



## New Mexico Public Education Commission

School Year 2017-2018

### NEW SCHOOL SITE IMPLEMENTATION CHECKLIST

Condition for Commencement of New School Site Under all Charter  
Schools Authorized by the Public Education Commission



## PART I. NAME OF SCHOOL & CONTACT INFORMATION

### School Information:

Name of New Charter School Site:

School Address (if known):

School Location (City/Town):

Grades to Be Served:

Planned Lottery Enrollment Cap:

### Planned School Site Leader Contact Information:

Primary Contact Person:

Address:

City:  State:  Zip:

Daytime Tel:  Fax:

Alternate Tel:  E-Mail:

**Secondary Contact Person:**

Address:

City:  State:  Zip:

Daytime Tel:  Fax:

Alternate Tel:  E-Mail:

### Foundation / Sponsoring Organization Information:

Foundation / Sponsoring Organization Name (if applicable):

Principal Officer:

Mailing Address:

City:  State:  Zip:

Daytime Tel:  Fax:

Alternate Tel:  E-Mail:

## Part II. Introduction

Through charter schools, the Public Education Commission (“PEC”) as Authorizer and the Charter Schools Division (“CSD”) in the New Mexico Public Education Department (“PED”) seek to provide families with effective, quality educational options.

### A. Implementation Year Checklist Authority and Purpose

The *Public Education Commission’s New School Site Implementation Year Checklist* serves as a guide and tool for a charter school to develop and produce all necessary materials to demonstrate compliance with all applicable laws, rules, and charter provisions necessary to demonstrate readiness to operate a second public school site.

The *Public Education Commission’s New School Site Implementation Year Checklist* also provides an opportunity for a charter school to demonstrate it has the capacity to both operate and function as a place of education and learning with a second school site. The legal, regulatory, and policy requirements of an authorized school are significant. Successful school operators need to both demonstrate an understanding and a capability to institute and implement a program consistent with the requirements presented within this document.

Prior to the commencing operation at a new school site, must meet the requirements established in this checklist.

The PEC makes the final determination regarding commencement of operations, after considering the review and recommendations made by the PED in completing the *Public Education Commission’s New School Site Implementation Year Checklist*. The PEC is not limited by these reviews and recommendations and may request any additional documentation, information, or input that the PEC deems appropriate.

### B. Development of the Implementation Year Checklist

The items identified in the *Public Education Commission’s New School Site Implementation Year Checklist* template are those designed to address local, state, and federal, laws, rules and regulations, charter contract provisions, charter best practices, and PEC directives. Each year, the CSD reviews any changes to the aforementioned laws, rules and regulations, charter contract provisions, charter best practices, and PEC directives and prepares a revised draft *Public Education Commission’s New School Site Implementation Year Checklist* template.

This draft template along with any CSD recommendations is presented to the PEC at a regularly scheduled meeting. The PEC reviews and makes the final determination regarding the draft template and these CSD recommendations. The PEC is not limited by these recommendations and may add, remove, or revise any language presented in the draft template.

### C. Directions

1. The items on the *Public Education Commission's New School Site Implementation Year Checklist* **MUST** be completed on or before June 1<sup>st</sup>, 2018 to receive a recommendation for commencement of operations.
2. All submissions and all documentation must be submitted to the CSD for review **on or before** the deadlines indicated. Documentation should be submitted online as provided in individual instructions provided to the School.
3. The CSD provides staff support to the PEC and will review all submissions. This review will provide the basis for any recommendation to the PEC.
4. The CSD will provide summary reports to the School which will detail a summary of all findings, issues, and concerns identified by CSD. The School is required to arrange a phone conference or in-person conference with CSD within 10 days of receipt of these summary reports. The purpose of this conference will be to discuss the issues and concerns identified by CSD.
5. Following receipt of a summary report, the school is required to address and resolve all findings, issues, and concerns prior to the next submission deadline.
6. Key Terms:
  - a. An **"Indicator"** is a stated compliance objective that **MUST** be addressed and completed by the school. These objectives may be legal, regulatory, charter contract provisions, charter school best practices, or PEC directives.
  - b. **"Documentation"** requires a school to submit copies of all policies, procedures, forms, protocols, spreadsheets, documents, or any other material that will provide evidence that the school has addressed or completed the relevant indicator and compliance objective.
  - c. **"Date of Completion"** is the date that CSD certifies that documentation addressed or completed the relevant indicator. This field will be left blank until such time as CSD has received sufficient documentation to certify that a relevant indicator was completed.
  - d. **"Findings"** are those CSD comments and notes which identify deficiencies in the "documentation" provided by the school and which details the reasons why CSD was unable to certify documentation as having addressed or completed the relevant indicator.
7. When an "Indicator" or "Documentation" names a statute, rule, or regulation, this is an indication that specific materials are required by statute, rule, or regulation. The school **MUST** address each element or provision that is required in the statute, rule, or regulation.
8. Some "Indicators" may require the school to consult, update, and receive approval from different agencies, departments, or divisions within the PED. The school must provide evidence

of these consultations where indicated and provide copies to CSD of any materials provided to these different agencies, departments, or divisions.

9. Additional elements may be added to the *Public Education Commission's New School Site Implementation Year Checklist* based on changes to legislation, statute, regulation, or due to PEC direction or condition.
10. The PEC makes the final determination regarding the *Public Education Commission's New School Site Implementation Year Checklist* and any conditions of charter approval after considering the review and recommendations provided by the CSD. The PEC is not limited by these reviews and recommendations and may request any additional documentation, information, or input that the PEC deems appropriate.

#### D. Review Process

Acting as staff support to the PEC, the CSD will review all school submissions and provide a summary report and any findings **within 30 days of a submission** deadline.

Generally, the CSD review process is as follows:

- 1) The school sends all policies, procedures and documents related to an indicator or documentation requirement prior to a submission date.
- 2) CSD consults any applicable laws, regulations, charter contract provisions, written PEC policies, or written guidance manuals applicable to the indicator or documentation required.
- 3) CSD analyzes the school documentation to determine whether all required elements of the applicable laws, regulations, charter contract provisions, written PEC policies, or written guidance manuals were addressed and satisfied.
- 4) Should all elements be addressed and satisfied, CSD then reviews the school documentation for completeness. CSD also considers implementation of the documentation to determine the feasibility of the documentation, and whether the described program is possible, consistent, and reasonable.
- 5) Finally, CSD reviews implementation and consistency in relationship to all other policies and procedures provided by the school.
- 6) In the case of PEC imposed conditions or application deficiencies, CSD consults the specific named deficiencies in the application and the specific condition imposed by the PEC.
- 7) CSD analyzes the school documentation to determine whether all application deficiencies identified and any PEC imposed conditions were corrected, addressed, or satisfied.

### Part III. Implementation Year Checklist

INDIVIDUAL SCHOOL CONDITIONS TO BE MET PRIOR TO COMMENCEMENT OF OPERATIONS (MAY 15 <sup>th</sup> )			
INDICATORS	DOCUMENTATION	DATE OF COMPLETION	FINDINGS
<p>C.1. Timely obtain standing as an approved Board of Finance <b>no more than 120 days</b> after receiving written notification of the approval of the new application.</p> <p><i>NMSA § 22-8-38;</i> <i>NMAC § 6.80.4;</i> <i>PEC Policy, Board of Finance Application.</i></p>	<p><input type="checkbox"/> Condition Met.</p> <p><i>PEC Policy, Board of Finance Application.</i></p>		
<p>C.2. Timely secure a facility that meets PSFA approval, including condition index, E-Occupancy, and ownership or leasing requirements no less than two weeks prior to the scheduled first day of school.</p> <p><i>NMSA § 22-8B-4.2</i></p>	<p><input type="checkbox"/> School has secured a facility that meets educational occupancy standards (E-Occupancy) and school has provided evidence of an E-Occupancy certificate.</p>		
	<p><input type="checkbox"/> School provides either a copy of PSFA report that shows facility has a condition rating equal to or better than the average condition for all New Mexico public schools for that year or the charter school has documented PSFA approval that within eighteen months of occupancy the school will achieve a rating equal to or better than the average</p>		

	New Mexico condition index.		
	<input type="checkbox"/> School provides assurances to demonstrate the lease, lease purchase, or ownership arrangement complies with 22-8B-4.2.		
C.3.Attend all implementation year training and technical assistance sessions hosted by CSD.	<input type="checkbox"/> Condition Met.		
C.4.Attend all implementation year conferences to discuss with CSD any issues, concerns, and findings identified in the Implementation Year Checklist.	<input type="checkbox"/> Condition Met.		
C.5. Correct all issues concerns, and findings identified in the Implementation Year Checklist.	<input type="checkbox"/> Condition Met.		
C.6.As part of the contract and framework negotiation and approval process, obtain the PEC approval of any substantial proposed changes to the educational model, staffing, organizational, and governance plan, or finance plan that were presented In the application.	<input type="checkbox"/> Condition Met.		

<p>C.7.Address and correct any application deficiencies that were noted by both the PED and the PEC.</p>	<p><input type="checkbox"/> Condition Met.</p>		
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**SUMMARY REPORT - CONDITIONS**

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INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
<b>ITEMS DUE BY MARCH 15<sup>th</sup></b>			
<p>Status report on the development and acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements.</p> <p><i>NMSA § 22-8B-4.2.</i></p>	<p><input type="checkbox"/> Provide status report that details:</p> <ol style="list-style-type: none"> <li>1) Expected date of receiving E-Occupancy certificate.</li> <li>2) Any current outstanding construction items that must be completed before E-Occupancy can occur.</li> <li>3) NMCI score OR expected date of receiving NMCI score.</li> <li>4) Approval from PSFA regarding ownership/lease requirements OR identify outstanding items that must be completed before PSFA approval can be</li> </ol>		



	secured.		
<p>Initial Basic Operating Policies and Procedures have been developed and approved by Governing Body.</p> <p><i>Charter Contract § 8.10; Charter Contract § 8.11; Charter Contract § 8.14; Charter Contract § 8.17.</i></p>	<input type="checkbox"/> School conflict of interest policy and procedures.  <i>NMSA § 22-8B-5.2.</i>		
	<input type="checkbox"/> Anti-nepotism policy and procedures.  <i>NMSA § 22-8B-10.</i>		
	<input type="checkbox"/> Background check policy and procedures.  <i>NMSA §§ 22-10A-5.</i>		
	<input type="checkbox"/> School FERPA policy and procedures.  <i>20 U.S.C. § 1232g.</i>		
	<input type="checkbox"/> School Complaint and Grievance Policy including a process for receiving and resolving community, parental, and other public complaints.		
	<input type="checkbox"/> Volunteer policies and procedures.  <i>NMAC § 6.50.18.8.</i>		
	<input type="checkbox"/> Compulsory school attendance policies and procedures.  <i>NMSA § 22-12-2 et seq.</i>		
<input type="checkbox"/> Compulsory school attendance policies and procedures – Provision to conduct early intervention for students who have accumulated five (5) unexcused			

	absences. NMSA § 22-12-9.		
	Compulsory school attendance policies and procedures – Provision to notify the probation office of the judicial district where the student resides following notice of habitual truancy.  NMSA § 22-12-7.		
	<input type="checkbox"/> Tobacco free policies and procedures.  NMAC § 6.12.4.		
	<input type="checkbox"/> Bullying prevention policies and procedures.  NMAC § 6.12.7.		
	<input type="checkbox"/> Dual credit policies and procedures.  NMAC § 6.30.7.8.		
	<input type="checkbox"/> Distance learning policies and procedures.  NMAC § 6.30.8.		
	<input type="checkbox"/> Grade change policies and procedures.  NMAC § 6.30.10		
	<input type="checkbox"/> Policies, procedures, and any forms for ensuring parental access to information regarding professional qualifications of teachers, instructional support		

	<p>providers, and principals.</p> <p>NMSA § 22-10A-16.</p>		
	<p><input type="checkbox"/> Student information system security policies and procedures.</p> <p>NMAC § 6.19.5.8.</p>		
	<p><input type="checkbox"/> Staff discipline policies and procedures.</p> <p>NMAC § 6.69.2.8.</p>		
	<p><input type="checkbox"/> Policy, process, or plan to disseminate “Code of Ethics” and “Code of Professional Conduct” to all licensed employees.</p> <p>NMAC §§ 6.60.9.81.,6.60.9.9.</p>		
	<p><input type="checkbox"/> Policies and procedures for detention, suspension, or expulsion.</p> <p>NMAC § 6.11.2.12.</p>		
	<p><input type="checkbox"/> Student discipline policies and procedures.</p> <p>NMSA § 22-5-4.3. NMAC § 6.11.2.1, et seq.</p>		
	<p><input type="checkbox"/> Student Handbook.</p>		
	<p><input type="checkbox"/> Staff Handbook.</p>		
	<p><input type="checkbox"/> Health services policies and procedures.</p> <p>NMAC § 6.12.2; Wellness Policy Guidance Document.</p>		

	<p><input type="checkbox"/> School has provided evidence that it has developed wellness policies and procedures pursuant to NMAC § 6.12.6 and submitted these to the Coordinated School Health and Wellness Bureau for review.</p> <p>NMAC § 6.12.6; Wellness Policy Guidance Document.</p>		
	<p><input type="checkbox"/> School has provided evidence that it has developed an initial Safe School plan pursuant to NMAC § 6.12.6 and submitted these to the Coordinated School Health and Wellness Bureau for review.</p> <p>NMAC § 6.12.6; Safe Schools Guidance Document.</p>		
	<p><input type="checkbox"/> Gun free schools policy.</p> <p>NMSA § 30-7-2.1; NMSA § 32A-2-33.</p>		
	<p><input type="checkbox"/> Homeless youth complaint policy and Notice of Rights.</p> <p>NMAC § 6.10.3.9 (D).</p>		
	<p><input type="checkbox"/> Homeless education and assistance policies and procedures.</p> <p>Homeless Policy Guidance Document.</p>		

	<input type="checkbox"/> Immunizations policies and procedures. NMAC § 6.12.2.8.		
	<input type="checkbox"/> Pest Control policies & procedures. NMAC 6.29.1.9(O)(6).		
Detailed Staffing Plan.  NMAC § 6.29.1.	<input type="checkbox"/> Written process and plan that details how the governing body will identify, recruit, and hire a prospective head administrator.		
	<input type="checkbox"/> The school administration, school mission, and legal (licensing) criteria that will be used to evaluate candidates and identify an appropriate head administrator.		
	<input type="checkbox"/> A detailed timeline for recruiting, interviewing, selection, conducting background checks, and signing of a contract for the head administrator that must be completed prior to June 1 <sup>st</sup> .		
	<input type="checkbox"/> A list of all prospective staff positions and a description of the required licensure for each position.		
	<input type="checkbox"/> RTI & SAT policies and procedures.		

**SUMMARY REPORT - ITEMS DUE BY MARCH 15**

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INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
ITEMS DUE BY MAY 1 <sup>st</sup> .			
<p>Budget Plan. The budget plan should be done using the most current Uniform Chart of Accounts (UCOA).</p> <p><i>NMAC § 6.20.2.13(C).</i></p>	<p><input type="checkbox"/> Budget plan based on projected enrollment submitted to the School Budget Bureau. A copy must be sent to CSD.</p> <p><input type="checkbox"/> Projected student membership for the upcoming school year. Projections should indicate number of projected students by grade level. Membership projections <b>must</b> also detail what evidence and basis there is for this projection.</p> <p><input type="checkbox"/> Current Enrollment and current enrollment as a percentage of membership projections.</p>		
<p>Enrollment processes and policies that comply with state and federal requirements.</p> <p><i>NMSA § 22-8B-4.1; NMAC § 6.80.4.19; NMAC § 6.80.4.13; Charter Contract 8.03 19</i></p>	<p><input type="checkbox"/> Detailed enrollment, admission, and lottery policy.</p> <p><i>See CSD FAQ: Lottery</i></p> <p><input type="checkbox"/> All necessary forms for enrollment, admission, and lottery, including admission application and lottery forms.</p>		

	<input type="checkbox"/> Evidence that school is advertising with newspapers, bulletin boards, and other methods.		
Status report on the development and acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements.  <i>NMSA § 22-8B-4.2.</i>	<input type="checkbox"/> Provide status report that details: <ul style="list-style-type: none"> <li>5) Expected date of receiving E-Occupancy certificate.</li> <li>6) Any current outstanding construction items that must be completed before E-Occupancy can occur.</li> <li>7) NMCI score OR expected date of receiving NMCI score.</li> <li>8) Approval from PSFA regarding ownership/lease requirements OR identify outstanding items that must be completed before PSFA approval can be secured.</li> </ul>		
	<input type="checkbox"/> Provide evidence that contact has been made with PSFA regarding the facilities plan and that contact has been made within the last 30 days.		
3-1.1. Financial Control.	<input type="checkbox"/> Provide adequate Internal Control Procedures  <i>NMAC §§ 6.20.2.11 – 6.20.2.18.</i>		
	<input type="checkbox"/> Establish and implement written		

	procurement procedures consistent with state and federal law and regulations.  <i>NMAC § 6.20.2.17;</i> <i>34 CFR 74.44.</i>		
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**SUMMARY REPORT - ITEMS DUE BY MAY 1<sup>st</sup>**

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INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
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**ITEMS DUE BY JUNE 1<sup>st</sup>**

Director / Principal / Administrator in place and holds administrative license.  <i>NMSA § 22-10A-3;</i> <i>NMSA § 22-8B-10.</i>	<input type="checkbox"/> Copy of administrator’s license(s). <input type="checkbox"/> Signed contract with position description. <input type="checkbox"/> Evidence that employment of head administrator and licensed school employees in compliance with nepotism rule as defined in 22-8B-10.		
Membership Projections & Enrollment.  <i>NMSA § 22-8-12.1.</i>	<input type="checkbox"/> Provide an update on current enrollment by grade level and as a percentage of projected enrollment.		
Assessment Plan Developed.  <i>NMAC § 6.80.4.9(E).</i>	<input type="checkbox"/> Evidence interim assessments have been identified and budgeted, and that there has been contact with an identified		



	assessment company.		
	<input type="checkbox"/> Provide plan and schedule for administration of interim assessment(s) and for administration of PARCC, W-IDA / W-APT / ACCESS or any other planned assessments.		
5-15.2.Staffing Plan.	<input type="checkbox"/> Status report on recruitment and hiring to meet staffing needs.		
	<input type="checkbox"/> Timelines to secure licensing and backgrounds for each prospective staff member.		
	<input type="checkbox"/> Special education staffing plan / contracts.		
Professional development plan.  <i>Charter Contract § 8.02; Charter Contract § 8.12.</i>	<input type="checkbox"/> Plan and forms to implement professional development plans (PDPs) for individual teachers.  NMAC § 6.65.2.8; NMAC § 6.30.5.13; NMAC § 6.30.12.11.		
	<input type="checkbox"/> Mentorship program and any necessary forms or tools to be used for novice teachers.  <i>NMAC § 6.60.10.</i>		
	Plan and forms to implement professional development plans (PDPs) for all individual		

	<p>teachers.</p> <p>NMAC § 6.65.2.8; NMAC § 6.30.5.13; NMAC § 6.30.12.11.</p>		
<p>5-15.3.Special Education.</p> <p>IDEA 2004; 29 U.S.C. § 701 (otherwise known as Section 504 of the Rehabilitation Act of 1973); NMSA § 22-13-5; NMSA § 22-13-8); NMAC 6.29.1.9; NMAC § 6.29.5.1, et seq.; NMAC § 6.31.2, et seq.</p>	<p><input type="checkbox"/> School special education &amp; 504 policies and procedures.</p>		
	<p><input type="checkbox"/> Completed special education template.</p> <p><i>Memorandum from Director Baca, NM Special Education Bureau to Charter School Administrators (June 2, 2014).</i></p>		
	<p><input type="checkbox"/> Procedures and any necessary forms for tracking special education ancillary and direct services.</p>		
	<p><input type="checkbox"/> School ELL policies and procedures.</p>		
	<p><input type="checkbox"/> Copies of all forms and surveys to be used in the application of the ELL policies and procedures.</p>		
<p>5-15.4.School Directed Program Time Requirements.</p> <p>NMSA § 22-8-9; NMSA § 22-2-8.1; NMAC 6.29.1.9(I); Instructional Hour Worksheet.</p>	<p>Provide a school schedule, calendar, or any other necessary documentation that ensures minimum school directed program time is provided for the grades served and adequate instructional time is provided to support the school program.</p>		

<p>5-15.5.High school requirements.  (This indicator is applicable only to schools that serve grades 6-12.)  <i>Charter Contract § 8.02.</i></p>	<input type="checkbox"/> Graduation requirements. (Only applicable for schools that serve grade 12)  <i>NMSA § 22-13-1.1</i>		
	<input type="checkbox"/> Next Step Plan forms, policies and procedures. (Only applicable for schools that serve grades 8-12).  <i>NMSA § 22-13-1.1</i>		
	<input type="checkbox"/> School Athletic Equity policies and procedures (Only applicable for schools that serve grades 7-12).  <i>NMAC § 6.13.4</i>		

**SUMMARY REPORT - ITEMS DUE BY June 1<sup>st</sup>.**

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INDICATORS	DOCUMENTATION	Date of Completion	FINDINGS
<b>ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE</b>			

	<input type="checkbox"/> Resources necessary for the implementation of the curriculum as articulated are available		
P-O.1. Development / acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements (22-8B-4.2 NMSA)	<input type="checkbox"/> Evidence of E-occupancy Certificate.		
	<input type="checkbox"/> Evidence of sufficient New Mexico Condition Index.		
	<input type="checkbox"/> Evidence that PSFA has approved either the State ownership arrangement, the lease arrangement or the lease purchase agreement.		
P-O.2. Recruitment and hiring of adequate number of teachers and support personnel to match assignments and staffing plan, as adapted for actual enrollment	<input type="checkbox"/> Copies of licenses and credentials are within the staff files		
	<input type="checkbox"/> School has necessary licensure to teach curriculum, identified classes, and grade levels.		
	<input type="checkbox"/> Signed contract(s) supporting minimum salaries and detailed position descriptions are within each staff file.		
	<input type="checkbox"/> Criminal background checks and fingerprinting documentation are within each staff file		
<input type="checkbox"/> School has evidence of a licensed special education provider and a licensed gifted provider either on staff or on contract. If school has no			

	<p>identified special education or gifted students, then school must have evidence of a process or plan to provide these services should school received identified students.</p>		
	<p><input type="checkbox"/> School has evidence of a licensed diagnostician available for special education evaluation referrals.</p>		
<p>P-O.3.Relevant and necessary students forms completed and on file.</p>	<p><input type="checkbox"/> Completed student enrollment forms. Forms must indicate there is enrollment for a minimum of 8 students with New Mexico Residency.</p>		
	<p><input type="checkbox"/> Completed English Language proficiency forms or home language surveys for all enrolled students.</p>		
	<p><input type="checkbox"/> School has developed an IEP for all identified students or has evidence that an IEP meeting has been requested.</p>		

**SUMMARY REPORT - ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE**

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