



## New Mexico Public Education Commission (PEC)

### Governing Body Member Change Notification Instructions

**Purpose:** To notify the Public Education Commission (PEC) of a change in a member or members of the school's Governing Body. The school may report multiple member resignations/removals and designations on the same form.

**Submission Deadline:** Changes to the Governing Body membership do not require prior approval of the PEC; however, notice must be received within 30 calendar days of the change. Vacancies must be filled within 45 days; one 30-day extension may be requested.

Notifications completed 14 days prior to the next PEC meeting will be placed on the next agenda. Notifications of this type are typically placed on the consent agenda; however, any notification may be removed from the consent agenda and moved to the regular agenda for full discussion and possible action by the PEC.

Meeting minutes of the governing board of the school and the PEC will serve as an amendment to, or compliance with, the charter contract regarding this membership change. The documentation will be added to the board of finance documentation on file with CSD.

#### **The school must provide:**

- X Fully completed form
- X Approved board minutes or certification of the board's vote accepting the new member
- ☐ Resignation Letter or board meeting minutes removing the previous member
- X Statement of Governing Body Member to Consult with PED
- X Affidavit of Governing Body Member
- X Assurances of Governing Body Member

Contact [charter.schools@ped.nm.gov](mailto:charter.schools@ped.nm.gov) with questions about completing or submitting documents.

## Governing Body Member Change Notification Form

Submit this form and all supporting documents to [charter.schools@ped.nm.gov](mailto:charter.schools@ped.nm.gov)

**The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Explore Academy – Las Cruces (581-0010, hereafter "the school," effective on 7/1/2021.**

**Current Governing Body Members and Positions:** Clara Raley and Dr. Christine Reyes, Co-Chairs; Lanell Pahe, Secretary; and Gabriela Graham

**Governing Body Member(s) Resigning or Removed:** Vice Chair Claren Mulhall (as submitted previously)

**New Governing Body Member(s) and Position(s):** Ms. Anna Emerick-Biad, Mr. Terry Moore, and Ms. Angel Rivera, all are new members with no office roles

**Contact information for New Governing Body Member(s) (phone, email):**

- Ms. Anna Emerick-Biad, [Anna.Emerick-Biad.LCSBoard@explore.academy](mailto:Anna.Emerick-Biad.LCSBoard@explore.academy)  
[anna@anna-e.com](mailto:anna@anna-e.com), 575-644-8265
- Mr. Terry Moore, [Terry.Moore.LCSBoard@explore.academy](mailto:Terry.Moore.LCSBoard@explore.academy)  
[motr2359@gmail.com](mailto:motr2359@gmail.com), 678-920-4937
- Ms. Angel Rivera, [Angel.Rivera.LCSBoard@explore.academy](mailto:Angel.Rivera.LCSBoard@explore.academy)  
[angelrivera1016@gmail.com](mailto:angelrivera1016@gmail.com), 575-791-7967

**Is the school requesting an extension to fill a vacancy:** ☐ yes ☐ no

**If so, provide date of vacancy:** Extension was already granted until 6/15/2025

**Number of personnel changes (Head Administrator/Business Manager/Procurement Officer, Governing Board Member), including this change, submitted to PEC in the last 12 months:** Two changes in last 12 months:

May 1, 2024: Head Admin (Karen Casedy to Dr. Toni Hull);

August 14, 2024: Governing Board Member (Jenifer Lichtenfels to Dr. Christine Reyes)

**Effective Date:** 5/15/2025

**The school's notification is hereby submitted by:**

**Signature of School Representative:** Toni Hull **Date:** 6/2/2025

**Signature of Governing Board Chair:** Clara Raley **Date:** 6/2/2025

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**For PEC/CSD use only**

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**PEC Meeting Date:**

**Agenda:** ☐ Consent (typical) ☐ Regular (unusual circumstance)

**The school's notification was:** ☐ Accepted ☐ Rejected (provide reason)

**Electronic signature of CSD Director:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# Meeting Minutes



## EXPLORE ACADEMY - LAS CRUCES GOVERNING COUNCIL

*prepared by Lanell Pahe, Governing Council Secretary*

Wednesday, May 14, 2025 (regular meeting)

6:00 pm

### I. PROCEDURAL AGENDA

- A. This meeting of the Explore Academy - Las Cruces Governing Council (GC) was called to order at 6:08 pm by Co-Chair Clara Raley.
- B. A quorum of the GC was present as follows: Co-Chairs Clara Raley and Dr. Christine Reyes, and Secretary Lanell Pahe. Gabriela Graham also joined at 6:10pm.
- C. Staff in attendance: Dr. Toni Hull - Head Administrator, Karen Woerner - ELS Director of Compliance, and Josh Padilla - Axiom Analytics (School Business Official).
- D. The meeting was held on the Zoom platform.
- E. Chair Clara Raley led the [Pledge of Allegiance](#).

### II. PUBLIC COMMENT regarding items on the agenda

- A. Alexis Black, Instructional Coach, recommended the 205 day calendar as the best option to give students more instructional time and benefit.
- B. Chelsea Pohl, elementary parent, supports the 175 day calendar as opposed to the 205 day calendar. She expressed that 205 is a large amount of time for elementary grade students. She focused on decreasing teacher burnout and extending term breaks.
- C. Platon Murenin, elementary parent, shared that four day weeks increase productivity and are more impactful and productive for students' education.
- D. Chris Cockroft, elementary parent, supports a 5 day week with regular education days spent in the classroom. He thinks this avoids burnout with less hours per day and is more consistent. He expressed dismay in switching from 5 days to 4 days and will withdraw his children from the school if a 4-day week is approved.
- E. Christina Garton, parent, also supports a 5 day school week and will provide more teachers and funding to impact education.

### III. Approval of Agenda

Dr. Christine Reyes motioned for approval of the agenda; seconded by Lanell Pahe; Unanimously approved by the GC (4-0).

### IV. Approval of Minutes

Gabriela Graham motioned to approve the minutes of [May 8, 2025](#) (Special Meeting) with no corrections; seconded by Lanell Pahe; Unanimously approved by the GC 3-0 plus one abstention (Reyes).

## V. GOVERNING COUNCIL BUSINESS

### A. Recruitment or designation of additional board member(s)

1. Ms. Anna Emerick-Baid [resume](#)
2. Mr. Terrence Moore [resume](#)
3. Ms. Angel Rivera [resume](#)

Gabriela Graham moved to designate Terrance Moore, Anna Emerick-Baid, and Angel Rivera as board members; Christine Reyes seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### B. SY26 Contracts

1. **Educational Model Support** (via ACES) - [quote](#) and [proposal](#).  
After Co-Chair Raley shared her opinion of AllyOp and specifically one of the employees, Dr. Christine Reyes motioned to table this vote for a Special Session to look at options; Seconded by Lanell Pahe. Vote 3-1 (Ayes: Reyes, Graham, and Pahe; Nays: Raley) It was decided to add this topic to the agenda on May 22, 2025, immediately following the discharge hearing, already scheduled.
2. **Financial Services** - proposed [Contract](#) and [Appendix](#) from Axiom.  
Dr. Christine Reyes motioned to approve the financial services contract with Axiom as proposed **including the two optional portions for Capital Outlay and Grant Services**, seconded by Clara Raley. GC unanimous approval 4-0
3. **Legal Services**  
Clara Raley motioned to table discussion of legal services until the special meeting or the June meeting; Seconded by Christine Reyes. GC unanimous approval 4-0

### C. Discussion of [Del Rey lease](#)

Gabriela Graham moved to move forward with negotiating the lease with the landlord; Lanell Pahe seconded the motion. A roll call vote resulted in an unanimous approval of 4-0. Dustin Sparks indicated that he had an appointment scheduled with the landlord for the following day.

### D. SY26 Calendar (*Dr. Toni Hull*)

1. [Draft calendars](#)
2. [Recommendation of calendar for 25-26 by Head Admin](#)

Lanell Pahe moved to approve calendar option 5 Day Calendar - 205 Days; Gabriela Graham seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### E. SY26 Salary Schedules (*Axiom Analytics*)

1. [Teacher](#)
2. [Education Assistant](#)

Lanell Pahe moved to approve the salary schedules for teachers and education assistants, as presented; Gabriela Graham seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

## VI. FINANCE COMMITTEE

### A. Financial Reports

1. [Check Register](#)
2. [Bank Reconciliation](#)
3. [Journal Entries](#)

Gabriela Graham motioned to approve the Financial Reports, as presented; Christine Reyes seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### B. Budget Update Form (BUF) for CTE Funds *(Lisa Hughes)*

Lisa Hughes presented CTE funding changes that had originally been approved for Skills USA students to attend the National Competition in the amount of \$12,000. Funds were reallocated to provide iPads, charging station, storage locker, and stipends to two Skill USA teachers.

Christine Reyes moved to approve the Budget Update Form, as presented; Gabriela Graham seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### C. Budget Adjustment Requests (BARs)

1. [11000-581-000-2425-0025-D](#)
2. [26204-581-000-2425-0026-M](#)
3. [11000-581-000-2425-0027-I](#)
4. [11000-581-000-2425-0028-I](#)
5. [21000-581-000-2425-0029-I](#)
6. [21000-581-000-2425-0030-I](#)
7. [21000-581-000-2425-0031-I](#)
8. [27502-581-000-2425-0032-M](#)
9. [24154-581-000-2425-0033-I](#)
10. #34 voided due to incorrect funding code
11. [29102-581-000-2425-0035-I](#)

Following questions and general discussion, Gabriela Graham moved to approve the BARs as presented; Lanell Pahe seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### D. Designee to approve EOY BARs through June 30th

Clara Raley moved to designate Co-Chair Christine Reyes to approve final end of year budget adjustment requests for SY25 and those BARs will be presented to the board at a future meeting; Gabriela Graham seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

### E. Financial Forecast Presentation and SY26 Proposed Budget

1. ~~[Option 1](#)~~ (175 days)
2. [Option 2](#) (205 days)

GC had previously approved the proposed allocations for SY26 federal grants (Title I,

II, III, IV, and IDEA)

Gabriela Graham moved to approve the proposed SY26 operational budget to match the approved 205 day calendar (which was approved earlier in V.D.), as presented; Christine Reyes seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.

## VII. ADMINISTRATION REPORT

### A. **School Leader Report** *(Dr. Toni Hull)*

including but not limited to

1. Enrollment Updates & Outreach
  - a) Current enrollment count is 628 students and the projected enrollment for SY26 is 71.
  - b) 100 applications pending, staff reaching out to parents to complete enrollment.
  - c) Explore Academy staff set up info sessions and set up a booth at the local Farmer's Market.
2. Celebrations

### B. **General Updates/Reminders** *(Karen Woerner)*

including but not limited to

1. [Form to notify PED](#) of adding grade 12 for SY26 (for action)  
Clara Raley moved to approve submission of the PED-required form to add grade 12 in SY26; Lanell Pahe seconded the motion. A roll call vote resulted in an unanimous approval of 4-0.
2. [Evaluations](#) due end of June  
Board members to review guidelines and submit input to the board co-chairs per the deadlines set by them. Input should be compiled for discussion and consensus at the June meeting, with a vote to approve the final evaluation.
  - a) Head Administrator [form](#)
  - b) Self-assessment of the Governing Board [form](#)
3. [Director of Charter Schools Division](#) has left PED. The Interim Director is Brigitte Russell, CSD Deputy Director. The Director position is appointed by the Governor.
4. [Charter School Conference](#) on June 10-11
5. [Mandatory Training of Board Members](#)  
Board Members have not completed the required training for this school year. It should be completed by the end of May but the actual deadline is in June. If any do not complete the training, the school will not receive a "Meets Standard" on one of the Governance indicators in the Performance Framework.
6. [PEC Charter Renewal Process](#)
  - a) Training sessions held (Feb 28 and Apr 14)
  - b) Application is due to CSD on or before October 1st
    - (1) Part A from CSD (expected to be received in August)
    - (2) Part B - School's Progress Report
    - (3) Part C - Financial Statement
    - (4) Part D - Petitions of Support from Household and Staff

(5) Part E - Facilities Documentation

- c) CSD's Preliminary Analysis is due November 3rd to school and PEC
- d) School may respond to analysis, due November 17th
- e) PEC Renewal Hearing in Santa Fe during week of Dec 8th (currently Dec 8-10)
- f) Contract Negotiations in Spring 2026 for new contract beginning 7/1/2026

**VIII. BOARD COMMENTS**

There were no board comments.

Also, please note the reminders posted on each agenda which include the Governing Council Annual Calendar and Governing Council Training Opportunities/Updates and Training Trackers.

**IX. PUBLIC COMMENT**

There were no public comments.

**X. ADJOURNMENT**

The next regular meeting of the GC is scheduled for Wednesday, June 11, 2025. It was also noted that a special meeting for a discharge hearing and other topics is scheduled for May 22, 2025.

La nell Pahe motioned to adjourn, Gabriela Graham seconded, and the GC unanimously approved adjournment at 9:25 pm.

**Meetings are recorded and posted on the Governing Council's YouTube channel.**

[https://www.youtube.com/playlist?list=PL\\_p3rwMGkx1SPtOB0EwagNjxLyOOXLW6Y](https://www.youtube.com/playlist?list=PL_p3rwMGkx1SPtOB0EwagNjxLyOOXLW6Y)

## ATTENDEES

Alexis Black  
Alicia Groves  
Alisa Barrio  
Ana Lisa M  
Angel Rivera  
Anna Emerick-Biad  
Antonio Zapata  
Bernice Soto-Ontiveros  
Callie Jackson  
Chelsea Pohl  
Chris Cockroft  
Christian Aragon  
Christina Garton  
Crystal  
Dana Kroos  
Dustin Sparks  
Elisha Baiardo  
Heather Ratzlaff  
Hector Gomez  
iPhone  
Jasmyn White  
Josh Padilla

Justin Baiardo  
Kamryn Keller  
Kristin Herrera  
Lames Rezami  
Lisa Hughes  
Maggie Welliver  
Maria Ortega  
Mariah's Iphone  
Nola Whetstone  
Platon Murenin  
Rebekah Shepherd  
Rey Gomez  
Sabrina Eveland  
Terry Moore  
Woodson Tucker  
Zoom user



## STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of Explore Academy - Las Cruces located in Las Cruces, NM.

In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of Explore Academy's application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

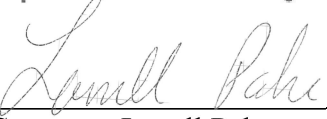
We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of Financial Custodian" must be submitted.

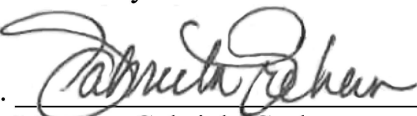
We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE Explore Academy - Las Cruces's  
**GOVERNING BOARD** GIVE THE FOREGOING STATEMENT THIS **14th DAY OF May, 2025**.

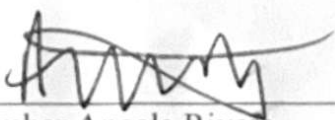
1.   
Co-Chair Clara Raley

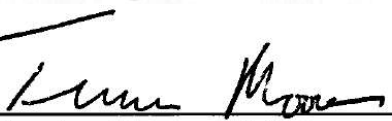
2.   
Co-Chair Christine Reyes

3.   
Secretary Lanell Pahe

4.   
Member Gabriela Graham

5.   
Member Anna Emerick-Riad

6.   
Member Angela Rivera

7.   
Member Terrence Moore

#### ASSURANCES

My name is Hana Emerick Doad and I reside in Las Cruces NM. I am a member of the governing body for Explore Academy - Las Cruces, a charter school which is located at 850 N. Telshor Blvd (K-5) / 4201 Del Rey Blvd (6-12), Las Cruces, NM 88011 / 88012. I assure that in my capacity as a member of the governing body, the CHARTER SCHOOL complies with all applicable federal and state laws governing the organizational, programmatic, and financial requirements applicable to charter schools, including:

1. The CHARTER SCHOOL'S admission processes are in compliance with Sections 22-2-4(A)-(D) and 22- 8B-4.1 NMSA 1978.
2. The CHARTER SCHOOL'S admission process does not discriminate against anyone regarding race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or mental disability, or serious medical condition.
3. The CHARTER SCHOOL is a nonsectarian and non-religious public school.
4. Except as otherwise provided in Section 22-12-5(C) NMSA 1978 the Public School Code, the CHARTER SCHOOL does not charge tuition or have admission requirements.
5. The CHARTER SCHOOL complies with all state and federal health and safety requirements applicable to public schools, complies with Sections 22-8B-4.2(A), (C), and (D) NMSA 1978, and must produce an E-Occupancy certificate for all school facilities.
6. The governing body does not and will not contract with a for-profit entity for the management of the CHARTER SCHOOL.
7. The CHARTER SCHOOL complies with all applicable state and federal laws and rules related to identifying and providing special education services.
8. The CHARTER SCHOOL complies with provisions regarding public property identified in the Public School Code, the New Mexico Procurement Code, and the New Mexico Prohibited Sales Act, the Internal Revenue Code, and other applicable federal and state regulations.
9. The CHARTER SCHOOL ensures that criminal background checks are conducted on all employees and applicable reporting is completed in accordance with Section 22-10A-5 NMSA 1978.
10. The CHARTER SCHOOL ensures that it complies with state regulations regarding the use of volunteers set out in Section 6. 50.18 NMAC.
11. The CHARTER SCHOOL complies with the Age Discrimination Act of 1975, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act.
12. The CHARTER SCHOOL provides equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
13. Meetings of the CHARTER SCHOOL Governing Body comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978 and the Inspection of Public Records Act,

Section 14-2-1 et seq., NMSA 1978.

14. The CHARTER SCHOOL complies with all requirements of The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99.
15. The CHARTER SCHOOL has and will adopt all policies and procedures required by the Public School Code, the New Mexico Administrative Code, and the Public Education Commission.
16. The Governing Body or head administrator of the CHARTER SCHOOL recognizes and works with employee labor representatives, if any.
17. The CHARTER SCHOOL has and will develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them.
18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.

Mona Emerick-Biack  
Signature

Mona Emerick-Biack  
Printed Name

5/19/25  
Date

**Attached Exhibit A**

# Exhibit A

To Whom It May Concern:

As a newly appointed board member of Explore Academy Las Cruces, I am signing this document based on information that has been presented to me and assurances provided by school leadership and relevant parties. While I do not yet have personal knowledge of all matters referenced, I am attesting to the best of my current understanding and belief that the representations made are accurate and in compliance.

— Anna Emerick-Biad

May 19, 2025

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF )

COUNTY OF )

I, Anna Emerick-Biad, after being duly sworn, state:

1. My name is Anna Emerick-Biad and I reside in Las Cruces, Nm (city, state).
2. I am a member of the governing body of Explore Academy - Las Cruces in Las Cruces, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the Explore Academy - Las Cruces' governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Anna Emerick Biad

[Signature]

Anna Emerick-Biad

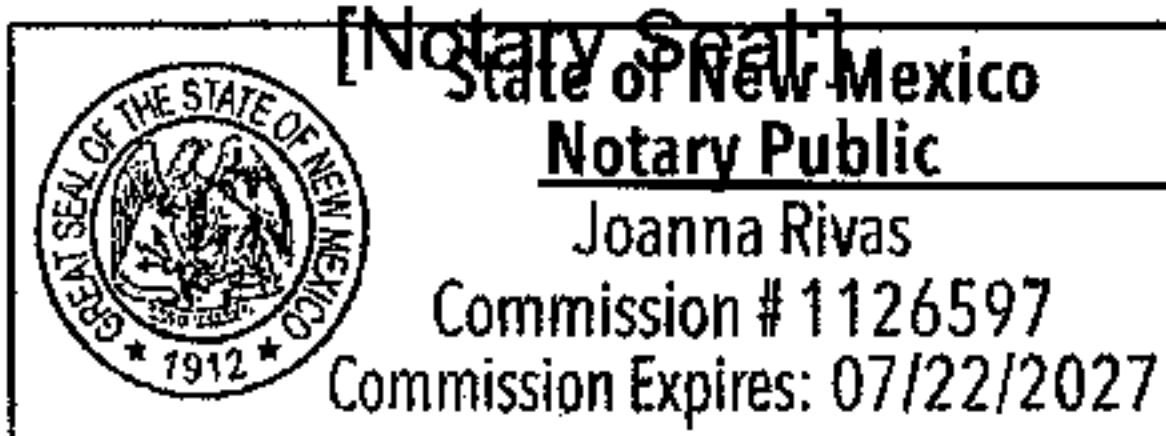
[Print]

5/19/25

Date

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 19 day of May, 2025.



Joanna Rivas

NOTARY PUBLIC

My commission expires: 07-22, 2027.

**AFFIDAVIT OF GOVERNING BODY MEMBER**

STATE OF )

COUNTY OF )

I, Terrence R. Moore, after being duly sworn, state:

1. My name is Terrence R. Moore and I reside in Congers, Georgia (city, state).
2. I am a member of the governing body of Explore Academy - Las Cruces in Las Cruces, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the Explore Academy - Las Cruces' governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Terrence R. Moore

[Signature]

5/20/2025  
Date

Terrence R. Moore

[Print]

**VERIFICATION**

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 20 day of May, 2025.

[Notary Seal:]

Delores Gulley  
NOTARY PUBLIC

My commission expires: 04/03, 2029.



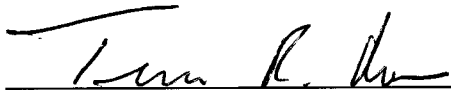
## ASSURANCES

My name is Terrence R Moore and I reside in Conyers, Georgia. I am a member of the governing body for Explore Academy - Las Cruces, a charter school which is located at 850 N. Telshor Blvd (K-5) / 4201 Del Rey Blvd (6-12), Las Cruces, NM 88011 / 88012. I assure that in my capacity as a member of the governing body, the CHARTER SCHOOL complies with all applicable federal and state laws governing the organizational, programmatic, and financial requirements applicable to charter schools, including:

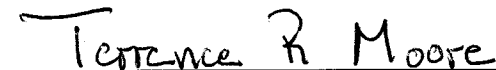
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6. The governing body does not and will not contract with a for-profit entity for the management of the CHARTER SCHOOL.
7. The CHARTER SCHOOL complies with all applicable state and federal laws and rules related to identifying and providing special education services.
8. The CHARTER SCHOOL complies with provisions regarding public property identified in the Public School Code, the New Mexico Procurement Code, and the New Mexico Prohibited Sales Act, the Internal Revenue Code, and other applicable federal and state regulations.
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12. The CHARTER SCHOOL provides equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
13. Meetings of the CHARTER SCHOOL Governing Body comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978 and the Inspection of Public Records Act,

Section 14-2-1 et seq., NMSA 1978.

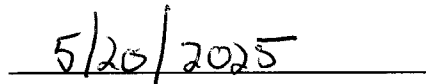
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15. The CHARTER SCHOOL has and will adopt all policies and procedures required by the Public School Code, the New Mexico Administrative Code, and the Public Education Commission.
16. The Governing Body or head administrator of the CHARTER SCHOOL recognizes and works with employee labor representatives, if any.
17. The CHARTER SCHOOL has and will develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them.
18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.



Signature



Printed Name



Date



#### ASSURANCES

My name is Angela Rivera and I reside in Las Cruces, NM. I am a member of the governing body for Explore Academy - Las Cruces, a charter school which is located at 850 N. Telshor Blvd (K-5) / 4201 Del Rey Blvd (6-12), Las Cruces, NM 88011 / 88012. I assure that in my capacity as a member of the governing body, the CHARTER SCHOOL complies with all applicable federal and state laws governing the organizational, programmatic, and financial requirements applicable to charter schools, including:

1. The CHARTER SCHOOL'S admission processes are in compliance with Sections 22-2-4(A)-(D) and 22- 8B-4.1 NMSA 1978.
2. The CHARTER SCHOOL'S admission process does not discriminate against anyone regarding race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or mental disability, or serious medical condition.
3. The CHARTER SCHOOL is a nonsectarian and non-religious public school.
4. Except as otherwise provided in Section 22-12-5(C) NMSA 1978 the Public School Code, the CHARTER SCHOOL does not charge tuition or have admission requirements.
5. The CHARTER SCHOOL complies with all state and federal health and safety requirements applicable to public schools, complies with Sections 22-8B-4.2(A), (C), and (D) NMSA 1978, and must produce an E-Occupancy certificate for all school facilities.
6. The governing body does not and will not contract with a for-profit entity for the management of the CHARTER SCHOOL.
7. The CHARTER SCHOOL complies with all applicable state and federal laws and rules related to identifying and providing special education services.
8. The CHARTER SCHOOL complies with provisions regarding public property identified in the Public School Code, the New Mexico Procurement Code, and the New Mexico Prohibited Sales Act, the Internal Revenue Code, and other applicable federal and state regulations.
9. The CHARTER SCHOOL ensures that criminal background checks are conducted on all employees and applicable reporting is completed in accordance with Section 22-10A-5 NMSA 1978.
10. The CHARTER SCHOOL ensures that it complies with state regulations regarding the use of volunteers set out in Section 6. 50.18 NMAC.
11. The CHARTER SCHOOL complies with the Age Discrimination Act of 1975, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act.
12. The CHARTER SCHOOL provides equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
13. Meetings of the CHARTER SCHOOL Governing Body comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978 and the Inspection of Public Records Act,

Section 14-2-1 et seq., NMSA 1978.

14. The CHARTER SCHOOL complies with all requirements of The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99.
15. The CHARTER SCHOOL has and will adopt all policies and procedures required by the Public School Code, the New Mexico Administrative Code, and the Public Education Commission.
16. The Governing Body or head administrator of the CHARTER SCHOOL recognizes and works with employee labor representatives, if any.
17. The CHARTER SCHOOL has and will develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them.
18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.



Signature

Angela Rivera

Printed Name

5/22/2025

Date

## EXHIBIT A

To Whom it May Concern:

As a newly appointed board member of Explore Academy Las Cruces, I am signing this document based on information that has been presented to me and assurances provided by school leadership and relevant parties. While I do not yet have a personal knowledge of all matters referenced, I am attesting to the best of my current understanding and belief that the representations made are accurate and in compliance.

Angela Rivera

May 22, 2025

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF New Mexico

COUNTY OF Dona Ana

I, Angela Rivera, after being duly sworn, state:

1. My name is Angela Rivera and I reside in Las Cruces, NM (city, state).
2. I am a member of the governing body of Explore Academy - Las Cruces in Las Cruces, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the Explore Academy - Las Cruces governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

6. See Exhibit A (attached) for statement of understanding.

[Signature]

[Signature]

5/22/2025

Date

Angela Rivera

[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 22 day of May, 2025.

[Notary Seal:]

Bernadine Naylor

NOTARY PUBLIC

My commission expires: April 16, 2026.

