

AGENDA ITEM EXECUTIVE SUMMARY

- I. Public Education Commission Meeting Date: April 7, 2017
- II. Item Title: DISCUSSION AND POSSIBLE ACTION ON GOVERNANCE
UPDATES FROM SCHOOLS
 - A. Monte Del Sol Charter School

School Governance Change

Monte del Sol Charter School

On October 11, 2016, three vacancies were created on the Governance Board due to the resignation of Jennifer St. Clair, Elena Ortiz and James Ledyard. Although the school failed to fill the vacancies by the required due date, November 10, 2016, and was not in compliance with the charter, two new board members were designated on January 10, 2017. An additional board member, Gilbert Lopez, was removed due to non-attendance on January 10, 2017. The NMPED received notification of the resignations and removal on January 11, 2017. The NMPED received notification of the designations on January 17, 2017. Based on the submitted information, the school has two outstanding vacancies. These must be filled by February 24, 2017.

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Please complete and submit this form to: Charter Schools Division, Public Education Department, charter.schools@state.nm.us, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Monte del Sol Charter School

Date submitted: 01-11-2017

Contact Name: Cate Moses

E-mail: cmoses@montedelisol.org

Governing Board Member Name	Action	Date of Action	Reason for removal or resignation	Term of Service
Jennifer St. Clair	Resigned	Resignation approved by Governing Board 10-11-2016 Resigned: 09-25-2016	Stated in accompanying resignation letter	From: 03-2014 To: 10-11-2016
Elena Ortiz	Resigned	Resignation approved by Governing Board 10-11-2016 Resigned: 09-26-2016	Stated in accompanying resignation letter	From: 05-2011, renewed 06-2016 To: 10-11-2016
Gilbert Lopez	Removed	Removal approved by Governing Board 01-10-2017	Nonattendance	From: 02-2013 To: 01-10-2017
James Ledyard	Resigned	Resignation approved by Governing Board 10-11-2016 Resigned: 10-08-2016	Moving out of state	From: 03-2016 To: 10-11-2016

Original Signature of Governing Council President or Designee:



Date: 1/10/17

Printed Name of Governing Council President or Designee: Cassandra Reid

Required Attachments:

This Form **MUST** include each of the following, as applicable:

- Notices of Resignation or Removal
- The governing body minutes showing the vote to remove the member, or

Sept 25, 2016

Dear Board,

I apologize that my rant against Alfredo was sent to the faculty. I intended it only to be seen by the board and Alfredo. It is totally my fault for not realizing that 'Board Plus' included the faculty. I didn't mean to cause Alfredo any embarrassment in front of his colleagues. However I did intend for him to be made aware of the depth of my personal concern...**as a parent**...at his behavior and performance as a teacher and A.D. I have forwarded to Cass the email that I referred to in my rant.

As a veteran teacher and active member of NEA I was in a unique position to hear faculty concerns. I have related some to the entire board and some to Cass. I have also kept many to myself. I feel like when I've raised concerns about teacher performance I am dismissed as relying on anecdotal evidence, or just being too hard on folks. There goes Jenni, ragging on Robert and the teachers again. This dismissive attitude towards my legitimate concerns, coupled with my observations of continued unacceptable teacher behavior (by a select group of teachers) has fed my anger and resentment until it blew.

My attack was born of frustration and resentment. I wanted to shine a light on the issue that we have been dancing around since I joined the board. The issues concerning faculty culture are clearly having a negative impact on the ability of Monte to serve its students and its mission.

I thought that when I pulled both of my children from Monte that someone would ask me why. My children really loved and learned

from some of their teachers there. However, they would talk of outrageous student behavior being tolerated in class, of movie after movie being shown, and of lessons and units of study that lacked cohesion as well as common core principles. The bullying and rampant drug use was also why they begged me to transfer them. They would mention 'free days' where ZERO instruction happened while kids just read, talked or worked on homework. I can tell you that 'free days' do not exist in any of the schools that I've ever worked in. The stakes are simply too high. This has worried and concerned me for a long time. Alfredo was unfortunately the victim of my anger and resentment, but it is ultimately the students who are the victims of a broken system of teacher accountability. That's what makes me livid.

So...I blew my top and martyred myself to the cause of transparency, truth, and hopefully some REAL change in what is expected of ALL faculty at Monte. I will be moving to Moscow to join my comrade Edward Snowden. Therefore I must resign as a board member. I hope that my outburst shakes people up enough to make some significant changes. I wish you well.

Jenni

From: Elena <elena611@comcast.net>

Subject: resignation

Date: September 26, 2016 at 11:28:23 AM MDT

To: "Reid, Cassandra" <cassandra@lotustileworks.com>, board <board@montedelsol.org>

Dear Cass,

Please accept my resignation from the Governing Board at Monte del Sol. You and I have had many conversations about the challenges that Monte faces. And you know how I feel. The Monte del Sol I chose to serve as a board member does not exist anymore. What remains is a school in the middle of an existential crisis. Nobody wants to accept that, so it is business as usual. The issues which must be addressed if the school is to pull itself out of this graveyard spiral are, as follows:

- The Board is not an accurate representation of the demographics of the school. In order to be remedy that, the board development committee must find Hispanic/Latino/Immigrant community members willing to serve on the board and its committees. If it remains as it is currently staffed, it will continue to be anachronistic and out of touch.
- The school no longer has a PTA or other similar organization because of the lack of interest by community members. A recent attempt to create a booster club failed because no one was interested in helping. I suggested mandatory volunteer hours from every family, but that attempt failed because, once again , it became the responsibility of the board to make it happen. It is not up to the board. It is up to the school community. They need to be invested.
- The school's administration and board are so deeply entrenched in a system of paternalism and a colonized educational model that they are blind to the needs of the students. This behavior severely limits students autonomy and the faculty/staff's ability to utilize 'teachable moments'.
- Faculty is allowed to teach to their interests rather than to the Common Core which has created a domino effect that is currently being referred to as 'brain drain'. Motivated students and families who see college in their future will continue to leave Monte unless this is addressed.
- Faculty and staff are not being disciplined and are allowed to treat other faculty, staff and students in disrespectful ways to the point where students are leaving the school. Many of these instances also include faculty violating students' federal rights to privacy.

I cannot remain on the board for these and many other reasons which I will not elaborate on. I wish you all well.

Elena Ortiz

From: James Ledyard <jledyard@montedelsol.org>
Subject: Re: agenda for next tuesday
Date: October 8, 2016 at 12:41:46 PM MDT
To: Cassandra Reid <cassandra@lotustileworks.com>

I won't be with you all, as I know you are aware. All best wishes. Sorry my Board tenure was so brief.
Good luck,
Jim

Sent from my iPhone

On Oct 7, 2016, at 10:28 AM, Cassandra Reid <cassandra@lotustileworks.com> wrote:

<agenda 2016-10-11.pdf>

**Minutes
Governing Board
Monte del Sol Charter School
4157 Walking Rain Road
Santa Fe, NM 87507**

Tuesday January 10, 2017 6:00 PM

Voting Members Present: Michael Smith, Anne Salzmann, Cassandra Reid, Korina Lopez, Robert Jenkins. **Voting Members Absent:** Brett Frauenglass **Non-Voting Members Present:** Robert Jessen, Tami Clarke, Jaime Sowers, Liz Tidrick, Henry Chambers, Rachel Zelizer

Call to Order: 6:07 p.m. **Motion:** Cassandra Reid; 2nd: Michael Smith

Consideration of Agenda

Motion to accept agenda Michael Smith; 2nd: Anne Salzmann. Carried forward

Consideration of Minutes from Dec. 12, 2016 meeting.

Motion to approve minutes: Michael Smith; 2nd: Anne Salzmann Carried forward

Announcements, Introductions, and Procedural Items

Public Comment: This section of the agenda is reserved for comment from the public on items that are not otherwise on this agenda. Public comment may be limited to five minutes per speaker, or a total of twenty minutes apportioned between members of the public who wish to address the board. Anyone wishing more time must make prior arrangements with the Chair of the Board.

There was no public comment

Reports and Action Items:

1. Foundation Report

2. Finance Committee

a. Consideration of bank reconciliations and checks

b. Consideration of BARs

BAR – 11000 - 0027 –Decrease SEG due to legislative and T&E audit

BAR – 11000 – 0028 – Transfer move budget from 2000- 1000 to cover SEG decrease

BAR 22000-0029– Increase to record additional revenue received for Athletics

BARs approved by unanimous consent.

c. Consideration of any unbudgeted purchases or contracts in excess of \$20,000

No unbudgeted purchases or contracts in excess of \$20,000

3. Head Learner report

- a. Discussion of budget picture and solutions
- b. Performance Framework update

4. Introduction of and brief discussion with George Otero, education specialist.

5. Facilities Committee

- a. Update on Investment Grade Energy Audit

6. Faculty report

- a. Reportback on shared governance

7. Student report

8. Discussion and vote on whether to amend the Charter Contract to remove the free and reduced lunch program

Motion to approve: Michael Smith; 2nd: Korina Lopez. Passed

9. Discussion and vote on Volunteer Policy

Motion to approve: Michael Smith; 2nd: Korina Lopez. Passed

10. Discussion and possible vote re revising board member terms

Tabled

11. Discussion and possible vote on raising the enrollment cap to 380 students

Tabled

12. Board Development Committee

- a. Update on recruitment of new members

b. Vote on whether to add two new Governing Board Members: Robert D. Jenkins, Jr. and Gabriel Alarcon

Motion to approve: Michael Smith; 2nd: Korina Lopez. Passed

- c. Vote on whether to remove Board Member Gilbert Lopez for non-attendance

Motion to approve: Korina Lopez; 2nd: Michael Smith. Passed

13. Head Learner Evaluation Committee

a. Update on Head Learner Evaluation process and calendar

14. Business proposed for next regular meeting

15. Adjournment: 8:39 p.m.

Motion to adjourn: Anne Salzmann; 2nd: Robert Jenkins

Next regular meeting is Tuesday February 14, 2017.

Agenda is available at montedelsol.org, and a paper copy is posted on the front door of the school.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact Monte del Sol Charter School at 982-5225, at least one week prior to the meeting if possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Office of the Head Learner at 982-5225 if a summary or other format is needed.

Directions: From Rodeo Road, take Richards Avenue south to Governor Miles, which is the first traffic light. Take a right onto Governor Miles and proceed .7 miles to Dancing Ground Road. Go left. At Walking Rain Road go left again and continue until you reach the school.

STATE CHARTER SCHOOL CHANGE OF GOVERNING BODY MEMBERSHIP FORM

Please complete and submit this form to: Charter Schools Division, Public Education Department, charter.schools@state.nm.us, Room 301, 300 Don Gaspar, Santa Fe, NM 87501

Name of State-Chartered School: Monte del Sol Charter School

Date submitted: 01-11-2017

Contact Name: Cate Moses

E-mail: [Click here to enter text.](#)

Governing Board Member Name	Action	Date of Action	Reason for removal or resignation	Term of Service
Robert D. Jenkins, Jr.	Appointed to Governing Board	01-10-2017	N/A	From: 01-10-2017 To: 01-10-2021
Gabriel Alarcon	Appointed to Governing Board	01-10-2017	N/A	From: 01-10-2017 To: 01-10-2021

Original Signature of Governing Council President or Designee: _____

Cassandra Reid

Date: 1/10/17

Printed Name of Governing Council President or Designee: _____

Cassandra Reid

Required Attachments:

This Form **MUST** include each of the following, as applicable:

- Notices of Resignation or Removal
 - The governing body minutes showing the vote to remove the member, or
 - The resigning member's signed and dated written resignation;
- Notices of Designation:
 - An updated "STATEMENT OF GOVERNING BODY TO CONSULT WITH PED" signed by all current governing body members, and
 - An "AFFIDAVIT OF GOVERNING BODY MEMBER" signed by the new governing body member and verified by a notary public.

STATEMENT OF GOVERNING BODY TO CONSULT WITH PED

We, the undersigned, make up the governing body of the Monte del Sol Charter School, located in Santa Fe, New Mexico.

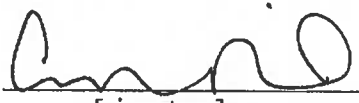
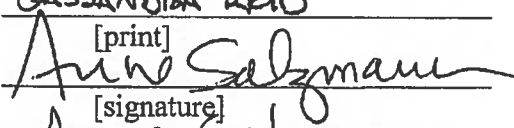
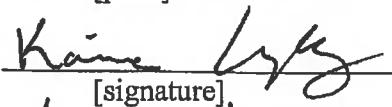
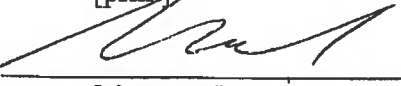
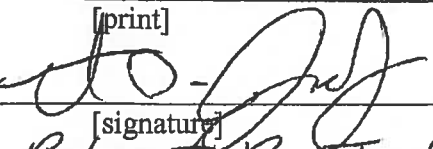
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of [insert name of school]'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 [INSERT NAME OF SCHOOL] GIVE THE FOREGOING STATEMENT THIS 10th DAY OF JANUARY, 2017.

1. 
[signature]
CASSANDRA REID
[print]
2. 
[signature]
Anne Salzman
[print]
3. 
[signature]
Kerina Lopez
[print]
4. 
[signature]
Michael Smith
[print]
5. 
[signature]
Robert D. Jenkins Jr.
[print]

Attach additional pages if membership exceeds five.

6. 

[signature]
GABRIEL A.
[print]

7. _____
[signature]

[print]

8. _____
[signature]

[print]

9. _____
[signature]

[print]

10. _____
[signature]

[print]

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF Santa Fe)

I, Robert Dunlap Jenkins Jr., after being duly sworn, state:

1. My name is Robert D. Jenkins Jr. and I reside in Santa Fe, New Mexico.

2. I am a member of the governing body of Monte del Sol Charter School in Santa Fe, 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 [insert name of school]'s 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.

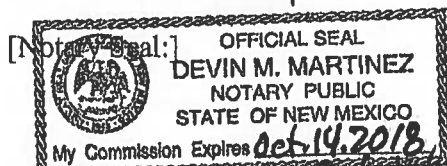
[Signature]
[Signature]

January 11, 2017
Date

Robert D. Jenkins Jr.
[Print]

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 11 day of January, 2017.



My commission expires: Oct 14, 2018.

[Signature]
NOTARY PUBLIC

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO

COUNTY OF SANTA FE

I, Gabriel Alarcon, after being duly sworn, state:

1. My name is Gabriel Alarcon and I reside in SANTA FE, New Mexico.
2. I am a member of the governing body of Monte del Sol Charter School in Santa Fe, 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 [insert name of school]'s 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.


[Signature]

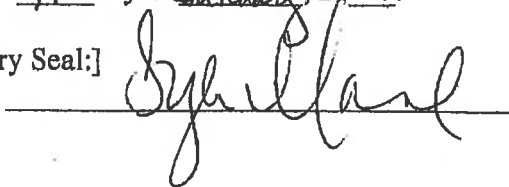
1/11/17
Date

Gabriel Alarcon
[Print]

VERIFICATION

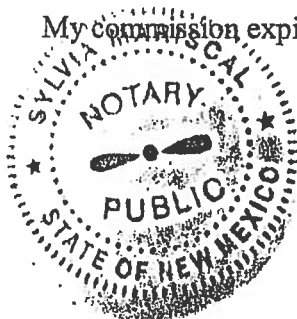
The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 11th day of January, 2017.

[Notary Seal:]



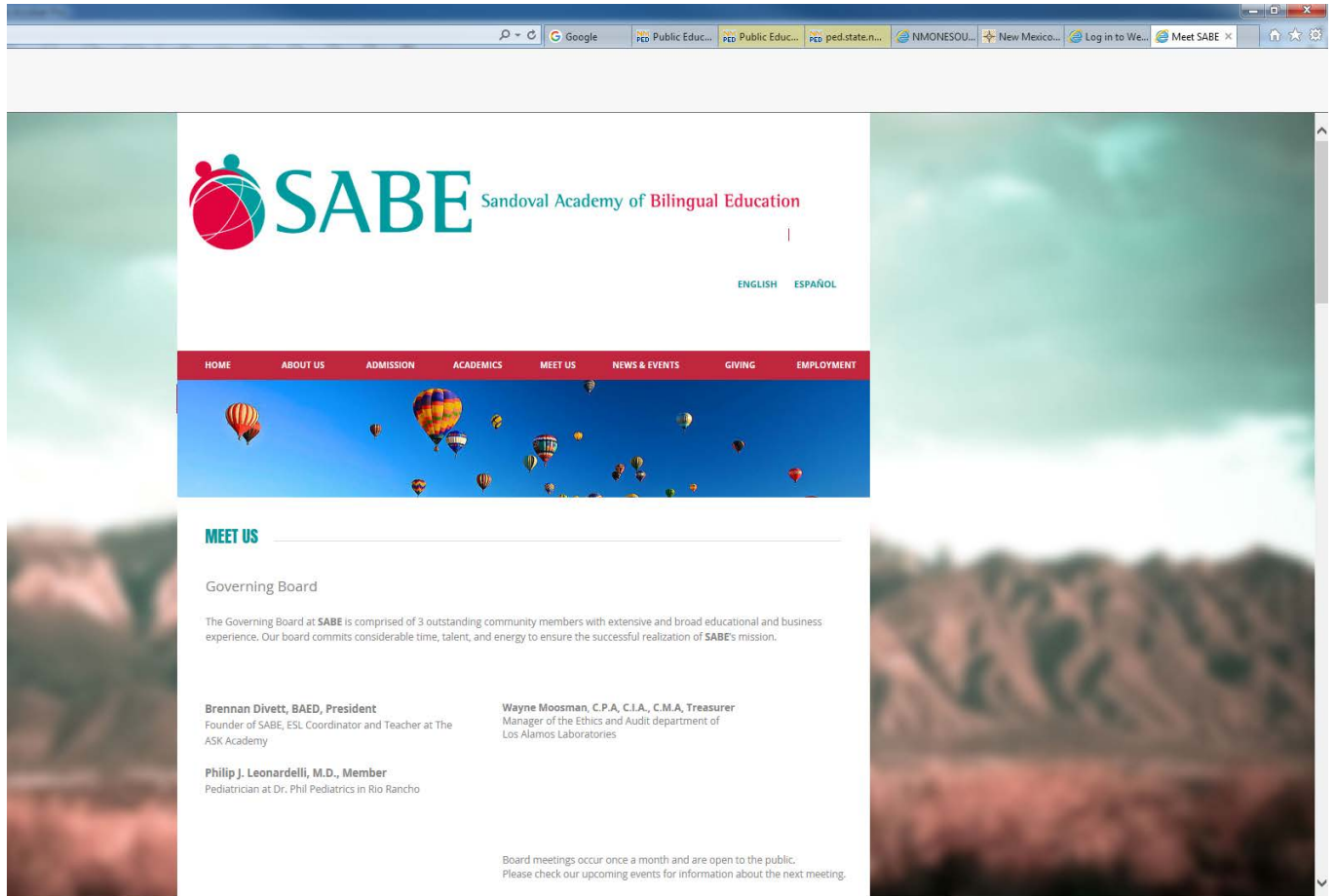
NOTARY PUBLIC

My commission expires: 3-23, 2019.



B. Sandoval Academy of Bilingual Education (SABE)

Based on reporting from the school and the school's website, PED is concerned that the school does not meet the minimum number of governing body members. The PED has not received any governance change forms from the school and it unaware of changes to the governance.



C. Alma D'Arte Charter High School

During the annual charter school site visit, PED learned that the school has only 4 governing body members. Attached is a report from the school dated November 2016 that indicates two vacancies. The school has not reported any governance changes under the PEC's governance change policy. PED is concerned that the school's board does not currently, and has not for some time, met the minimum statutory membership requirement.

Governance Council Directory
ALMA D'ARTE CHARTER HIGH SCHOOL
November 28, 2016

Position No. 1

NAME	Gene H. Elliott, President	<u>Term:</u> 1/14-12/16 *
ADDRESS	P.O. Box 441, Dona Ana, NM 88032	
PHONE	HO 575-525-1575 CP 505-514-9753	
EMAIL:	gelliottcyc@aol.com	
OCCUPATION	Retired Business Owner	

Position No. 2

NAME	(Vacant)	<u>Term:</u> 1/14-12/16
ADDRESS		
PHONE		
EMAIL		
OCCUPATION		

Position No 3

NAME	Carolyn J. Williams, Secretary	<u>Term:</u> 1/16-12/18
ADDRESS	5064 Rock House Road, Las Cruces, NM 88011	
PHONE	HO 575-532-5052 CP 858-248-0057	
EMAIL	cjoyce6570@hotmail.com	
OCCUPATION	Retired Special Education Teacher	

Position No 4

NAME	Karen Caroe	<u>Term:</u> 1/16-12/18
ADDRESS	510 N. Park Dr., Las Cruces, NM 88005	
PHONE	WK: 5750571-7709 CP 575-571-7491	
EMAIL	kkcaroe@gmail.com	
OCCUPATION	Headmistress, Desert Springs Christian Academy	

Position No 5

NAME	Casilda Provencio, Vice President	<u>Term:</u> 1/15-12/17
ADDRESS	441 Yale Drive, Las Cruces, NM 88005	
PHONE	HO 575-527-1444 CP 575-642-1783	
EMAIL	casprove@nmsu.edu	
OCCUPATION	Retired Senior Research Assistant	

Position No 6

NAME	(Vacant)	<u>Term:</u> 1/15-12/17
ADDRESS		
PHONE		
EMAIL		
OCCUPATION		

Position No 7

Authorized but not filled to date	<u>Term:</u> 1/15-12/17
-----------------------------------	-------------------------

Position No 8

Authorized but not filled to date	<u>Term:</u> 1/16-12/18
-----------------------------------	-------------------------

Position No 9

Authorized but not filled to date	<u>Term:</u> 1/14-12/16
-----------------------------------	-------------------------

* Terms are applied to position number and not to individuals to maintain rotation of membership.