

AGENDA ITEM EXECUTIVE SUMMARY

- I. **Public Education Commission Meeting Date:** August 31, 2016

- II. **Item Title: Policy Recommendations From Options For Parents and the Charter School Division--Discussion and Possible Actions**
 - A. Planning Year Checklist Recommended Revisions
 - B. Annual Performance Framework Monitoring Timeline and Process Recommendation
 - C. Recommendation on Procedure for Bulk Amendment Requests to PEC
 - 1. Assessment Changes-Discovery and DIBELS
 - 2. Performance Framework Template Changes RE: Improvement Plans

III. **Executive Summary and Proposed Motions:**

A. **Planning Year Checklist Recommended Revisions**

1. **Summary**

Presented herein is the proposed 2016-17 Planning Year Checklist (“PYC”) to be approved by the PEC. A number of these changes are mandated charter school requirements due to state law or regulations. All changes to the PYC are within the PEC’s discretion. Additionally, the PEC is free to insert, remove, or revise requirements as it finds appropriate.

2. **Summary of Recommended Changes**

Recommended Procedural Changes:

- Revised PYC to require at least 3 conferences with CSD following a review segment.
 - Change recommended because feedback from schools indicated a desire for additional support.
- Revised PYC to provide evidence that school has contacted PED bureaus such as PSFA.
 - Change recommended because in prior years it was unclear whether schools had ever contacted these bureaus.

Recommended Timeline Changes:

- Revised PYC to require first reporting period due in November.
 - Change recommended because schools appeared to have not begun working on submission requirements until after the New Year. The previous delayed submission time did not provide schools enough time to complete all required submissions.

Recommended Substantive Changes:

- Revised PYC to address feedback that school's were unclear source of PYC and resolve concern that PYC was not authorized or required.
 - Revised PYC format to be consistent with other PEC documents.
 - Revised PYC format to indicate on each page that it was a PEC approved document.
- Revised the PYC to emphasize transparency.
 - Included a section explaining the PYC's Authority and Purpose.
 - Included a section explaining how the PYC is developed.
- Revised the PYC to address confusion regarding how to approach and complete the PYC.
 - Included a comprehensive "Directions" section.
 - Details process of completing the PYC.
 - Defines key terms in the PYC.
 - Clearly explains that school's MUST address each element or provision that is required in a statute, rule, or regulation.

Recommended Format Changes:

- Revised PYC to improve readability and utility.
 - Included source language for all indicators.
 - Includes statute, regulations, or policy for all documentation that must address a specific statute, regulations, or policy.
 - Form is now vertical instead of horizontal. (This made form longer but is easier to read on a computer or other electronic platform.)
 - Implemented a consistent citation format.
- Revised PYC format to address confusion on participants and foundations.
 - Created a Contact Section.
 - Included foundation information on Contact Section.

Recommended Requirement Changes:

- Revised Planning Year Checklist to address changes in statute, law, and regulation that charter schools must address. These required additional policies are:

<ul style="list-style-type: none"> ○ Physical Education Curriculum that aligns to NM Content Standards. ○ Health and Wellness Curriculum that aligns to NM Content Standards. 	<ul style="list-style-type: none"> ○ Policy to disseminate Code of Ethics and Code of Professional Conduct to all licensed employees. ○ Student information system security policy ○ Homeless Education Policies
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- High School Policies
 - Volunteer Policies
 - Health Services Policy
 - Pesticides & Pest Control Policy.
 - Gun Free Schools Act Policy.
 - School Athletic Equity Act policies and forms.
 - Native American identification, intervention, and parental notification policy.
 - Special Education Template Requirement.
- Revised Planning Year Checklist to address consistent Planning Year Deficiencies or Confusion.
 - Required schools to provide a more detailed staffing plan.
 - Required school to provide a plan to develop Special Population Policies.
 - Revised PYC to detail all requirements a curriculum must address.

Proposed Motions

-Move to adopt the revised planning year checklist documents provided in today's materials.

- Move to adopt the revised planning year checklist documents provided in today's materials, with the changes discussed on the record today.

-Move to present the revised planning year checklist documents provided in today's materials to the charter school community for public comment, which must be submitted no later than September 15, and consider adoption of the materials at the October PEC meeting.



New Mexico Public Education Commission

SY16 – SY17

PLANNING – YEAR CHECKLIST

Condition for Approval of all Charter Schools Authorized by the Public Education Commission



PART I. NAME OF SCHOOL & CONTACT INFORMATION

School Information:

Name Of Charter School: [Click here to enter text.](#)

School Address (if known): [Click here to enter text.](#)

School Location (City/Town): [Click here to enter text.](#)

School District Within Which The Proposed School Will Be Located: [Click here to enter text.](#)

Grades To Be Served: [Click here to enter text.](#)

Requested Enrollment Cap: [Click here to enter text.](#)

Founder Contact Information:

Primary Contact Person: [Click here to enter text.](#)

Address: [Click here to enter text.](#)

City: [Click here to enter text.](#) State: [Click here to enter text.](#) Zip: [Click here to enter text.](#)

Daytime Tel: [Click here to enter text.](#) Fax: [Click here to enter text.](#)

Alternate Tel: [Click here to enter text.](#) E-Mail: [Click here to enter text.](#)

Secondary Contact Person: [Click here to enter text.](#)

Address: [Click here to enter text.](#)

City: [Click here to enter text.](#) State: [Click here to enter text.](#) Zip: [Click here to enter text.](#)

Daytime Tel: [Click here to enter text.](#) Fax: [Click here to enter text.](#)

Alternate Tel: [Click here to enter text.](#) E-Mail: [Click here to enter text.](#)

Foundation / Sponsoring Organization Information:

Foundation / Sponsoring Organization Name (if applicable): [Click here to enter text.](#)

Principal Officer: [Click here to enter text.](#)

Mailing Address: [Click here to enter text.](#)

City: [Click here to enter text.](#) State: [Click here to enter text.](#) Zip: [Click here to enter text.](#)

Daytime Tel: [Click here to enter text.](#) Fax: [Click here to enter text.](#)

Alternate Tel: [Click here to enter text.](#) E-Mail: [Click here to enter text.](#)

Part II. Introduction

Through charter schools, the 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. Planning Year Checklist Authority and Purpose.

The *Public Education Commission Planning 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 public school.

The *Public Education Commission Planning 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. The legal, regulatory, and policy requirements of an authorized school are significant. Successful school operators need to both demonstrate an understanding and capability to institute and implement a program consistent with the requirements presented within this document.

The PEC holds charter schools accountable to all applicable laws, rules, and charter provisions, by making the *Public Education Commission Planning Year Checklist* a condition for charter authorization. Prior to the end of the planning year, a school must apply to the PEC for authorization to commence full operations. (NMAC § 6.80.4.11). This “Planning Year Checklist Condition” imposed by the PEC, requires a school to complete and resolve any findings, issues, or concerns identified in the *Public Education Commission Planning Year Checklist*.

The PEC makes the final determination regarding commencement of operations, the Planning Year Checklist and any conditions of charter approval after considering the review and recommendation by the PED. 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 Planning Year Checklist.

The items identified in the *Public Education Commission Planning 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 Planning 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 any CSD recommendations. The PEC is not limited by these recommendations and may add, remove, or revise any language presented in the draft template.

Prior to November of each year, the PEC votes to approve and makes available online on its website a copy of the most recently approved *Public Education Commission Planning Year Checklist* template. The current template was approved on: [Click here to enter text.](#)

Each school will have an individual *Public Education Commission Planning Year Checklist* that may be tailored to the individual needs of the school. As a result, the template may differ substantially from the document provided to an individual school. The PEC may impose any conditions it deems appropriate and these conditions will be incorporated into the school's individual planning year checklist.

C. Directions.

1. The items on the Planning Year Checklist and any additional conditions of charter approval **MUST** be completed on or before May 15th, 2016 to receive a recommendation for commencement of operations.
2. All submissions and all documentation must be submitted to the CSD for review. 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. The School may also provide documentation via e-mail or in-person.
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 three 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 the summary report. The purpose of this conference is 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 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.
 - c. **"Date of Completion"** is the date that the CSD certifies that documentation addressed or completed the relevant indicator.
 - d. **"Findings"** are those CSD comments and notes which identify deficiencies in the "documentation" and provide 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. Specific 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 Planning 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 Planning 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:

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 applicable laws, regulations, charter contract provisions, written PEC policies, or written guidance manuals to determine whether all required elements were addressed and satisfied.
- 4) Should all elements be addressed and satisfied CSD then reviews implementation and completeness to determine whether the process and documentation is possible, consistent, and reasonable.
- 5) Finally, CSD reviews implementation and consistency in relationship to all other policies and procedures provided by school.
- 6) In the case of application deficiencies or PEC imposed conditions, CSD consults the specific named deficiencies in the application and the specific condition imposed by the PEC.
- 7) CSD analyzes the school documentation determine whether all application deficiencies identified and any PEC imposed conditions and corrected.

Part III. Planning Year Checklist

INDIVIDUAL SCHOOL CONDITIONS TO BE MET PRIOR TO COMMENCEMENT OF OPERATIONS (MAY 15 th)			
INDICATORS	DOCUMENTATION	DATE OF COMPLETION	FINDINGS
<p>C.1. Timely obtain standing as an approved Board of Finance no more than 120 days after receiving written notification of the approval of the new application.</p> <p><i>NMSA § 22-8-38; NMAC § 6.80.4; 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 documentation that PSFA has approved the lease, lease purchase, or ownership arrangement.		
C.5.C.3. Attend all planning year training and technical assistance sessions hosted by CSD.	<input type="checkbox"/> Condition Met.		
C.6.C.4. Attend all planning year conferences to discuss with CSD any issues, concerns, and findings identified in the Planning Year Checklist.	<input type="checkbox"/> Condition Met.		
C.7.C.5. Correct all CSD issues concerns, and findings identified in the Planning Year Checklist.	<input type="checkbox"/> Condition Met.		
C.8.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 are presented in the application.	<input type="checkbox"/> Condition Met.		
C.9.C.7. Address and correct any application deficiencies that were noted by both the CSD and the PEC.	<input type="checkbox"/> Condition Met.		

SUMMARY REPORT - CONDITIONS

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INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
ITEMS DUE BY NOVEMBER 15 th			
<p>11-15.1. Governing Board established and operating according to By Laws and in accordance with the Open Meetings Act.</p> <p><i>NMSA § 22-8b-4; NMSA § 122-8-12.3; NMSA § 10-15-1; NMSA § 14-2-1, et seq. PEC Policy, Charter School Governing Body Changes.</i></p>	<p><input type="checkbox"/> Review the PEC Policy, Charter School Governing Body Changes document and provide notice regarding any changes to the Governing Body.</p> <p>PEC Policy, Charter School Governing Body Changes.</p>		
	<p><input type="checkbox"/> Provide list of governing body members. Include the governing body positions to be held, either a place of residence or work, and contact information.</p>		
	<p><input type="checkbox"/> Name of any sponsoring organization or foundation. (This includes prospective organizations that will be established upon completion of the planning year), name of the principal officer, and contact information.</p>		
	<p><input type="checkbox"/> School By Laws.</p>		
	<p><input type="checkbox"/> By Laws – Provision for replacing and removing members.</p>		

	<input type="checkbox"/> By Laws – Provision for creating required audit and finance committees. <i>NMSA § 22-8-12.3</i>		
	<input type="checkbox"/> Audit and Finance Committee – Provide evidence that committees have been formed, have scheduled meetings, and list of committee membership. <i>NMSA § 22-8-12.3</i>		
	<input type="checkbox"/> Provide evidence that public notice of meetings is being posted. Additionally, if a website is being used to post notice then provide website address.		
	<input type="checkbox"/> Provide copies of meeting “agendas” that comply with state law. <i>NMSA § 10-15-1, et seq.</i>		
	<input type="checkbox"/> Provide copies of meeting “minutes” that apply with state law. <i>NMSA § 10-15-1, et seq .</i>		
	<input type="checkbox"/> School IPRA policy and procedures. <i>NMSA § 14-2-1, et seq.</i>		
<p>11-15.2.Initial Basic Operating Policies and Procedures have been developed and approved by</p>	<input type="checkbox"/> School conflict of interest policy and procedures. <i>NMSA § 22-8B-5.2.</i>		

<p>Governing Body.</p> <p><i>Charter Contract § 8.11(a).</i></p>	<p><input type="checkbox"/> Anti-nepotism policy and procedures.</p> <p><i>NMSA § 22-8B-10.</i></p> <p><input type="checkbox"/> Evidence of background check policy and procedures.</p> <p><i>NMSA §§ 22-10A-5, et seq.</i></p> <p><input type="checkbox"/> School FERPA policy and procedures.</p> <p><i>20 U.S.C. § 1232g.</i></p> <p><input type="checkbox"/> Enrollment policy and procedures.</p> <p><input type="checkbox"/> Policy and process for receiving and resolving community, parental, and other public complaints.</p>		
<p>11-15.3.Budget Approval.</p> <p><i>NMAC § 6.20.2.9.</i></p>	<p><input type="checkbox"/> An identified date for a scheduled Governing Body Meeting when the Governing Body plans to review and approve the Budget at an open meeting.</p> <p><i>(Should be after the May 15th final enrollment adjustments, but must be before the June 20th regulatory deadline.).</i></p>		

<p>11-15.4.School Development Plans. <i>NMAC § 6.29.1.</i></p>	<p><input type="checkbox"/>Written curriculum development plan. Includes 1) timeline, 2) success benchmarks, and 3) responsible parties to ensure development of entire curriculum that was identified in the application and aligned to school mission and goals, NMCCSS, and NM Content Standards prior to May 15th.</p>		
	<p><input type="checkbox"/>Written Special Population Services development plan, including 1) timeline, and 2) responsible parties to ensure development of plans, policies, and procedures to serve special education, ELL, and 504 Plans.</p>		
<p>11-15.5.Detailed Staffing Plan. <i>NMAC § 6.29.1.</i></p>	<p><input type="checkbox"/>Written narrative that includes an explanation on the process and plan for how the governing body will identify, recruit, and hire a prospective head administrator. (Note: A narrative may have already been included in the charter application. This documentation requirement is for the school to review the school’s process and plan and provide a current, up-to date narrative that the school plans on implementing.)</p>		

	<input type="checkbox"/> The school administration, school mission, and legal (licensing) criteria that will be used to evaluate a head administrator.		
	<input type="checkbox"/> A detailed timeline for interviewing, selection, conducting background checks, and signing of contract for the head administrator that must be completed prior to May 15 th .		
	<input type="checkbox"/> A list of all prospective staff positions and a description of the required licensure for each position.		

SUMMARY REPORT - ITEMS DUE BY NOVEMBER 15th.

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11-15.6. Attend all planning year conferences to discuss issues, concerns, and findings identified in the Planning Year Checklist.	<input type="checkbox"/> School conferenced with CSD within 10 days of receiving the November 15 th Summary Report.		
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INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
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ITEMS DUE BY MARCH 1st.

3-1.1. Resolve all findings with the	<input type="checkbox"/> Revised policies and provided additional		
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<p>Planning Year Checklist.</p>	<p>documentation to address and resolve all findings, issues, and concerns identified in the November 15th review or discussed during the November 15th conference.</p>		
<p>3-1.2.Membership Projections. <i>NMSA § 22-8-12.1.</i></p>	<p><input type="checkbox"/> Provide the projected student membership for the upcoming school year to the School Budget Bureau and to CSD. Projections should indicate number of projected students by grade level.</p>		
	<p><input type="checkbox"/> Current Enrollment and Current Enrollment as a percentage of Membership Projections on file with the School Budget Bureau. A copy must be sent to the CSD.</p>		
<p>3-1.3.Budget Plan The budget plan should be done using the most current Uniform Chart of Accounts (UCOA). <i>NMAC § 6.20.2.13(C).</i></p>	<p><input type="checkbox"/> Budget Plan submitted to the School Budget Bureau. A copy must be sent to the CSD.</p>		
<p>3-1.4.Enrollment processes and policies that comply with state and federal requirements. <i>NMSA § 22-8B-4.1;</i> <i>NMAC § 3-31.4.</i></p>	<p><input type="checkbox"/> Detailed Lottery and waitlist process including timelines, benchmarks, responsible parties, and forms.</p>		
	<p><input type="checkbox"/> Admission policy and forms including application for admission</p>		

	<input type="checkbox"/> Evidence that school is advertising with newspapers, bulletin boards, and other methods.		
3-1.5. Status report on development/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: <ol style="list-style-type: none"> 1) Expected date of receiving E-Occupancy certificate. 2) Any current outstanding construction items that must be completed before E-Occupancy can occur. 3) NMCI score OR expected date of receiving NMCI score. 4) Approval from PSFA regarding ownership / lease requirements OR identify outstanding items that must be completed before PSFA approval can be secured. 		
3-1.6. Financial Control.	<input type="checkbox"/> Provide Adequate Internal Control Procedures		

	<p><i>NMAC §§ 6.20.2.11 – 6.20.2.18.</i></p>		
	<p><input type="checkbox"/> Establish and implement written procurement procedures consistent with state and federal law and regulations.</p> <p><i>NMAC § 6.20.2.17; 34 CFR 74.44.</i></p>		
<p>3-1.7.Mandatory Operational Policies and Procedures have been developed.</p> <p><i>Charter Contract § 8.11(a).</i></p>	<p><input type="checkbox"/> Compulsory school attendance policies and procedures.</p> <p><i>NMAC § 6.10.8.</i></p>		
	<p><input type="checkbox"/> Native American identification, intervention, and parental notification policies and procedures.</p> <p><i>NMAC § 6.10.8.9.</i></p>		
	<p><input type="checkbox"/> Tobacco free policies and procedures.</p> <p><i>NMAC § 6.12.4.</i></p>		
	<p><input type="checkbox"/> Bullying prevention policies and procedures.</p> <p><i>NMAC § 6.12.7.</i></p>		
	<p><input type="checkbox"/> Dual credit policies and procedures.</p> <p><i>NMAC § 6.30.7.8.</i></p>		
	<p><input type="checkbox"/> Distance learning policies and procedures.</p> <p><i>NMAC § 6.30.8.</i></p>		

	<input type="checkbox"/> Grade change policies and procedures. <i>NMAC § 6.30.10</i>		
	<input type="checkbox"/> Policies, procedures, and any forms for ensuring parental access to information regarding professional qualifications of teachers, instructional support providers and principals. <i>NMSA § 22-10A-16.</i>		
	<input type="checkbox"/> Volunteer policies and procedures. <i>NMAC § 6.50.18.8.</i>		
	<input type="checkbox"/> Student information system security policies and procedures. <i>NMAC § 6.19.5.8.</i>		
	<input type="checkbox"/> Staff discipline policies and procedures.		
	<input type="checkbox"/> Policy (or alternatively, identify method) to disseminate "Code of Ethics" and "Code of Professional Conduct" to all licensed employees. <i>NMSA § 6.60.9.1.</i>		
	<input type="checkbox"/> Policies and procedures for detention, suspension, or expulsion. <i>NMAC § 6.11.2.12.</i>		

	<input type="checkbox"/> Student discipline policies and procedures. <i>NMSA § 22-5-4.3.</i> <i>NMAC § 6.11.2.1, et seq.</i>		
	<input type="checkbox"/> Student Handbook.		
	<input type="checkbox"/> Staff Handbook.		
3-1.8. Curriculum plan. <i>NMAC 6.29.1.9.</i>	<input type="checkbox"/> Status report on implementation of curriculum development plan		
3-1.9. Protocols and Policies for Implementation of RTI and SAT processes. <i>NMAC § 6.29.1.9.</i>	<input type="checkbox"/> RTI & SAT policies and procedures.		
3-1.10. Special Education. <i>IDEA 2004;</i> <i>29 U.S.C. § 701</i> <i>(otherwise known as Section 504 of the Rehabilitation Act of 1973);</i> <i>NMSA § 22-13-5 -- 22-13-8; NMSA 22-13-5 -- 22-13-8);</i> <i>NMAC 6.29.1.9;</i> <i>NMAC § 6.29.5.1, et seq.;</i> <i>NMAC § 6.31.2, et seq.</i>	<input type="checkbox"/> Status report on implementation of Special Population Development Plans.		
	<input type="checkbox"/> ELL services. --Provide evidence that school has consulted with the ELL Bureau and reviewed the relevant technical assistance manuals.		
	<input type="checkbox"/> Special Education and 504 Services. --Provide evidence that school has consulted with the Special Education Bureau and discussed IDEA and 504 requirements.		

SUMMARY REPORT - ITEMS DUE BY MARCH 1st

3-1.11.Conference, discussion, and review of any findings, issues, or concerns.	<input type="checkbox"/> School held a conference with CSD within 10 days of receiving the March 1st th Summary Report.		

INDICATORS	DOCUMENTATION	Date Complete	FINDINGS
ITEMS DUE BY MAY 15th.			
5-15.1.Resolve all findings with the Planning Year Checklist.	<input type="checkbox"/> Revised policies and additional documentation to address and resolve all findings, issues, and concerns identified in the March 1 st review or discussed during the March 1 st conference.		
5-15.2. Director / Principal / Administrator in place and holds administrative license. <i>NMSA § 22-10A-3; 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.		
5-15.3.School is established as a formal public school entity in the state of	<input type="checkbox"/> Bank records or other evidence that shows a public entity account has been established at a NM banking institution.		

<p>New Mexico with all necessary tax identification numbers, bank accounts, etc. <i>NMAC § 6.20.2.18.</i></p>			
	<input type="checkbox"/> Tax ID numbers.		
	<input type="checkbox"/> W-9 Substitute Form (submitted to DFA through PED).		
<p>5-15.4.Membership Projections & Enrollment. <i>NMSA § 22-8-12.1.</i></p>	<input type="checkbox"/> Provide an update on current enrollment by grade level and as a percentage of the March 1 st projected enrollment.		
<p>5-15.5.First Year Operating Budget in place. <i>NMSA § 22-8-11.</i></p>	<input type="checkbox"/> A revised plan on file with the School Budget Bureau that must align to current enrollment. A copy must be sent to the CSD.		
	<input type="checkbox"/> A Charter School Operating Budget (form 901BCS-10) on file that aligns with current enrollment and that has been signed and approved by the School Budget Bureau. A copy must be sent to the CSD.		
<p>5-15.6. Access to OBMS. <i>NMAC § 6.20.2.10.</i></p>	<input type="checkbox"/> OBMS User Form on file to allow access to OBMS (BAR submissions, approvals, etc.). Evidence must be provided to CSD.		
<p>5-15.7.An electronic system for management of student data has been implemented and is compatible with STARS</p>	<input type="checkbox"/> Provide name of software the school plans on using and name of entity that publishes, managers, or operates the software.		

<p><i>NMSA § 22-10A-19.2.</i></p>	<p><input type="checkbox"/> Provide evidence software is compatible with STARS.</p>		
<p>5-15.8.Assessment Plan Developed <i>NMAC § 6.80.4.9(E).</i></p>	<p><input type="checkbox"/> Provide evidence short cycle assessments have been identified, budgeted, and evidence of contact with assessment company .</p>		
	<p><input type="checkbox"/> Provide plan/schedule for administration of short cycle assessment(s) and for administration of PARCC, NMSBA, W-IDA / W-APT / ACCESS or any other planned assessments.</p>		
<p>5-15.9.Staffing Plan.</p>	<p><input type="checkbox"/> Status report on recruitment and hiring to meet staffing plan provided in application.</p>		
	<p><input type="checkbox"/> Timelines to secure licensing and backgrounds for each prospective staff member.</p>		
	<p><input type="checkbox"/> Special education staffing plan / contracts.</p>		
<p>5-15.10.Professional development plan. <i>Charter Contract § 8.02.</i></p>	<p><input type="checkbox"/> Plan and forms to implement professional development plans (PDPs) for individual teachers.</p>		
	<p><input type="checkbox"/> Mentorship program plan for new teachers. <i>(NMAC § 6.60.10).</i></p>		

<p>5-15.11.Employee benefits and Risk Insurance coverage through the New Mexico Public Schools Insurance Authority (NMPSIA).</p> <p><i>NMSA § 22-8B-9; NMAC § 6.50.1 et. seq.</i></p>	<p><input type="checkbox"/>Employee benefits coverage (may include basic life and accidental death & dismemberment, voluntary life, long term disability, two medical plans, a dental plan with basic and comprehensive coverage, and a vision plan).</p>		
	<p><input type="checkbox"/>Risk coverage policy (may include property insurance, liability insurance, workers' compensation, student catastrophic insurance, student accident insurance, boiler & machinery insurance, and underground storage tanks coverage).</p>		
<p>5-15.12.Health, Safety, and wellness Policy Requirements</p> <p><i>NMAC 6.29.1.9(O)(6) NMAC § 6.12.1, et seq. NMSA § 30-7-2.1 NMSA § 32A-2-33 Wellness Policy Guidance Document; Safe Schools Policy Guidance Document; Health Education Guidance Document; Homeless Policy Guidance Document; Charter Contract</i></p>	<p><input type="checkbox"/>Health services policies and procedures.</p> <p><i>NMAC § 6.12.2; Wellness Policy Guidance Document.</i></p>		
	<p><input type="checkbox"/>Wellness policies and procedures that complies with NMAC § 6.12.6 and is consistent with guidance from the Coordinated School Health and Wellness Bureau.</p> <p><i>NMAC § 6.12.6; Wellness Policy Guidance Document.</i></p>		
	<p><input type="checkbox"/>Safety plan that complies with NMAC § 6.12.6 and is consistent</p>		

	<p>with guidance from the Coordinated School Health and Wellness Bureau.</p> <p><i>NMAC § 6.12.6; Safe Schools Guidance Document.</i></p>		
	<p><input type="checkbox"/> Gun free schools policy.</p> <p><i>NMSA § 30-7-2.1; NMSA § 32A-2-33.</i></p>		
	<p><input type="checkbox"/> Health and wellness curriculum that aligns to NM content standards.</p> <p><i>NMAC § 6.29.6.1 et. seq.; Health Education Guidance Document.</i></p>		
	<p><input type="checkbox"/> Physical education curriculum that aligns to NM content standards.</p> <p><i>NMAC § 6.29.9.1 et. seq.</i></p>		
	<p><input type="checkbox"/> Homeless youth complaint policy and Notice of Rights.</p> <p><i>NMAC § 6.10.3.9 (D).</i></p>		
	<p><input type="checkbox"/> Homeless education and assistance policies and procedures.</p> <p><i>Homeless Policy Guidance Document.</i></p>		
	<p><input type="checkbox"/> Immunizations policies and procedures.</p> <p><i>NMAC § 6.12.2.8.</i></p>		

	<input type="checkbox"/> Pest Control policies & procedures. <i>NMAC 6.29.1.9(O)(6).</i>		
<p>3-1.12.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 -- 22-13-8; NMSA 22-13-5 -- 22-13-8); NMAC 6.29.1.9; NMAC § 6.29.5.1, et seq.; NMAC § 6.31.2, et seq.</p>	<input type="checkbox"/> School special education & 504 policies and procedures.		
	<input type="checkbox"/> Completed special education template. <i>Memorandum from Director Baca, NM Special Education Bureau to Charter School Administrators (June 2, 2014).</i>		
	<input type="checkbox"/> School ELL policies and procedures.		
	<input type="checkbox"/> Copies of all forms and surveys to be used in the application of the ELL policies and procedures.		
<p>5-15.13.High school requirements.</p> <p>(This indicator is applicable only to schools that serve grades 6-12.)</p>	<input type="checkbox"/> Graduation requirements. (Only applicable for schools that serve grade 12) <i>NMSA § 22-13-1.1</i>		
<p><i>Charter Contract § 8.02.</i></p>	<input type="checkbox"/> Next Step Plan 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>		
	<input type="checkbox"/> Provide evidence school shall offer at least one honors or similar academically rigorous class each in mathematics and language arts. <i>NMSA 22-13-1.4.</i>		
	<input type="checkbox"/> Provide evidence school has a signed Dual Credit Master Agreement with an institution of higher education. <i>NMSA 22-13-1.4.</i>		
	<input type="checkbox"/> Provide evidence school has a program of distance learning courses in place. <i>NMSA 22-13-1.4.</i>		
	<input type="checkbox"/> Provide evidence school is prepared to offer at least two years of a language other than English. <i>NMSA 22-13-1.4.</i>		

SUMMARY REPORT - ITEMS DUE BY MAY 15th .

<p>5-15.14. Attend all planning year conferences to discuss issues, concerns, and findings identified in the Planning Year Checklist.</p>	<p><input type="checkbox"/> School held a conference with CSD within 10 days of receiving the May 15th Summary Report.</p>		

INDICATORS	DOCUMENTATION	Date of Completion	FINDINGS
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ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE

<p>P-O.1. Resolve all findings with the Planning Year Checklist.</p>	<p><input type="checkbox"/> Revised policies and additional documentation to address and resolve all findings, issues, and concerns identified in the May 15th review or discussed during the May 15th conference.</p>		
<p>P-O.2. Curriculum framework is articulated in writing and matches school mission and goals. (Framework aligned to NM content standards, benchmarks and performance standards by end of first year.)</p>	<p><input type="checkbox"/> Status report on continued implementation of curriculum development plan.</p>		
	<p><input type="checkbox"/> Resources necessary for the implementation of the curriculum as articulated are available</p>		
	<p><input type="checkbox"/> Curriculum identifies resources, knowledge and skills students are expected to learn (NMCCSS/NMCS).</p>		

	<input type="checkbox"/> The Curriculum identifies the learning standards or learning objectives students are expected to meet for each course.		
	<input type="checkbox"/> The Curriculum identifies the units and lessons that teachers will teach.		
	<input type="checkbox"/> The curriculum identifies assignments and projects that will be given to students.		
	<input type="checkbox"/> The curriculum identifies the books, materials, videos, presentations, and readings used in a course.		
	<input type="checkbox"/> The curriculum identifies the tests, assessments, and other methods used to evaluate student learning		
P-O.3.School has implemented and adopted a budget and all mandatory policies.	<input type="checkbox"/> Signed statement from the governing body that the final budget, the final operating budget, and any revised policies were adopted and implemented by the Governing Body.		

	<input type="checkbox"/> If less than 95% of budgeted enrollment, plan to adjustment spending/budget to account for lower enrollment.		
P-O.4. Development / acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements (22-8B-4.2 NMSA)	<input type="checkbox"/> E-occupancy Certificate.		
	<input type="checkbox"/> 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.5. 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"/> Copy of licenses.		
	<input type="checkbox"/> School has necessary licensure to teach curriculum, identified classes, and grade levels.		
	<input type="checkbox"/> Signed contract(s) with position descriptions.		
	<input type="checkbox"/> Criminal background checks and fingerprinting documentation.		
P-O.6. Student enrollment for minimum number of required students (8) with New Mexico residency.	<input type="checkbox"/> Student enrollment forms including home language surveys, proof of residency.		

SUMMARY REPORT - ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE

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B. Annual Performance Framework Monitoring Timeline and Process Recommendation

Summary

The CSD team developed the following materials as a proposal for the annual monitoring process.

The process is intended to focus on better utilizing the data available within PED from other bureaus that conduct compliance monitoring based on 40/80/120/EOY data.

This process is intended to work with the schools to ensure the site visit date is convenient for them and that the site visit both generally ensures compliance and focuses on school needs that are identified by the school, prior year results, or data.

The process is also intended to incorporate more communication and back and forth (when needed) to ensure the PEC is provided with the most accurate, highest quality information.

This process would ensure that all performance frameworks are evaluated by August 31 annually and that the PEC could consider taking appropriate corrective or disciplinary actions (when needed) in October or November.

The CSD teams looks forward to developing a meaningful and viable process that will provide you the information needed to implement quality authorizing practices.

Proposed Motions

- Move to adopt the Annual Performance Framework Monitoring Timeline and Process provided in today's materials.

- Move to adopt the Annual Performance Framework Monitoring Timeline and Process provided in today's materials, with the changes discussed on the record today.

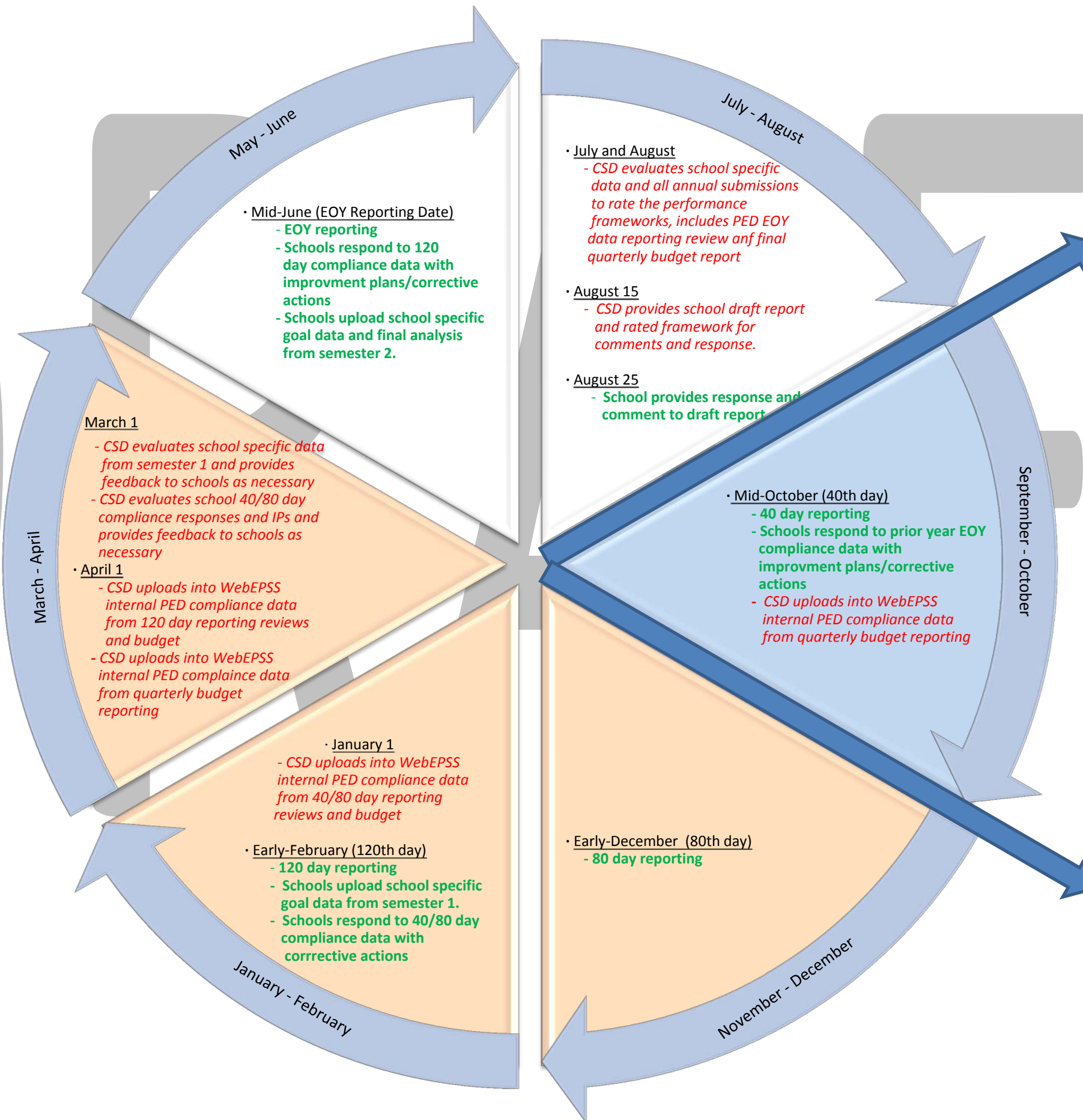
- Move to present the Annual Performance Framework Monitoring Timeline and Process provided in today's materials to the charter school community for public comment, which must be submitted no later than September 15, and consider adoption of the materials at the October PEC meeting.

Throughout the year, CSD will visit GB meetings.

- Each school will receive 1 GB visit during the year.
- Schools may receive multiple GB visits based on concerns flagged during the GB visit or at other times.
- All GB visits will follow an established standard protocol.
- *CSD will provide written feedback from the observation within 45 calendar days.*
- **Schools must respond to any findings or compliance issues within 45 calendar days of CSD's transmittal of the written feedback or by the school's next STARS reporting date for the current FY, whichever is later.**

CSD will conduct regular annual monitoring visits from November through April.

- Site visits will be scheduled based on school requested dates.
- Site visits will follow an established standard protocol, with some adjustments based on school needs/school specific data/data red flags.
- Site visit protocol includes specific follow up to current and prior year "Does Not Meet" rated items (current year ratings based on STARS data)
- *CSD will provide written feedback from the site visit within 45 calendar days of the visit.*
- **Schools must respond to any findings or compliance issues within 45 calendar days of CSD's transmittal of the written site visit feedback or by the school's next STARS reporting date for the current FY, whichever is later.**



August 31

CSD completes, posts to website, and submits to PEC Charter School Rated Performance Frameworks

CSD will conduct renewal site visits, new school monitoring visits, and extra annual monitoring visits required by the contract in September and October.

- Site visits will follow an established standard protocol, with some adjustments based on school needs/school specific data/data red flags.
- Site visit protocol includes specific follow up to prior year "Does Not Meet" rated items
- *CSD will provide written feedback from the site visit within 45 calendar days of the visit.*
- **Schools must respond to any findings or compliance issues within 45 calendar days of CSD's transmittal of the written site visit feedback or by the school's next STARS reporting date for the current FY, whichever is later.**

October or November PEC Meeting

Based on Annual Performance Frameworks and Reports, PEC addresses schools with major compliance concerns with CAPs, or Notices of Intent to Revoke, or Notices of Intent to Non-Renew

July

- July 1-31
 - CSD evaluates school specific data and all annual submissions to rate the performance frameworks, includes PED EOY data reporting review and final quarterly budget report
 - CSD attends governing body meetings
 - Schools respond to GB observation findings or site visit findings as applicable with corrective actions

August

- August 1-31
 - CSD attends governing body meetings
- August 1-15
 - CSD continues to evaluate school specific data and all annual submissions to rate the performance frameworks, includes PED EOY data reporting review, final quarterly budget report and A-F Letter Grades
- August 15
 - CSD provides school draft report and rated framework for comments and response.
- August 25
 - School provides response and comment to draft report
- August 31
 - CSD completes, posts to website, and submits to PEC Charter School Rated Performance Frameworks

September

- September 1-30
 - CSD attends governing body meetings
 - CSD will conduct extra annual monitoring visits required by school contracts

October

- October 1-31
 - CSD attends governing body meetings
 - CSD will conduct renewal site visits and new school monitoring visits (includes schools that changed authorizer)
- Mid-October (40th day)
 - 40 day reporting
 - Schools respond to prior year Does Not Meet/Falls Far Below Ratings with improvement plans
 - Schools respond to GB observation findings as applicable with corrective actions
 - CSD uploads into WebEPSS internal PED compliance data from quarterly budget reporting

November

- November 1-30
 - CSD attends governing body meetings
 - CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days
 - Schools respond to GB observation findings, site visit findings, or budget compliance information as applicable with corrective actions

December

- December 1-31
 - CSD attends governing body meetings
 - CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days
- Early-December (80th day)
 - 80 day reporting
 - Schools respond to GB observation findings or site visit findings as applicable with corrective actions

January

- January 1
 - CSD uploads into WebEPSS internal PED compliance data from 40/80 day reporting reviews and quarterly budget reporting
- January 1-31
 - CSD attends governing body meetings
 - CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days
 - Schools respond to GB observation findings or site visit findings as applicable with corrective actions

February

- February 1-28
 - CSD attends governing body meetings
 - CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days
- Early-February (40th day)
 - 120 day reporting
 - Schools upload school specific goal data from semester 1.
 - Schools respond to 40/80 day compliance data with corrective actions and to GB observation findings as applicable

<p style="text-align: center;">March</p> <ul style="list-style-type: none"> • <u>March 1</u> <ul style="list-style-type: none"> ○ CSD evaluates school specific data from semester 1 and provides feedback to schools as necessary ○ CSD evaluates school 40/80 day compliance responses and IPs and provides feedback to schools as necessary • <u>March 1-31</u> <ul style="list-style-type: none"> ○ CSD attends governing body meetings ○ CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days ○ Schools respond to GB observation findings or site visit findings as applicable with corrective actions 	<p style="text-align: center;">April</p> <ul style="list-style-type: none"> • <u>April 1</u> <ul style="list-style-type: none"> ○ CSD uploads into WebEPSS internal PED compliance data from 120 day reporting reviews and quarterly budget reporting • <u>April 1-30</u> <ul style="list-style-type: none"> ○ CSD attends governing body meetings ○ CSD will conduct regular annual monitoring visits and provide feedback within 45 calendar days ○ Schools respond to GB observation findings or site visit findings as applicable with corrective actions 	<p style="text-align: center;">May</p> <ul style="list-style-type: none"> • <u>May 1-31</u> <ul style="list-style-type: none"> ○ CSD attends governing body meetings • <u>EOY Reporting Dates</u> <ul style="list-style-type: none"> ○ EOY reporting as applicable ○ Schools upload school specific goal data and final analysis from semester 2. ○ Schools respond to 120 day compliance data with corrective actions and to GB observation findings or site visit findings as applicable 	<p style="text-align: center;">June</p> <ul style="list-style-type: none"> • <u>June 1-30</u> <ul style="list-style-type: none"> ○ CSD attends governing body meetings • <u>EOY Reporting Dates</u> <ul style="list-style-type: none"> ○ EOY reporting as applicable ○ Schools upload school specific goal data and final analysis from semester 2. ○ Schools respond to 120 day compliance data with corrective actions and to GB observation findings or site visit findings as applicable
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	CSD Responsibilities	School Responsibilities
Site Visits	<ul style="list-style-type: none"> • Conduct new school visits and “struggling school” visits early in the year (September/October) • Conduct renewal school visits in October. • Conduct annual visits at a convenient time from November – April. • Provide written site visits feedback to schools within 45 calendar days. • Focus site visits on school needs, but implement a standard protocol (which identifies school needs based on known data and prior year challenges) 	<ul style="list-style-type: none"> • Respond to any findings or compliance issues within 45 calendar days of CSD’s transmittal of the written site visit feedback or by the school’s next STARS reporting date for the current FY, whichever is later.
40/80/120/EOY Data, NM Teach Data, and Budget Data	<ul style="list-style-type: none"> • Coordinate with PED bureaus who validate, collect, and follow up on compliance issues to identify data in WebEPSS. 	<ul style="list-style-type: none"> • Respond to any findings or compliance issues in manner required by PED bureau and provide evidence by next reporting date
Governing Body Observations	<ul style="list-style-type: none"> • Conduct at least one governing body observation for each school during the FY 	<ul style="list-style-type: none"> • Respond to any findings or compliance issues within 45 calendar days of CSD’s transmittal of written feedback or by the school’s next STARS reporting date for the current FY, whichever is later.
School Specific Goal Data	<ul style="list-style-type: none"> • Evaluate semester 1 data and provide feedback by March 1st • Evaluate semester 2 data and incorporate evaluation into final report by August 15 	<ul style="list-style-type: none"> • Upload data for semester 1 by the 40th day reporting date • Upload data and analysis for semester 2 by EOY reporting date
Final Report and Rated Performance Framework	<ul style="list-style-type: none"> • Provide Final Draft to Schools by August 15 • Finalize report by August 31, provide to PEC and school, and post to website 	<ul style="list-style-type: none"> • Respond to August 15 draft by August 25 • Provide improvement plans for all item rated lower than Meets in final report by 40th day of subsequent year

Leverages PED data and Decreases Duplicitous Reporting – By utilizing PED’s internal compliance reviews, schools do not have to account for the same information more than once. Schools data is shared within PED; this places much of the data collection burden on CSD/PED, not the schools. Only schools that demonstrate compliance concerns must demonstrate and report on corrective action. The reporting and response dates align with other PED reporting dates so to decrease the number of reporting dates.

Focused on Continuous Improvement – By allowing schools to demonstrate and report on corrective action throughout the year (in real time) CSD will be able to recognize improvement throughout the term of the year, so that final annual ratings can recognize schools' improvements.

Ensures Evaluation – This plan ensures that all relevant areas for which PED has data are evaluated using that data and reported to the PEC and the schools. Schools and the PEC will receive final evaluations on August 31, annually.

DRAFT

C. Recommendation on Procedure for Bulk Amendment Requests to PEC

1. Assessment Changes-Discovery and DIBELS
2. Performance Framework Template Changes RE: Improvement Plans

Summary

As the Commission is now aware, DIBELS has been replaced with Istation as the state required K-2 assessment. Some schools have negotiated DIBELS goals into their performance frameworks. In addition, CSD understands that Discovery is transitioning away from providing short cycle assessments. Many schools have negotiated Discovery goals into their performance frameworks.

The PEC also recently determined it was appropriate to make a policy change to eliminate the requirement of an academic improvement plan for schools earning a C letter grade.

Each of these circumstances is going to require changes to a large number of PEC performance frameworks. CSD is requesting guidance from the PEC on the process for these changes.

CSD would like to recommend that no request or paperwork be required for the changes to the performance frameworks regarding improvement plans, rather CSD recommends that the language be stricken from each performance framework with no additional burdens on the schools, the PEC, or the CSD.

In relation to goals for which the assessment is changing, CSD recommends that the schools notify the PEC of the change with a written amendment request. The schools should be required to utilize the same percentages previously negotiated for the alternative assessment and the standardized language for the new, replacement assessment. If there is no standardized language available, the PEC can engage in negotiations or request CSD begin the process of developing the standard language.

CSD can work to develop proposed language for the Istation assessment and present that to the Commission at its next scheduled meeting.