenda.

Information provided by the school:

X Fully completed form

X Approved board minutes or certification of the vote taken by the board

X Certificate of Occupancy, approved for educational use; OR an assurance that the school will not occupy any space until the school possesses a Certificate of Occupancy and an assurance that a copy of the Certificate of Occupancy will be provided to the CSD within 30 days of occupancy

X Letter from PSFA stating that the facility meets the New Mexico Conditions Index (NMCI); OR an assurance that the school will not occupy any space until the school possesses a letter from PSFA stating that the facility meets the New Mexico Conditions Index NMCI and an assurance that a copy of the letter will be provided to the CSD within a 30 days of occupancy

X An assurance that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978

Contact charter.schools@ped.nm.gov with questions about completing or submitting documents.

Additional Square Footage Amendment Request Form

Submit this form and all supporting documents to charter.schools@ped.nm.gov

The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Explore Academy - Rio Rancho (586-001) hereafter "the school," effective on July 1, 2022.

The school requests consideration from the PEC to change the terms of its contract as follows: Add additional square footage

Current square footage: 40,000 sq ft

Explain the form the additional square footage will take: An additional 35,000 square feet is available in buildings adjacent to the existing facility which will be used to support the schools enrollment growth for future years. This will include not only expanding existing grade levels to serve more students (based on the school's robust waitlist) but will help support the school's addition of high school grade levels in future years. Currently the school serves students in grades K-7 (adding grade 8 in 2025-2026) and is chartered for grades K-12.

Certificate of Occupancy: check one

☐ A Certificate of Occupancy is submitted

☒ The school representative and governing board chair provide assurances that the school will not occupy any space until the school possesses a Certificate of Occupancy and an assurance that a copy of the Certificate of Occupancy will be provided to the CSD within 30 days of occupancy

New Mexico Conditions Index (NMCI): check one

☐ A letter from PSFA stating that the facility meets the NMCI is submitted

☒ The school representative and governing board chair provide assurances that the school will not occupy any space until the school possesses a letter from PSFA stating that the facility meets the New Mexico Conditions Index NMCI and an assurance that a copy of the letter will be provided to the CSD within 30 days of occupancy

The school representative and governing board chair provide assurances that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978. ☒ Yes ☐ No

If the school is also submitting a Grade Level Change Amendment Request and/or Enrollment Cap Amendment Request and the information below is provided there, check N/A and do not complete the rationale section below.

☐ N/A (provided in the accompanying Grade Level Amendment request)

☐ N/A (provided in the accompanying Enrollment Cap Amendment request)

☒ **Rationale for the change:** Due to the increase in student enrollment and the additional grade levels being added each year, more space is needed.

Effective date: July 1, 2025

The school's contract amendment is hereby submitted by:

Signature of School Representative:  Date: May 15, 2025

Signature of Governing Board Chair:  Date: May 15, 2025

For PEC/CSD use only

PEC Meeting Date:

Agenda: ☐ Regular required

The school's contract amendment was: ☐ Approved ☐ Denied (see transcript)

Electronic signature of PEC Chair: _____ Date: _____

CERTIFICATION OF GOVERNING BOARD VOTE

EXPLORE ACADEMY - RIO RANCHO

6090 Zenith Court

Rio Rancho, NM 87144



This document certifies that a meeting of the Governing Body of **Explore Academy - Rio Rancho**, a public state charter school authorized by the New Mexico Public Education Commission (PEC), was held on May 15, 2025 at 5:15 pm. The meeting and all votes were conducted in compliance with the New Mexico Open Meetings Act.

A quorum of the Governing Body's members being present and voting, it was approved to submit the "Application -for -Establishing -Reorganizing -Closing -Schools" form to PED as formal notification that grade 8 is being added next school year. The vote was five (5) in favor and zero (0) opposed.

I, the undersigned, certify that this is a true copy.

A handwritten signature in blue ink, appearing to read 'Michael Mierzejewski', written over a horizontal line.

Michael Mierzejewski, Board President

FACILITY ASSURANCES



EXPLORE ACADEMY - RIO RANCHO

TO: Public Education Commission
FROM: Explore Academy - Rio Rancho Governing Board
DATE: May 15, 2025

The Governing Board of Explore Academy - Rio Rancho hereby assures that the school will not occupy any space that does not meet ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978. In addition, the school will not occupy any space until/unless the following conditions are met:

1. The school possesses a Certificate of Occupancy and provides same to the CSD within 30 days of occupancy; and
2. The school possesses a letter from PSFA stating that the facility meets the New Mexico Conditions Index (NMCI) and provides the same to the CSD within 30 days of occupancy.

The undersigned officials certify that we have read and understand the obligations as described and that the school will comply with the aforementioned requirements.

1. Cathy Gaarden
signature of Cathy Gaarden

2. Sterling Mackay
signature of Sterling Mackay

3. Michael Mierzejewski
signature of Michael Mierzejewski

4. Christopher Kenworthy
signature of Christopher Kenworthy

5. Gloria Rich
signature of Gloria Rich