

AGENDA ITEM EXECUTIVE SUMMARY

- I. Public Education Commission Meeting Date: August 31, 2016
- II. Item Title: Approval/Disapproval Of New Charter School Applications – The Albert Einstein Academy, Espanola, NM – Espanola Valley Schools
- III. Executive Summary and Proposed Motions:

Executive Summary

1. Charter School Division Recommendation (10 minutes)

Materials are provided in the following pages.

2. Applicant Comments (15 minutes)
3. PEC Questions/Comments to Applicant and CSD
4. Final Determination Vote

Proposed Motions

Approve - Move that the Public Education Commission approve the 2016 new charter school application for The Albert Einstein Academy. The Commission finds that the applicant has submitted an application that is complete and adequate, that proposes to offer an educational program consistent with the requirements and purposes of the Charter Schools Act, and that is in the best interest of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate because

Approve with Conditions - Move that the Public Education Commission approve, with conditions, the 2016 new charter school application for The Albert Einstein Academy. Through a combination of the application, capacity interview, and the community input hearing, the Commission finds that the applicant has submitted an application that is complete and adequate, that proposes to offer an educational program consistent with the requirements and purposes of the Charter Schools Act, and that is in the best interest of the charter school's projected students, the local community or the school district in whose geographic boundaries the

charter school applies to operate.

The approval is subject to the following conditions, which are intended to ensure the applicant is able to sufficiently address all concerns identified in the analysis of the application and prepared to begin operating a charter school that will meet the purposes of the Charter School Act. These conditions require that the applicant must:

1. Complete Planning Year Checklist
2. Board of Finance Designation
3. PFSA Certification of Facilities
4. Correct All Deficiencies Identified in the Written New Application Analysis

Deny - Move that the Public Education Commission deny the 2016 new charter school application submitted by The Albert Einstein Academy based on the following findings:

1. The application is incomplete because:
 - a. The applicant failed to timely submit five of the six required appendices, including the Governing Body Bylaws, Head Administrator Job Description, Job Descriptions for Certified, Licensed, and Other Key Staff, PSFA-Approved Projected Facility Plan Documentation, and 5-year budget plan.
2. The application is inadequate for the reasons noted in the written evaluation of the application and because:
 - a. In the Academic Plan section, the review team rated more than 3 responses “partially meets”, more than 1 response “does not meet”, and less than 70% of the responses “meets” or “exceeds.” - The applicant scored “partially meets” in 6 areas and “does not meet” in 6 areas in the academic plan section; 3 areas were scored “meets” or “exceeds.”
 - b. In the Organizational Plan section, the review team rated more than 3 responses “partially meets”, more than 1 response “does not meet”, and less than 70% of the

responses "meets" or "exceeds." - The applicant scored "partially meets" in 6 areas and "does not meet" in 16 areas in the organizational plan section; 2 areas were scored "meets" or "exceeds."

- c. In the Business Plan section, the review team rated more than 1 response "does not meet", and less than 70% of the responses "meets" or "exceeds." - The applicant scored "does not meet" in 7 areas in the business plan section; 0 areas were scored "meets" or "exceeds."
- d. In the Evidence of Support section, the review team rated more than 1 response "does not meet", and less than 70% of the responses "meets" or "exceeds." - The applicant scored "partially meets" in 1 areas and "does not meet" in 4 areas in the academic plan section; 0 areas were scored "meets" or "exceeds."

- 3. The application does not propose to offer an educational program consistent with the requirements and purposes of the Charter Schools Act because:

[PEC to state why the application does not propose to offer an educational program consistent with the requirements and purposes of the Charter Schools Act]

- 4. The application is otherwise contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate because:

[PEC to state why the application is otherwise contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate]



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August 31, 2016

Katie Poulos
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Santa Fe, NM, 87150

Dear Public Education Commissioners:

Enclosed is the Final 2016 Charter School Application Final Analysis and Recommendation for Albert Einstein Academy applying for a state charter in Rio Arriba County, NM in the Espanola School District to serve grades 7-12 and represented by founders, LeAnne Salazar Montoya, Ambrose Baros, and Leann Martinez. The staff at the Charter Schools Division (CSD) along with a team of independent reviewers gave full consideration to the information gathered in this process.

The CSD has provided evidence and rationale gathered in the team analyses and interviews in this evaluation to fully support the recommendation.

Thank you all for your hard work and dedication to ensure that New Mexico's Charter Schools provide innovative, quality education to New Mexico's students.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Poulos", written over a horizontal line.

Katie Poulos
Director of Options for Parents

I. Recommendation

APPROVE

Overall the application is complete and adequate; and during their Capacity Interview, the applicant(s) demonstrated a clear capacity to implement the academic, organizational and financial management plans as described in the application. Nothing was identified that would indicate the applicant(s) do not have the experience, knowledge, and competence to successfully open and operate a charter school.

APPROVE WITH CONDITIONS

Overall the application is complete and adequate; and during their Capacity Interview, the applicant(s) demonstrated a general capacity to implement the academic, organizational and financial management plans as described in the application. However, the CSD has identified some specific concerns that would need to be addressed during the planning year. The CSD has listed the noted concerns and conditions to address the concerns below. If the PEC determines that there are any additional conditions that need to be addressed, those should be noted during the public hearing and all approved conditions negotiated in the final contract.

DENY

Overall the application is either incomplete or inadequate; or during their Capacity Interview, the applicant(s) did not sufficiently demonstrate the experience, knowledge, and competence to successfully open and operate a charter school.

The Charter Schools Act, in paragraph 1 of Subsection L of Section 22-8B-6 NMSA 1978, states that a chartering authority may approve, approve with conditions or deny an application. A chartering authority may deny an application if:

- (1) the application is incomplete or inadequate;
- (2) the application does not propose to offer an educational program consistent with the requirements and purposes of the Charter Schools Act;
- (3) the proposed head administrator or other administrative or fiscal staff was involved with another charter school whose charter was denied or revoked for fiscal management or the proposed head administrator or other administrative or fiscal staff was discharged from a public school for fiscal mismanagement;

- (4) for a proposed state-chartered charter school, it does not request to have the governing body of the charter school designated as a board of finance or the governing body does not qualify as a board of finance; or
- (5) the application is otherwise contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate.

CHARTER SCHOOLS DIVISION

By: _____

Katie Poulos, Director of Options for Parents

I. Overall Score Sheet

Section	Points Received	Possible Points
Application Overall Score	80	271
• Education Plan/Academic Framework	27	72
• Organizational Plan and Governance/Organizational Framework	40	131
• Business Plan/ Financial Framework	7	40
• Evidence of Support	5	24
• Required Appendices	1	4
Capacity Interview Score	37	92
• Education Plan	8	12
• Leadership & Governance	10	24
• Facility	2	8
• Finance	4	12
• Planning Year	1	4
• Individualized Question	12	32
Total	117	363

II. Explanation Regarding Use of the Score Sheet

In the Recommendation and Final Analysis the CSD has considered the overall score in the written application, as well as the score in each individual section and Capacity Interview. Additionally, information obtained during the Community Input Hearing, and information obtained from the letters of support or opposition received after the Community Input Hearing was considered.

Also please note two additional considerations:

- First, the CSD does not score the community input hearing, but may reference it in the Recommendation and Final Analysis and if pertinent information was offered that contradicts or affirms what was found in the application or capacity interview.
- Second, if the applicant school did not answer any prompt because that prompt did not apply to the applicant school (e.g., the applicant school will be an elementary school and so did not provide responses to graduation-related prompts), then the CSD adjusted the total possible points in the application section where the non-applicable item(s) is found as well as in the final score. For this reason, you may see varying possible total points from application to application.

III. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
EDUCATION PLAN/ACADEMIC FRAMEWORK	27	72
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be incomplete and identified many inadequacies as noted below.</p> <p>The applicant scored “partially meets” in 6 areas and “does not meet” in 6 areas in this section; 3 areas were scored “meets” or “exceeds.”</p> <p>The following areas of the applicant’s response were found to <u>not</u> meet the application requirements, for the reasons described.</p> <p>The applicant provided conflicting information (300 versus 350) regarding their enrollment cap. Therefore, CSD was not able to determine if the information provided was accurate in the school size section of the application.</p> <p>The applicant provided goals that minimally reflect the mission of providing a school environment that allow each student to reach their full potential. However, due to the applicant not providing critical information for each goal, CSD is unable to evaluate the goals. The goals provided did not include the set target, the measures and metrics to determine how each one is rated, and did not write them in SMART format. In addition, the goals reflected only one key element of the mission.</p> <p>The applicant did not identify the school’s curriculum or how it is research-based and reasonable. Also, a curriculum was not identified by the applicant. The applicant’s response did not meet the NM graduation requirements. The applicant provided a minimal description regarding the instructional methods to be implemented. The applicant provided an incomplete daily schedule and did not include a yearly calendar. Therefore, it could not be determined if the calendar and schedule meet NM requirements.</p> <p>The applicant’s response provided a limited description of the general types of services/support students with IEPs will be provided. Additionally, the applicant did not provide clear information on how students with disabilities will be evaluate, monitored and served. The applicant’s response does not describe how the school will provide instructional support for English Language Learners.</p> <p>The applicant’s response provides a limited description of the assessments the school selected and how they will use this data to drive instruction.</p> <p><u>Overall, the section is inadequate because more than 3 responses were rated “partially meets”, more than 1 response was rated “does not meet”, and less than 70% of the responses were rated “meets” or “exceeds.”</u></p>		

Application Section	Points Received	Applicant School's Possible Points
ORGANIZATIONAL PLAN AND GOVERNANCE / ORGANIZATIONAL FRAMEWORK	40	131
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be incomplete and identified many inadequacies as noted below.</p> <p>The applicant scored “partially meets” in 6 areas and “does not meet” in 16 areas in this section; 2 areas were scored “meets” or “exceeds.”</p> <p>The following areas of the applicant’s response were found to <u>not</u> meet the application requirements, for the reasons described.</p> <p>The following areas of the applicant’s responses were found to be incomplete or inadequate, for the reasons described below.</p> <p>The applicant did not provide Governing Body bylaws, describe the roles and responsibilities of the members, the offices to be created, or the committees to be developed, specifically those committees that are required by law.</p> <p>The applicant does not provide the qualifications the school seeks desired in governing body members in general and specific to the areas of expertise noted in their application</p> <p>The applicant did not provide a clear process or plan on how they will select new Governing Body members. Additionally, the applicant did not provide a clear plan for Governing Body training that complies with state requirements and is supported by the budget, nor did the applicant provide a plan on how members will complete a self-evaluation.</p> <p>The applicant’s response provides a limited description that lists a set of characteristics and identifies where the position of head administrator will be advertised. The applicant does not provide a clear plan to hire and evaluate an administrator.</p> <p>The applicant’s response includes the number of “certified staff” needed in the first year of operation for a projected enrollment of 150 students and a student-teacher ratio of “20:1”. The applicant does describe a variety of skills required for teachers. The applicant does not provide a clear professional development plan for teachers.</p> <p><u>Overall, the section is inadequate because more than 3 responses were rated “partially meets”, more than 1 response was rated “does not meet”, and less than 70% of the responses were rated “meets” or “exceeds.”</u></p>		

Application Section	Points Received	Applicant School's Possible Points
BUSINESS PLAN/ FINANCIAL FRAMEWORK	7	40
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be incomplete and identified many inadequacies as noted below.</p> <p>The applicant scored “does not meet” in all 7 areas in this section; 0 areas were scored “meets” or “exceeds.”</p> <p>The following areas of the applicant’s response were found to <u>not</u> meet the application requirements, for the reasons described.</p> <p>The applicant did not submit a 5-year budget plan with the application. The applicant did not provide a budget narrative.</p> <p>The applicant’s response provided an incomplete description of the school’s internal control procedures and does not provide detail on how the school will safeguard assets, segregate its payroll and other check disbursement duties, provide reliable financial information, promote operational efficiency and ensure compliance with all applicable federal and state statues, regulations, and rules relative to the proposed school’s procedures. Additionally, the applicant provided an incomplete State Equalization Guarantee (SEG). None of the worksheets provided contained SEG values. The applicant does not provide a clear plan for how the Governing Body will provide proper legal and fiscal oversight.</p> <p>During the Capacity Interviews, the applicant could not articulate the actions they would take to adjust their budget if their enrollment was below their projections.</p> <p>Also, the applicant’s answers during the Capacity Interview did not demonstrate a comprehensive, clear, and reasonable understanding of sound fiscal practices. The applicants could not articulate how they will ensure projections are reasonable and align closely to the school’s budget.</p> <p><u>Overall, the section is inadequate because more than 3 responses were rated “partially meets”, more than 1 response was rated “does not meet”, and less than 70% of the responses were rated “meets” or “exceeds.”</u></p>		

Application Section	Points Received	Applicant School's Possible Points
EVIDENCE OF SUPPORT	5	24
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be incomplete and identified inadequacies as noted below.</p> <p>The applicant scored “does not meet” in 3 of the 4 areas and scored “partially meets” in the fourth area; 0 areas were scored “meets” or “exceeds.”</p> <p>The following areas of the applicant’s response were found to not meet the application requirements, for the reasons described.</p> <p>The applicant does not provide evidence that the school has developed an outreach program to reach a broad audience and understand the community needs.</p> <p>The applicant provided inadequate evidence of community support.</p> <p>The applicant does not address how the school has developed networking relationships or resource agreements with local community agencies, groups, or individuals.</p> <p><u>Overall, the section is inadequate because more than 3 responses were rated “partially meets”, more than 1 response was rated “does not meet”, and less than 70% of the responses were rated “meets” or “exceeds.”</u></p>		

Application Section	Points Received	Applicant School's Possible Points
APPENDICES	1	4
<p>The applicant did not submit Appendices A, B, C, D, E, or G. Although Appendix F is included in the application, the forms were incomplete.</p>		

Other Pertinent Information
<p>During the Community Input Hearing no members from the community or local school district expressed opposition to the application. The applicant had approximately eight supporters present who made remarks in support of the applicant. Many of the supporters identified themselves as parents of potential students, community members who supported the school, or potential collaborators with the school.</p>