

SOUTHWEST AERONAUTICS



MATHEMATICS & SCIENCE ACADEMY

GOVERNANCE COUNCIL
Regular Board Meeting Minutes of Tuesday,
August 25, 2015

Board Members Present

Larry Kennedy, Pauline Keithley,
Phyllis Chavez, and Justin Lindgren

Board Members Absent

None

Also in attendance

Coreen Carrillo, Sharon Huber, Kirk Hartom,
Daren Gallacher, Sean Fry, Kyle Hunt,
Mark Baker, and Kelly Callahan

Public in attendance

None

These Minutes were approved on _____.
by a vote of ___ yes ___ no ___ Absent ___ abstained.

President

Notary Seal and Signature

**Submitted by
Christine Herron**

Call to Order

Larry called the Southwest Aeronautics, Mathematics, and Science (SAMS) Academy's regular Governing Council meeting to order on August 25, 2015 at 7:31 am in the Conference Room of SAMS Academy located at 4100 Aerospace Parkway NW, Albuquerque, NM 87120.

ROLL CALL

Larry asked Christine to call roll. Christine called Phyllis Chavez, Here; Pauline Keithley, Here; Larry Kennedy, Here; Justin Lindgren, Absent.

PLEDGE OF ALLEGIANCE

Larry asked everyone to stand and join him in the pledge of allegiance.

REVIEW / APPROVAL OF MINUTES from July 28, 2015

Larry asked for a motion to approve the minutes from the regularly scheduled SAMS Academy's Governing Council meeting held on July 28, 2015. Phyllis made the motion and was seconded by Pauline. Larry asked for questions and comments, having none, Larry called for a voice vote; hearing none as opposed, Motion carried.

REVIEW / APPROVAL OF MINUTES from July 24, 2015

Larry asked for a motion to approve the minutes from the joint Governing Council meeting with Southwest Secondary Learning Center (SSLC), Southwest Intermediate Learning Center (SILC), and Southwest Primary Learning Center (SPLC). Phyllis made the motion and was seconded by Pauline. Larry called for a voice vote, unanimous yes, Motion Carried.

CLOSED SESSION

Justin arrived at 7:34 am.

Larry moved for the SAMS Academy Governing Council move into Closed Session to discuss matters subject to attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant pursuant to NMSA 1978, Section 10-15-1 (H) (7) and limited personnel matters pursuant to NMSA 1978, Section 10-15-1 (H) (2). Larry invited the school's attorney, Mark Baker, and Head Administrator, Kirk Hartom, to join Council members in Closed Session. Pauline seconded the motion. Larry called for a roll call vote. Christine called Phyllis Chavez, Yes; Pauline Keithley, Yes; Justin Lindgren, Yes; Larry Kennedy, Yes; SAMS Academy Governing Council moved into Closed Session. (7:35 am)

OPEN SESSION

Larry asked for a motion for the SAMS Academy Governing Council proceed into Open Session. Justin made the motion that was seconded by Phyllis. Larry called the SAMS Academy Governing Council into Open Session. (8:09 am)

Larry asked his fellow Council members to move to the “Finance Report” from the finance department, Kyle and Sean Fry, so they could dismiss themselves from the meeting and finish payroll. Everyone agreed and Larry moved to the Finance Report.

FINANCE REPORT

Larry asked for the **Business Office Operations Update**. Sean introduced Kyle Hunt from the Vigil Group and Business Manager for SAMS Academy. Sean explained that Kyle comes to SAMS Academy from another Charter School that had to close its doors. Sean stated that he was here for questions and back up to Kyle.

- Sean reminded the Council that Joseph Lucero, from the Vigil Group, is still the Business Manager for SSLC, SILC, and SPLC.

- Sean informed the Council that another Council President, Ken Chapman, requested the Vigil Group provide the Council a broad financial outline and Kyle has presented each Council member a copy of this outline. Kyle reminded the Council that this outline was presented last night, August 23, 2015 with the financial packet at the SAMS Academy Finance Meeting.

- Kyle recapped the meeting by explaining where SAMS Academy’s financials are at present, where he projects SAMS Academy’s financials are headed , which books have been closed, which contracts have been paid, and which purchase orders have been paid.

- Sean reminded the Council that SAMS Academy has received “2 year Special Appropriations” from the 2013-2014 school year , that these appropriations are delivered on a two year cycle and are unable to be spent by the school because of the school’s audit.
 - Sean explained that the special appropriations make up for 10% of the school’s budget. Sean explained that these funds will not affect the roll-over of the next school year budget. Sean reminded the Council that the school can’t draw the budget down or use these funds without permission by the Public Education Department.

 - Sean stated that the school received 100% of their instructional and operational budget. Sean informed the Council that of this budget 65% has been spent on expenditures and leaves the school with a healthy cash balance.

 - Kyle explained that the school earned monies in “31400 fund”, but won’t be able to use these monies either because of the audit. Sean stated that he is trying to work with an agent to see how the schools can use this money before it expires.

 - Sean stated that the “Capital Outlay” monies can’t be used because this is a legislative decision and is based on a school’s clean audit. These monies are from the 2014 budget and set to expire. The 2015 monies aren’t released at this time, but don’t expire until June 2016.

- Sean explained that the PED doesn't feel that these monies and the audit are clean because of the previous Head Administrator, Scott Glasrud, and PED wasn't watching the school's financials.
- Sean reminded the Council that the public doesn't have the school's audit report at this time because it is in the approval status.
 - Sean informed the Council that the new audit should start next month.
- Sean informed the Council that July's financial books haven't been closed because PED hasn't approved the books yet.
 - Sean explained that one of the reason is because of the teachers and their fix for July, their paychecks this year against 26 months instead of 24 months, and finish bringing the school into compliance.
- Phyllis thanked Kyle and Sean for their report, then asked a couple of questions regarding vendors and Kyle answered those questions. Justin asked a couple of questions regarding the Aviation Program as a line item in the budget and an estimate on expenditures; which Sean answered Yes and not public at this time.
- Daren asked about the header of the two financial packets and Kyle explained that he forgot to change the date.
 - One report should read 07/01/2014-06/30/2015
 - The other report should read 07/01/2015-08/01/2015
- Larry asked if there were any further questions and since there were none, he moved on to the next item on the agenda.

Larry moved on to the next financial item, **Voucher Approvals**. Larry asked if any of the Council members had any questions, comments, or concerns with the June and July check registry; none of the council members had questions.

Larry asked for a motion to accept the June and July registry. Justin made the motion and was seconded by Phyllis to approve the June registry.

Justin made the motion and was seconded by Pauline to approve the July registry. Larry called for a voice vote, unanimous yes, Motion carried.

Larry moved on to the last item of the finance report, **Budget Adjustment Requests (BARS)**. Kyle informed the Council that he didn't have any BARS at this time.

ONGOING BUSINESS MATTERS

Larry moved to the first item of Ongoing Business, **Governing Body Policy Manual**. Larry explained that the copy of the policy manual each Council member received today has corrections and comments from the school's legal counsel.

Larry asked if the Council would like to accept this policy as is or review this policy and adopt the policy at the next Governing Council meeting. The Council decided to table action on the policy at today's meeting; Larry asked for a motion to table this item. Justin made the motion and Phyllis seconded the motion. Larry called for a voice vote, hearing none as opposed, Motion carried and the vote on the Governing Policy Manual was tabled.

Larry moved to the first item of "Administrative Report", **NMCCS Membership**, because of the time and because of the guest speakers other commitment. Larry introduced Kelly Callahan from the New Mexico Coalition of Charter Schools (NMCCS).

- Kelly addressed the Council and introduced herself. Kelly informed the Council that she has worked with Kirk before; is working hard this year and continuing for the next 3 years (per her contract) to change the current practices of the Coalition; and is one of the Executive Directors of NMCCS, along with the other director, Greta.
- Kelly explained that the Coalition asked her and Greta to become Executive Directors of the Coalition in April to make changes; bring back the Coalition's focus and main goals; clear up the confusion among school Governing Councils, the public, and the legislatures; and bring back representation of the different schools that make up the NMCCS.
 - Kelly explained that she and Greta have a strategic plan to increase membership, because of the NMCCS loss of goals and changes among its leadership. Kelly stated that she and Greta are working hard to regain trust amongst the Charter Schools, because this has been broken and lost.
 - Kelly and Greta have a plan to boost NMCCS Conference attendance as this has dropped off from previous years. Kelly informed the Council that the conference is going to be different this year and will offer trainings according to Governing Council members experience and years.
 - Kelly and Greta have a plan to increase the Coalition's revenue and provide services back to the schools that place membership with NMCCS. Kelly expanded on this by informing the Council that they are writing grants, building a resource library, correcting policies, and researching Charter Schools needs.
 - Kelly stated that the Coalition wants the Charter Schools to have a voice, be heard in front of legislatures and committee members, be represented and have their successes be known. Kelly explained that some of these obstacles that

Charter Schools and the Coalition face are from the lack of filtering with the Public Education Department (PED), questions regarding requirements or suggestions, and none of the current laws are in compliance with the Charter School Act. Kelly explained at the last PEC meeting, there was discussion regarding re-negotiating Charter Laws, what part of these laws would pertain to the Coalition, and what parameters could be put in place to protect Charter Schools.

- Kelly informed the Council that PED and the Public Education Commission (PEC) are reviewing the Coalition and Charter School contracts. Kelly reminded the Council that SAMS Academy isn't under negotiations at this time. PED and PEC are reviewing the Senate Bill (SB) 446 from 2012 regarding the "Performance Contract". Kelly explained that all Charter Schools that were established after 2012 will go through a renewal process regarding their individual Performance Contracts; academic and financial operations will also be reviewed at this time. Charter schools will have to go through the renewal process, submission process, and then receive their approval. Kelly stated that the outcome of the Charter Laws will impact the schools at the renewal process. Kelly reminded the Council that the "Lease Purchase Agreement" will be affected during this process, also.
 - Kelly explained that the Coalition offers lobbyists to protect Charter Schools and fight for the issues that are affecting Charter School success; one of these issues being, transportation. Kelly explained that these lobbyists are immersed at the legislative sessions and meetings, ask for input among the schools, have strategic plans for troubled items affecting Charter Schools, and work together to keep the schools informed.
- Kelly stated that Albuquerque Public Schools (APS) are an innovation established from Charter Schools. Larry asked if the Coalition serves APS and Kelly answered only to those schools that have become a cross over to a Charter School and there are APS Charter Schools now.
- Kirk informed the Council that the Coalition is willing to negotiate the price for a Charter School's membership.
- Kirk reminded Kelly that there would be four schools, SPLC, SILC, SSLC and SAMS Academy, that would place membership. Kelly stated Yes, but wouldn't be able to offer a discount if the four schools didn't join together.
 - Kelly and Greta want the Coalition to have strength and solidarity among its membership. Kelly explained that currently NMCCS has a membership of 65% for

New Mexico schools, the national average is above 80%, NMCCS has been at 87% and would like to be that high again.

- Kirk asked Kelly to review SAMS Academy's numbers and cost to determine the cost for this year, what the benefits are, and how this will work. Kelly explained that typically the membership is calculated by the students reported at 80 day count x \$12.50; which has worked out to be about \$3500.00. Kelly reminded the Council that NMCCS is writing for grants and can offset this cost with some of those monies.
 - Kelly reminded the Council that Southwest Learning Center (SPLC, SILC, SSLC, and SAMS Academy) have been a strong entity, have been asked to come back as members of the Coalition, and help fight for Charter Schools.
- Larry asked for a motion to table this item of business until the next Governing Council meeting and to give Kelly time to provide Kirk the information he has requested. Phyllis made the motion and was seconded by Pauline. Larry called for a voice vote, hearing none as opposed, Motion carried and this item was tabled.

Larry went back to Ongoing Business and picked up with the second item, **Aviation Program / RFP Update**. Larry explained that only one company, Bode Aviation, responded to the RFP and accepted the three different areas of needs.

- Kirk informed the Council that he spoke with Herb, previous Interim Head Administrator, regarding Bode and the **RFP**. Kirk stated that from this discussion, Bode understood that this wasn't all exclusive.
- Kirk informed the Council that Daren has requested more planes be added to the contract. Daren stated that he would like to add aircraft and is still looking for an interested partner to help with the purchase of airplanes.
 - Kirk reminded the Council that Daren is the Aviation Instructor and the school wants to use Bode as a last resort and pay for only the time and services rendered. Kirk explained that he honored the RFP and its process, but that SAMS Academy students have what they need.
 - Daren reminded the Council that he sat on the evaluation committee for the RFP. Daren explained his understanding of the RFP regarding the school's needs and aircraft. Daren informed the Council that the rates chosen by Bode are above market value, were pulled from their website when the RFP was submitted, and were presented to Herb.

- Daren explained that Bode is asking Daren for contracts, student roster, and time frame of use. Daren communicated with Bode to review the RFP and communicate with Kirk regarding future questions.
 - Larry asked if Bode has a clear understanding of the RFP and Kirk answered, Yes. Bode understands that the school is going to pay 2% lower market value for their services, SAMS Academy has an instructor, SAMS Academy has an aircraft, that Bode is there if the school needs them, and there is communication established between Kirk and Bode.
 - Justin asked if this is a yearly contract and can be terminated at any time and Kirk answered, it's a one year contract and yes. Justin reminded the Council, Administration, and Daren that unfortunately Bode is known for exploiting its customers, Bode is a good team, and Bode is good at what the company provides.
- Mark informed the Council that he has given another attorney the information to work on the school's aircraft title transfer. Mark explained that the title currently reads Southwest Learning Center and this is not its own entity. Mark stated that once the firm has completed this process, he receives the signed letter, he will give this to Kirk for signature, and the school will receive the title.
- Daren addressed the Council and presented an **Aviation Update**.
- Daren stated that has a total of 93 students enrolled in the Aviation Program. Daren explained that 24 of these students are in Private Ground School, that 5 of these students are seniors from the 2015-2016 school year, and 21 of these students are from SSLC.
 - Daren reminded the Council that these students are participating in classroom time, flight simulator time, but need aircraft time.
 - Daren explained that the senior students will finish with instrument rating when they can use the school's airplane.

Larry moved to the next item of Ongoing Business, Governing Council Member Recruitment. Larry stated that he came during the Registration Process, but didn't have any parent interest.

- Phyllis stated that she also came during the Registration Process, had parents stop by the Governing Council table, take a nomination packet, but didn't show interest.

- Pauline stated that the parents she spoke with during the Registration Process asked what type of members the Governing Council is looking for and seemed to have a desire for the school to succeed.
- Larry informed the Council that he received an email correspondence from a potential Governing Council member, gave this interested party a nomination packet, and is waiting to hear from them.
- Larry reminded the Council that SAMS Academy is having an Open House on September 10, 2015 from 5:30-7:30 pm. Larry asked Coreen to send out another email blast to parents regarding Governing Council open positions. Larry asked if Administration could provide the Governing Council a table to promote SAMS Academy's Governing Council.

Larry moved on to the last item of Ongoing Business, **Attorney / Governing Council Interaction**. Larry explained that this regards the communication that the Council receives from Mark Baker, school attorney; Mark's contract regarding his fees and communication; and how the Council would like to proceed.

- Larry explained that communication between Mark and the Council generally starts with the Council President and then with the Governing Council if action needs to be taken.
 - Kirk stated that he would like for Mark to communicate with him, then Kirk would communicate with the Council President, and the President can communicate with Council members.
 - Kirk reminded the Council that this communication is vital. Kirk explained that there will be more communication as the FBI finish up their case, PED finishes their forensic investigation, and to remain in compliance with the Open Meetings Act.
 - Larry stated that he wants to make sure that the communication line remains open and the Council knows what is taking place when it comes to legal issues.

Larry moved to the second item of the Administrative Report, **2015-2016 Enrollment**. Larry asked where the school stood after the Registration Process and the beginning of school.

- Coreen explained the current numbers to the Council. Coreen stated that there are 278 active students, 5 potential students on the waiting list, and 1 offer out.
- Coreen stated SAMS Academy is off to a good start with a great attitude among staff, students, and parents.

- Kirk informed the Council that he starts the day at SAMS Academy and ends the day at Southwest Learning Center.
- Phyllis asked how many students were returning and Sharon answered 230 students of the 290 offered are returning students.

Larry moved to the next item of business, **Financial Team Consolidation**. Kirk informed the Council that there has been an adjustment with the Finance Office which has translated into a huge transition to the finance department with the loss of the CFO, changes from Alfredo's Group to the Vigil group, and PED's involvement.

- Kirk explained that there are four different business analysts at PED that are reviewing the four different school's Purchase Requisitions (PRs) and approving them into a Purchase Order (PO).
- Kirk informed the Council that there is an overdue payment backlog that the Vigil Group has been working on payments and corrections to the finance process that hasn't been in place.
 - Kirk explained that this is slowing down the PR process, that PRs are needing more details, and are taking more time to become a PO.
 - Kirk stated that Lj and Christine have been instrumental in the PR and PO process.
- Kirk explained that PED have been reviewing payroll, have implemented changes to bring the payroll into compliance, and that the payroll process is moving smoother.

Larry moved on to the next item, **Staff Handbook**. Kirk presented each Governing Council member a copy of a rough draft Staff Handbook for the Council members to review and make corrections that they think need to be made. Kirk reminded the Council that he has given a copy to each of the Administrators and staff members for review and feedback.

- Kirk explained that this handbook contains Policies and Procedures to clearly define direction and cover basic principles.
 - Kirk stated that this handbook covers leave, ARA payments, and formalizes expectations.
- Kirk informed the Council that PED will formalize the handbook and Kirk will bring it to the Council for approval, also.

- Phyllis spoke up and said that she has never seen a Staff handbook for SAMS Academy or the other schools. Kirk stated that he had this handbook template, has used this before, and made changes to the language according to the school. Phyllis asked that Kirk give this to Mark and review the legal language.

Larry moved on to **Conflict Resolution Policy**. Kirk explained that this document comes from the Staff Handbook. Kirk explained that this is a formal process used with parents and staff regarding conflicts and litigation practices.

- Kirk gave the Council an example of a parent who came in yesterday to SLC and was upset. Kirk explained that a mom came in upset with her son regarding completed work, barged into the Main Lab while class was in session, disrupted the students and teachers, and wanted resolution.
 - Kirk explained that this resolution would be able to be used in this situation, be able to explain that there is a process for situations like these, be able to clearly state the issue at hand, protect the teachers, help employment, and eliminate legality issues.
- Kirk asked the Council to review the resolution and take action at the next SAMS Academy Governing Council meeting.
- Larry stated that there hasn't been any communication between parents and the Governing Council, would this resolution change this process, the Governing Council is here to listen, and a final decision would be made as an entire Council.
 - Kirk explained that the problem would be handled by the teacher, then an Administrator, and then the Head Administrator. Kirk wasn't sure how much the Council would be involved.
 - Pauline just asked that this be handled professionally as the school has acted in the past and present.
 - Phyllis stated that the Council could get involved if they were asked, but otherwise it sounds like it can be handled outside of the Governing Council.
 - Mark reminded Administration and the Council that the school will want to have a heavy filter when it comes to Council involvement.

Larry moved to the next item, **NM Teach Evaluation Update**. Kirk stated that he calculated the numbers regarding the evaluations. Kirk informed the Council that the three

Administrators, Kirk Hartom, Coreen Carrillo, and Robert Pasztor, are certified to complete the evaluations.

- Kirk explained that the scores are marked in categories, “Ineffective”, “Minimally Effective”, “Effective”, “Highly Effective”, and “Exemplary”. Kirk explained that SAMS Academy had 0 teachers in the “Ineffective” category, 0 teachers in the “Minimally Effective” category, 57% in the “Effective” category, 29% in “Highly Effective” category, and 14% in “Exemplary” category.
 - Pauline asked what the New Mexico average was and Kirk answered 2-3% of teachers statewide are Exemplary.
 - Kirk stated that this is a helpful tool for teachers to help with understanding and better education for their students.
- Kirk explained that this Evaluation is from Charlotte Danielson Model with different domains from the New Mexico Teach Handbook.
 - Kirk presented the Council with the overall scores of the four schools, SPLC, SILC, SSLC, and SAMS Academy. 0 teachers were Ineffective, 18% were Minimally Effective, 50% were Effective, 27% were Highly Effective, and 5% were Exemplary.

Larry moved to the next item of business, **PEC Update**. Kirk reminded the Council that he and Herb, Interim Head Administrator, attended a PEC meeting in Santa Fe, New Mexico on August 19, 2015.

- Kirk informed the Council that the PEC were glad to hear of the schools 2015-2016 school year start has been a success, new Head Administrator, and the establishment of a task force to look at the combination of SPLC and SILC.
- Kirk explained that the PEC would like to see the schools be more visible and become part of the Coalition to stand more publicly and more powerful.

Larry moved to the last item of the Administrative Report, **School Consolidation Ramifications**. Kirk explained that “Small School Size Adjustment” is still an issue for the legislatures.

- Kirk stated that this would cost the schools in funding from the Small School Size Adjustment. Kirk stated that the school could offer more grade levels to offset this cost.

- Kirk explained that this is part of the “Organizational Framework” of each school’s Charter. Kirk stated that he would like to hold a school board retreat, school tours, and more comfortable with day to day operations.

Larry moved on to the next agenda item, New Business Matters. Larry moved to the first item, **Date for Next Regular SAMS Academy Governing Council Meeting.**

- Larry stated the next Governing Council meeting will be held in the conference room of Southwest Learning Center on Tuesday, September, 22, 2015 at 7:30 am.

Larry moved to the last item **Date for Next Joint Governing Council Meeting.** Larry stated that there isn’t a date for the next joint Council meeting and doesn’t look like one is needed at this time.

Larry moved to the next agenda item, **Public Comment.** Larry stated that there wasn’t any public to offer public comment.

Larry moved on to, **Announcements.** Larry reminded Council members that there is a SAMS Academy Social on Friday, August 28, 2015. Larry reminded Council members that the SAMS Academy open house is at SAMS Academy on September 10, 2015 from 5:30 -7:30 pm.

Larry moved to the last item on the agenda, **Adjournment.** Larry asked for a motion to adjourn today’s SAMS Academy Governing Council meeting. Justin made the motion and Phyllis seconded the motion. Larry called for a voice vote, unanimous yes, Motion carried. Larry adjourned the meeting at 9:56 am.