



New Mexico Public Education Department

Charter School

WAIVER REQUEST

APPROVAL OF WAIVERS IDENTIFIED IN CONTRACT (EXHIBIT 2 OF THE CONTRACT)

Charter

Administrator: Vernon Jaramillo, CEO/Chancellor

District/Charter School: Cariños de los Niño’s Charter School

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Date of Submission April 20, 2016

Does local school board and/or governing council policy require board and/or governing council approval prior to this request?

Yes No

If yes, has board/governing council approval been obtained?

Yes No

Date of board/governing council approval. April 20, 2016

NOTE: The waivers presented here were identified by the school during the contract negotiations for the school’s new charter. As part of completing the negotiating process, the Charter School Division is submitting the school’s waivers to the Cabinet Secretary for approval so that the all issues relating to the school are clarified at the beginning of the charter term. These waivers, if approved, will be attached to the Charter Contract as Exhibit 2 of the Contract.

FOR PED INTERNAL USE ONLY:	PED PS #
Reviewed by:	Date:
RATIONALE FOR APPROVAL:	Date:
Concur with staff recommendations for approval:	Date:
Hanna Skandera Secretary of Education	



<i>RATIONALE FOR NON-APPROVAL:</i>	Date:
Concur with staff recommendations for non-approval:	Date:
Hanna Skandera Secretary of Education	
Returned to Charter School by:	Date:

Cariños de los Niños Charter School Charter School
2016 - 2019 Contract
Exhibit 2: Waivers

<u>Section 4.02(f)(i) Automatic Waivers</u> that the Charter intends to utilize, and the alternative provisions that the School will use instead of the waiver provision	<u>Waiver</u>	<u>Alternative Proposed</u>
	Individual Class Load	Carinos requests -utilizes this waiver so that classes are able to have more than the state minimum. This may be necessary in the computer lab or during the school-wide intervention setting.
	Teaching Load	Carinos utilizes requests this waiver to allow the daily teaching load per teacher to exceed the established limits.
	Length of School Day and School year	FGA requests this waiver because the self-pacing curriculum that is used makes it possible for students to complete courses in under the required hours.
	Staffing Pattern	Carinos utilizes this waiver to modify the staffing pattern to implement its curriculum and to balance out the case load for teachers to address enrollment issues.
	Subject Area	n/a
	Purchase of Instructional Materials	Carinos utilizes this waiver because the school's curriculum requires materials acquired from sources that may not be on the NMPED instructional materials list.
	Evaluation standards for School personnel	Carinos will utilize this waiver from the NMPED standard teacher/ principal/ head administrator evaluation system to the extent that the department grants charter schools flexibility in this area.
	School Principal duties	Carinos utilizes this waiver to allow the school's principal to serve in capacities that might fall outside that of a typical principal. The school also has divided the administrative duties 40% to the CEO and 60% to the designated principal. Both are licensed administrators. The Charter Schools Act provides that a charter school top executive is referred to as a "head administrator". NMSA 1978, 22-8B-10(A). The NMPED regulation defines "head administrator" as "the duly licensed school administrator who is the chief executive officer of the charter school," and "chief executive officer" means the person with duties similar to that of a superintendent as set forth in 22-5-14 NMSA 1978, 6.80.4.7. Thus, the duties of a charter school administrator include: carrying out educational policy and rules of the governing body, administering and supervising the school, making all employment decisions,

Comment [KP1]: The length of school day waiver does not waive minimum required instructional hours.

		<p>preparing and overseeing the school budget, and such other functions as required by law.</p> <p>The responsibilities of a charter school head administrator include, but may differ from a school district building “principal”, as defined in NMSA 1978, 22-10A-18. Thus, Carino head administrator will have assignments and duties that differ from the statutory definition of a “principal”.</p>
	Driver education	Not offered.
<p><u>Section 4.02(f)(ii)</u> <u>Discretionary</u> Waivers that the Charter proposes, and the rationale for these waivers</p>	<p><i>Identify any Discretionary Waivers that the School is requesting and provide a rationale for each request.</i></p>	