

Appendix C, Open Meetings Resolution, Governing Body Bylaws and Policies

## **CARIÑOS CHARTER SCHOOL**

### **RESOLUTION ESTABLISHING OPEN MEETING NOTICE REQUIREMENTS**

#### **FOR THE 2017-2018 SCHOOL YEAR**

**WHEREAS**, Cariños Charter School Building is located on 714 don Diego Street, Espanola, New Mexico -87532 (Formerly known as the Old Espanola Public School Administration Building ). The Cariños Charter School Governance Board met in regular session at the Rio Arriba County /Training Conference Room , 1122 Industrial Park Road, Espanola , New Mexico on May 31, 2017 at 1:00 p.m. as provided by law; and

**WHEREAS**, Section 10-15-1 (B) of the Open Meeting Act ( NMSA 1978, Section 10-15- to - 4) states that, except as may otherwise be provided in the Constitution or the provisions of the Open Meeting Act, all meetings of a quorum of members of any board. council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy , discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body , are declared to be public meetings open to the public at all times; and

**WHEREAS**, any meeting subject to the Open Meeting Act at which the discussion or adoption of any proposed resolution , rule , regulation or formal action occurs shall be held only after reasonable notice to the public,

**WHEREAS**, Section 10-15-1 (D), of the Open Meeting Act (NMSA 1978, NMSA), requires the Cariños Governance Board to determine annually what constitutes reasonable notice of its public meetings, and

**WHEREAS**, that such notice for board meeting shall include broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice.

**NOW THEREFORE**, be it resolved by the Cariños Governance Board of the Cariños Charter school that:

1. All meetings shall be held at the locations as indicated in the meeting notices at 1:00 p.m. or at times indicated in the meeting notices.
2. Unless, otherwise \*specified, regular meetings shall be held once a month on the last Wednesday of the month. All meetings shall be held at the dates and times indicated in the meeting notices. The agenda will be posted on the Cariños Administration Bulletin Board and or may be available through the Cariños Charter School Web Site , barring technical difficulties (carinoscharterschool.org) at least seventy two (72) hours prior to the meeting from the Chief Executive Officer's office, whose new located office will be at the Cariños Charter School Building on 714 Calle Don Diego , Espanola New Mexico -

87532. Notice of regular meetings will be given ten (10) days in advance of the meeting date.

3. The notice shall indicate how a copy of the agenda may be obtained. The tentative dates for the regular meetings are as follows:

July 26, 2017	August 30, 2017	September 27, 2017	Oct.25, 2017
Nov. 29, 2017	Dec. *20, 2017	January 31, 2018	Feb. 28, 2018
March 28, 2018	April 25, 2018	May 30, 2018	June 27, 2018

4. Special meetings may be called by the Chairman or a majority of the members upon three (3) day notice. The notice shall indicate how a copy of the agenda may be obtained. The agenda will be posted on the Administration Bulletin Board in the Cariños Charter School Building in Espanola, NM and or may be available through the Cariños Charter School Web Site barring technical difficulties ([carinoscharterschool.org](http://carinoscharterschool.org)). The agenda shall be made available to the public at last twenty-four hours before any special meeting.
5. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of the citizens and or to protect the public body from substantial financial loss. The Cariños Governance Board will avoid emergency meeting whenever possible. Emergency meetings may be called by the Board President or a majority of the members upon twenty four (24) hours notice, unless threat of personal injury or property damage requires less notice. The agenda will be posted on the Cariños Administration Bulletin Board in the Cariños Charter School Building in Espanola, NM and or may be available through the Cariños Charter School Web Site barring technical difficulties ([carinoscharterschool.org](http://carinoscharterschool.org)).
6. For the purpose of regular meetings, described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted in the following locations: Cariños Administration Bulletin Board in the Cariños Charter School Building in Espanola, NM and /or may be available through the Cariños Charter School Web Site barring technical difficulties ([carinoscharterschool.org](http://carinoscharterschool.org)).
7. For the purpose of special and emergency meetings, described in paragraph 3 and 4 of this resolution, notice requirements are met if notice of the date, time and place is provided by posting notices at the Cariños Administration Bulletin Board in the Cariños Charter School Building in Espanola, NM and /or may be available through the Cariños Charter School Web Site barring technical difficulties ([carinoscharterschool.org](http://carinoscharterschool.org)).
8. In addition to the information above, all notices shall include the following language: “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 hearing or meetings, please contact the Chief Executive Officer at the Cariños Administration Office at 505-753-1128 at least one (1) week prior to the meeting or as

soon as possible. Please contact the Chief Executive Officer at 505-753-1128, if a summary or other type of accessible format is needed.”

9. The Cariños Governance Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meeting Act.
  - a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Cariños Governance Board taken during an open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded on the minutes. Only those subject specified in the motion may be discussed in the closed meeting / executive session.
  - b. If a closed meeting is conducted when the Cariños Governance Board is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.
  - c. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
  - d. Except as provided in Section 10-15-1 (H) of the Open Meeting Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the Cariños Governance Board in an open public meeting.
10. Pursuant to 10-15-1 NMSA 1978, paragraph C, a member or members of the Cariños Governance Board may participate in a meeting of the Governance Board by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member or members to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any members of the public body who speak during the meeting.
11. That such notice for board meeting shall include broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice
12. Posting: This Resolution shall be posted on July 1 2017 at Cariños Charter School located in Espanola, New Mexico; and on the Cariños website: [www.carinsocharterschool.org](http://www.carinsocharterschool.org) .

PASSED AND APPROVED BY THE CARIÑOS GOVERNANCE BOARD OF THE CARIÑOS CHARTER SCHOOL ON THIS 31<sup>st</sup> DAY OF MAY 2017.



**Cariños de los Niños Charter School**  
**Cariños Governance Board Bylaws and Operation Guidelines**  
**for 2017-2018 School Year\_ for Thereafter**

Approved on December 30, 2010 - Authorizer EPS

Re-Approved and Amended on August 26, 2015 -Authorizer EPS

Re- Approved and Amended on July 26, 2016, and July 26, 2017 for  
Thereafter-Authorizer New Mexico Public Education Commission-  
(NMPEC)

• **Article I. Name of Office**

1. The name of the institution is: Cariños de los Niños Charter School (“Cariños”).
2. The Cariños Charter School and Office is located at: 714 Called Don Diego - Espanola, New Mexico – 87532 (Location of school is formerly known as the Old Espanola Public School Administration Office).
3. Cariños Mailing Address is :  
Cariños Charter School  
P.O. Box 130  
Espanola, New Mexico  
87532
4. Chief Executive Officer (CEO) : Mr. Vernon Jaramillo

• **Article II. Purpose**

1. Cariños’ purpose is to develop and operate a charter school pursuant to the New Mexico Charter School Act of 1999 (NMSA 1978 §§ 22-8B-1 et seq. and 22-8B-15 et seq., as amended) and its pertinent regulations.
2. Cariños will comply with all applicable federal, state, and local laws and Public Education Department (PED) and Authorizers regulations.
3. Cariños affirms its commitment to the rights of all students, parents and employees.

- **Article III. Mission Statement – Under New Mexico Public Education Commission- (NMPEC ) as the Authorizer**

The Mission of the Cariños de los Niños Charter School is to promote academic achievement through a Dual Language 50/50 Model for grades Kindergarten through 8<sup>th</sup> “at risk” students in the Espanola Valley.

- **IV. Governance**

Cariños Charter School is governed by its Governance Board, which acts as the **overseer** of its finances for the approved charter school, **since the Authorizer serves as the official Board of Finance.** The Governance Board has a responsibility to ensure that Cariños operates in accordance with all applicable laws and regulations, complies with the Open Meetings Act (NMSA 1978-10-15), and meets its commitments to the Authorizer and or New Mexico Public Education Department (NMPED) as reflected in its charter. The Governance Board will delegate to the Chief Executive Officer the authority to operate and manage the program and implement the charter policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level.

- **Article V. Anti-Nepotism for Head Administrator/Chief Executive Officer**

The Head Administrator/Chief Executive Officer of a charter school shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law of a member of the governing body or the head administrator. **The governing body may waive the nepotism rule for family members of a head administrator** (New Mexico Statutes - Chapter 22 - Article 8B – Charter Schools).

- **Article VI. Anti-Nepotism for Board Members**

**No “immediate family member” of a governing board shall not be employed** while the Board member is on the Cariños Governance Board. For the purpose of this section, “Immediate family member” means spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law or any other relative who is financially supported.

- **Article VII. Development and Size**

From the term that begins upon the approval of this charter, all members of the Governance Board shall be appointed by the founding members as listed in the charter applications and or by its existing Board members. The appointed Board members must give their complete loyalty to the Charter Application, Assurances and to its Mission and set Goals stated on the Charter Application. Board member positions that become available on the Governance Board after this term shall be filled by the remaining majority vote of the Governance Board.

The Governance Board shall consist of five official board members.

The Governance Board from time to time, may also appoint a Special Committee with non-voting committee members composed of students , parents, community members and staff members with given special assignments and or duties. This aligns with our advisory required participation.

A Governance Board member will hold office for a four (4) year term from the date of his/her first appointment or until a successor is appointed. Board members may serve two (2) appointed terms during an eight (8) year period. However, Board members may serve an additional term or terms after the two four year terms have expired if the Board determines that given the current circumstances facing Cariños, the need for continuity or the particular skills of the departing Board member make it advisable for the departing Board member to be appointed to an additional term or terms. The seats on the Governance Board shall be assigned as follows:

Seat 1- Term expires every four years, unless re-appointed.

Seat 2- Term expires every four years, unless re-appointed.

Seat 3- Term expires every four years, unless re-appointed.

Seat 4- Term expires every four years, unless re-appointed.

Seat 5- Term expires every four years, unless re-appointed.

The members of the Cariños Governance Board may ordinarily organize their officer's positions (President, Vice President, and Secretary) or its organizational structure on the month of July, or at any time that the board wishes to by majority vote.

- **Article VIII. Description of Positions:**

The Governance Board will consist of: President, Vice President, Secretary and two additional officers. This decision will be determined by the entire Board.

President: The President will act as a liaison between the Governance Board and the Chief Executive Officer and Business Manager. The President will coordinate all orders and resolutions of the Governance Board with the Chief Executive Officer and Business Manager



and will review progress with these individuals at their offices and at the Governance Board Meetings.

Vice President: The Vice President will have all powers and perform all duties of the President in the absence, resignation, or incapacity of the President.

Secretary: The Secretary will see that minutes are kept of all meetings of the Governance Board.

**Note: The Finance Committee:** The Cariños Governance Board shall appoint a Finance Committee that consists of two Cariños Board Members, Chief Executive Officer and Business Manager will comply with NM HEC/227 & 251.

**Note: The Audit Committee.** The Cariños Governance Board shall appoint an audit committee that consists of two board members, one volunteer member who is a parent of a student attending that school district and one volunteer member who has experience in accounting or financial matters.

**Note:** An officer of the Cariños Governance Board may be removed from his/her duty as an **officer** by the Governance Board, whenever in its judgment the best interest would be served thereby, and this can be accomplished by a majority vote of those members at a meeting duly called for that purpose. The Board member will remain on the Governance Board.

- **Article IX. Recruitment and Selection, None-Compensation, Orientation Process, Professional Development, Travel and Per-diem Expenses, Training Cost, Inclusive of Removal and or Replacement:**

The Cariños Governance Board Members will be considered, selected and appointed by the existing Governance Board from the Española Valley and neighboring communities. Due to the nature of the responsibilities of overseeing finances, construction, agricultural, community partnerships and educational programs and issues, Cariños will recruit community members who have finance, business, construction, law, community involvement, school leadership experience and parenting experience. Governance Board members will serve on the Board on voluntary basis without expectation of monetary compensation or a stipend or mileage to attend monthly scheduled Board meetings.

Individuals wishing to serve on the Governance Board, due to a board member vacancy must submit their names, brief resumes, and a short statement outlining their interests, goals, and objectives in serving on the Governance Board to the Chief Executive Officer. The Chief Executive Officer will review the all applications and shall interview the qualified applicant(s). The Chief Executive Officer shall recommend the chosen successor at the next regular or special board meeting and the nominee shall be considered and or approved by the majority of the Governance Board Members. If a Governance Board Member resigns, the member's seat will be filled by a majority vote of the remaining Governance Board member(s) through the

established process and through the Chief Executive Officer's recommendation, until the expiration of the term without losing the opportunity for the two-term limit.

Newly elected board members will be expected to participate in trainings, to review the charter bylaws and content, and to review meeting minutes. The Governance Board will support new members by ensuring they feel prepared to participate in the decision-making process.

The Governance Board will attend training in charter school law, budget, policy, procurement code, open meetings act, code of ethics, Education Plan for Student Success (EPSS), or other strategic planning. The Cariños Charter School is a member to the New Mexico Coalition for Charter Schools and its Board member will utilize the offered training, as appropriate. The Cariños Governance Board is also a member to the New Mexico School Boards Association and the Board members will also utilize the offered training, as well. Cariños will provide each Board member travel (Per-diem and Mileage) to attend training, conferences meeting, school related business and will cover training expenses, as appropriated by the Board.

Governance Board Members who wish to resign must do so with a least a thirty (30) day notice in writing to the Board President. The Board member who is resigning agrees to return all Cariños equipment and materials.

Any Board member of the Governance Board may be removed by the Governance Board whenever in its judgment; the Board's best interest would be served thereby. This can be accomplished by a majority vote of those members present at a meeting duly called for that purpose.

If any Board member fails to attend two consecutive Regular Meetings of the Governance Board without a valid excuse and after having been notified by the President of such failure to attend, then said absent member shall in that case, be deemed to have resigned. However, the Governance Board shall have the power to excuse the absence of any Board member for a Regular Board Meeting or Special Board Meeting, who has a valid excuse.

Pursuant to 10-15-1 NMSA 1978, paragraph C if reflected on the approved on the annual Open Meeting Act Resolution, a member or members of the Cariños Governance Board may participate in a meeting of the Governance Board by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member or members to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any members of the public body who speak during the meeting.



A Board membership vacancy due to death, resignation or disqualification may be filled by the Governance Board for an unexpired portion of the term.

## **Article X. Code of Ethics:**

The Cariños Governance Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

- Board members must have **Commitment and loyalty to the Charter's founding Mission and the Charter Application** and avoid conflicts caused by loyalties to staff, other organizations, any personal interests and or any self centered groups or other special interest groups.
- Board members must avoid conflict of interest with respect to their fiduciary responsibility.
  - There will be no self-dealing of business by a member with the organization. Members must disclose any conflict of interest and then refrain from comment and voting. There shall be "No Business" with a Board members' outside personal business or service(s) within sixty (60) days from the time of appointment and with the Board's approval.
  - Board members will not use their position to obtain employment in the organization for themselves or family members. Board members must resign ninety (90) days prior to applying for employment.
- Board members will respect the confidentiality appropriate to issues of a sensitive nature.
  - All personnel discussion and other topics under the "New Mexico Open Meeting Act" must only occur in closed session and must be kept confidential.
  - Members must refrain from individual judgments of employees of the school.
  - Board members and designees are authorized to only repeat explicitly stated board decisions that were made in public to press, and other entities.
- Board members will be properly prepared for Board meetings, actions, and deliberation.
- Board members, to the best of their ability, will be prompt and consistent in their attendance of meetings.

## • **Article XI. Conflict of Interest**

- A. Board members are prohibited from using confidential information acquired by virtue of their association with Cariños Charter School or the Cariños Governance Board members or the Cariños Governance Board for their individual or another private gain or another organizations gain.

- B. Board members are prohibited from requesting or receiving and accepting a gift or loan for them or another that tends to influence them or appear to influenced them in the discharge of their duties as a Board Member.
- C. Business with suppliers will not be influenced or appear to be influenced by a Board Member's financial interest.
- D. Board members must not engage in activities which violate federal, state, or local laws or which, in any ways diminish the integrity and efficiency of the Cariños Governance Board or Cariños Charter School.
- E. The Board will not initially employ or approve the initial employment of a Chief Executive Officer for Cariños Charter School who is a Board members spouse, father, father-in-law, mother, mother-in-law, son, son-in-law or daughter, daughter-in-law in accordance with New Mexico State Statute (NMSA 22-8B-10),
- F. From time to time, friends, acquaintances, parents, employees and others will ask a Board member for favors in terms of hiring and retaining of Cariños employees as well as taking sides on matters of student discipline and other school matters. To the extent possible, Board members are to inform such individual(s) that as Board members, they are not to take an active role in the day to day operations of Cariños: however, such a Board member may certainly look into the matter by talking to the Chief Executive Officer, in order to assure that fairness and proper actions are being taken. **No Board member is to feel that he/she has the power or authority or influence the day to day operations and decisions of Cariños.** The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level. Any perceived problem should be brought to the attention of the Board President for inclusion on the Board's agenda of such matter for discussion and policy remediation or other action that the Board may seek to take. For Example: "A Charter Governance Board can only hire or terminate the Chief Executive Officer's contract. The Governance Board is not involved in any personnel issues, other than as a hearing body for terminations and discharges. Consequently, a school Governance Board cannot call a special meeting to hear an employee's complaint, because if the employee is later fired, the board members would not be able to act as impartial "jurors" in the employee's termination or discharge hearing".
- G. Cariños shall not enter into any financial transaction with any Board member, any relative of a Board member, or any other person or entity in which the board member has a direct or indirect financial interest, unless: (a) the nature of the direct or indirect interest is fully disclosed to the board. (b) the transaction is expressly approved by majority of the Board: and (c) the Board member responds to a bid quotation or bid proposal and gives the lowest price for product(s), meals and or service(s).
- H. Board members must, in all instances maintain their conduct at the highest standards.



- **Article XII. Misuse of Position**

No Board members shall use his/her position at Cariños to attempt to influence the decision of any employee of Cariños or grant special treatment to: (a) the child or ward of a Board member, (b) an employee, (b) a contractor, (c) any relative of a Board member, (d) any business enterprise, non-profit organization or other entity with respect to which a Cariños Governance Board member has a direct or indirect financial interest.

### **XIII. Policy Process and Adoption**

It is the intent of the Governance Board to adopt policies that serve as guidelines for its own operations and for the successful and efficient functioning of the Cariños Charter School. Policy adoption is one of the Governance Board responsibilities. Suggestions regarding the content of policies may originate with the Chief Executive Officer with input from different sources, if needed. A careful and orderly process shall be used in developing, examining, revising or repealing the policy (ies).

Policies are framed and intended to be interpreted within the context of applicable laws and regulations.

Changes in needs, conditions, purposes and objectives may require revisions, deletions and additional to the policies. The Charter school welcomes suggestions for ongoing policy review and revisions.

Adoption of new policies or revisions or repeal of existing policies is the responsibility of the Governance Board. Ordinarily the Board may be done once at a Board meeting due to urgency or may follow one of the following two optional procedures in considering and adopting policies. Board members must understand the policy (ies) and their purpose before final action:

**Option 1:**

- A. First Reading – The policy is presented for review and discussion; and
- B. Second Reading- The policy is presented for discussion and action.

**Option 2:**

- A. Discussion, Adoption and /or Revisions of policy (ies) may take place at a single meeting when time is of essence.
- B. Notation: A policy or policies may also be adopted or amended at single meetings of the Governance Board in a Board declared emergency or when the policy adoption or revision is required by a certain timeline, regulation or law. In the absence of a



policy relating to a specific situation, the Chief Executive Officer will use his/her best judgment in arriving at a decision. The Chief Executive Officer will make his decision on what he /she senses will be if it existed based on the spirit and tenor of another existing policy.

#### **Article XIV. Governance Board Meetings and Rules of Procedure to Conduct a Meeting**

The Governance Board will meet at regularly advertised monthly meetings ordinarily on the last Wednesday of the month. Special Meetings and Emergency Meetings may be called pursuant to the adopted “Cariños Governance Board - Open Meeting Resolution”. All meetings will be open to the public. The public participants may attend the meeting and listen, unless individual have requested to be placed on the agenda through the established proper internal channels. The Governance Board will provide notices to comply with all provisions of the New Mexico Open Meetings Act. All meetings will be posted in the Cariños Administration Office, Espanola Public School Administration Office and notices will be faxed to KDCE Radio Station and the local newspaper, The Rio Grande Sun upon request, in a timely manner and according to the provisions of the New Mexico Open Meetings Act (NMSA 1978.10.15). An agenda will be made public within the required 72 hours before the Board meeting and contain items of business to be discussed and or acted on. A majority of the Board members shall constitute a quorum for the transaction of business. The general rules of procedures in conducting a meeting will be governed by a modified version of Robert’s Rules of Order for School Boards through developed and approved the New Mexico School Board Association. All Board members may make motions and cast a vote, inclusive of the President.

A Board member may participate in a meeting of the Governance Board by means of conference telephone or similar communications equipment when it is otherwise difficult or impossible for the member or members to attend the meeting in person provided that each member participating in the conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

Public participation for public comment will be made available at a specific time in each agenda for a brief two (2) minute time frame per spokesperson. Public comment shall not be personal attack against students, parents, staff Chief Executive Office or Board Members. Personnel matters/ issues and or legal issues must be discussed in closed session.

When necessary the Governance Board may proceed into Executive Session as provided by “The New Mexico Open Meetings Act” to discuss confidential information pertaining to personnel matters, litigation, and acquisitions or sales of real property, etc. There shall be no action taken in executive session/closed session. Information discussed in Executive session shall remain confidential under New Mexico State Law. All other action items may be taken into open session as required by the New Mexico Open Meeting Act. Members of the

Governance Board will be expected to adhere to the Code of Ethics for New Mexico School Board Members. Refer to Open Meetings Act. A majority vote will be required to pass a vote on school matters.

#### **Article XV. Board Minutes:**

A record of all actions of the Governance Board will be set forth in the official minutes of the Governance Board. The Board agendas are reflected in the minutes and approved resolutions will be kept on file as permanent official records of Cariños. **The Chief Executive Officer will delegate such duty** to an executive secretary or another designee to take the minutes of all Board meeting, inclusive of recording actions and provide a written copy of the minutes thereof for approval at the next regular board meeting.

- **Article XVI. Parental Involvement and /Community Partnerships:**

Cariños Governance Board is committed to parental involvement and community involvement to further utilize resources needed to maximize student potential for success. Our parent cooperative model which is implemented through the Parent Advisory Committee (PAC) forms partnerships for parents to be actively involved in their child's educational growth through advisory roles.

The Parent Advisory Committee (PAC) is a representative structure elected from within its parents for parental involvement, through which they can become involved in working in partnership with school management and staff for the benefit of the school and its students. The Parent Advisory Committee brings a forum to shared ideas and interests to support the program. Part of the Parent Advisory Committee's duties will be to do some fund raising activities, organize parent in activities and assign a parent liaison to report to the Chief Executive Officer and the Governance Board. This will ensure that decision making will be shared among all those associated with the school. The parent liaison has no voting powers in the Governance Board. Community partners will also be identified in order to strengthen our programs as well.

- **Article XVII. Decision Making:**

The decisions and role of the Cariños Governance Board are in the areas such as policy, budgeting, curriculum, contracts, and facilities rests in the voting members of the Governance Board. The Governance Board does hire its Chief Executive Officer and by New Mexico State Law the Head Administrator /Chief Executive Officer /Chancellor has full authority to employ, reassign, discharge, terminate and or suspend the employees of Cariños. The Authorizer / New Mexico Public Education Department (State Board of Education Rules and Regulations) requires the Governance Board to be accountable for content standards, benchmarks, performance standards, Common Core Standards, NCA Accreditation, NMPED State



Accreditation, standardized testing, and the Cariños Charter School Report Card published by the New Mexico Public Education Department. Cariños Governance Board will uphold all those New Mexico State Laws, New Mexico Public Education Department and or Authorizers requirements.

The Cariños Governance Board will make known and delegate all programs, policies, and procedures, fiscal and otherwise, to the Chief Executive Officer and his appointed Business Manager, who will then be responsible for their implementation and administration on a day-to-day basis. The Governance Board and or its individual board members will not be responsible for the day-to-day operations of the school. The Governance Board delegates to the Chief Executive Officer the authority to implement the charter, policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school other than an advisory level.

The Governance Board will review and discuss annually the appropriate methods of implementing the school's programs, policies, and procedures with all educators, staff, parents, and students. The Governance Board will review the policies at least annually for compliance with all state and federal Acts and regulations.

Cariños will operate in compliance with all local, state or federal laws, acts, rules and regulations including constitutional provisions prohibiting discrimination on the basis of race, color, national and ethnic origin, disability, age, creed, gender, religion, or ancestry.

- **Article XVIII. Description of Site-Based Reporting Structure**

The Cariños Governance Board will have oversight responsibility of its financial/fiscal matters along with other duties listed. The Authorizer will have full responsibility for Cariños Financial/ Fiscal Affairs as the official Board of Finance. The appointed Business Manager along with the CEO/Chancellor of the school will have direct communications with the Cariños Governance Board pertaining to the fiscal and legal operations of the school. In turn, all support personnel and para-professionals will report directly to the Chief Executive Officer or his/her designee pertaining to day-to-day operations. The general education teachers will report directly to the Chief Executive Officer or his/her designee for student issues and for personnel issues. The ancillary staff will report directly to the Special Education Coordinator for all students receiving special education services and will report to the Chief Executive Officer or his/her designed for personnel issues.

- **Article XIX. Relationship with Authorizer:**

The relationship between the Cariños de los Niños Charter School and the Authorizer will be professional and collaborative. This relationship will be carried out in interaction both between the Chief executive Officer and the Authorizers administrators and between officials of the respective Boards. Collaborative arrangements may be shared, negotiated and or effected with respect to access by the Charter School and the Authorizer for supplies, equipment, and use of facilities, ancillary services and or subcontracting for other particular services. In the operation and all the affairs of the Charter School the Cariños Governance Board holds the Authorizer harmless and hereby releases them from all such liability. The Cariños Governance Board accepts that it is accountable to the Authorizer for ensuring compliance with applicable laws, rules and charter provisions. All rising disputed matters will be resolved amicably and professionally through mediation in a reasonable, fair and expeditious manner.

- **XX. Governance Board Responsibilities and Accountability:**

In accordance with the 1999 Charter Schools Act Cariños will operate with a school-centered Governance Board, site-based and autonomous oversight of fiscal/financial management, and an innovative educational program. The Governance Board will be empowered to make decisions in school matters, unless otherwise prescribed by the New Mexico Public Education Department or other state and federal regulations. The Cariños Governance Board will manage the general property, business, and affairs of the charter school. The Governance Board may exercise powers provided by the New Mexico Public Education Department / New Mexico State Board of Education rules and Regulations, the Cariños Charter Application, and its own Charter Governance By-Laws and Operation Guidelines. The Governance Board may assign and reassign as necessary duties and responsibilities to appropriate appointed Governance Board Committees. The Governance Board and or its individual members will not be responsible for the day-to-day operations of the school other than on an advisory level.

**A. Governance Board will be responsible for:**

- Compliance with Charter Application.
- Compliance with all local, state, and federal laws.
- Fiscal / Financial oversight.
- Progress towards achievement of school's goals.
- Education Plan for Student Success (EPSS) and / or Strategic Planning.
- Policy development and review.
- Community partnerships.
- Encourage parental involvement through Parent Advisory Committee (PAC)
- Hire a Chief Executive Officer and negotiate salary, duration of contract, benefits, terms and conditions.
- Evaluate Chief Executive Officer, based on established criteria.



- Location of School facility and seek funding sources for facility.
- Public Relations and etc.
- President or Vice President or Secretary or Treasurer will be authorized to sign checks along with the Chief Executive Officer or his/her designee.
- Appoint a Finance Committee and Audit Committee pursuant to New Mexico House Education Committee/House Bill 227 & 251(NMHEC/HB 227&251.)
- Compliance with New Mexico Statutes 22-8-12.3 - Local School Board Finance Subcommittee; Audit Committee.

## **B. Governance Board Legal Responsibilities:**

- Ensure the charter school is properly managed. The Governance Board will establish a working relationship with the Chief Executive Officer and will work together to achieve the goals of the charter application.
- Maintain legal status; ensures proper paperwork is submitted to governmental agencies in compliance with all state and federal law.
- Review financial and business dealings and exercise proper judgment in self-dealing transactions to avoid conflicts of interest.
- Adopt and comply with all provisions of the New Mexico Open Meetings Act. The Governance Board through its administrators will post notice in the Cariños Administration's Bulletin Board, on the Cariños Website, if accessible and barring technical difficulties; and will inform the KDCE Radio Station; and the Rio Grande Sun Newspaper upon request in a timely manner as referenced on the adopted Open Meeting Resolution and in according to the provisions of the New Mexico Open Meetings Act (NMSA 1978-10-15). Agendas will be made public at least 72 hours prior to the Meeting and contain items of business to be discussed and action to be taken on some items. Public participation will be made available at a specific time in each agenda. Personnel matters/issues, legal issues and topic relevant to the acquisition of property will be discussed in closed session and information must be kept in confidence.

## **C. Governance Board Financial Oversight Responsibilities:**

- Held accountable for Cariños fiscal/financial performance in accordance with the 1999 New Mexico Charter School Act.
- Oversee finance for fiscal soundness.
- Review, approve and monitor implementation of the annual budget, inclusive of approval of Budget Adjustment Requests (BARs).
- Review monthly financial reports such as balance spread sheets, income statements, expenditure reports and changes in financial position.
- Ensure proper internal controls are in place.
- Accept or reject any charitable gift, grant, device or bequest.

- President, Vice President, Secretary will be authorized to sign checks along with the Chief Executive Officer or his/her designee.
- **Appoint a Finance Committee and Audit Committee** pursuant to New Mexico House Education Committee/House Bill 227 & 251(NMHEC/HB 227&251.)
- Compliance with New Mexico Statutes 22-8-12.3. Local School Board Finance subcommittee; Audit Committee; membership; duties:
  - A. As used in this section, “local school board” includes the governing authority of a charter school.
  - B. Each local school board shall appoint at least two members of the board as a finance subcommittee to assist the board in carrying out its budget and finance duties.
  - C. The finance subcommittee shall:
    - (1) make recommendations to the local school board in the following areas:
      - (a) financial planning, including reviews of the school district’s revenue and expenditure projections;
      - (b) review of financial statements and periodic monitoring of revenues and expenses;
      - (c) annual budget preparation and oversight; and
      - (d) procurement; and
    - (2) serve as an external monitoring committee on budget and other financial matters.
  - D. Except as otherwise provided in this section, each local school board shall appoint an audit committee that consists of two board members, one volunteer member who is a parent of a student attending that school district and one volunteer member who has experience in accounting or financial matters. The Cariños Chief Executive Officer and the Cariños Business Manager shall serve as ex-officio members of the committee. A Governance Board with more than five members may appoint more than two board members to its audit committee. The audit committee shall:
    - (1) evaluate the request for proposal for annual financial audit services;
    - (2) recommend the selection of the financial auditor;
    - (3) attend the entrance and exit conferences for annual and special audits;
    - (4) meet with external financial auditors at least monthly after audit field work begins until the conclusion of the audit;
    - (5) be accessible to the external financial auditors as requested to facilitate communication with the board and the superintendent;
    - (6) track and report progress on the status of the most recent audit findings and advise the local school board on policy changes needed to address audit findings;
    - (7) provide other advice and assistance as requested by the local school board; and
    - (8) be subject to the same requirements regarding the confidentiality of audit information as those imposed upon the local school board by the Audit Act [12-6-1 through 12-6-14 NMSA 1978] and rules of the state auditor.

#### **D. Governance Board Planning Responsibilities:**

- Approve Education Plans for Student Success (EPSS) and review progress, inclusive of any other Strategic Plans.
- Assess compliance and progress in achieving educational outcomes.



- Assess program evaluation plan.
- Plan for school facility and its funding.

#### **E. Governance Board Policy Responsibilities:**

- Develop and adopt written policies.
- Review policies periodically.
- Maintain mission and program direction for the charter school.
- Make policy changes when needed.
- Approve amendments to the Charter.

#### **F. Governance Board Personnel Responsibilities:**

- Set and review personnel policies.
- Hire a Chief Executive Officer and negotiate salary, duration of contract, benefits, terms and conditions
- Evaluate the Chief Executive Officer based on set or established criteria.
- Delegate to the Chief Executive Officer the authority to implement the charter, policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governance Board. The Governance Board shall not be involved in the day-to-day operations of the school.
- Acknowledge that by New Mexico State Law requires that all personnel be employed, reassigned discharged suspended and terminated by the Chief Executive Officer in accordance with New Mexico School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.
- Procurement of Insurance: Cariños will participate in the New Mexico Public School Insurance Authority.
- Enter into contracts consistent with approved budget for any service or activity that is required to perform in order to carry out the educational program.
- Complaints should not be heard at a board meeting or parent meeting, but should be raised through the general complaint policy adopted by the Governance Board or to the Chief Executive Officer.
- Complaints about employees from parents or other employees should go through the Chief Executive Officer.

#### **Governance Board Public Relations Responsibility:**

- Develop Community Partnerships.
- Develop Parental Involvement Partnership through the Parent Advisory Committee (PAC).
- Review New Mexico Public Education Department (NMPED) required surveys and make changes, if necessary.

## **H. Governance Board - School Facility and Property Responsibility:**

- Acquire, lease and dispose of property, both real and personal to the extent permissible by laws applicable to public schools.
- Authorize the repair and maintenance of all property.
- Acquire and dispose of property.
- Acquire an adequate school facility and campus for Cariños Charter School.
- Establish or set up a Foundation (501C3), in order to support Cariños Charter School with facilities and other needs.

## **I. Such other powers and authorities as provided for by law.**

- New Mexico Charter School Act 1999 (NMSA 1978 §§ 22-8B-1 et seq. and 22-8B-15 et seq. , as amended)
- New Mexico School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.);
- New Mexico Procurement Code (NMSA 1978 §§ 13-1-1 et. seq.);
- New Mexico Open Meetings Act (NMSA 1978, Sections 10-15-1 et seq.);
- New Mexico Public School Finance Act (NMSA 1978 §§22-8-1 et seq.); and
- applicable rules and regulations issued by the New Mexico Public Education Department (“PED”) (contained in Title 6 of the New Mexico Administrative Code)
- Section 504 the Rehabilitation Act of 1973
- The New Mexico Human Rights Act ( NMHRA)
- The American with Disabilities Act (ADA)
- Title IX
- Title VI of the Civil Right Act
- EEOC
- Other required State and Federal Mandates

\*Cariños Charter will comply with its Authorizer’s Laws, Rules and Regulations, including the applicable Authorizers Policies not waived in the Cariños Charter Application.

\* Cariños Charter will comply with New Mexico Inspection of Public Records Act, NMSA 1978, §§ 14-2-1 et seq. (“IPRA”)

\* Cariños Charter will comply with New Mexico Statutes 22-8-12.3 - Local School Board Finance Subcommittee; Audit Committee.