



Dolores Huerta

“A Dual Language Charter Middle School”

1480 N. Main Street

Las Cruces, NM 88001

Phone: 575/526-2984

Fax: 575/523-5407

SPECIAL GOVERNING COUNCIL MEETING MINUTES

FINAL

Thursday, April 9, 2015, 5:30 pm

1) Call to Order

Ms. Norma Martinez-Arrieta, Chair, called the meeting to order at 5:42 pm and asked for a roll call.

2) Roll call and establish quorum

Ms. Jennifer Allen, Treasurer: Present (via phone)

Mr. Robert del Plain, Member: Present

Ms. Elena Hinderlich, Member: Absent

Dr. Spencer Herrera, Vice Chair: Absent

Ms. Clara Lopez, Member, Absent

Ms. Norma Martinez-Arrieta, Chair: Present

Ms. Patty Montoya, Secretary: Present

Totals: Present (4); Absent (3). Let the record show that a quorum of members is present and this meeting has been posted in accordance with the Open Meetings Act.

Administration/Staff Present: None

Public Present: Dr. Christopher Adams, LADH Foundation

3) Approval of Agenda

Ms. Martinez Arrieta initiated discussion of any needed agenda revisions with GC members.

Mr. del Plain motioned to approve agenda with the removal of Item 6) Closed Session: To discuss any student or personnel issues and was seconded by Ms. Montoya. Motion was passed unanimously.

4) Open forum-Public Input

Dr. Adams was present but he stated that he would only provide input if the governing council had questions regarding the Memorandum of Understanding (MOU) that would be discussed in Action Item 5f.

ACTION ITEMS

5) Approval of Consent Agenda Items:

a. ALD4ALL BAR

This BAR was tabled until the next regular governing council meeting as it was not ready in time for members to review.

b. IDEA-B BARs Reference Doc. ID: 560-000-1415-0038-I & 560-000-1415-0035-IB

The PED received its final allocation for federal grand year 2014 and is now making adjustments to all subgrants awarded. Per the attached memo from the NM PED, the budget will increase by \$2,962.00 and will move \$35 to a “risk pool” account.

Motion to approve IDEA BARs, Doc ID: 560-000-1415-0035-I and 560-000-1415-0035-IB was made Mr. del Plain and seconded by Ms. Allen. Motion was passed unanimously.

c. SB-9 BAR Reference Doc ID: 560-000-1415-0034-I

As per the attached memo from the PED, this BAR is to adjust the budget due to an allocation of funds received from supplemental severance tax bonds for the Public School Capital Improvements. This year, LADH received \$9,086 which will be allocated as capital outlay for the school vehicles general account.

Motion to approve SB-9 BAR, Doc ID: 560-000-1415-0034-I was made by Ms. Montoya and second by Mr. del Plain. Motion was passed unanimously.

d. 2015-2016 School Calendar as Presented

Ms. Arrieta initiated a discussion regarding the attached proposed 2015-2016 LADH school calendar, which provides the school with a start date of July 30, 2015 and end date of May 19, 2016. A brief discussion was held regarding the possibility of LADH teachers and parents having an issue with the earlier start date. Ms. Allen stated that she was at the meeting held with parents and explained that it was her impression that teachers and parents alike did not have any issues with the calendar. It was also mentioned that teachers had provided Mr. Casillas with input regarding the calendar long before it was presented to the parents. A brief discussion was held about the possibility of the earlier start date giving the impression that we may be moving toward year-around school. Members agreed that if year-around school was ever suggested we would have to look at our mission and decide if changing would agree with our objectives.

Motion to approve school calendar as is with no changes was made by Mr. del plain and seconded by Ms. Allen. Motion was passed unanimously.

e. Reschedule all remaining 2015 governing council meetings to 2nd Thursday of each month

Ms. Arrieta explained that Ms. Mirna Rodriguez and Ms. Corinne Teller work very hard to create and provide the GC with any BARs that need approval at the beginning of the month. Since our regular meetings are generally scheduled for the 1st Thursday of each month, this gives them only about one week to generate these reports. Ms. Arrieta explained that only the remaining meetings, which, includes the May, June, July, and August meetings, would be rescheduled and the next year’s meetings would be discussed at a later date.

Motion to approve rescheduling the remaining meetings in May, June, July, and August to the 2nd Thursday of the month was made by Ms. Allen and seconded by Ms. Montoya. Motion was approved unanimously.

f. MOU with LADH Foundation

Ms. Arrieta explained that she had met with the LADH Foundation board on Monday, April 6 to discuss the attached MOU. She explained that this document is a work in progress but would serve as a base to provide a working relationship between the LADH Governing Council and the LADH Foundation. Ms. Arrieta explained that an Arbitration Clause was added to the document after the original draft was sent to GC members. Dr. Adams stated that expects and welcomes each entity to make any necessary amendments to the MOU as needed as we continue to work on creating a good working relationship. He would like to ensure transparency between the two governing bodies.

Motion to approve the Memorandum of Understanding (MOU) with the LADH Foundation as is with no revision was made by Ms. Montoya and seconded by Mr. del Plain. Motion was approved unanimously.

6) Adjourn

Motion to adjourn was made by Mr. del Plain and seconded by Ms. Allen. Meeting was adjourned at 6:09 pm.

Must submit backup for all BARS, except transfers of funds for SEG or direct grants

STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
 300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request

Doc. ID: 560-000-1415-0035-1

Fund Type: Flowthrough

Adjustment Type: Increase

Fiscal Year: 2014-2015

Entity Name: La Academia Dolores Huerta

Adjustment Changes Intent/Scope of Program Yes or No?: No

Contact: Corinne Teller, Business Manager

Total Approved Budget (Flowthrough): 29,465

Phone: 505-503-7670

Email: businessmanager@ladh.org

FLOWTHROUGH ONLY	
Budget Period: 07/01/2014	To: 06/30/2015
A. Approved Carryover:	
B. Total Current Year Allocation: 26,503	
D. Total Funding Available: 26,503	

Revenue 24106.0000.44500 \$2,962

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
24106 Entitlement IDEA-B	2100 Support Services-Students	55915 Other Contract Services	2000 Special Programs	0000 No Job Class		\$2,962	\$2,962	
Sub Total						\$2,962		
Indirect Cost								
DOC. TOTAL						\$2,962		

Justification:

per PED IDEA-B Final Allocation letter, dated 3/18/15

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

Noma Marrueta
approved 4/9/15

Must submit backup for all BARs, except transfers of funds for SEG or direct grants

**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request**

Doc. ID: 560-000-1415-0038-IB
Fund Type: Flowthrough
Adjustment Type: Initial Budget

Fiscal Year: 2014-2015
Adjustment Changes Intent/Scope of Program Yes or No?: No
Total Approved Budget (Flowthrough): 35

Entity Name: La Academia Dolores Huerta
Contact: Corinne Teller, Business Manager
Phone: 505-503-7670
Email: businessmanager@ladh.org

FLOWTHROUGH ONLY	
Budget Period: 07/01/2014	To: 06/30/2015
A. Approved Carryover:	
B. Total Current Year Allocation: 35	
D. Total Funding Available: 35	

Revenue 24120.0000.44500 \$35

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
24120 IDEA-B "Risk Pool"	2100 Support Services-Students	55915 Other Contract Services	2000 Special Programs	0000 No Job Class		\$35	\$35	
Sub Total						\$35		
Indirect Cost								
DOC. TOTAL						\$35		

Justification:

Per PED/SEB IDEA-B Final Allocation letter, dated 3/18/15

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

*Norma Marquez
4/09/15*



STATE OF NEW MEXICO
 PUBLIC EDUCATION DEPARTMENT
 300 DON GASPAR
 SANTA FE, NEW MEXICO 87501-2786
 Telephone (505) 827-5800
www.ped.state.nm.us

HANNA SKANDERA
 SECRETARY OF EDUCATION

SUSANA MARTINEZ
 GOVERNOR

March 18, 2015

Mr. Octavio Casillas, Principal
 La Academia Dolores Huerta
 1480 North Main St.
 Las Cruces, NM 88001

Dear Principal Casillas:

Under the U.S. Department of Education Appropriation Act for federal grant year 2014 (GY 14) affecting the state fiscal year 2014-2015 (FY14-15), the Public Education Department (PED), Special Education Bureau (SEB) has received its final allocation and is required to make adjustments to all sub-grant awards. Below is the federal grant award information specific to the award your entity is receiving:

Individuals with Disabilities Education Act, Part B (IDEA B)		
Program Title	Special Education Grants to States	Special Education Preschool Grants
CFDA #	84.027A	84.173A
Award #	H027A120078 H027A130078 H027A140078	H173A120078 H173A130078 H173A140078
Federal Funding Agency: United States Department of Education Compliance Requirements: EDGAR 34 CFR Parts (74 - 99)		
<u>OMB A-133 and OMB A-87 or OMB A-21 (Cost Principles for Educational Institutions)</u> (For awards before December 26, 2014) http://www.whitehouse.gov/omb/circulars_default 2 C.F.R. 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (For awards after December 26, 2014) http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl		

Based on the available funding and the application submitted by La Academia Dolores Huerta, FY14-15 final and FY13-14 carryover awards are listed below. Please review the current budget for La Academia

Dolores Huerta in the Operating Budget Management System (OBMS) and submit an electronic Budget Adjustment Request (BAR), including a copy of this letter, utilizing OBMS to make the necessary adjustments to reflect the total FY14-15 Approved Budget amount as listed below:

GRANT NAME	UCOA FUND CODE	FY13-14 Carryover	FY14-15 FINAL Allocation	TOTAL District Award	FY14-15 Approved Budget	Total Amount to BAR
IDEA B Entitlement	24106	\$-	\$29,465.00	\$29,465.00	\$26,503.00	\$2,962.00
IDEA B Preschool	24109	\$-	\$-	\$-	\$-	\$-
Coordinated Early Intervening Services (CEIS)	24112	\$-	\$-	\$-	\$-	\$-
Private School Proportionate Share	24115	\$-	\$-	\$-	\$-	\$-
Risk Pool	24120	\$-	\$35.00	\$35.00	\$-	\$35.00

When submitting a BAR, please keep in mind that the amount budgeted for CEIS (Fund 24112) and Private School Proportionate Share (Fund 24115) are not in addition to the Final Allocation amount for IDEA B Funds 24106 and 24109. The cumulative budget for Funds 24106, 24109, 24112 and 24115 shall not exceed the *FY14-15 FINAL Allocation* amount identified for Funds 24106 and 24109. For reference, the BAR process is located on the PED website and can be accessed at: <http://ped.state.nm.us/div/fin/school.budget/OBMS.html>.

Funding under this award must be used in compliance with the applicable provisions of IDEA B, as follows:

- only to pay the excess costs of providing special education and related services to children with disabilities;
- to supplement state, local and other federal funds and not to supplant such funds; and
- not to reduce a Local Educational Agency’s (LEA) Maintenance of Effort (MOE) for the education of children with disabilities below the preceding year’s level except as allowed by 34 CFR §§ 300.204 and 205 [20 U.S.C. 1413(a)(2)(A), 34 CFR § 300.202].

If you have questions regarding allowable costs, please see the Office of Management and Budget (OMB) Circular at: http://www.whitehouse.gov/omb/circulars_default.

Once the sub-grant for La Academia Dolores Huerta is considered substantially approvable, funds cannot be transferred from one fund code to another or between function codes without submitting an amended IDEA B Application and a BAR, to include the required signatures and this award letter.

The IDEA B Application for La Academia Dolores Huerta must be amended to reflect the *FY14-15 Final Allocation* amount. A template titled *Attachment A* has been created specifically for amending the IDEA B Application's Objectives 1 through 4. *Attachment A* can be accessed from the SEB website under the funding tab at: <http://ped.state.nm.us/SEB/fiscal/index.html>.

Funds can never be transferred out of the Private School's Proportionate Share (Fund 24115) or Mandatory CEIS (Fund 24112). Fund 24115 will carry over to the next year under the same fund code. Funds set aside for Mandatory CEIS (Fund 24112) must remain within this fund until all requirements are met in regards to significant disproportionality.

When submitting an electronic BAR to bring the budget authority for La Academia Dolores Huerta in alignment with the *FY14-15 Approved Budget* amount identified in this award letter, please use the applicable fund codes identified above and **revenue code 44500**. **Please adhere to the following timelines required for obligation, liquidation and Requests for Reimbursement (RfR):**

- Submit your BAR, a copy of this letter, and Attachment A through OBMS by **April 17, 2015**.
- The FY13-14 carryover amounts indicated above must be obligated by June 30, 2015 and expended by September 30, 2015.
- The last day to submit RfRs for FY14-15 is **July 7, 2015**.

For questions, please contact:

Ms. Patricia Hawkins, Fiscal Manager
Special Education Bureau
120 South Federal Place, Room 206
Santa Fe, NM 87501
(505) 827-3599
patricia.hawkins@state.nm.us

Thank you for your continued cooperation in this process.

Best regards,



Hipolito "Paul" Aguilar
Deputy Secretary, Finance and Operations

HA/ph

cc: Corinne Teller, Business Manager, La Academia Dolores Huerta

Must submit backup for all BARs, except transfers of funds for SEG or direct grants

STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request

Doc. ID: 560-000-1415-0034-I

Fund Type: General Fund / Capital Outlay / Debt Service

Adjustment Type: Increase

Fiscal Year: 2014-2015

Entity Name: La Academia Dolores Huerta

Adjustment Changes Intent/Scope of Program Yes or No?: No

Contact: Corinne Teller, Business Manager

Total Approved Budget (Flowthrough):

Phone: 505-503-7670

Email: businessmanager@ladh.org

FLOWTHROUGH ONLY	Budget Period: Jul 1 2014 12:00AM	To: Jun 30 2015 12:00AM
A. Approved Carryover:		
B. Total Current Year Allocation:		
D. Total Funding Available:		

Revenue 31700.0000.43202 \$9,086

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
31700 Capital Improvements SB-9	4000 Capital Outlay	57311 Vehicles General	0000 No Program	0000 No Job Class		\$9,086	\$9,086	
Sub Total						\$9,086		
Indirect Cost								
DOC. TOTAL						\$9,086		

Justification:

per 2015 Final SB-9 State Match letter, dated 3/13/15

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

*Norma Marreita
4/09/15*

JULIO

DOM	LUN	MAR	MIE	JUE	VIE	SAB
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27 SWD	28 PD	29 PD	30 Classes Begin	31	

AGOSTO

DOM	LUN	MAR	MIE	JUE	VIE	SAB
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21 PD No Classes	22
23	24	25	26	27	28	29
30	31					

SEPTIEMBRE

DOM	LUN	MAR	MIE	JUE	VIE	SAB
		1	2	3	4	5
6	7 Labor Day No Classes	8	9	10	11	12
13	14	15	16	17 PTC 6-8	18 PTC 8-12	19
20	21	22	23	24	25	26
27	28 PD No Classes	29	30			

OCTUBRE

DOM	LUN	MAR	MIE	JUE	VIE	SAB
				1	2	3
4	5	6	7	8	9	10
Fall Break						
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVIEMBRE

DOM	LUN	MAR	MIE	JUE	VIE	SAB
1	2	3	4	5	6	7
8	9	10	11 Veterans' Day- No Classes	12	13	14
15	16	17	18	19	20	21
Thanksgiving Break						
29	30					

DICIEMBRE

DOM	LUN	MAR	MIE	JUE	VIE	SAB
		1	2	3	4	5
6	7	8	9	10	11	12 Ballet Annual Performance
13	14 SWD No Classes	15	16	17	18 Semester Ends ½ Day	19
Winter Break						
Winter Break						
27	28	29	30	31		

DRAFT

ENERO

DOM	LUN	MAR	MIE	JUE	VIE	SAB	
		Winter Break				1	2
3	Winter Break				5	6	7
				SWD	PD		
10	Classes Begin		12	13	14	15	16
17	Dr. King Holiday No Classes		19	20	21	22	23
24	25	26	27	28	29	30	
31							

FEBRERO

DOM	LUN	MAR	MIE	JUE	VIE	SAB
	1	2	3	4	5	6
						Musical Annual Performance
7	SWD No Classes		9	10	11	12
						13
14	President's Day		16	17	18	19
						20
21	22	23	24	25	26	27
				PTC 6-8	PTC 8-12	
28	29					

MARZO

DOM	LUN	MAR	MIE	JUE	VIE	SAB	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	SPRING BREAK				18	19
20	21	22	23	24	25	26	
					Spring Holiday No Classes		
27	Spring Holiday No Classes		29	30	31		

ABRIL

DOM	LUN	MAR	MIE	JUE	VIE	SAB
					1	2
3	4	5	6	7	8	9
10	PD No Classes		12	13	14	15
						16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAYO

DOM	LUN	MAR	MIE	JUE	VIE	SAB
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
				Semester Ends ½ Day	SWD	
22	23	24	25	26	27	28
29	30	31				

Norma Manueta
4/29/15

MEMORANDUM OF UNDERSTANDING (MOU)

Under these provisions approved by their respective governing bodies, *La Academia Dolores Huerta Foundation*(FOUNDATION) agrees to act as a funding/financing entity for *La Academia Dolores Huerta Charter School*(School) to underwrite initiation and sustaining of education all related functions, processes, programs and activities that cannot be funded through the regular school budget and which will lead students to achieve excellence in personal growth, strong multicultural identities and academic success.

Each party agrees to protect the other from liabilities due to agreement infractions, contract violations, or detrimental acts of the Directors or employees. Additionally, both parties agree to establish and sustain accountability and transparency in their transactions and relations.

To these ends, both parties, by formal approval of the Memorandum of Understanding (hereinafter referred to as a Memorandum or MOU) by their respective governing bodies, agree to conduct their business under terms set forth in this document.

1. The Foundation shall act as a funding agent exclusively on behalf of the school. However, the School retains its prerogative to seek and utilize other funding sources.
2. The School holds the right to formally request assistance from the Foundation for its capital or programmatic needs as reflected in its strategic plan and approved by its Governing Council; and the Foundation holds the right to consider, accept or reject such requests. In turn, the Foundation may independently seek and secure funds and subsequently offer them to the School for a specific activity and which the School may consider, accept or reject.
3. All transactions entered into by and between both parties shall be approved by action of their respective governing boards, and such action shall be noted in the minutes of said governing boards.
4. All transactions entered into by and between both parties shall be documented either as contracts, transfers of title, or other forms as appropriate to each transaction.
5. Both parties agree to provide necessary documents addressing and supporting the authorizations and limitations that do, or may impact on the legal transactions entered into by both parties.
6. Where the financial assistance is for a specific purpose(s), both parties agree to establish avenues of oversight, monitoring and assessment to assure compliance of the transactional agreement, including but not necessarily being limited to monthly financial reports, progress reports and audits.
7. Both parties agree to implement accounting and reporting systems that assure accountability and transparency of fund management, and protect each entity against undue liability and potential legal action(s).
8. In those instances where third party funding maybe involved, both parties shall comply with whatever requirements set forth by said third party as condition(s) for the release of funds.
9. Each party shall not act in any manner that will cause the other to lose its legal status as non-profit or public education entity by violation of governing statues or laws, local, state or federal.

10. Each party hereby agrees to work in good faith and in concert with one another and to seek resolution of any conflicts through reasonable and collective communications by and between each entity's governing body.
11. This Memorandum of Understanding, made this 5th day of April, 2015, by and between the board of La Academia Dolores Huerta Charter School and La Academia Dolores Huerta Foundation. (an Internal Revenue Code §501 (c)(3) nonprofit corporation), is intended to set forth policies and procedures that will contribute to the coordination of their mutual activities. To ensure effective achievement of the items of the agreement, the university and foundations officers and board representatives shall hold periodic meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities.
12. Either party may, upon 90 days prior written notice to the other, terminate this agreement. Notwithstanding the forgoing, either party may terminate this MOU in the event the other party defaults in the performance of its obligations and fails to cure the default within a reasonable time after receiving written show cause notice. Should the school choose to terminate this agreement the foundation may require the school to pay, within 180 days of written notice, all debt incurred by the foundation on the school's behalf including but not limited to, lease payments, advanced funds, and funds borrowed for specific initiatives. Should the Foundation choose to terminate this agreement the school may require the Foundation to pay debt it holds on behalf of the Foundation in like manner. Consistent with provisions appearing in the Foundation's bylaws and its articles of incorporation, should the Foundation cease to exist or cease to be and Internal Revenue Code §501 (c)(3) organization, the Foundation will transfer its assets and property to the institution, to the school to a reincorporated successor foundation, or to the state or federal government for public purposes in accordance with the law and donor intent.
13. Arbitration clause: Should any dispute arise, La Academia Foundation and the La Academia School Governing Council, both agree to submit their dispute to arbitration.

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed by their duly authorized officers as of the day and date first above written.

Noma Martij Arrieta

Chair

Governing Council of La Academia Dolores Huerta

Date 4/9/15

[Signature]

Chair

La Academia Dolores Huerta Foundation

Date 4/5/15