

**Albuquerque Bilingual Academy**  
**ABA GC Meeting Minutes for Virtual Meeting**  
**Date: May 26, 2020**

<b>Board Members Present</b>	Brenda Baca, Melissa Trujeque, Doris Cole, Julian Munoz, Jose Garcia	
<b>Absent</b>		
<b>Others in Attendance</b>	Chris Jones, Danielle Miranda, Kyle Hunt, Patty Matthews, Chris Glendening, Priyam Banerjee, Loryn Chavez	
<b>QUORUM</b>	<u> X </u> YES      NO	
<b>Meeting called to order</b>	Brenda Baca called the meeting to order at <u>5:30 pm</u> & Roll Call by Brenda Baca	
<b>Item</b>	<b>Discussion</b>	<b>Action/Recommendation</b>
<b>Approval of the Agenda</b>	05/26/2020	Brenda Baca called for a motion to approve the agenda. Melissa Trujeque motioned. Doris Cole seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
<b>Approval of Minutes</b>	04/27/2020	Brenda Baca called for a motion to approve the 04/27 minutes. Melissa Trujeque motioned. Doris Cole seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
<b>Consent Agenda</b>		
<b>Approval of BARs</b>	N/A	
<b>Special Issues (Discussion/Action)</b>		
<b>Final BAR pre-approval/authority</b>	<u>Hunt:</u> This is a pre-approval/authority for Mr. Jones and myself to enter and submit any final Budget Adjustment Requests (BARs) on behalf of the school to maintain budgetary compliance for audit and other regulatory purposes. This is done knowing that the BARs will not impact actual cash but only address budgets. In addition, any BARs submitted as allowed under this approval will be brought before the GC at the next meeting with review and detailed explanation.	Brenda Baca called for a motion for the Approval for the Principal/Director and the Business Manager to enter and submit any final Budget Adjustment Requests (BARs) on behalf of the school to maintain budgetary compliance for audit and other regulatory purposes. Melissa Trujeque motioned. Doris Cole seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
<b>Budget Report Updates</b>	<u>Hunt:</u> Starting with our Revenue Report, we have been receiving everything as expected. We did receive our transportation for K-5 Plus earlier in May and we also received the remaining budget for our instructional materials as well. Moving down to our Expenditure Reports, we do have a compliance in all of our functions with the exception of a few, but we expect them to be fully relieved. Everything else is very much standard. We do have our Bank Account Register Activity Report and we did take in \$470,244.65 and only dispersed \$385,384.16. Our positive cash flow is pretty normal especially with our increase in SEG as it is now \$358,000 as opposed to \$278,000. We did end the month with almost \$2 million in the bank, which is great, with only having \$6,000 in outstanding checks. On the Dashboard, you can see besides the raised programs and the changes between K-5 Plus program, we are operating very much the same way as the previous year. They just cancelled the K-5 Plus Program and so ours was currently operating at 247 memberships and generating 74 units; 74 units at our current rate is \$350,000 of SEG funding. So now I don't know if once they remove this program if it's going to be a stabilized unit value or if there's going to be an increase to the unit value, but I know we will be adjusting our budget down and then receiving another adjustment. <u>Jones:</u> Although this seems very drastic to our budget, it doesn't really interfere with our potential programming for next school year.	
<b>Approval of Applications</b>	<u>Jones:</u> a. BMEP: The courses that we're requesting funding is for our K-8 grades as they all participate in our bilingual dual-language immersion program. We have to identify what we're going to do for Professional Development, and we will continue to use CLAVES, GLAD, and CLRI framework. Our Parental Advisory Committee (PAC) meets on an annual basis and participate in BMEP oriented activities such as the bilingual spelling bee, bilingual poetry nights, parent teacher conferences, and bilingual seal activities. We used a survey to get input from all of our stakeholders. We project to have 397 students participating in the program; this program is funded on a per-student basis and we use that money to pay for salaries and benefits of our licensed staff members that support the program. b. IDEA-B: This is our special education funding. We receive an amount of money that allows us to pay for one full-time special education teacher, but we do carry two full-time	Brenda Baca called for a motion to approve the following applications: a. BMEP b. IDEA-B c. FAEA d. Title I e. Title II f. Title III g. Title IV h. Cares Act Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained

	<p>special education teachers. This year we included Yvette Barnwell and she provides special education instruction to students in grades K-5<sup>th</sup>. We also have about \$1000 that can be used for substitutes which would allow our special education teachers to collaborate with the general education teachers and to also receive training off-site.</p> <p>c. FAEA: This is an application for our Fine Arts Program, and it supports our one art teacher. This application is always written collaboratively by myself and Ms. Jessica Estevan, our Art Teacher. She is solely responsible for providing instruction to all of our students in grades K-8<sup>th</sup> which is 397 students. Also, built into the application is some potential money for Media Arts which would allow us to contract with someone to come in a teach coding or graphic design type programs. One of the big components of this application is how we're going to use the arts to help our students transition back into school after this emergency closure.</p> <p>d. Title I: In summary for this application, we have money going into a couple of different areas. The first area is going to be \$1000 for substitutes for our two SPED teachers responsible for supporting SWD. Next is \$9,367 for the after-school program that will be made available to all enrolled students on a first-come first-served basis until program capacity is reached. We will have a full-time social worker and she will lead efforts toward social and emotional development for all ABA students. We are bringing back a Technology Lab Educational Assistant to facilitate student access to school-based curriculum and resources during computer lab special classes. If we're unable to have this class next year, we'll move that money into a different fund account. We also have a Student Success Advisor/Counselor coming next year. We're going to need these people especially to help students return to school, so having a full-time social worker and counselor is hopefully going to alleviate some of the challenges students will face when they come back. I want to make sure we have an adequate staff to support students, so instead of spending on a lot of different items, I choose to use it for salaries and benefits. Then we can use operational funds to buy supplies and materials.</p> <p>e. Title II: What we use Title II for and what we'll continue to use it for is supporting development of our staff. We try to provide PD each year for our staff. This year we're going to use \$1,500 to support the gifted endorsement for Mrs. Yvette Barnwell. One of the things that I have built in new this year is to get some administration to help out with the return, continuous learning, and teacher support. I have \$10,802 that's been allocated to go towards a salary of a 1.0 FTE Curriculum Assistant Principal who can come in and help out. We also have \$3,000 going towards Mentor Teacher stipends; we have a mandatory mentorship program at our school for beginning teachers. We pay our mentors \$1500 per teacher. We have another \$1,500 for PD. The total comes to \$16,802.60.</p> <p>f. Title III: As of last year, we had an average of 383 students and 181.5 ELL's. We provide an elementary type-based ELL program; we do a 50/50 dual-language program. We use McGraw-Hill to support our language instruction and we take the Access test to assess student proficiency. We also talk about how our staff is being trained in GLAD and CLAVES. We will continue to provide ELL classes for our parents and we're hoping to contract someone. As of now the \$14,000 is to be spent in different ways. I used it to support staff salaries and also a salary for an ELL Coach and Administrator who would support staff and coordinate Title III.</p> <p>g. Title IV: This is for Student Support and Academic Enrichment and we have \$14,339. We use this for our after-school program. We roll it all into salaries and any benefits for our after-school staff. We are proving a free program to all of our students. This is big for us because we know we're going to have to be accommodating to our families next year. If they put us on a unique schedule, where siblings are coming in at different times and days, we are going to have to do something to support parents which includes before and after school care.</p> <p>h. *Cares Act: We have a set amount of money \$151,000 to support our work around this COVID era. I hope to pay for PPE for our students and staff members, cleaning products, custodial staff, and more days for our Registered Nurse to be on campus. I also hope to purchase more technology for families because we need to make sure that all of our families have a device to use to support learning. We also have to do a better job of making sure our families have adequate internet access, so hot spots come to mind. This money will go fairly quickly considering the magnitude of work we have ahead as it is a big task.</p>	
<p><b>Approval of FY21 Contracts</b></p>	<p><u>Jones:</u></p> <p>a. Vigil Group – Business Mgt: We have a contract for business management services for our business manager which is Kyle and the support of the Vigil Group and the amount is \$59,640 plus gross receipt tax \$4,970. We know the work that they do and at this time I am making the recommendation to continue our work with the Vigil Group.</p> <p>b. Matthews Fox – Legal Service: This is a contract in the past that we have had to use a lot and they saved us as we were going through the revocation scare. The cost of service will be \$250 per hour (Matthews &amp; Fox), and associates at \$175 per hour for standard legal services, and will bill partners at \$300 per hour and associates at \$200 per hour for services related to bond transactions, plus gross receipt taxes. This is as needed, so with the work</p>	<p>Brenda Baca called for a motion to approve the following FY 21 contracts:</p> <ul style="list-style-type: none"> <li>a. Vigil Group – Business Mgt.</li> <li>b. Matthews Fox – Legal Service</li> <li>c. ACES – Food Service</li> <li>d. CES – Ancillary Service</li> <li>e. SWREC – Medicaid Billing</li> </ul>

	<p>that we're doing around the facilities acquisition and the continued work with the Charter Renewal. We're approving an amount that is under \$59,999 granted that we even come close to that.</p> <p>c. ACES – Food Service: We've chosen to go through ACES for our canteen services and we're able to get food services for our students. We're able to utilize our national school lunch program funding for to pay for this contract through ACES for Canteen of Central New Mexico.</p> <p>d. CES – Ancillary Service: We have a SLP, OT, SW, a Diagnostician, and a Registered Nurse who all come from CES. They support our students with disabilities as well as others with our Nurse. This contract has been in place for a long time and we're basically just looking to renew the allocation we get and once I have a formal allocation from CES I will share that amount with you. I am recommending that we go back with CES with the same ancillary team that we had for several years now.</p> <p>e. SWREC – Medicaid Billing: There isn't a set amount that we pay them; it's basically an agreement between the school and SWREC in which they support Medicaid billing for our ancillary providers that provide Medicaid eligible services to our students. We bill and then Medicaid gives us back funding that we can use to purchase equipment and other things for our students with disabilities.</p> <p>f. *Edgenuity – Online Curriculum: We don't have a current contract as of now, but I want to explain the function of Edgenituy. Edgenuity provides an online curriculum and it will be that one-stop shop for curriculum. It will organize learning through a content management system, and it will help our teachers to better facilitate learning without having to pull little pieces of content from different subject areas. I would choose to use this so that we have more of a structure that's going to work with our families, and it'll be less stressful. We have Rio Rancho Cyber Academy which is the school with the highest graduation rate in the entire state, we have Taos Academy which is another school of distinction, The Great Academy, and School Of Dreams all of which are highly successful and have been implementing this same program for years. So I am asking for you to give me the autonomy to move forward with this contract granted that we go into a state of learning in the future that requires us to rely on a hybrid model or to a strictly online model.</p>	<p>f. *Edgenuity – Online Curriculum Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained</p>
<p><b>ABA Charter Renewal Updates – contract and goal negotiation</b></p>	<p><u>Jones:</u> I just wanted to give you a quick update about the negotiations and renewal. I thank you all for going through this process with us. Five years ago, they told us not to come back and now we just earned ourselves another five-year renewal and that's the max term. We feel good about the work that we've already done. With that in mind, we went through a process to approve the goals and we also a contract that needs to be formally approved by the council. I did send you guys a folder that had all of this information inside.</p> <p>a. Governing Board Bylaws (revised with new school name): No new language; it is just to update with our new school name. It will require signature from Ms. Brenda who is the president at this time.</p> <p>b. Statement to Consult with PED signed by all members: that is a standard form and it is a commitment to work with the PED on any issues that relate to our charter.</p> <p>c. Affidavits from each Governing Board member (signed and notarized): These need to be signed by each of you and we can have notarized by Ms. Diana. The challenge is going to be having you come into school, so we're going to have to create a time to get you all to come in so that Diana can witness your signatures. I need to consult with PED to figure out what they're recommending as far as the practices concerned to get you all in safely.</p> <p>d. Certificates of Assurances from each Governing Board member – revised form attached here: Each of you will be required to sign this.</p> <p>e. Facilities – Additional information on the lease terms, if required after review by PEC Attorney: During our negotiations, they were asking questions about the lease. I let them know we are at the early stages of purchase and I would update them later.</p> <p>f. Signed Contract with each page initialed: Each page needs to be initialed by Ms. Breda.</p> <p>g. Certification of Governing Board vote (approving the contract and mission goal): It's important for me to share the contract with you as well as the goal so we can approve them. Here is the contract and I want to ask Patty to share any big-ticket items in the contract.</p> <p><u>Matthews:</u> I would want to scroll through it page by page; let's do it by section. Section 2 generally just talks about who is who in this document. Interestingly they've identified the representatives by person rather than by position, so both Ms. Baca and Mr. Jones are specifically identified in the contract which is sort-of unusual. The term is five years. Section 4 does have a statement of your mission. What is really very important after working with my clients for so many years, I think there's a forgetfulness that in this contract that you have requirements each year to report out on things that are actual material terms of this contract. So, I know that many of my clients even forget that this thing even exists and even worse forgets the attachments to this document which are more important which is the framework that involves your academics, allegedly your financials which it doesn't, and your operational. So, those are the things that you're going to be held accountable for and it's really important to have a strategic plan on how to monitor whether or not those aspects of the contract are being fulfilled. Number 3 just talks about your enrollment caps. You know Chris, we've never gone back to</p>	<p>Brenda Baca called for a motion to approve the Charter School Contract between the Public Education Commission and Albuquerque Bilingual Academy for the contract term July 1, 2020 through June 30, 2025 and the Mission Specific Goal as stated in Attachment A to the Contract. Melissa Trujeque motioned. Doris Cole seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained</p>

	<p>them to get an additional cap but your building has a tremendous capacity and I think they almost invited you to do that, so you might want to think about that certainly once we get the facility under way. We struck through a partnership organization company because you don't have one. This describes your Comprehensive Educational Program, the things that the CSD will come in and say, "what are you doing and what evidence do you have to show me that you're doing that?" They are in the contract for a reason and that's because you're going to be gauged on whether or not you did all of this over the term of your contract when it's time for renewal. Bylaws were not a part of your contract, but they are now, so just be aware when you start to change your bylaws, they were an amendment to this particular contract. We went back and forth on the number of people who ought to be on your body, but the law says a minimum of 5. Replacing people, training requirements, etc., so these things are just a good idea for the board to probably review to make sure you are doing what you're supposed to be doing and following the contract and the statute. It would be good once this is approved Ms. Baca to make sure that the contract is a part of your board book and that everyone has a copy of it including the performance framework. I had with legal counsel and the commission an argument about this contract form because it is out of date. You're required to have background check policies adopted. Section 5 talks about the various performance frameworks. Then it talks about revocation, but we don't need to know that right now. One of my objections to this contract is that they refer to a performance framework and they don't have one but then you're required to agree to this document and if you don't do it you're going to be penalized. I just want to bring those things that have been difficult for me as your legal counsel to say, "sure go ahead and sign it and everything will be just great" because it's not. You got terms in this document that are not accurate and not properly defined, you got terms in this document that are outdated, and you got terms like financial performance framework that don't even exist, and yet you're being required to sign. We did try to fix it and we have documentation that we tried but they objected. So, when I say these things, it's not like I didn't bring them up and my advice is that you will sign this contract if you want to continue, but that is just the nature of the beast.</p> <p><u>Jones:</u> I just want to share the goal with you; I was asked to revise the goal. I submitted the initial goal and it was based on Access for ELL's which is an English Language Proficiency Assessment that our kids take on an annual basis every spring. Now its apart of the new accountability system, so they requested that I develop a new goal and so we did. The new goal has to do with Spanish Language Proficiency, and it is built around a new assessment that the state recently adopted and that we adopted as well. This is the mission specific goal that we've identified and so now when they come on an annual basis, they will hold us to showing progress of meeting this proficiency goal. We have full academic year students, so we need for them to participate in consecutive administration of this assessment. If they were not with us the year prior, it's hard for us to have that baseline. Our goal is the 50<sup>th</sup> percentile, that would mean our kids would need to score at the intermediate range. During our negotiations, they wanted us to continue to raise the bar. In order to meet this goal, we need 65% or more of our 1<sup>st</sup>-8<sup>th</sup> students to score 4/10 that would be in our case proficient. Then we would be considered a school that exceeded the standards. We will monitor this goal to measure that our students are on track by using common formative assessments and other things. This is taken only once per year, so it is kind of all or nothing.</p>	
<b>Closed Session</b>	<p><u>Baca:</u> I invite Chris Jones, Patty Matthews, Chris Glendening, and Loryn Chavez to the closed session.</p> <p>Time: 7:32pm</p>	<p>Brenda Baca called for a motion for ABA's Board of Education to convene in Executive Session Pursuant to the Open Meetings Act: NMSA 1978 § 10-15-1 (H)(8) for the Purpose of Discussing the Sale or Lease of Property; NMSA 1978 § 10-15-1 (H)(2) for the Purpose of Discussing Confidential Personnel Matter Re: Head Administrator Contract. Julian Munoz motioned. Melissa Trujeque seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained</p>
<b>Reconvene to Open Session</b>	<p><u>Baca:</u> Roll Call- states that all members agree that the matters discussed in the Executive Session were only limited to those specified in the agenda. Time: 8:27pm</p>	<b>Reconvene to Open Session</b>
<b>Action as Necessary from Closed Session (Discussion/Action)</b>	<p><u>Baca:</u> We do not need an agreement between the foundation and the school and will pursue the LPA. We will table the item of discussing the Confidential Personnel Matter Re: Head Administrator Contract until next meeting in closed session.</p>	<p>GC approved what was discussed in closed session is approved and to table item: Head Administrator Contract. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained</p>
<b>Head Administrator Updates</b>	N/A	
<b>Public Comment</b>	N/A	

<b>Announcement of Next GC Meeting</b>  <b>Adjourn</b>	Next GC meeting: <u>Monday, June 29, 2020; 5:30 pm</u>  Meeting was adjourned at 8:35pm	Brenda Baca asked for a motion to adjourn. Julian Munoz motioned. Doris Cole seconded. -Brenda Baca called for a vote. GC approved unanimously by a vote of 5-0; 0 opposed; 0 abstained
------------------------------------------------------------------	-----------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------