

NEW MEXICO PUBLIC EDUCATION COMMISSION

Policy Position Statements

May 2016

1. The PEC's Performance Contracts (which include the Performance Frameworks) with the charter schools they authorize, as negotiated and agreed-to by all parties, are final documents and do not require further negotiations during the life of the contract term until, and unless, either party requests renegotiations and both parties agree to that renegotiation.
2. Definition of Annual Performance Indicators: As utilized in the PEC's Performance Contract (which includes the Performance Frameworks), the term "Annual Performance Indicators" shall be defined as those Indicators negotiated by the PEC and the charter school and agreed to by all parties. The Indicators shall be valid for the entire term of the Performance Contract without the requirement of additional renegotiation unless that renegotiation is requested by one of the parties and agreed to by all parties.
3. Negotiation/Renegotiation Process:
 - a. Negotiations with newly authorized or renewed state chartered charter schools is a process conducted solely under the authority of the PEC with the CSD, acting as the PEC's staff, functioning as the document collection agency. The CSD has no authority, and is not authorized by the PEC, to evaluate or otherwise attempt to negotiate the rigor or quality of Performance Indicators or other items provided by the schools for inclusion in the Performance Contract (which includes the Performance Frameworks). The CSD is charged with working with the PEC's Negotiations Coordinator and the schools to establish the schedule (dates, times, location) of negotiations. The PEC, aided by the PEC's Contract Facilitator and the CSD, shall conduct the negotiations of the Performance Contract (which includes the Performance Frameworks).
 - b. Renegotiation, which has been requested by either party to the Performance Contract and approved by both parties to the Performance Contract, is a process conducted solely under the authority of the PEC with the CSD, acting as the PEC's staff, functioning as the document collection agency. The CSD has no authority, and is not authorized by the PEC, to evaluate or otherwise attempt to negotiate the rigor or quality of Performance Indicators or other items provided by the schools for inclusion in the Performance Contract (which includes the Performance Frameworks). The CSD is charged with working with the PEC's Negotiations Coordinator and the schools to establish the schedule (dates, times, location) of negotiations. The PEC, aided by the PEC's Contract Facilitator and the CSD, shall conduct the renegotiations of any section

of the Performance Contract (which includes the Performance Frameworks) as requested and approved by both parties.

- 4. Should either the PEC or the school request renegotiation of any part of the Performance Contract (which includes the Performance Frameworks) and one of the parties refuses renegotiation, the renegotiation issue for that school may not be readdressed for an entire twelve (12) month period.**

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