Renewing Contract Negotiation Worksheet

For \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The document is created to assist initial and renewing charter schools and their authorizers to populate the Charter School Contract and Performance Framework templates required under the Charter School Act to improve authorizer and charter school accountability. A template of the contract and Performance Framework has been approved by the Public Education Commission (PEC) for use with its charters. <http://www.ped.state.nm.us/Charter/index.html>. The items listed below are intended to ultimately populate the yellow highlighted sections of the Contract and Performance Framework. In addition, this document should make it easier to see all negotiated terms at one time in one relatively short document.

The Charter Schools Division (CSD) staff asks that the approved initial or approved renewing school create a first draft of the items requested below; some of these items, like mission-specific indicators, will be pre-populated for you as a result of what you submitted in your initial or renewal application. This document with the proposed language to populate the contract will then be sent to CSD staff. CSD staff will review it and may meet with you or call you to discuss how to better communicate your School’s intentions or your CSD liaison will create a “red-lined” document with proposed changes or additions.

The parties to the Contract (the Authorizer and the School governing board) will then meet to negotiate the contract language, using this document as a basis for the discussion. Once the language is agreed upon by the parties, the agreed-upon language will be placed in the Contract and Performance Framework for final approval by the parties.

**Please note that the italicized text is meant to guide you in your completion of this worksheet.**

| **Information Needed** | **Proposed language** | | **Successfully negotiated?** |
| --- | --- | --- | --- |
| Cover Page and Page 7:  Name of School | *Insert name of School* | |  |
| Section 1.04  History of School Authorization  Page 8: | *Offer a brief history of this Charter School in 1-3 paragraphs. Consider addressing the following questions: how and why did the School come to exist, what year was the charter originally approved, who was the original authorizer (if different from the PEC), what population has been served throughout the terms, how has the School made an impact on the community? etc.* | |  |
| Section 2.02  Parties entitled to notice under the Contract  Page 11 | *[Name of School]*  *[Governing Body Contact: phone number and email]*  *[Mailing Address: can be School’s address]*  *[Head Administrator]*  *[Head Administrator contact: phone number and email]*  *[Mailing Address]*  *[Name of Attorney]*  *[Attorney contact: phone number and email]*  *[Mailing Address]* | |  |
| Section 3.02  Dates of term of charter (five years or renewal period approved by the Authorizer)  Page 12 | *July 1, 20\_\_ through June 30, 20\_\_ with conditions (if appropriate).* | |  |
| Section 4.02(f)(i)  Automatic Waivers that the Charter intends to utilize, and the alternative provisions that the School will use instead of the waiver provision  Exhibit 3 and  Page 14 | *Waiver*  Individual Class Load | *Alternative Proposed* |  |
|  | Teaching Load | The School may have any number of students in any grade, provided that the total enrollment does not exceed the approved cap on the enrollment. |  |
|  | Length of School Day and School year |  |  |
|  | Staffing Pattern |  |  |
|  | Subject Area |  |  |
|  | Purchase of Instructional Materials |  |  |
|  | Evaluation standards for School personnel |  |  |
|  | School Principal duties |  |  |
|  | Driver education | Not offered. |  |
| |  |  |  | | --- | --- | --- | | Section 4.02(f)(ii) Discretionary Waivers that the Charter proposes, and the rationale for these waivers  Page 14 | *Identify any Discretionary Waivers that the School may request and offer a rationale for those requests.* |  | | *Identify any Discretionary Waivers that the School is requesting and provide a rationale for each request.* | |  |
| Section 4.02(g)  Policies of School – has the School developed its own policies or adopted those of another entity?  Page 15 | *The School has developed its own policies.*  *OR*  *The School has adopted the policies of another entity:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.* | |  |
| Section 4.04(c) Annual Audits  Name the associated not-for-profit foundation designated as a component unit of School, if appropriate.  Page 24 | The School has an associated not-for-profit foundation named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the foundation is designated as a component unit of the School. The foundation shall pay a reasonable, additional amount to include that not-for-profit foundation in the School’s audit.  OR  The School does not have an associated not-for-profit foundation that is designated as a component unit of the School. | |  |
| **Material Terms of the Contract**  **Section 8.01(a)**  **Page 31** | *The CSD will use the NACSA Definition of* ***Material Terms:***  *The term “material” used below means that the authorizer deems the matter relevant to:*   1. *The authorizer’s accountability decisions including but not limited to decisions about whether to renew or non-renew or revoke a charter, or* 2. *Information that a family would consider relevant to a decision to attend the School.*   *Please note that these terms will be the terms that the School will need to amend through a contract amendment in order for a School to modify any of these terms. These material terms are the important terms with which the School has identified it will comply. These are NOT the only terms that could be breached in the contract and do not identify the only terms that could be subject to “material violations.” There could be a material violation of any term in the Contract or as identified by the Performance Framework.* | |  |
| Section 8.01(a)(i)  Identify Operational Structure  Page 31 | |  |  | | --- | --- | | *Length of School day* |  | | *Length of School year* |  | | *Enrollment cap* |  | | *Authorized School grades* |  | | *Partner* |  | | *Management company* |  | | *Other Operational Material Terms, if any* |  | | |  |
|  |  | |  |
| Section 8.01(a)(ii)  Identify the School mission  Page 32 | *Below, the CSD has provided the mission statement identified in your initial or renewal application. If you want to propose a mission statement different from what is already provided, please do so here and provide a rationale for the changes in the row below. If you would like to take the opportunity at this point to reword your mission statement, but still retain the same fundamental mission purpose, you may do so now. CSD supports a strong, clear, and concise* *mission statement*.  *Mission as put into the Initial or Renewal Application.*  *If you want to propose a different mission statement, please do so here, and include the rationale immediately below:* | |  |
| Mission Statement Rationale | *Please provide a rationale if you have included a mission statement different from what was provided in your initial or renewal application.* | |  |
| **Mission Specific Indicators**  These are put into the Performance Framework | *By law, the School was required to provide at least two annual indicators/goals in the initial or renewal application.*  *For the purposes of this negotiation, the PEC presently requires only that you include at least one mission-specific indicator to demonstrate how you are delivering your mission. As a starting place for the negotiation, we have inserted the two mission-specific indicators that you included in your application. Therefore, this section has been pre-populated with the mission-specific indicators/goals from your application. Please see the pink/coral section below.*  *A School has the ability to refine the indicators/goals identified in the application or propose additional mission-specific indicators during the negotiation process. Remember, the indicator(s) must directly address student performance.*  *Please remember the following key elements when identifying your mission-specific indicator(s)/goal(s):*   * *Annual indicators/goals provided must show the implementation of the School’s mission.* * *Annual indicators/goals must use SMART format (specific, measureable, attainable, rigorous, and time-bound). Your indicators should include all of these key SMART elements, be clear, comprehensive, and cohesive.* * *Annual indicators/goals must include measures and metrics. Specifically, determine what percentage constitutes “exceeds standards,” what constitutes “meets standards,” what falls under “does not meet standards” and what it means to “fall far below standards.”*   *Please note that this mission-specific indicator(s) will be included in the Performance Framework, not put directly into contract.*  *If the School would like to propose to use a cohort of students for an indicator (i.e. students that have been at the School for 4 semesters), the cohort must represent at least 70% of the total group of students possible in that category or provide a strong rationale for why a lower percentage of students is reasonable to include in the cohort. If the School is a SAM School or has a very unique population and you wish to use a cohort that represents less than 70% of the total group of students, then please provide a rationale for the request for a cohort below 70%.*  *SAMPLE. The following is a sample of a strong mission-specific indicator. You do NOT need to copy it. It is intended to give you a sample of what a complete SMART mission-specific indicator looks like.*  **Sample Mission Specific Indicator:** Track and improve graduation rates for two distinct cohorts.  **Cohort 1:** Students who begin their 9th grade year enrolled at the School and remain for the entirety of their high school career.  **Cohort 2:** Students who enrolled for less than their full high school career but are defined as part of a graduation cohort established by their enrollment into 9th grade.   |  | | --- | | 2.a Did the school meet its mission-specific indicator(s)? | | ***Exceeds Standard:***  **🞏 The school surpasses the targets of this indicator if the following rates are met for each Cohort:**  **Cohort 1. 95% or more of Cohort 1 students graduate AND**  **Cohort 2. 95% or more of Cohort 2 students graduate OR if it is less than 95%, there is an increase of 5 percentage points from the average of the previous three years for Cohort 2 students.** | | ***Meets Standard:***  **🞏 The school surpasses the targets of this indicator if the following rates are met for each Cohort:**  **Cohort 1. 90% or more of Cohort 1 students graduate AND**  **Cohort 2. 90% or more of Cohort 2 students graduate OR if it is less than 90%, there is an increase of 5 percentage points from the average of the previous three years for Cohort 2 students.** | | ***Does Not Meet Standard:***  **🞏 The school does not surpass the targets of this indicator if the following rates are met for each Cohort:**  **Cohort 1. 80% or more of Cohort 1 students graduate AND**  **Cohort 2. 80% or more of Cohort 2 students graduate OR if it is less than 80%, there is an increase of 5 percentage points from the average of the previous three years for Cohort 2 students.** | | ***Falls Far Below Standard:***  **🞏 The school falls far below the standard if it fails to meet any of the standards set forth above.** | | |  |
|  | *Initial or Renewal Application Mission-Specific Indicators/Goals:* | |  |
| Section 8.01(a)(ii)  Identify the School mission-specific indicator(s) if different from what was pre-populated. | *If the School proposes to negotiate something different from what was initially proposed, then the School must identify at least one mission-specific indicator(s) here. The indicators set forth above will be the starting place for the negotiation, but you may propose to modify or change them now and indicate your rationale for changing them. The PEC must agree to the final indicators put into the Performance Framework.*  *Insert here the indicator(s) you now propose:*  *If a cohort is proposed above, please identify the number of students that otherwise would be included (i.e. all 11th graders) and the number of students who are in the proposed cohort (i.e. all 11th graders who attended two consecutive semesters at the school.)*  *All students described: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *Students anticipated to be in the proposed cohort: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* | |  |
| Mission-Specific Indicator(s) Rationale | *If appropriate, please provide a rationale if you have included a mission-specific indicator(s) different from what was provided in your initial or renewal application.* | |  |
|  | *Conditions placed on the School by the PEC, if any.* | |  |
| **Supplemental Indicators** | *The School may, but is not required to, present supplemental or alternative indicator(s). Like the mission-specific indicators, these supplemental indicators must be in SMART format and must include measures and metrics as seen above.*  *You may propose to change an indicator already set forth in the Performance Framework template; however, if you propose to take out an indicator, you must suggest a replacement indicator and provide the reason for this change.*  *Please note that these indicators will be included in the Performance Framework, not put directly into contract.* | |  |
| Supplemental Indicator(s)  Identify any supplemental indicators requested by the School. | *If you want to propose a supplemental indicator(s), please do so here.* | |  |
| Section 8.01(a)(iii)  Educational Program of the School  Page 32 | *Please identify the key provisions related to the School’s educational approach or philosophy, educational program and delivery model.* | |  |
| Section 8.01(a)(iv)  Student-Focused Terms  Page 32 | *Please identify key commitments made by the School relating to students (i.e. additional School programs, activities that all students will participate in, or certificates that many students will be allowed to obtain) and any key provisions related to this topic.* | |  |
| Section 8.01(a)(v) Teacher-Focused Terms  Page 32 | *Please identify key School-specific commitments relating to teacher/staff training or knowledge related to the mission, and any key provisions related to this topic, if applicable.* | |  |
| Section 8.01(a)(vi)  Governance Structure  Page 32 | *Please identify key governance structure provisions.* | |  |
| Section 8.01(a)(vii) Total Student Enrollment  Page 32 | *Please identify student enrollment numbers here.* | |  |
| Section 8.01(a)(viii) Intended School Location  Page 33 | *For Schools with a Set Location. The Charter School’s primary location is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *(Physical Address). The Facility meets all applicable facility requirements of State and Federal law.*  *For School Anticipating Changing Locations. The School is in the process of identifying a new location at: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *The School acknowledges that the new facility must meet all applicable health and safety requirements prior to the School relocating to the new location.* | |  |
| Section 8.01(a)(xv)  Food Service  Page 35 | *The School will provide the following food services: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*  *food services shall be provided in a manner that is in compliance with applicable Federal and state laws regarding public School food programs.*  *OR*  *The School will not provide food services.*  *OR*  *The School will provide free and reduced breakfast under the Free School Breakfast Program. Food Services shall be provided in a manner that is in compliance with applicable laws regarding public School food programs.*  *AND/OR*  *The School will provide free and reduced lunch. Food services shall be provided in a manner that is in compliance with applicable laws regarding public School food programs.* | |  |
| Section 8.01(a)(xvi)  Transportation  Page 36 | *The School has agreed to provide student to-and-from transportation. The School agrees to provide said transportation in the manner described in Exhibit 5.*  *OR*  *The School, in accordance with the Act, shall not provide student to-and-from transportation. The School may contract with qualified transportation providers for special events. The School will ensure that students with disabilities shall comply with their qualified IEP or Section 504 plan related to transportation.* | |  |
|  | *Please identify key School-specific commitments relating to community and parent involvement, and any key provisions related to this topic, if applicable.* | |  |
|  | *Please identify any other key School- specific commitments or plan in the charter School application, amendments or renewal application and any key provisions related to this topic, if applicable.* | |  |
| Section 8.07  Organizational Framework, Recurrent Enrollment  Page 41 | *Please identify the recurrent enrollment student numbers. Please note that this indicator will be included in the Performance Framework, not put directly into contract.*   1. *The School has the following enrollment at the present time: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*      1. *Out of these total students, the following students are eligible for re-enrollment at the School: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Students that could come back to the school the next year)* 2. *Out of these total students, the following students are not eligible for re-enrollment at the School: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (i.e. Students that will not come back to the school the next year because they graduate or are only attending the school for 1 year. [B subtracted from A above])* 3. Describe the reasons that the students identified immediately above are not eligible for re-enrollment:   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *85% of the students listed in C above will be required to re-enroll at the School to meet the standard in the Organizational Performance Framework. This number is \_\_\_\_\_\_ [C times .85].* | |  |
| Section 8.08(b) Operational Reporting  Page 42 | *List other reports required, as negotiated between the parties, to be provided to the Authorizer, if applicable.* | |  |
| Section 10.01 Renewal Timeline and Process Page 52 | *The School shall submit its renewal application to the Authorizer on or before October 1 of 20\_\_\_. The Authorizer shall vote on the renewal application in a public hearing no later than January 1, of the year in which the Contract expires, i.e. January 1, 20\_\_\_ unless extended by agreement.* | |  |
| Other issues proposed to be negotiated | *Please identify any other issue proposed to be negotiated. Please review the form templates and identify any issues to be negotiated.* | |  |
|  |  | |  |
| NOTE: This last section is for CSD information only and is not a part of the contract negotiations.  Special requests for resources. | *Does the School have any special requests for use of resources of the PED? (i.e. Are there any specific training needs?)* | |  |