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I. Public Education Department Renewal Report and Recommendation



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2016 Charter School Renewal Report

New America School - Las Cruces

CSD RECOMMENDATION

CSD recommends renewal of this charter based on the school's letter grade performance, specifically that the school currently maintains a 3 year average letter grade of C, and the school's compliance with facility requirements and generally accepted standards of fiscal management.

However, because the school has not met or made substantial progress toward all of the school specific goals in the charter contract and other concerns regarding student and teacher retention and contractual and legal compliance, CSD recommends the following conditions of renewal:

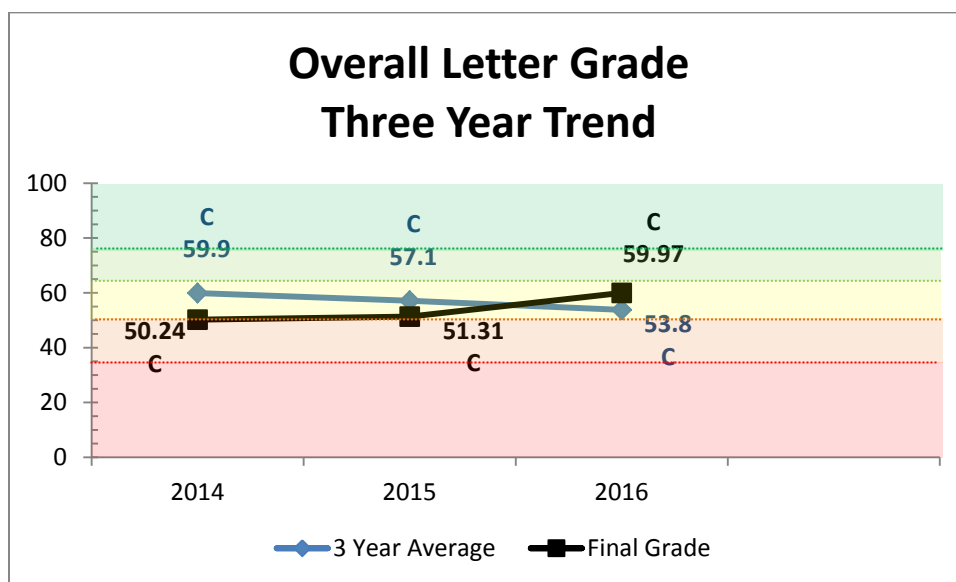
- A shortened term renewal (3 years) to ensure continued performance in the letter grade and improved performance in school and mission specific goals
- Corrective action requirements including requirements that the school work with CSD to affirmatively reach out to appropriate PED divisions to seek support and assistance and improve operations in the following areas:
 - English Language Learners
 - Special Education and RTI
 - Next Step Plans
 - Instructional Hours
- The school's performance framework include mission specific goals related to:
 - Academic success with students who are not full time students and/or who are over age students enrolled in the non-traditional program
- The school's performance framework include specific academic goals, that capture a majority of enrolled students, related to:
 - ELL English Language Acquisition
 - Growth of Lowest Performing Students (Q1)
- The school's performance framework include specific organizational goals related to:
 - Student Retention
 - Teacher Retention

SCHOOL SUMMARY

New America School - Las Cruces began operating under its current charter on July 1, 2012. The charter was granted for a period of 5 years with various standardized conditions relating to preparedness to commence operations and acknowledging the requirement that the charter school to demonstrate improved student academic achievement, and that the PEC use increases in student academic achievement for all groups of students as the most important factor when determining to renew or revoke the school's charter.

The school submitted its renewal application in a timely manner. The school's renewal application includes no amendment requests.

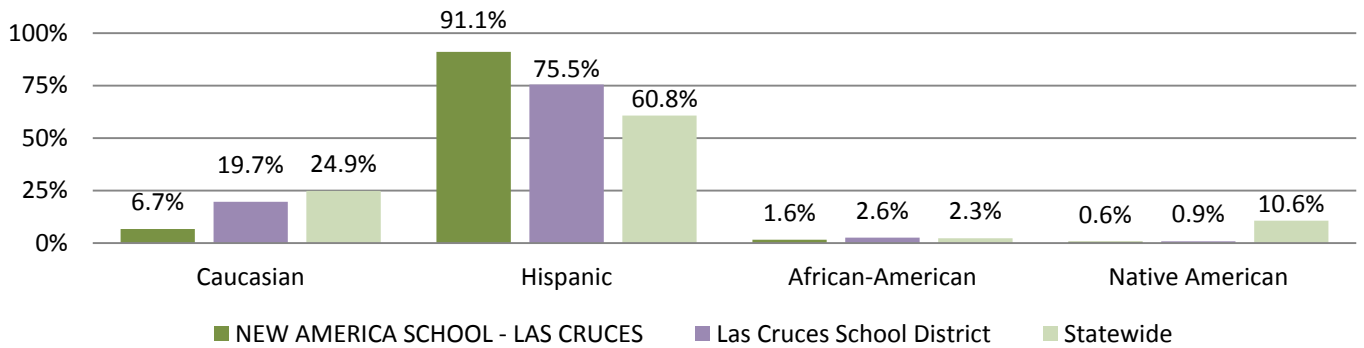
The following information provides a snapshot of the school's academic performance over the last three years.



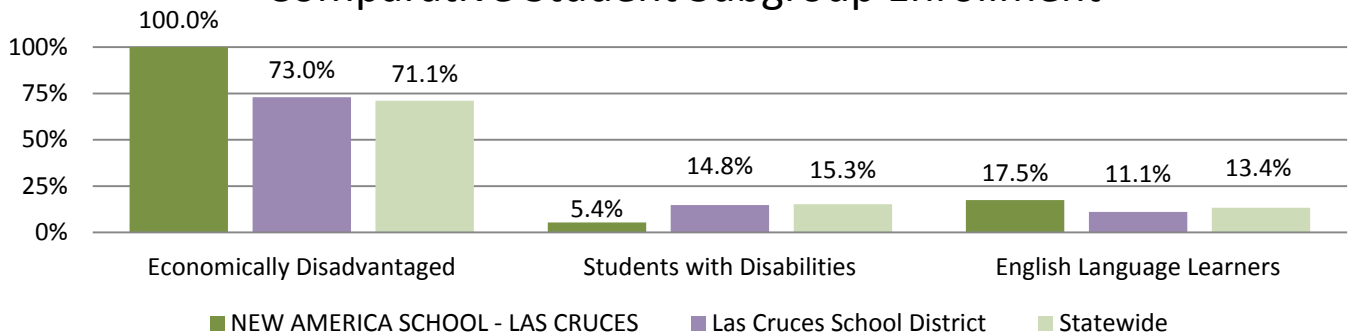
The following information provides a picture of the school's current enrollment, including the number as well as the demographics of the school, and the enrollment trends over the term of the contract. Additionally, CSD has provided information about the teacher retention rate over the term of the contract.

Comparative demographics show the school has a higher Hispanic population than the surrounding district and a lower Caucasian, Native American, and African-American population. The school also has a higher population of English Language Learners and Economically Disadvantaged students and a lower population of students with disabilities.

Comparative Student Demographics

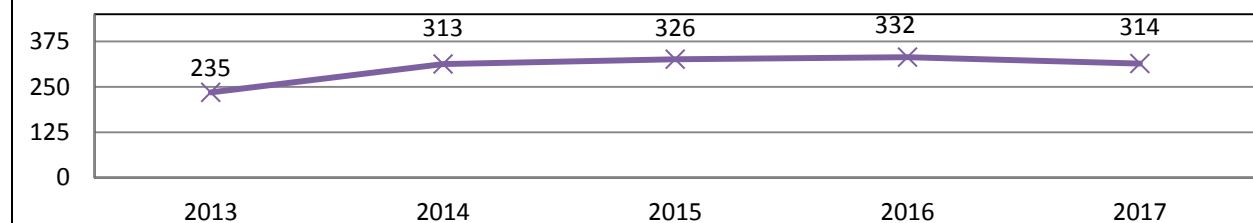


Comparative Student Subgroup Enrollment



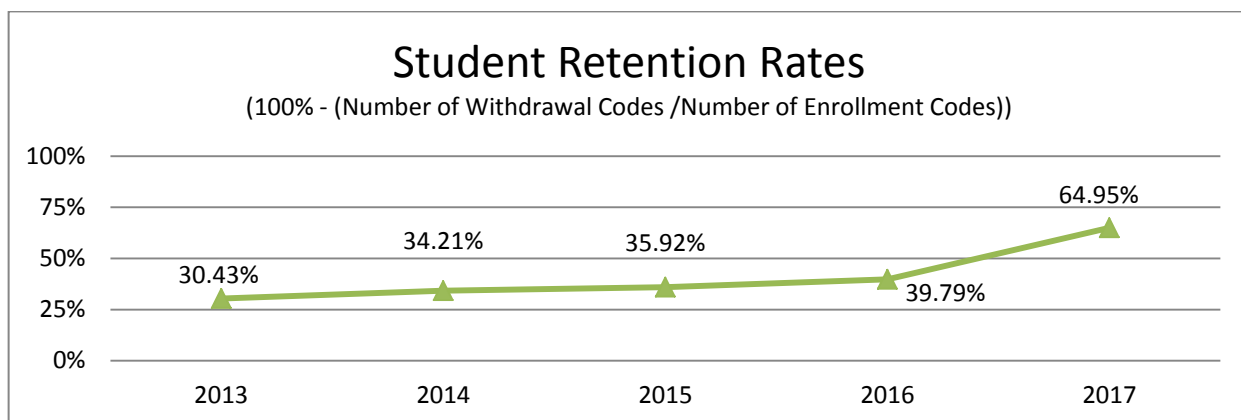
The table below demonstrates the 40 day membership for each of the years in operation. The school's enrollment steadily increased from its first year to the fourth year. The current year has a slightly lower enrollment than in the prior year.

40 Day Student Membership



The table below demonstrates the student retention rates for each of the years in operation. Retention rates were calculated by first finding the attrition rate and then subtracting from 100%. The attrition rate is found by dividing the number of withdrawal codes (number of students who were withdrawn from the school at some point during the year) by the total number of enrollment codes (number of students who were enrolled into the school at some point during the year). Students who have a WG (graduate) code are not counted in the attrition. CSD believes this calculation accurately captures retention within the year as well as retention between the years because schools have the practice of enrolling students they expect to return on the first day of school and then withdrawing them if those students do not return. The school's retention rate is very low, ranging between 30%

and 40% in the first four years. However, this rate has been increasing over the four year period. The current year retention is higher than 2016, but cannot be compared to prior years as it does not account for attrition or additional retained enrollments through the year.



School Response:

In looking at the NAS-LC STARS Mobility rate, which is the flip side of Student Retention, NAS-LC does have a high mobility rate, but it is decreasing yearly with interventions put into place at the school level. The end result is that as mobility decreases, retention increases.

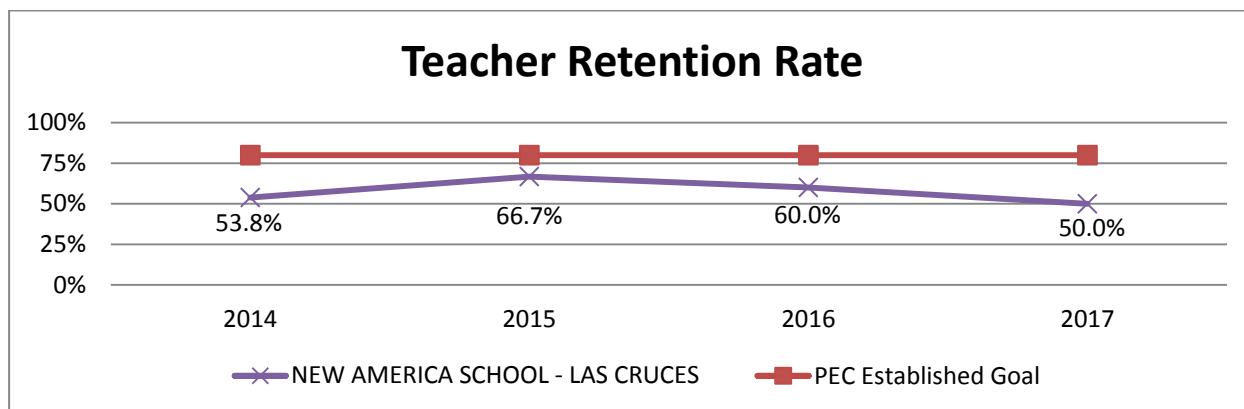
The method utilized by the CSD is only one way of quickly determining retention data based off of enrollment records. It does not, however, take into account students who withdraw and then subsequently return within the school year, a common occurrence, nor does it take into account a large number of students who are new enrollees, but for whatever reason, then decide to never attend. These are listed as W3 on the enrollment status. It is unreasonable to hold a school responsible for retaining a student who never actually walks through the door. A W3 student is not a "retained" student from the previous year, nor was that student ever served by NAS-LC at any point.

CSD has done additional analysis on the school's enrollment and withdrawal records for FY2016.

Removing all enrollment and withdrawal records for students who were coded W3 at any point, the school's retention is 44%. Removing all enrollment and withdrawal records for students who were coded R3 or W3 at any point, the school's retention is 49%. This information continues to substantiate CSD's concerns about student retention in the preliminary report.

Additionally, 89 out of 662 (12%) enrollment codes were R3s, which represent students who leave and re-enroll. Those same 89 students account for 141 out of the 449 (31%) withdrawal transactions and 120 out of 662 (18%) of the school's enrollment codes. Those students also account for 23 of 60 (38%) of enrollments that occur immediately before the school's 40 day reporting date which is used for determining school funding. These students also account for none (0) of the school's withdrawals for graduates. This data raises questions about the school's success in engaging these students in the educational program. A review of the timing of the school's withdrawals and enrollments also presents concerns for CSD. The school has fifty-nine enrollments immediately prior to the 40th day. The school had 14 withdrawals immediately after the 40th and 28 withdrawals immediately after the 80th day.

The table below demonstrates teacher retention for the second through fifth years. The table is derived from the STARS Turnover Rate by Category reports attached in the appendix. Annually, the school's teacher retention rate has ranged between 50% and 70%, below the PEC's stated goal of 80% retention (lower than 20% turnover). The school had the greatest retention between the second and third school years, the rate has steadily declined since that time.



The renewal application demonstrates support for the continuation of the school from the *current* local school community. The application includes signed petitions by 100% of the school’s current employees and 77.4% of the families whose students are currently enrolled in the charter school. The petitions are included in the application materials.

School Response

“The school responded that this data was incorrect and it was unclear where the data came from. In addition, the school indicates a potential underlying assumption is that a greater than 20% turnover at charter school may be an indication of other issues at the school. While it is true that a high teacher turn-over rate may be the result of a poor school culture, this is not always the case, and it is certainly not the case at NAS-LC.”

The school also provided a table and chart based on the STARS Exited Teachers Verified that provides a more favorable view of the school’s teacher retention.”

CSD utilizes the STARS Turnover Rate by Category (Using teachers as the category) which compares Staff IDs from two school years. It provides the total turnover in teachers and compares that to the previous year to determine the total turnover rate and the corresponding retention rate. Those reports come directly from STARS are attached in the appendix to this evaluation.

The Turnover Rates report will include teachers who were present one year and not the next but were NEVER reported as EXITED by the school district. If reported teaching a class in one table but didn’t properly identify them as a TEACHER in another, then the results would be different between these two reports.

During interviews with the students, staff, and families, the CSD learned that while there are concerns each group has, they overwhelmingly support the continuation of the school.

During student interviews PED CSD interviewed seven students. Students came to this school because it is smaller. This means the classes are smaller, the teachers know everyone, and they feel more comfortable asking questions. Students generally answered that if school was not available they would attend one of the local traditional public schools. Some students indicated they might drop out because other schools don’t care if a student doesn’t show up. The students support the continued operation because the staff and teachers are all really good. And they have received lots of help compared to previous schools. Students also noted that the school allows students to come even when classes are not open. Students also supported the program that permits students to graduate, the scholarship opportunities, and the flexible schedule offered. The students felt the school’s mission is to provide people with second chances and to give other people the opportunity to live the American dream. The program is for immigrants and provides a chance to learn English. It also provides an opportunity for night and older students who don’t know how to speak English can come to school and get their diploma. Students receive information on academic growth through Family Link which is an Online portal. The parents are also provided access. This portal allows students to see their grades, the classes they’ve taken, what assignments they missed and stuff like that it also give students their report cards and MAP scores. Students like the school environment. There aren’t as many people. It’s easy to get to class and be content and comfortable. They feel freer and there’s not a lot of bullying.

Students also like that the school can work with your schedule and the classes the students need. Students would like to see more extracurricular programs like art and sports. Students noted that the Next Step Plan gets reviewed often but it's more a concern near the end of the year because at least one student is going to graduate and wants to go on to college.

During family interviews PED learned that parents chose to send their students to the school because they were generally struggling at other school. Parents reported students have less anxiety, happy, easier to live with at current school and academic improvement. Traditional schools have a tendency to just check the box. This school invests in students and they want to be here. Students really want to be here and learn something - they're invested in their own education. Parents advised if school was not available they would not send students to another public school but rather a private or home school option. Parents support the school because they like what they do in the community and value the honor society and Student Council. This school has been an integral part of zero homelessness for Veterans, and La Casa women's shelter. Parents thought the school is amazing and that the staff wants the children to succeed. The school is invested in graduating the students. The other schools have not been so invested in success. Parents valued that it is like family and that they know everybody. The parents believe the mission statement is something along the line of helping immigrants. The school offers more than just the academic curriculum. The discipline rate is much lower than in public school. The school communicates using an automated system to inform about changes in schedule, etc. Teachers check in with parents when they are on campus - communicating that they care. Parents are not involved in day to day operations. The school sponsors trips for students at no cost to parents through robust fundraising. Parents are concerned about the school budget and the possibility of the school getting shut down. One parent noted that parents were previously concerned about the older population being here, but once they understood that the adults wouldn't be here at the same time as the children it was no longer a concern. Parents expressed concern that the teacher who has stepped in to teach science isn't a Science teacher and doesn't have the experience or expertise. With regards to desired changes, the parents mentioned space as being an issue and indicated they would like to see extra-curricular activities like team sports grow. The parents would also like to see more support for students on IEPs. The parents think that school has some students that are discipline problems and the school needs to get to them. The parents feel that the teacher tends to make or break a particular program, they feel that the school doesn't have either the physical facilities or the teachers to offer students the same opportunities as a bigger school.

During staff interviews PED interviewed 11 teachers. The teachers generally described them being attracted to the opportunity offered by the school to teach in a non-traditional setting and to work in an environment that was less administratively or bureaucratic focused and more focused on the students. Teachers also expressed interest in working with the at-risk population that is the a huge demographic of the school. The majority of the teacher responses indicated the teachers were employed part time, or had started due to the opportunity to teach part time and the school's flexibility to work with teacher schedules. Nearly all teachers expressed they were teaching due to the opportunity the school afforded and advised that if the school was not available then they would not continue teaching. Teachers support the mission of the school because it "walks its talk" and "fulfills our mission in every way every day". Specifically, the teachers felt that the school supports a need of the students and that if the school was not available then they wouldn't be in school at all. Teacher all noted that students seem to see a future here and suggested that the school is the only program that offers diplomas to adult learners. Staff indicated that the mission is to focus on those students who need more attention, to serve the academically underserved, the people who struggle with English, and those who aren't fitting in at other school. The teachers advised that 90% of the school population comes from public schools where their needs were not being met. The teachers also felt that the school's mission is to help students reach the American dream. Teachers noted that many students are working to become American citizens. Teachers advised that population rises and falls in attendance but sometimes it feels like school is too small and that they are limited by the physical space they have. The teachers feel they do not have the resources to offer all the support the student need - like a psychologist, school counselor, etc. The administrator and her assistant communicate with the teachers through email on a regular basis. They also have daily classroom visits and they receive a "Monday memo" which tells them about

important events coming up, schedule changes, if a teachers is going to be out, etc. Additionally, the head administrator has an open door policy anytime we have an issue to discuss. Teachers are involved in the operations of the school by being asked to participate once a year in the development of the school's master plan, and master calendar. Techers also advised about of frequent meetings with the Head Administrator where they are asked for input and feedback. Teachers expressed concern about lack of support for single parents, including childcare, pregnant teens and how to reach students that may have domestic issues. Teachers also expressed in an interest in continuing to foster students who do come to the school but also how to draw in the ones who don't. Teachers advised they have received training in the Early Warning System this past summer. Teachers have also attended PARCC training and weeklong retreats to align CCSS and create a curriculum map.

RENEWAL STANDARD

Pursuant to NMAC 22-8B-12, a charter may be not renewed if the charter school did any of the following:

- (1) committed a material violation of any of the conditions, standards or procedures set forth in the charter contract;
- (2) failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract;
- (3) failed to meet generally accepted standards of fiscal management; or
- (4) violated any provision of law from which the charter school was not specifically exempted.

In addition, in 2015 the New Mexico statutes annotated was revised to reflect the following:

On or after July 1, 2015, a new charter school shall not open and an existing charter shall not be renewed unless the charter school:

- (1) is housed in a building that is:
 1. owned by the charter school, the school district, the state, an institution of the state, another political subdivision of the state, the federal government or one of its agencies or a tribal government; or
 - (a) subject to a lease-purchase arrangement that has been entered into and approved pursuant to the Public School Lease Purchase Act [Chapter 22, Article 26A NMSA 1978]; or
- (2) if it is not housed in a building described in Paragraph (1) of this subsection, demonstrates that:
 - (a) the facility in which the charter school is housed meets the statewide adequacy standards developed pursuant to the Public School Capital Outlay Act and the owner of the facility is contractually obligated to maintain those standards at no additional cost to the charter school or the state; and
 - (b) either: 1) public buildings are not available or adequate for the educational program of the charter school; or 2) the owner of the facility is a nonprofit entity specifically organized for the purpose of providing the facility for the charter school.

ANALYSIS

In order to support the decision making of the Public Education Commission, this renewal report reflects the information known to the Public Education Department in relation to:

- the school's efficacy in fulfilling the conditions, standards, and procedures set forth in the charter contract;
- the schools status in relation to achieving, or making progress toward achieving, the Public Education Department's standards of excellence as reflected in the school letter grade;
- the school's status in relation to achieving, or making progress toward achieving, the student performance standards identified in the charter contract;

- the school's efficacy in meeting generally accepted standards of fiscal management;
- the school's compliance with all provisions of law from which the charter school was not specifically exempted; and
- the school's status in relation to meeting the facilities requirements laid out in 22-8B-4.2.

Summary		
	Meeting Expectations	Not Meeting Expectations
Charter Contract Material Terms	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Education Department's Standards of Excellence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Student Performance Standards in the Charter Contract	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Generally Accepted Standards of Fiscal Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliance with all Provisions of Law	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Facilities Requirements Laid Out in 22-8B-4.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT FULFILLED THE CONDITIONS, STANDARDS, AND PROCEDURES SET FORTH IN THE CHARTER CONTRACT

The school is under an original charter, which incorporated the school's application into the charter as material terms. CSD's observations indicate the school may not be implementing the educational program set forth in the school's charter. Specifically, the observed educational program does not align with the promise that students will have access to a substantial amount of extra educational and comprehensive ESL courses.

The school's original application included the following material terms, which were incorporated into the charter contract:

Mission:

The mission of The New America School- Las Cruces (NAS-LC) is to empower immigrants and English Language Learners (ELLs), with the educational tools and support they need to maximize their potential, succeed, and live the American dream.

Who the School will Serve

NAS-LC will serve non-traditional students in the Las Cruces area. Our target population is those students who need support in acquiring English language proficiency to complete credits toward earning a high school diploma. NAS-LC offers students a flexible, morning to evening 9-12 charter high school within a culturally relevant and supportive environment. The population we will serve includes:

- Young people, ages 14 and over, who are not currently utilizing the public school system and its resources through a day or night program.
- Newly-arrived immigrants lacking Basic English proficiency.
- Las Cruces students with limited English proficiency, who may also lack basic literacy and numeracy skills.
- Students residing in the USA, with some English proficiency, but because of interrupted education or personal circumstances have dropped out of the traditional school system.

The vision of NAS-LC is to assist students to achieve their American dream. NAS fosters a productive and meaningful partnership among students, teachers, and the school community that supports academic progress, English language development and high school completion.

NAS-LC creates an accessible program that allows non-traditional students the opportunity to learn in an academically-challenging and supportive environment. We empower students to obtain the language skills, knowledge and confidence necessary to be productive members of their community.

We combine the best practices of the charter school movement with a state-of-the-art, content-based ESL curriculum. We offer academic coursework that combines a complete and tested content-based ESL curriculum with a schedule that allows students to attend school day or night.

-
- Flexible Class Scheduling: NAS-LC offers a full high school program both in the daytime and in the evening. Classes are offered from 8:00 am-10:00 pm Monday – Thursday, four days a week for 150 days of instructional time. The four-day week is beneficial for our students who work as well as our young parents. It allows our students to have a full work day on Friday, and eliminates the need for childcare one day a week.
 - English as a second language courses that prepare students to learn the NM content of our standards based curriculum.
 - ESL 1 – a four hour English block per day. The beginner English speakers are placed in this class possibly for an entire year, and begin to transition into other sheltered content and/or elective classes during their second semester, or at the start of the next school year.
 - ESL 2 – a two hour English block per day. Students have two hours of intensive English instruction, as well as take three or four sheltered content and elective courses. Many of the ESL 2 students take an additional English elective class to strengthen their English skills.
 - ESL 3 – a one hour English class. This class serves as a preparation and transition for students as they move into language arts classes. The majority of students in ESL 3 take an additional English elective class to strengthen their English skills.
 - Sheltered Content Classes: All classes at New America School are sheltered instruction classes. From mathematics to elective courses, NAS teachers use SIOP strategies and techniques in the classroom. The staff participates in course work and professional development that train and strengthen their sheltered classroom techniques.
 - Professional Learning Communities: All teachers participate in Professional Learning Communities with fellow content area teachers.
 - Committed Staff: NAS teachers choose to work at New America School. They are aware of the unique student population and issues the students face and welcome the challenge.
 - Newcomer Center: The self-contained center is especially geared toward incoming monolingual, Spanish speaking students. The center provides intensive language and cultural support to these students, who are then mainstreamed once a baseline is established.

The Five Keys to Educational Success are as follow:

1. NAS students will be engaged in challenging, project and theme based curriculum to develop academic concepts leading to English acquisition.
 2. NAS teachers will draw on students' background—their experiences, cultures, interests, and languages to support all social and academic content.
 3. NAS teachers will organize collaborative activities and scaffold instruction to build students' academic English proficiency.
 4. NAS teachers will create a culture and climate where confident students will value school and themselves as successful learners.
-

5. NAS teachers will have a New Mexico teaching license with a Bilingual Education and/or TESOL endorsement

The school year will consist of 150 instructional days, four days a week from Monday to Thursday, from 8:00 AM to 10:00 PM. This will offer students an opportunity for 2100 hours of instructional time, far in excess to the minimum requirement.

The GC intends to contract, in accordance with the provisions of the New Mexico Procurement Code, with New America School ("NAS"), a Colorado non-profit corporation, to ensure that the NAS-LC's mission and vision as described in the charter is implemented successfully and that all financial and business operations of the school are conducted in compliance with applicable laws and the charter. Services to the GC and to the Principal of the school will be akin to a partnership to advise, assist with oversight, guide, train, and support the school's governing body as well as charter school's leadership and teachers. NAS employs highly successful, experienced educational and financial leaders who were instrumental in the development of the NAS model in the Colorado New America Schools. This non-profit organization is dedicated to the success of the NAS schools both in New Mexico and Colorado who serve new immigrants and ELLs as described in this charter's mission statement.

Based on PED's observations it is unclear whether the school is implementing the materials terms of the contract. For example the school states that the school will "offer students an opportunity for 2100 hours of instructional time, far in excess to the minimum requirement." However, conversations seem to indicate that night students do not have the option to enroll in the day or morning programs. Further, it's unclear whether the day/morning students have the option of enrolling in other programs.

Additionally, CSD observed no specific English Language Learner tools or support. A review of the class curriculum revealed no program specific material.

Following site visit, a phone conversation was held with the School about this concern. During phone conversation, the school advised English Language support is provided through an ESL program for identified ELL students which includes English language development, support services and pull out and may include language building survival language, literacy and numeracy instructed by TESOL endorsed teachers. Additional support may include Rosetta stone. Teachers are additionally given copies of access scores so teachers have quick access to ELL needs.

CSD did confirm that school had at least two teachers with TESOL endorsement. On 10.24.16 a written e-mail request was made to the school to provide evidence of ELL professional development training. The school never responded to this request.

CSD reviewed the school master schedule. CSD was unable to confirm implementation of the claimed ESL program in the day program. The master schedule indicates ESL is only taught during 6th, 11th, 12th, and 13th periods which are during the afternoon and night programs. CSD also secured class enrollment lists from school. Class enrollments only demonstrated students enrolled in ESL during the night program at 11th, 12th, and 13th periods. CSD, however, was unable to confirm a corresponding class during either the day or afternoon programs. The evidence indicates school is not teaching ESL program during the day program.

School's Response:

"NAS-LC does not recognize different programs, per se, for students. Rather, there is one program, which is to assist students in meeting academic goals and graduating. It is true

that to meet student needs, different instructional school-directed options are assigned by taking the age of the students into consideration.

The primary reason for this is in response to concerns from state legislators that minor students would be in the same classes as adult students. Recognizing this valid concern, NAS-LC has adopted the following class schedule, which allows all students equal access to instructional materials and time requirements, while preserving the safety of all students:”

The school provides a breakdown of hours that purports to demonstrate that students are provided a maximum of 1,485 hours and a minimum of 1,117.5 hours.

The school also responded describing various ELL supports the school provides. The school responded by stating that it does teach ESL during the day at 8:30-9:27, 1-1:27 for RtI and again 2:30-3:27 and provided a revised master schedule (Schedule dated 11.20.16) to support this additional instruction.

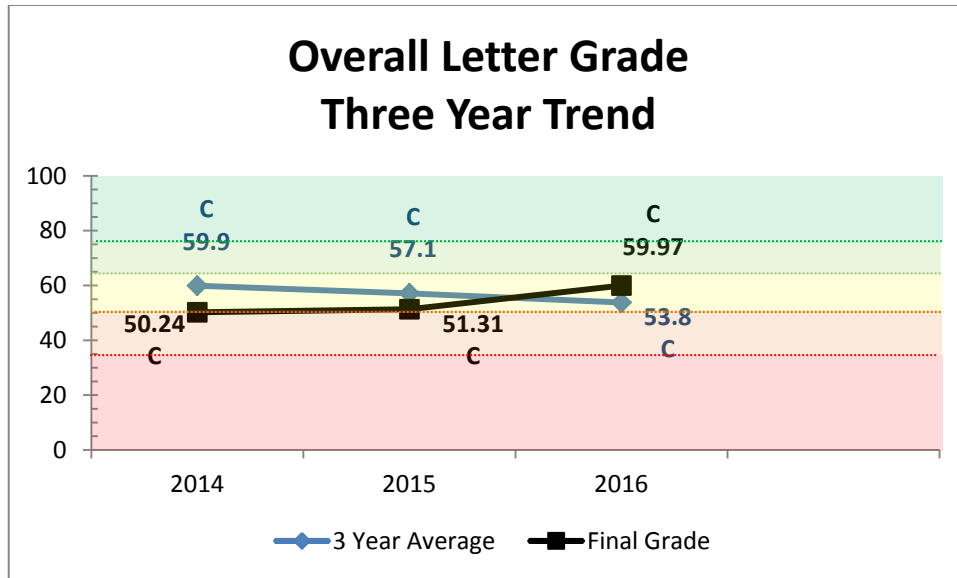
CSD was unable to observe evidence of these ELL supports and the school has provided no reasoning why it provided a different master schedule than the one provided to CSD during the site visit. (Schedule dated 7.25.16). Both schedules are attached in the appendix to this report.

The instructional hours identified by the school are not supported by the various calendar materials and school schedule materials provided to CSD by the school. The school specifically identifies that students taking advantage of the evening program are not able to take advantage of any other instructional hours. The school was unable to show these students, a significant portion of all enrolled students, are enrolled in a full time program. However, even were CSD to assume these calculations were correct, the maximum hours claimed by the school (1,485 hours) is significantly less than the 2100 hours the charter school indicated it would offer in the charter application and which is a material term of the charter contract.

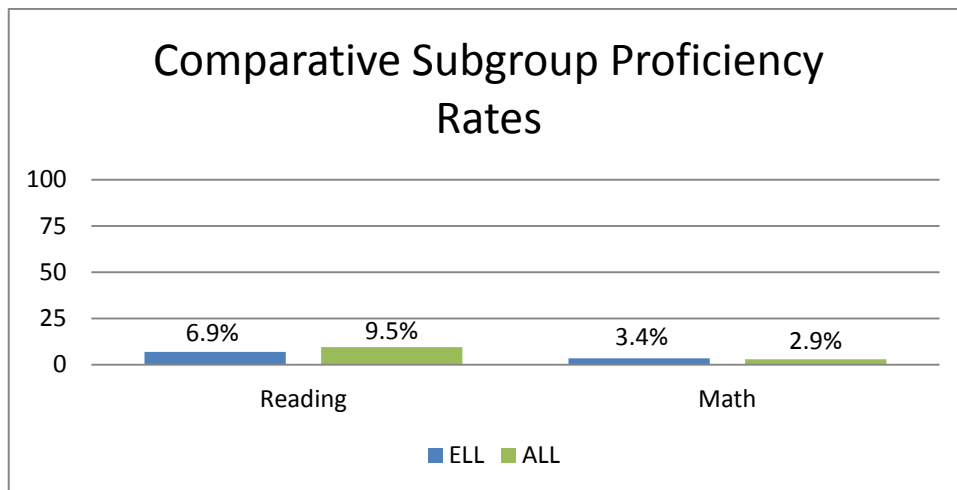
NEW AMERICA SCHOOL - LAS CRUCES HAS ACHIEVED THE PUBLIC EDUCATION DEPARTMENT’S STANDARDS OF EXCELLENCE AS REFLECTED IN THE SCHOOL LETTER GRADE

The state’s letter grading system, required by law starting in 2012, results in each school being assigned a letter grade of A, B, C, D, or F annually. The law provides that certain rights for are imbued to the families who have students enrolled in a public school rated F for any two of the last four years. Additionally, the law requires that a public school rated D or F must prioritize its resources toward proven programs and methods linked to improved student achievement until the public school earns a grade of C or better for two consecutive years.

The tables below reflect the school’s academic performance over the last 3 years. The school currently maintains a 3 year average letter grade of C. The current year letter grade has increased in points each year over the past 3 years.



The school had limited data for subgroups. The available information is reported below. The percentage of students with disabilities that scored proficient was not available to be reported. The percentage of English Language Learners that scored proficient in reading was approximately 2.5% lower than non-English Language Learners. The percentage of English Language Learners that scored proficient in math was approximately 0.5% higher than non-English Language Learners. The school scored an “F” for the growth of Q1 (25% Lowest Performing Students). In both Math and Reading the lowest performing students gained *slightly more* than 1 years’ worth of growth with positive VAS scores of 0.02 (reading) and 0.11 (math).



In current standing, the school earned a C, which is up from an F in 2014. In school growth, the school earned a C, which is up from an F in 2014.

While the school’s 2016 performance is acceptable, the school notes that there was a reading proficiency decline in 2015. As a result, the school notes:

Following the analysis of our SY2015 data, we developed an intervention plan to improve our English Language Arts (ELA) results that included the following:

Based on the Measured Academic Progress (MAP) scores, students are assigned into groups of 8-10 students in a 30-minute Response to Intervention (RtI) group, where teachers focus on reading strategies and interventions to support literacy. According to research from the ACT College Board, when a student is a proficient reader, the benefits transfer to all content areas. NAS-LC has adopted a school-wide program of Sustained Silent Reading (SSR) that consists of 10 minutes of reading at the beginning of each class. It is expected that students will read for no less than 60 minutes per day as part of the supplemental academic initiative. NAS-LC ELA teachers have implemented a Common Core research-based reading program in all grades. The Standardized Testing for the Assessment of Reading (STAR) program is utilized to identify students' reading levels to help them make informed choices when selecting appropriate reading material.

The final analysis of the data indicates these reading interventions are proving to be highly effective.

In addition, the school notes a decline in math proficiency in 2016. As a result, the school notes:

NAS-LC is in the process of analyzing the PED data from SY2016 which the school received in late August 2016. NAS-LC staff will study the data provided at the subset level to determine the decline in math scores. After studying and researching possible causes for the decline, instructional strategies will be implemented immediately.

Strategies implemented at the beginning of SY2015 and that will continue in SY2016 include increasing the Algebra II block from 57 minutes to 87 minutes of daily instruction. NAS-LC has also collaborated with New Mexico State University to access the MC2 teacher program. In the summer of 2016, one staff member attended a weeklong conference to help with curriculum development and delivery. This program helps our math teachers develop and implement teaching strategies that support differentiated instruction; thereby more effectively meeting student needs.

In growth of the highest 75% (Q3), the school has demonstrated acceptable performance. The grades for the last three years are an A in SY2014, a B in SY2015 and an A in SY2016.

In the Growth of Lowest Performing Students (Q1) the school earned an F. The school notes that this grade decreased from prior years after the implementation of PARCC. The school describes the efforts it makes to support the Q1 students:

Special Education Inclusion: NAS-LC utilizes a full-inclusion model for special education students. This model ensures students receive instruction from a highly qualified teacher along with support from the special education specialist. The special education teacher will work closely with the classroom teacher to provide modifications and supports within the classroom. The special education teacher provides focused strategies for targeted students within the classroom setting.

English Language Learners: English language learners (ELL) are supported through English as a Second Language (ESL) block, from one to four hours. The teacher utilizes sheltered instructional strategies for academic language acquisition. Teachers are required to complete 6 hours of ESL methodology coursework during their two years of employment at NAS-LC or may attain Teaching English to Speakers of Other Languages, TESOL certification. Through increased professional development and knowledge of instructional strategies specific to language acquisition, ELL teachers will be better prepared to meet the needs of the students.

Low performing students: Students who are low in academic language and skills can also fall into the lowest quartile. These students may be monolingual English speakers with English

levels lower than expected. Teachers have been given the list of Q1 identified students that are on high alert. These students are receiving RtI daily with focused strategies to support literacy and numeracy. Teachers participating in professional development opportunities will learn strategies and best practices that benefit all students.

Analysis of SY2016 PARCC data disaggregated specifically for Q1 students will require teachers working in Professional Learning Communities to investigate, train, and implement strategies specific to the needs of the Q1

The school's performance in Opportunity to Learn has been consistently acceptable: C in SY2014, an A in SY2015 and a B in SY2016.

The school has not received a graduation or college and career readiness rating because the school has not been in operation long enough. The school did provide information about both measures in the application.

For the reasons stated above, it appears that the school has achieved the public education department's standards of excellence as reflected in the school letter grade.

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT ACHIEVED, OR MADE PROGRESS TOWARD ACHIEVING, THE STUDENT PERFORMANCE STANDARDS IDENTIFIED IN THE CHARTER CONTRACT

In its renewal application the school indicates it did not meet 5 out of the 6 goals identified in the charter contract.

The school's charter, including its original application, incorporated the following goals:

- ☐ Goal 1: 70% of students attending will show one year's growth on the WIDA ACCESS Placement Test (W-APT).
- ☐ Goal 2: 3% of the student scores will improve in each category annually on the New Mexico Statewide Assessment Program (NMSAP).
- ☐ Goal 3: 70% of students will show one year's growth on the Measuring Academic Progress (MAP) tests in Mathematics, Science, Writing, Reading and Language Usage.
- ☐ Goal 4: In an effort towards credit accumulation, 70% of the students who attend at least 75% of the time will acquire 5 or more credits per year.
- ☒ Goal 5: Passing rates in core subject areas (Mathematics, Science, Language Arts and Social Studies) will be 68% or better throughout quarters 1 to 4.
- ☐ Goal 6: NAS-LC will have a composite ACT score of 18 or better.

In relation to Goal 1, the school has provided data that demonstrates the school met the goal in FY2013 and 2014, but did not meet this goal in FY2015 and 2016. The data provided by the school indicates the performance is declining, which means the school has not demonstrated substantial progress toward achieving this goal. The school noted it took the following action:

Based on analysis of this data, NAS-LC implemented the use of Rosetta Stone during RtI, to support growth in listening and speaking. The ESL teacher provides supports to ELL students in core classes to support language acquisition in listening, speaking, reading and writing while gaining the knowledge of standards they are expected to know. In addition, the entire staff receives professional development in sheltered instruction strategies to support language learning. All teachers are required to successfully complete 6 credit hours of ESL methodology during their first two years of employment with NAS-LC.

The school has not demonstrated how these efforts have been successful in achieving or making progress toward its goal.

School Response:

"The school has been successful in that ELL students are outscoring non-ELL students in Math as measured by the PARCC. The CSD noted: "The percentage of English Language Learners that scored proficient in math was approximately 0.5% higher than non-English Language Learners." NAS-LC relies on the data that students understand the math content and have more students scoring proficient. With respect to academic language acquisition, the academic reading and writing skills take 5-7 years to develop. Therefore, growth in academic language acquisition, as demonstrated by ACCESS scores is slower.

An ever-increasing number of students attending NAS-LC enroll with various levels of language acquisition and performance. In addition, some students arrive with little or no home language literacy. They cannot read or write their native language or English which poses an additional challenge. Also, the student population of NAS-LC has a high rate of mobility and many students are high risk. Despite this, teachers use their understanding of academic language acquisition to support acquisition of content knowledge as language develops.

As NAS-LC begins making plans to administer the ACCESS for SY 2017, one informational piece that will be disaggregated from that data is if students who have been at NAS-LC for multiple consecutive years are continuing to make expected progress. NAS-LC uses Title III funding to provide the staff with ongoing professional development in SIOP strategies on how to support students with their language learning."

CSD notes that school response does not address the goal as stated or the declining performance in SY2015 or SY2016. Additionally, although a student may take 5-7 years to achieve language acquisition, the goal presented by the school was only to show "1 years growth on the WIDA ACCESS Placement Test (W-APT)."

Further, the school relies on ELL students outperforming non-ELL students on the PARCC, however the proficiency rate is a mere 3.4%, which does not demonstrate that "it has been successful in that ELL students are outscoring non-ELL students in Math as measured by the PARCC." Rather this data demonstrates that the school achieves very low proficiency for all students. The math PARCC assessment is also not aligned to this goal, which is intended to measure the school's success in developing student English language skills. The school has not demonstrated success or progress in relation to this goal.

The school has provided insufficient data to demonstrate substantial or sustained progress toward meeting the second goal listed above:

Goal 2: 3% of the student scores will improve in each category annually on the New Mexico Statewide Assessment Program (NMSAP).

The school has indicated it meet this goal. However, the school provides a general comparison of the scores of students enrolled and tested in both FY2013 and 2014. The school did not provide data to verify this analysis and did not identify the number of students who were tested in both years. It is unclear whether the goal is limited only to students assessed in both years or is intended to include all students tested in a single year. The goal is very low, which may indicate that it was intended to include all students in a given year and account for the anticipated high student turnover. In its analysis of PARCC data, the school appears to provide data that is not broken out by retesters. Additionally, the school includes only level 3, 4, and 5, but does not account for the number of students moving from 1 to 2. More data and information is needed to evaluate this goal, at this time the school has not demonstrated it met the goal.

School Response:

"SBA was only in place for the first two years at NAS-LC with PARCC being administered in years three and four. This goal requires NAS-LC to look at the data of students who took the SBA two

consecutive years (year 1 to year 2). There are 7 students who were here for two consecutive years."

The school provided graphs that show an increase by 8% points in the number of students achieving "Nearing Proficiency" a 5% decrease in the number of students achieving "Proficient" and a 1% increase in the number of students scoring "Advanced" in Reading. The school also provided graphs that show an increase by 3% points in the number of students achieving "Nearing Proficiency" and a 4% increase in the number of students achieving "Proficient" in Math.

The school states, without justification, "This goal requires NAS-LC to look at the data of students who took the SBA two consecutive years" at this school. However, this does not answer CSD's question about whether the goal is limited only to students assessed in both years at the school or is intended to include all students tested in a single year who had previously taken the assessment at another school. CSD, again, believes that it is likely the latter because the goal is so low.

The additional data provided shows the school overall, but does not specifically show student improvement. It is unclear how many of these students were assessed, either at the school or at another school, in the prior year and how they performed comparatively in the subsequent year. CSD still does not have sufficient data to evaluate this goal as written in regards to SBA data

"In the initial application for renewal, the school's whole group results were submitted because there were only 28 students who were retested in all of the categories.

Retesters by subgroup are:

Algebra I – Geometry = 13 students

Geometry – Algebra II – 3 students

English 9 – English 10 – 10 students

English 10 – English 11 – 2 students

Because of the small size of each cohort, NAS-LC did not consider this a strong disaggregation of the data. The graphs submitted in the renewal packet were a schoolwide comparison of the data.

A new graph of the PARCC scores compared side by side with the analysis has been inserted..."

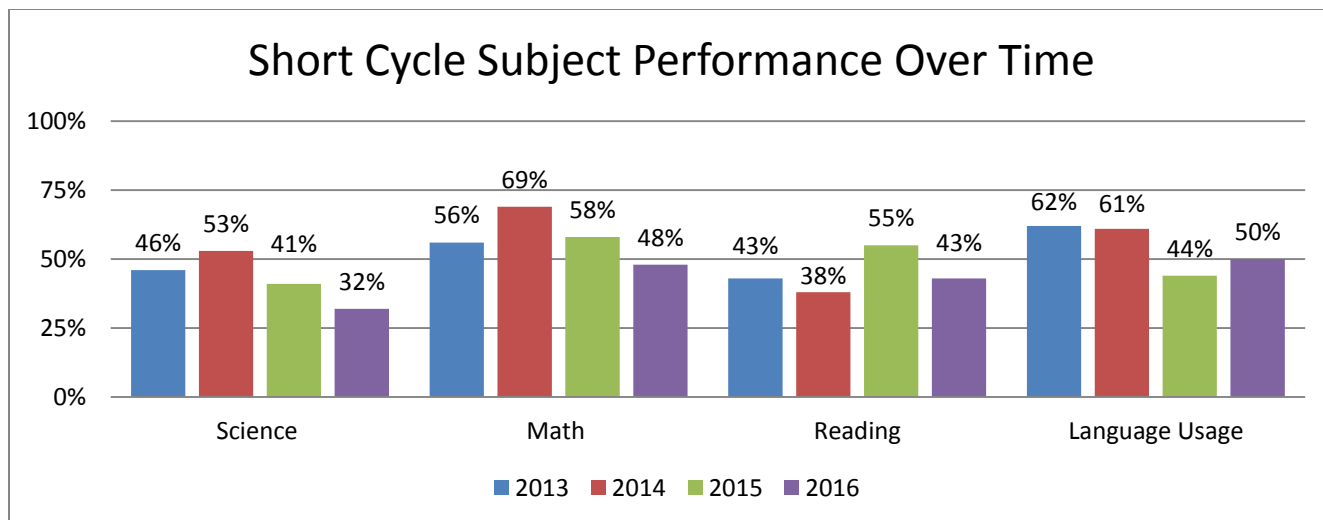
Again, the data is unclear. The school states the number of retesters in the narrative, but it is unclear that the data provided in the table is for retesters only. Again, CSD is unable to identify the % of individual students who increased their scores.

Ultimately, the data provided by the school does not specifically address the % of students increasing their scores. This data reports the increase or decrease of the percentage of the total number of students at each level, but does not specifically identify for individual students if they increased or decreased their scores.

The school has not provided data to demonstrate substantial or sustained progress toward meeting the third goal listed above:

Goal 3: 70% of students will show one year's growth on the Measuring Academic Progress (MAP) tests in Mathematics, Science, Writing, Reading and Language Usage.

The school notes that "NAS-LC did not achieve this goal." The school's data, re organized below, demonstrates that over time the school's performance has mostly declined in every area.



The school did not provide a narrative to describe what action it has taken based on this data or how the school can demonstrate improved performance.

School Response:

“NAS-LC will take the following action to improve MAP scores:

Teachers will receive an understanding of the MAP goal and use it with students in the homeroom to define where the student is and needs to be. These scores are shared with parents during parent teacher conferences. The Rtl groups are based on the MAP scores. The Rtl groups focus on reading strategies. Teachers are provided training in the implementation of reading strategies in their Rtl groups. There are 2 Rtl groups focused on math strategies for students that score below the expected grade level. All core classes integrate the academic vocabulary “word of the day” into their lessons. In addition, the schoolwide Silent Sustained Reading program is implemented during the first 10 minutes of each class every day.”

The school has not provided data to demonstrate substantial or sustained progress toward meeting the fourth goal listed above:

Goal 4: In an effort towards credit accumulation, 70% of the students who attend at least 75% of the time will acquire 5 or more credits per year.

The school provided data that demonstrates the school has not achieved this goal. The school’s data demonstrates that over time the school’s performance has increased in this area, but has declined from year 3 to year 4. At its lowest, the school was 51% points away from meeting the goal and at its best it was 11% points away. In response the school states, “NAS-LC determined that 70% credit accumulation was a high bar for the target population.”

It is worth noting that the school’s data includes only includes students who are enrolled in 5 or more classes. The Commission may want to understand what percentage of the school’s population is included in this data.

Additionally, the school notes: “Students, who attend NAS-LC, historically have significant absentee rates in their previous schools. Students attending NAS-LC also have decreased engagement and low interest. It is difficult for students to successfully complete and pass classes.” Based on the school’s habitual truancy rate from 2016 (23%) and current year attendance rate (81%), it is unclear if and how the school is changing this behavior. Additional information about this may be helpful for the Commission to understand. The school describes efforts that it is undertaking:

In an effort to increase credit accumulation, NAS-LC has recruited faculty with experience in teaching high risk populations, as well as a strong knowledge base regarding student engagement. Our staff is able to utilize strategies to increase student success. NAS-LC has made a commitment to provide teachers with professional

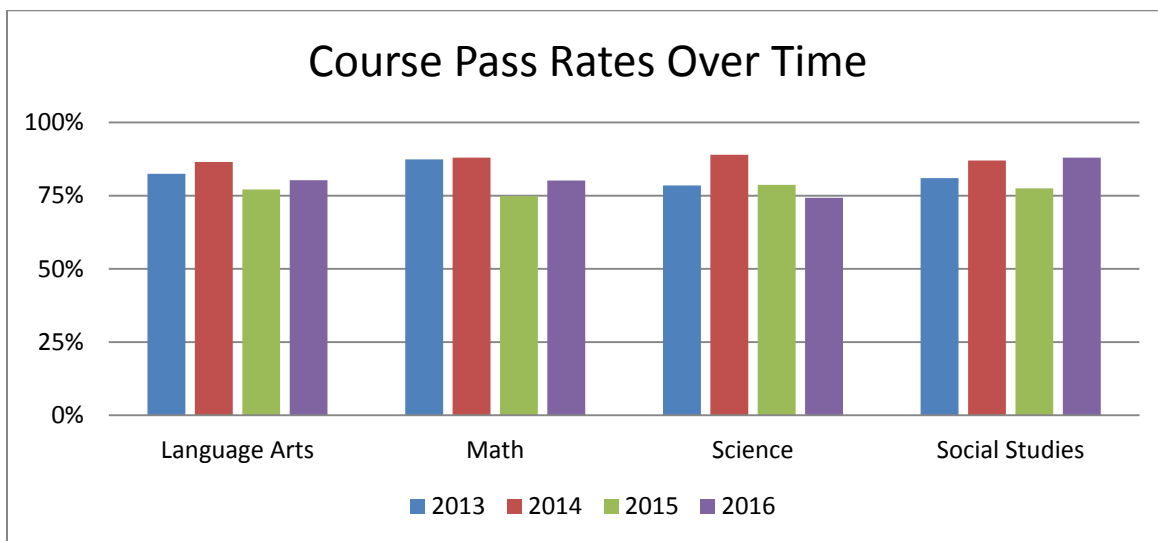
development, including focused workshops. Teachers also have a common prep period that allows collaboration and cross content alignment. As the curriculum becomes more rigorous, NAS-LC students are being held to higher expectations.

NAS-LC continues to increase the level of support for students in reducing truancy. Some of these supports include implementing the Early Warning System, and the addition of a full-time Truancy Officer on staff. We are continually working on student engagement strategies along with strategies on how to work with high-risk students and English Language learners.

The school has provided data to demonstrate it is meeting the fifth goal listed above:

Goal 5: Passing rates in core subject areas (Mathematics, Science, Language Arts and Social Studies) will be 68% or better throughout quarters 1 to 4.

However, the school's passing rates for most core classes, except social studies appear to be declining. This is concerning as the school may not continue to meet this goal if the current trend plays out:



The school has not provided data to demonstrate substantial or sustained progress toward meeting the sixth goal listed above:

Goal 6: NAS-LC will have a composite ACT score of 18 or better.

The school has noted that it met the goal in one year that is the first year of the school when only two students took the assessment. Since then the school has increased the number of students taking the assessment, and the average score has declined. The school notes it is taking the following action to improve achievement:

In an effort to improve the average ACT score, NAS-LC has created several opportunities including workshops and individual tutoring to prepare seniors to take this exam.

During RtI, Seniors participate in activities to develop and refine their knowledge of ACT vocabulary, grammar, reading strategies and test taking strategies. We give ACT practice tests to help students experience the timed test and the format. The second semester, seniors apply for scholarships, complete the financial aid application (FAFSA), and apply to college. Seniors are also offered tutoring on Fridays in preparation for the ACT exam. Juniors are also given the opportunity to take the ACT, which indicates a high level of interest in preparing for college and/or careers.

Anecdotally, we are seeing success in the individual students we serve. For example, an undocumented student attended NAS-LC for two years, earned a score of 22 on the ACT. Today, he is thriving in his second year of college.

The school has not provided any data to demonstrate these efforts have been successful in improving student achievement.

As demonstrated in the analysis above New America School - Las Cruces has not achieved, or made progress toward achieving, most of the student performance standards identified in the charter contract. The school itself has indicated that it has not many of the goals above. Further, the school provided limited data that does not demonstrate improved performance. For the reasons stated above, it appears that the school neither achieved, nor made substantial progress toward achieving, the student performance standards identified in the charter contract.

The school's charter, including its original application, incorporated the following additional goals:

- ☒ Goal 1: NAS-LC will achieve a 65% graduation rate.
- ☒ Goal 2: NAS-LC will achieve an 80% average daily attendance.
- ☐ Goal 3: NAS-LC will achieve 55% retention of a cohort group of students enrolled continuously from August to June and taking the maximum number of credits.
- ☒ Goal 4: NAS-LC will maintain a rate of discipline referrals and subsequent actions of no more than 5% per quarter.
- ☒ Goal 5: NAS-LC will maintain an enrollment number at the 120 day count of at least 75% of its 40 day count number.

The school has provided data to demonstrate it is meeting the first goal listed above.

The school notes that:

Students who are within 6 credits of graduation are categorized as seniors. Seniors who are enrolled at NAS-LC at the 40th day count and complete their credits by the following May are counted in the graduation rate.

It is unclear that this definition will meet the definition used by the PED. However, using the definition, including the reclassification of juniors who earn enough credits by the end of the first semester, the school meets the graduation rate goal: SY2013 - 71%, SY2014 - 65%, SY2015 - 64%, SY2016 - 75%.

The school has provided data to demonstrate sustained progress toward meeting the second goal listed above:

Goal 2: NAS-LC will achieve an 80% average daily attendance.

The school's data indicates the school's attendance rate has increased from 68% in its first year to 82% in the fourth year. However, the school's habitual truancy rate is a concern to CSD. The school should provide additional information about the success of efforts to improve habitual truancy rates. The school has noted the following efforts in decreasing truancy:

In SY2016, the PED awarded a grant for a Truancy Coordinator to assist in supporting students with the challenges and obstacles that affect their attendance. The Truancy Coordinator contacts the families of students who miss class and are on the verge of being dropped. The Truancy Coordinator provides information on agencies that can help with childcare, food, and clothing. The Truancy Coordinator has been successful in implementing an Early Warning System, a research-based initiative by Johns Hopkins University, which is a statewide initiative for schools wanting to identify students at risk of dropping out or becoming habitually truant. The entire staff is committed to the program with five staff members participating in the PED-sponsored conference in June 2015 and 2016 and serve as the EWS core resource team. The EWS will be implemented in the school year SY2017.

The school also notes:

The habitual truancy rates have declined over the SY2014 to SY2015 from 69% to 49% as reported in NMPED STARS data. Efforts such as home visits, parent phone calls, full-time truancy coordinator funded via the Truancy Coordinator Grant that was applied for and awarded to NAS-LC, have all proven effective, reflected in the sharp reduction in student truancy rates reported above.

The school has not provided data to demonstrate substantial or sustained progress toward meeting the third goal listed above:

Goal 3: NAS-LC will achieve 55% retention of a cohort group of students enrolled continuously from August to June and taking the maximum number of credits

The school's data shows it did not meet this goal. In the first year, the retention of students from August to June was 33%, in the second year it was 49%, in the third year it was 46% and in the fourth year it was 49%. The school's goal states, additionally, that the students will be "taking the maximum number of credits." The school provided no information on the number of credits or the percentage taking the maximum number of credits. The school should provide the Commission additional information to better understand its progress toward this goal.

The school states that it has implemented a number of efforts to improve engagement including tutoring, hiring teachers with relevant experience, and offering extracurricular activities. The school has not provided data to demonstrate the success of these efforts.

School Response

"The data submitted in the original application was taken from 40 day counts and EOY. In this data subset, there were a total of:

235 students in SY12-13

314 in SY13-14

324 in 14-15

332 in 15-16

And were taking the maximum amount of credits possible within the scheduled time constraints."

"Data demonstrates that the implementation of a block schedule in SY16 resulted in an increase in student retention of 3%."

The additional information provided still leaves questions remaining for CSD. The Commission may want to understand what the school means by "were taking the maximum amount of credits possible within the scheduled time constraints." The school should consider providing the commission the range of credits being taken and the percentage of students taking each amount within the range. The school may also want to provide the Commission information about the current year track record for retention as it compares to prior years at the same time.

The school has provided data to demonstrate it is mostly meeting the fourth goal listed above:

Goal 4: NAS-LC will maintain a rate of discipline referrals and subsequent actions of no more than 5% per quarter.

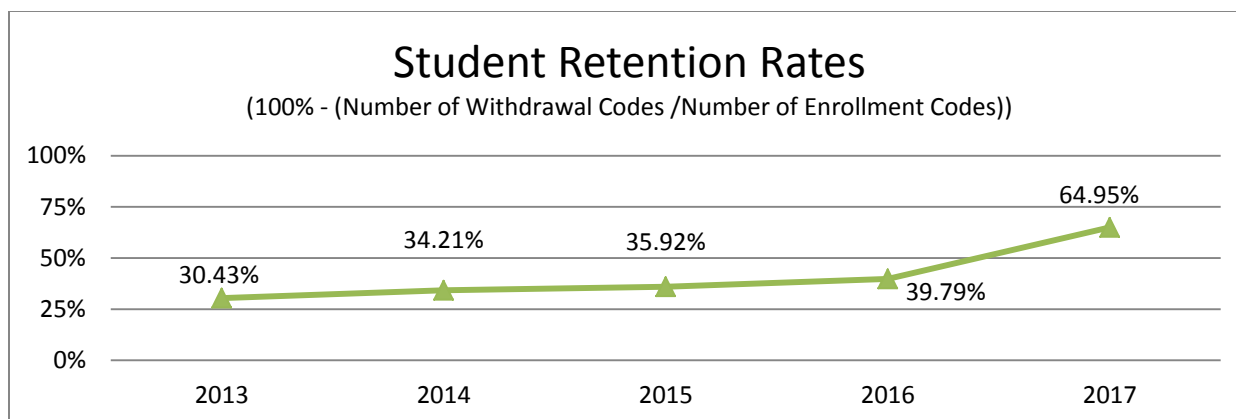
The school noted it achieved the goal in 15 out of 16 quarters. In the second quarter of its first year, the discipline rate was 6%, in all other quarters it is 4% or below.

The school has provided data to demonstrate it is mostly meeting the fifth goal listed above:

Goal 5: NAS-LC will maintain an enrollment number at the 120 day count of at least 75% of its 40 day count number.

The school's data shows that it has met this goal in all years except FY2015, its third year. The school notes that the percentages are: Year 1: 91%, Year 2: 98.7%, Year 3: 74.3%, Year 4: 90.3%.

However, as noted above, the school's student retention data is concerning. While the school may be maintaining an enrollment number that is fairly equal on the 40th and 120th day, it is unclear how much of the population is the same and how much consists of students who were not present on the 40th day. The school should provide additional information to help the Commission understand this data and how the school is attempting to retain students who have disengaged from their education.



As demonstrated in the analysis above New America School - Las Cruces has not achieved, or made progress toward achieving, all of the organizational performance standards identified in the charter contract. For the reasons stated above, it appears that the school neither achieved, nor made substantial progress toward achieving, the performance standards identified in the charter contract.

NEW AMERICA SCHOOL - LAS CRUCES HAS MET ALL GENERALLY ACCEPTED STANDARDS OF FISCAL MANAGEMENT

The school has indicated it is following generally accepted accounting principles; the record during the contractual term includes evidence that supports this assurance.

The information presented in the school's application Audit Report Summary is consistent with the audit released by the Office of the State Auditor. For the contract term of the charter, the last three audits released by the Office of the State Auditor indicate the school has not had significant and material weakness findings.

In 2016, this school was required to provide the PED with a corrective action plan for all audit findings from the FY15 audit. The school did timely submit a corrective action plan.

The fiscal year 2016 audit has not been completed therefore, that status of whether findings are repeated, resolved or new is unknown. The fiscal year 2016 audit has not been released publicly therefore, that status of whether findings are repeated, resolved or new is unknown. However, the school should have this information and should be able to share it with the Commission.

The school is working hard to find the right balance of cash in the bank while also ensuring that the school is properly staffed and that staff and students have all the tools they need in order to be successful. Being in its first 5 years, the school is still growing a little, the governing council is beginning to mature more in respect to public school finance, and the business office is getting more of a grasp on what it takes to keep the school running smoothly on a day to day basis. As the school continues to move on, administration and the GC will continue to learn and discuss on the right amount of cash to have with the idea in mind that the student needs are the most important. Overall, the Charter submits all their documentation in a timely and accurately matter. The School Budget and Finance Analysis Bureau have not had any significant issues with New America School regarding FY17 budget development or required financial reporting. Cash carryover has been up and down over the last couple of fiscal years. This adjustment to determining correct cash carryover amounts are normal growing pains in new charter schools.

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT COMPLIED WITH ALL PROVISIONS OF LAW FROM WHICH THE CHARTER SCHOOL WAS NOT SPECIFICALLY EXEMPTED

In the school's renewal application, the school is asked to make assurances about whether the school is meeting the educational, civil rights, and special population, employee, school environment, appropriate handling of information, and governance requirements of all provisions of law from which the charter school was not specifically exempted. In the application, the school has made assurances that it is in compliance with all provisions of law from which the charter school was not specifically exempted.

In order to determine compliance with all provisions of law from which the charter school is not specifically exempted, CSD conducts annual monitoring visits and desktop monitoring. CSD also relies on reporting from other bureaus in the Public Education Department. Below are findings that demonstrate whether or not the school has complied with all provisions of law from which the charter school was not specifically exempted. A full copy of the site visit report is provided in the attached materials.

CSD finds that the school has not complied with the following provisions of law:

- Teacher Pay, Licensure, Mentorship, Contracts and Background Check Requirements
- Instructional Hours
- Compulsory Attendance Laws
- Response To Intervention
- Special education service requirements
- ELL service requirements
- New Mexico Residency Verification
- Next Step Plans
- Assessment
- Governance requirements
- Health and Safety

Teacher Pay, Licensure, Mentorship, Contracts and Background Check Requirements

PED Staff reviewed 28 staff files. Pursuant to NMSA § 22-10A-5, a school must require background checks on all employees. CSD observed 2 out of 28 staff files or 7% had deficient background checks.

The school must have systems in place to ensure all school personnel are properly licensed for courses taught. In the review one file had no evidence of valid licensure. A review of the STARS reporting indicates of the 28 staff files reviewed 2 files out of the 28 lack appropriate licensure. CSD observed a discrepancy between the special education teacher reported in STARS and that observed during the site visit. Specifically, the name of the staff file did not match the name in STARS. The school has confirmed the date of employment (8.1.16) preceded the date of the STARS report (10.12.16).

School Response

An Improvement Plan has been filed with Ms. Frost at PED as of November 16, 2016 for one of the teachers in question. A plan of action was also submitted to Ms. Reyes in licensure in regard to other staff members in question.

All 28 staff files have current background checks. CSD states they observed two files were missing background checks. CSD staff was shown one of these two during the site visit exit meeting. This

remaining teacher in question is a full-time teacher with Las Cruces Public School and has her fingerprints on file with them. She completed the NAS-LC fingerprints on Oct. 18, 2106.

CSD did not include in the above count the background check that was shown to CSD during the site visit exit meeting.

Pursuant to NMSA 22-10A-21, a school must provide employment contracts between local school boards and certified school personnel and between governing authorities of state agencies and certified school instructors shall be in writing on forms approved by the state. CSD observed 4 certified school files out of 28 staff members or 14% without signed contracts.

School Response

The employees noted by CSD were not certified personnel, but rather non-certified support staff. All of the certified personnel files were signed and submitted to payroll in order to set up their monthly pay. Without signature on contracts, payroll would not have been approved by the business manager, Vigil Group.

As such, each of the four non- certified staff members have an appropriate signed Memorandum of Employment dated October 13, 2016. These 4 staff members were hourly employees. Please note that the School Personnel Act does not require that non-certified staff salaries be “aligned” with any salary schedule. The four members in question are non-certified staff members. NMSA 22-10A-39 requires only a certain minimum wage be paid to non-certified school personnel. CSD should be able to determine compliance with this requirement through payroll records.

A school must pay minimum salary levels and in all cases, salaries must be compliant with the school schedule. CSD observed that 8 employees out of the 28 staff files or 29% had deficient salaries. In each case, school employees were hired for less than 1 FTE. However, these amounts were apportioned incorrectly resulting in underpayment. These were as follows:

LVL II Instructor - Paid \$5,281.34 (.13 FTE) which is less than the required \$42,000 statutory minimum or \$5,460.00 (.13 FTE). Employee underpaid by: \$178.00

LVL II Instructor -- Paid \$9,321.46 (.23 FTE) which is less than the required \$42,000 statutory minimum or \$9660.00 (.23 FTE). Employee underpaid by \$338.48

LVL II Instructor – Paid \$9334.32 (.23 FTE) which is less than the \$42,000 statutory minimum or \$9,660.00 (.23 FTE). Employee underpaid by \$338.48

LVL I Instructor – Paid \$12,294.71 (.46 FTE) which is less than the \$34,000 required or \$15,640 (.46 FTE). Employee underpaid by \$3,345.29

LVL II Instructor – Paid \$14,236.69 (.35 FTE) which is less than the \$42,000 statutory minimum or \$14,700 (.35 FTE). Employee underpaid by 463.31.

LVL I Instructor – Paid \$5,649.02 (.18 FTE) which is less than the required \$34,000 statutory minimum or \$6,120.00 (.18 FTE). Employee underpaid by 470.98.

LVL III Instructor – Paid 14,955.87 (.35 FTE) which is less than the required \$52,000 statutory minimum or \$18,200 (.35 FTE). Employee underpaid by \$3,244.13.

LVL I Instructor – Paid \$5,690.52 (.18 FTE) which is less than the required \$34,000 statutory minimum or \$6,120.00 (.18 FTE). Employee underpaid by 429.48.

Total Employee Underpayment: \$8,808.15

School Response:

The New America School-Las Cruces calculates salaries for part-time licensed teachers by utilizing the annualized salary per the adopted 166 working day salary schedule and prorating it by calculating the number of actual days and hours to be worked. There should be no change in salary for the employees in question. The need for correction needs to be applied to the FTE listed on the contract to give a more accurate representation of how much a part-time teacher is required to work when compared to a full time teacher.

School needs to adjust the FTE level accordingly.

In addition, CSD was unable to determine the salary compliance for 3 non-licensed staff files. These reasons included: a failure to include either a signed contract or a failure to include salary or pay rates in the memorandum of employment the school utilized.

CSD was also unable to verify the salary compliance of one teaching staff file because no license was provided and CSD was unable to verify the teacher level from the information in the teacher file.

School Response:

The teacher's license in question has been added to her file

Pursuant to NMSA § 22-10A-7, schools shall provide a mentorship program and evaluation of all first year level I teachers. During site visit, CSD observed 6 level I teachers that may require a mentorship program. 4 out of the 6 files were confirmed to be first year, level 1 teachers. Of these 4 first year, level 1 teachers CSD observed no evidence of a mentorship program and school provided no evidence the school was tracking mentorship activities or mentorship sessions.

School Response

NAS-LC currently has ONE LEVEL 1, FIRST YEAR teacher. This teacher is being mentored by a Level III teacher.

School in the response also provided a mentorship log as evidence this teacher is in a mentorship program. This mentorship log was blank.

Instructional Hours

A. Budget Calendar Review.

Pursuant to NMSA § 22-8-9 the school must provide a budgetary calendar to the PED that supports the required minimum school directed program time requirements.

The budget calendar provided to the PED does support the school directed program time requirements. However, after further review this school budget calendar does not align with the program being implemented at the school.

The school calendar does not align because the school budget calendar does not reference either the night or the mid-day programs being offered to the school and the school provided no notice to the Budget Bureau that it was providing these programs.

In addition, the school budget calendar claims the school provides instruction 7.5 hours 4 days a week. This is not supported by the analysis below. A review of the bell schedule demonstrates the school provides 7.1 instructional hours 4 days a week for the day program, 5.2 hours days a week for the mid-day program, and separately for the night program the school provides 2.85 hours a week 2 days a week and 1.45 hours a week 2 days a week.

School documents provided to the PED School Budget Bureau are also irreconcilable. School certifies in the school budget calendar documents that it only provides 150 instructional days throughout the year. However, the school is also required to provide a budgetary calendar that denotes these instructional days. This calendar denotes there are 168 instructional days which does not reconcile with the budgetary report that it only provides a 150 instructional days.

The Head Administrator was asked how many days of instruction the school provides and CSD was advised in response that the school provides only 150 instructional days. The school website includes a calendar that was approved by the Governing Body effective 8.11.16 and indicates 150 days of instructional days.

School Response:

According to the NAS-LC PED Budget Analyst, the School Budget that is submitted to PED is based on hours of instruction per grade level, not a total of hours per day. So, on the submitted School Budget Calendar, in the section that denotes 7.5 hours per day, that refers to student instructional hours, NOT school instructional hours. Therefore, it does not need to reflect the afternoon or evening programmatic schedule.

This instruction is not consistent with the directions, the statute listed on the budget calendar form, or the purpose of the budget calendar. The statute and directions on the budget calendar indicate that "regular students must be in school directed programs" for 1080 hours per year. The budget calendar must show that all regular students are meeting this requirement and school must indicate when it has non-regular students.

It is unclear what document CSD is referring to when it states above that the budgetary calendar "denotes 168 instructional days".

This is the calendar that was provided to the school budgetary analysis by the school and is included in the appendix of this report.

B. Instructional Calendar Review

As discussed above the Calendar provided to the School Budget Bureau (indicating 168 days) does not align with the amount of days reported in the school calendar statement (indicating 150 days) and that reported by the Head Administrator (advising CSD 150 days.)

For the purposes of this review, CSD will utilize the 150 day calendar because: 1) it is the most recently approved calendar of all the calendars provided, 2) the school provided this calendar to CSD as the calendar being currently implemented by the school, and 3) this calendar is on the school website and being held out to the public as the calendar being implemented.

This calendar indicates there are:

34 days of Monday instruction.

38 Days of Tuesday instruction.

37 Day of Wednesday instruction. (9 of which are early release days by 1 hour).

37 Days of Thursday Instruction

4 days of Friday Instruction.

(Nowhere on the school website does the school indicate how many hours are provided in a Friday instructional day. With regards to the below analysis, CSD has given the benefit to the school by giving the maximum allotted in the school daily schedule).

This currently approved calendar differs significantly from the calendar provided to budget. First, it is 18 days shorter. It includes 3 days of Friday instruction which the school had certified in the School budget calendar that it did not provide, and it includes 9 days of early release which is also not reflected in the school budget calendar.

C. Day Program Schedule Review (127 Students)

The Day Program operates from 8:00 AM to 4:30 Monday through Thursday. This constitutes 7 periods of 57 minutes + an RTI period of 27 minutes + or a total of 426 minutes.

The analysis excluded 30 minutes of lunch, 7 periods of 3 minute passing time (21 minutes), and one 30 minute 0 hour optional block.

The Morning Schedule therefore supports a total instructional program time of 7.1 Hours. (426 minutes / 60 minutes in an hour = 7.1 hours)

The School Calendar that is on the school website and was approved by the Governing Body on 8.11.16 indicates there are 150 days of Day Program time being operated in a school year and the school schedule indicates 7.1 Hours are being operated in a day. This school calendar and hours support a total of 1065 hours a year. (7.1 Hours * 150 Days = 1065 Hours a year.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total day program time provided is 1056 hours (1065 Hours a year – 9 hours of early release = 1056 total instructional hours a year.)

CSD observed that the actual school directed program time offered by the school day program is 1056 hours a year which is less than the 1080 hours of Grades 7-12 instructional program time required by NMSA §22-2.8.1(3) and NMAC § 6.29.1.9(c) both of which require 1080 hours for Grades 7-12.

D. Afternoon Program Schedule Review (41 Students)

The afternoon program operates from 12:00 to 5:30 Monday thru Thursday. This constitutes 5 periods of 57 minutes + an RTI period of 27 minutes or a total of 312 minutes.

This analysis excluded 5 periods of 3 minute passing time (15 minutes). No meal is provided.

The afternoon schedule therefore supports a total instructional program time of 5.2 hours a day. (312 minutes / 60 minutes in an hour = 5.2 Hours).

The school calendar indicates there are 150 days of afternoon program being operated in a school year and the school schedule indicates 5.2 Hours of afternoon program being operated a day. This school calendar and hours support a total of 780.0 hours a year. (5.2 hours * 150 days = 780.0 hours a year.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total day program time provided is 760.6 hours (780 hours a year – 9 hours of early release = 771 total instructional hours a year.)

The actual school directed program time offered by the school afternoon program is therefore less than the 1080 hours required by NMSA §22-2.8.1 and NMAC § 6.29.1.9 both of which require 1080 hours for classes 7-12.

The school head administrator advised that the school does provide an option for the students to enroll in the night program. This may provide an opportunity for students to secure additional hours. This is not required of the students.

E. Night Program Schedule Review (157 Student)

The night program operates from 5:30 to 8:27 on Monday and Wednesday and from 8:30 PM to 10:00 PM Tuesday and Thursday. Monday and Wednesday constitute 3 periods of 57 minutes each or a total of 171 minutes. Tuesday and Thursday constitute 1 period of 57 minutes and one 30 minute passing period or a total of 87 minutes.

The school calendar indicates there are 150 days of night program being operated in a school year. This schedule constitutes 71 Monday and Wednesdays, 75 Tuesday and Thursdays and 4 Fridays.

The school therefore operates 12,141 minutes or 202.35 hours of Monday and Wednesday instructional program time a year (71 days of Monday and Wednesday in a program year * 171 minutes a day = 12,141 minutes.) The school therefore operates 6,525 minutes or 108.75 hours of Tuesday and Thursday instructional program time a year (75 days of Tuesday and Thursday in a program year * 87 minutes a day = 6,525 minutes.) The school therefore operates 684 minutes or 11.4 hours of Friday instructional program time. (3 days of Friday class in a program year * 171 minutes in day = 684 minutes.)

This school calendar and hours support a total of 319.65 hours in a program year. (202.35 hours of Monday and Wednesday instructional program time + 108.75 Tuesday and Thursday instructional program time + 11.4 hours of Friday instructional program time. = 322.5 total instructional hours hours.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total night program time provided is 313.5 hours. (322.5 hours a year – 9 hours of early release = 313.5 instructional hours a year.)

The actual school directed program time offered by the school afternoon program is therefore less than the 1080 hours required by NMSA §22-2.8.1 and NMAC § 6.29.1.9 both of which require 1080 hours for classes 7-12.

The school head administrator advised that the school does not provide an option for night students to enroll in either the day or the afternoon program. This indicates students enrolled in the night program are not eligible to receive additional hours than the school directed program time of 310.65 hours.

CSD observed that school directed program time for the Day program and the Night program is 1050.8 hours and 310.65 hours respectively. These hours indicate school is noncompliant with instructional program time requirements. In addition, CSD did observe evidence that school is not complying with applicable laws, rules, and regulations relating to Financial Reporting requirements because CSD observed SY16 School Budget Calendar does not align with the instructional program offered by school.

School Response:

Excluding passing periods and optional blocks is not in accordance with the statute. The calendar on the website indicates that early release is one hour. This is incorrect as students are released 30 minutes early.

Students aged 14-18 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

8:30am - 4:27pm

7 periods of 57 minutes = 399 minutes

6 passing periods of 3 minutes = 18 minutes 40

1 Rtl period of 27 minutes = 27 minutes

Students aged 18-21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

12:00pm – 10:00pm

9 periods of 57 minutes = 513
9 passing periods of 3 minutes = 27
1 RtI period of 27 minutes = 27
1 advisory period of 27 minutes = 27

Students over 21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

4:30pm – 10:00pm
5 periods of 57 minutes = 285
5 passing periods of 3 minutes = 15
1 advisory period of 27 minutes = 27
1 “period” of 60 minutes dual credit or on-line = 60
1 “period” of 60 minutes work study = 60

CSD does not include breaks or passing periods because students do not receive instruction during these times. CSD does not consider “optional” periods because the statute refers to “required” instructional hours and states students “shall” and “must” be in school directed programs. There is no reference to optional program times.

All schools are asked about online classes. The school specifically advised it offers only one online course, health education. The school advised it provides a health education course for .5 hours that was run through Edgenuity. The class can be taken remotely or at the school.

School materials provided to CSD do not support the various programs listed above.

Compulsory Attendance Laws

In SY16 the school had a 23.01% habitual truancy rate. During site visit CSD reviewed 60 student files. 0 of the 60 student files or 0% contained attendance letters. School was asked to produce evidence of truancy intervention efforts during site visit. School did not provide evidence during site visit. CSD observed no evidence of attendance monitoring.

School Response:

CSD was provided the zip file with all of the attendance letters that have been sent this school year on October 14, 2016. The attendance letters for withdrawn students are in the cumulative folders in the withdrawn student files.

CSD did not observe any evidence of these attendance letters during site visit and did not observe letters from prior years. CSD did receive the school's October email but the state email system does not allow the receipt of zipped files and deleted the zipped file before delivery of the email. CSD has not received of the referenced documents and was unaware of the school's attempt to send the files until the receipt of the school's response to the preliminary report. CSD has requested that the school upload those documents into the WebEPSS “school response” section so CSD can review the files before the PEC meeting.

Response To Intervention

School is required to implement an RTI & SAT program that is compliant with the NM 3 Tier Guidance. CSD observed school is implementing an RTI & SAT program.

However, CSD observed School has no written RTI & SAT policy or program and although school provided copies of PED SAT forms it was unclear how school was implementing RTI & SAT due to lack of policy or program. Due to lack of a written policy or program to evaluate CSD conducted a capacity interview of school and observed some data provided by school.

School is tracking intervention data.

CSD observed no evidence of Tier 1 universal screening in Academics, Vision, Hearing, Language Proficiency, General Health, Social and Behavioral Health, and Socio Economic Status. School advised they do universal screen in Academics but CSD was not able to observe this being implemented. School advised they do not do universal screenings in other areas.

School is required to implement Tier 1 Interventions dependent upon academics and behavior. Tier 1 interventions are monitored at the classroom level. School advised that it began implementing Tier 1 Universal Interventions in last year. CSD observed evidence that school is monitoring classroom intervention data.

School is required to implement a plan or policy in Tier 2 for the convening of a SAT team. CSD observed no policy or plan for these referrals. School advised in Tier 2, the student is referred to a diagnostician. This is not consistent with Tier 2 guidance. School was unclear on the process for SAT referral. School however does appear to have SAT teams. School indicated SAT teams meet once a month to discuss any students teachers have “red flagged”. School was asked how the ref flagging process works and school advised it was informal and based on teachers who mentioned some students might have problems. School does not use Tier 1 data to drive referral process.

CSD observed evidence that school is noncompliant with the requirement to fully implement the State’s Response to Intervention (RtI) Framework known as the Three-Tier Model of Student Intervention and which includes the Student Assistance Team process which supplements regular education functions, conducts evaluations and develops accommodation plans under Section 504, develops individual student academic improvement plans, and receives and analyzes evaluation requests for special education and gifted education services.

School Response:

NAS-LC does not lack written RtI and SAT policies. The SAT policy and RtI were approved by the GC on the May of 2014, as part of a comprehensive set of Special Education policies and procedures. The SAT and RtI policy is in the attachments. These have been uploaded on Web EPPS under IDEA/Special Education Policies.

School was unable to produce a written RTI and SAT policy during the site visit and advised CSD that it did not have a policy. CSD observed no evidence of implementation of the uploaded policy.

A review of the uploaded policy indicates it is part of the Special Education Template the school is required to submit annually for IDEA B funding. This template is not a functional policy and instead simply recites “The New America School – Las Cruces will follow the guidance provided in the NMPED document titled: The Student Assistance Team (SAT) and the Three Tier Model of Student Intervention – A Guidance and Resource Manual for New Mexico’s Response to Intervention (RTI) Framework.”

The analysis above was specifically designed to review compliance with this guidance document.

Special Education Requirements

A. Special Education File Review:

Pursuant to NMAC § 6.31.2.10 (D), a school must evaluate a student within 60 days of student enrollment or referral and reevaluate a student within 3 years. Pursuant to NMAC § 6.31.2.10(C) an evaluation or MDT evaluation must include a determination of eligibility with specific language. CSD reviewed 8 total special education files for sufficient documentation for a determination of eligibility. Out of the 8 reviewed special education files, CSD observed that 5 or a total of 62.5% of the reviewed files lacked sufficient documentation of determination of eligibility.

Pursuant to NMAC § 6.31.2.10(C), a school must consider the home language in a special education determination and must ensure students are evaluated and tested in the home language. CSD tested 6 total special education files for English Language Learner Special Education determination. 0 of the 6 files or 0% contained documentation whether the student was an English Language Learner. Due to this lack of documentation, the Special Education Teacher was directly asked whether the information would be included in some other location other than the evaluation or the MDT team evaluation. The special education director advised us it would not be in another location. The special education director was asked to direct us to where this information would be in the files. The Special Education Teacher reviewed the evaluations in two files for some time before advising that it does not look like the home language of the students had been recorded. A question was posed to the Special Education Teacher how many Special Education English Language Learners the school had. The Special Education Director was unable to answer this question.

A School must develop a new IEP annually or within 30 days of student enrollment within a school. CSD reviewed 8 files. 4 of the 8 files or 50% were not timely. These 4 files were from different schools and had not been revised or adopted within 30 days of student enrollment.

School is required to log and monitor the services being provided in order to verify students are receiving special education services. CSD requested and School provided a service log binder. When CSD reviewed the service log, the logs were blank. CSD inquired whether the logs would be in a different location and was advised they would not be. Special Education Teacher advised that services are not logged or monitored.

B. Special Education Program Review.

CSD reviewed 8 files to indicate level, type, and service hour needs. Out of the 8 files reviewed, 7 IEPs or 87.5% indicated individualized instruction was required. The total service hours required per week were approximately 178 service hours. The school employs one special education teacher. There is no support staff. School provided no evidence that services are being met or that school has capacity to provide needed special education services. School indicated that FTE is calculated by using the PED website and that the school is currently at a 1.0 FTE. However, when special education teacher was asked how all individual services are provided, CSD was advised that services are not being provided and that the teacher does not have time to provide all the services indicated. Teacher indicated services were never required to be provided previously.

The Special Education teacher confirmed that school only has one gifted IEP. Special Education Teacher advised he was unaware who provided gifted services.

School Special Education Teacher stated indicated no service logs are kept for ancillary or special education files.

CSD observe no evidence of a gifted endorsed teacher during the site visit staff file review. School has made no STARS report of a gifted endorsed teacher .

CSD observed a discrepancy between the special education teacher reported in STARS and that observed during the site visit. Specifically, the name of the staff file did not match the name in STARS. The staff member was interviewed during site visit and staff member had indicated occupation had preceded the date of the STARS report (10.12.16). CSD did not secure the date of hire during site visit as discrepancy was discovered after the site visit had been completed. Neither staff member has a gifted endorsement.

School Response:

NAS-LC has reviewed the relevant Special Education Federal and State statutes and regulations in regard to evaluation timelines. In no instance could NAS-LC find language requiring an evaluation within 60 days of student enrollment, as noted by CSD.

The extended 60 day deadline for student enrollment is a result of NMAC § 6.31.2.10 (D)(1)(c)(d)(ii). (Where a child has already been identified and therefore not falling within the exception.)

In regards to files lacking a determination of eligibility, it is possible that the students' prior school district, which placed them into program, did not include the determination statement in the IEP documents received by NAS-LC upon request. NAS-LC has requested further guidance from NMPED Special Education Bureau on how to best handle this issue.

The special education teacher directed the CSD personnel that the Home Language Survey (HLS) can be found in the cumulative files. At the time of the site visit, NAS-LC stored all Home Language Surveys in a binder for easy data access. Since CSD has said that they would like to see the Home Language surveys in student cumulative files, NAS-LC has made copies of the HLS and has added the HLS, Access, WAPT scores if applicable, to the IEP files.

Furthermore, the Special Education teacher stated that he misunderstood the question and thought he was being asked how many ELL students there are in the entire school. However, he knows that of the 17 students with IEPs, 1 student is a current ELL.

Home Language identification is necessary in the evaluation process, in servicing special education needs, and in monitoring. The school will need to ensure it identifies the home language in the files of all IEPs.

The IEPs are now current for all new enrollees.

The service providers were not hired via contract until October 13th. NAS-LC works with Cooperative Educational Services to secure ancillary services for student IEP needs. CES had difficulty in meeting this contract, as NAS-LC only needs part-time contracted personnel to meet IEP needs. This resulted in what may seem like a late contract date between NAS-LC and CES.

The service time was due to expired IEPs which have since then been re-evaluated for service requirements, none of which require individualized instruction to the extent that was required in the original IEP from the prior school, put in place and services are being correctly provided.

Every IEP is in place and students are being serviced correctly via case management and related services as required by law. The Special Education teacher pushes into classrooms to give academic support to students and staff, and in addition conducts pull out services as stated in the IEPs. His schedule has been attached.

The Special Education teacher keeps anecdotal records of all of his case management and classroom/student time. He does not keep his services logged in the same manner as related service. All of the related services are logged in the book maintained in the Spec Ed office.

The service logs have been attached.

A school is required to log all services provided. "Anecdotal" records may not be sufficient. During site visit CSD observed a blank log book which had not recorded any services.

CSD reviewed the additional service logs since provided by the school in the school response CSD notes this additional service log documents only 4 students being provided individual services over a period of 3 days. This is insufficient for the services required during the files reviews observed by CSD.

CSD reviewed the "anecdotal" records provided in the response. This record appears to be a schedule of students that need services and the types and times of services the students' need. The notes indicate the

Special Education Teacher may have created the schedule for the purposes of this response. This record does not record or log services that were actually provided.

Mr. Murray Ray, license # 255479 is gifted endorsed and will be servicing the one gifted student. His hours of service will be logged in the same form as the other service providers. However, the only services to be provided to the student are 30 minutes of case management and no direct services for the student are needed.

The document from PED Share Point is attached indicating that Mr. Tuthill #316107 was the Special Education teacher at the time of 40 day reporting and was hired on August 1, 2016.

English Language Learner Requirements

CSD observed 60 student files. 6 out of the 60 files reviewed by CSD or 10% failed to include the required Home Language Survey.

CSD did a test pull of 6 home language surveys that positively indicated a need for the W-APT test and WIDA access scores. 0 of the 6 or 0% included W-APT testing and WIDA access scores. CSD observed no evidence of W-APT testing scores or WIDA access scores in any files. School was unable to provide evidence of W-APT testing or WIDA access scores. School did advise that this data is given individually to the teachers. CSD observed no evidence of this.

CSD was unable to observe any evidence regarding ELL monitoring because school provided no evidence ELL students were tracked or that WIDA access progress was monitored.

School Response

All of the students who have indicated on the HLS another language other than English have an orange folder within their cumulative folder. This orange folder contains the HLS, WAPT and ACCESS information. CSD never asked NAS-LC to provide evidence of WAPT, which was available. At the exit meeting, NAS-LC was advised that CSD was not able to find the materials, but NAS-LC did not get an opportunity to give them the requested information due to the extremely late hour of the exit interview.

ACCESS scores are given to teachers at the beginning of the year and are also entered into the Student Information System (SIS). All teachers have access to the information in the SIS. Teachers monitor their students' progress during class. Teachers also differentiate instruction and support students with sheltering strategies. When CSD visited classrooms, no teacher was asked for evidence on how ELLs were supported. Teachers would have been able to provide CSD staff with information regarding how students are being supported and monitored. In addition, during the CSD site visit, all students were taking quarter final exams so no direct instruction was taking place.

CSD acknowledges that students were undertaking exams during the site visit and that no direct instruction was taking place. CSD did not observe the various ELL supports or monitoring the school claims it provides.

CSD requested evidence of HLS, WAPT, and ACCESS from school during site visit. School advised during file review this information would not be in a separate location. School then claimed it was in a separate location at the end of the day. CSD never observed this information. CSD did review several "orange folders" and did not observe this information.

New Mexico Residency Verification

School is required to verify residency of enrolled students. CSD observed 60 student files. 3 of the 60 student files or 5% failed to contain residency verification.

Next Step Plans

The school operates grades 9-12th grade program and is required to begin administering the subsequent year Next Step Plans within 60 days of the end of the school year for 8th grad. CSD was unable to determine if the school was timely creating next step plans because the school failed to include grade level determinations in the next step plans.

Senior level grade files have additional requirements. CSD was unable to effectively evaluate senior level next step plans because the school failed to include grade level determinations in the next step plans.

A senior level next step plan is required to be filed in the student's cumulative file. CSD observed no evidence of next step plans filed in the cumulative files. CSD reviewed 60 student files 0 out of 60 files or 0% contained an indication of the grade level of the student because of this, CSD was unable to do a test pull of senior level only students because school did not identify which grade students were in. School kept all Next Step Plans in a separate folder.

Next Step plans must include required signatures. CSD observed school was not securing all needed signatures on Next Step Plans.

CSD's review of the next step plans indicates that school's use of Next Step Plans was not effective. CSD observed next step plans that failed to effectively document coursework and classes needed to graduate, personal and academic goals, and post-graduation goals. In some cases, these fields were blank in other cases the responses to these fields were not meaningful or responsive.

School Response:

All grade levels have been indicated on the cumulative files. During the site visit, CSD did not ask for clarification regarding grade levels of students. The NAS-LC Stars/Registrar would have been able to explain the system of identifying the grade level to the CSD staff had they asked.

NAS-LC is reviewing the process of Next Steps Plans and is creating an action plan to effectively complete each one. NAS-LC is unclear as to what would constitute a "meaningful" or "responsive" field entry, as no technical guidance regarding this has been provided at any point by either PED or CSD.

Next Step Guidance is provided under the New Mexico Public Education Department Next Step Plan Template Guidance and Instructions, May 2012.

CSD spoke with staff members regarding grade level identification concerns. CSD did not observe implementation of the system the school identified during the site visit.

Assessment Requirements

Pursuant to NMSA § 22-2C-4, all students shall participate in the academic assessment program. There is no exemption for day, night, afternoon, or credit recovery programs.

The school PARCC participation included 95 students for math and 114 students for reading. School in SY2016 had an average enrollment of 305 students. This indicates approximately 178 students or 55% failed to participate in PARCC testing for reading. This indicates approximately 210 or 69% failed to participate in PARCC testing for math.

Evidence and data appear to indicate that school is not complying with statutory requirement that all students participate in the academic assessment program.

School Response:

*NAS-LC makes a great effort to include ALL students in state testing requirements. As reported by NMPED School Report Card, the student participation rates in SY 2016 were 81% in Reading and 83% for Math. NAS-LC is exempt from participation thresholds due to its Supplemental Accountability Model status. (SAM School)
As reported by NMPED School Report Card, the student participation rates in SY 2015 were 77% in Reading and 81% for Math. NAS-LC is exempt from participation thresholds due to its Supplemental Accountability Model status.*

According to the New Mexico Statewide Assessment Program, students are required to take the PARCC assessment in Language Arts 9, 10, 11, Algebra 1, Geometry and Algebra 2 if they are enrolled in those specific courses. The New Mexico Department of Assessment and Accountability was very adamant during their PED state training session, about students being tested in these specific content areas only if they had been exposed to more than half the course in that school year that the test is being administered. NAS-LC students were tested in accordance with the guidance provided by the New Mexico Department of Assessment and Accountability through their twice yearly District Testing Coordinator training.

Governance Requirements

Pursuant to NMAC § 6.29.1.9 (2), it is a responsibility of the governing body to employ and evaluate the local superintendent or charter school administrator.

In reviewing the Charter School Administrator evaluation, CSD observe the evaluation was conducted not by the Governing Body but instead was conducted and signed by a Dominic DeFelice. Mr. Dominic Felice was also listed on the evaluation as the supervisor of the Head Administrator. Mr. DeFelice is a representative of the New America Schools Network and is listed as the New America Schools Network representative in the services agreement between New America Schools Network and the School. Mr. DeFelice is also listed on the school's website as a non-voting member of the Governing Body.

CSD reviewed the New America Schools Network services agreement and found it consistent with the sample agreement provided in the School's original application. Neither the original agreement nor the current agreement provide for supervision or evaluation by the New America Schools Network. The contract limits New America Schools Network to, amongst other things, "assist with oversight".

CSD verified that New America Schools Network is a Colorado Non Profit Corporation that has active Tax Exempt status. The Colorado Secretary of State's website lists the corporation as being in good standing.

The Governing Body was interviewed about the supervision and evaluation of the Head Administrator. The Governing Body advised it did not have the expertise to evaluate the head administrator and was not aware of the requirement for a Governing Body to evaluate the head administrator. The Governing Body advised it votes on final approval the Head Administrator evaluation in a closed session. Governing Body also confirmed that Mr. Dominic Felice was the Head Administrator supervisor.

School provided in its response documents a march meeting referencing the closed session. The closed session minutes indicate "no action was taken."

CSD found no evidence that Governing Body had voted to approve an evaluation conducted by an outside entity.

Evidence supports School delegating the evaluation and supervision of the head administrator to New America Schools Network. This is not compliant with the administrative requirement that the Governing Body employ and evaluate the head administrator.

Further, the governing body advised it takes action on head administrator evaluations in closed session but no minutes reflect these actions. It appears that the governing body may not be following the OMA requirements for regarding closed sessions or that closed sessions regarding evaluations be limited to “discussions”.

School Response:

A licensed administrator with educational experience, the Superintendent, was charged by the GC to conduct an evaluation and to present that evaluation and any recommendations he had to the GC. Mr. DiFelice is the Superintendent, and this is part of his “oversight” duties given him by the GC, to assist it in overseeing the Principal in accordance with sound educational principles, practices and laws. In soliciting and enlisting Mr. DiFelice’s experience, assistance and opinions, the GC in no way was delegating or abdicating its duties and authority.

The School and Mr. DiFelice, who are the contracting parties operating pursuant to the contract, agree that Mr. DiFelice’s duties include assisting the GC with the oversight (including evaluation) of the Principal.

There is no legal requirement that the GC “approve an evaluation conducted by an outside entity”. Rather, the GC is required to evaluate the principal annually, which it did through Mr. DiFelice’s legwork and subsequent report to the GC and GC consideration of that report in closed session.

State regulatory requirements state that the Governing Body is required to employ and evaluate the Head Administrator. Open Meeting Act requirements limit closed sessions on evaluations to “discussions”.

Health and Safety

A valid Safe School Plan requires sign-in’s and badges for all visitors to the school. CSD observed no evidence of sign-ins and CSD itself was not required to be signed in during site visit. CSD observed no evidence of badges for visitors and CSD itself was not required to wear badges during site visit.

CSD observation that the school is not requiring sign-ins and badges indicates school is not complying with all laws, rules, regulations, and policies regarding school health and safety.

NEW AMERICA SCHOOL - LAS CRUCES HAS MET THE FACILITIES REQUIREMENTS LAID OUT IN 22-8B-4.2

The PSCOC and PSFA have confirmed that the school meets the facility requirements.

II. Renewal Applicant Response to Public Education Department

Preliminary Renewal Report



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786 Telephone
(505) 827-5800 www.ped.state.nm.us

HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

2016 Charter School Renewal Report

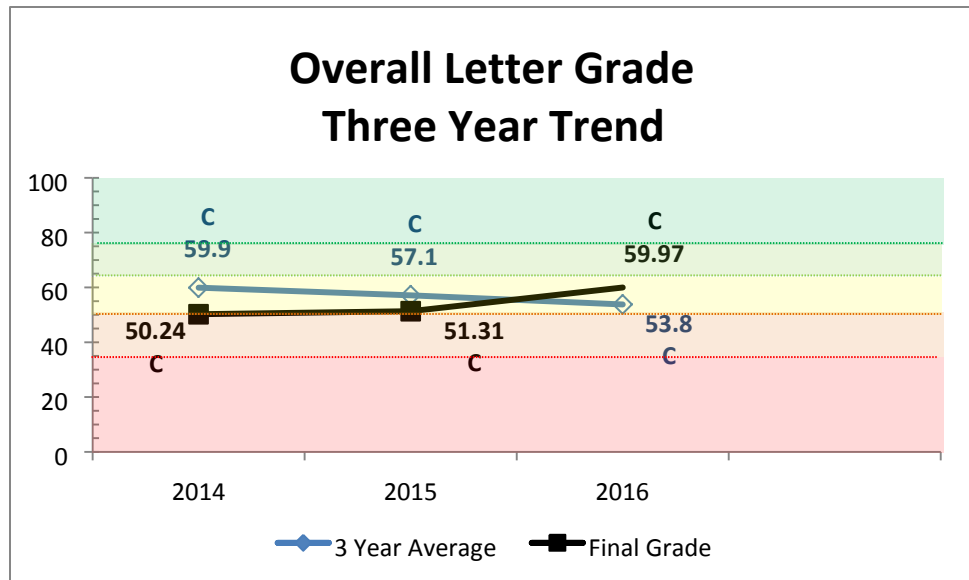
New America School - Las Cruces

SCHOOL SUMMARY

New America School - Las Cruces began operating under its current charter on July 1, 2012. The charter was granted for a period of 5 years with various standardized conditions relating to preparedness to commence operations and acknowledging the requirement that the charter school to demonstrate improved student academic achievement, and that the PEC use increases in student academic achievement for all groups of students as the most important factor when determining to renew or revoke the school's charter.

The school submitted its renewal application in a timely manner. The school's renewal application includes no amendment requests.

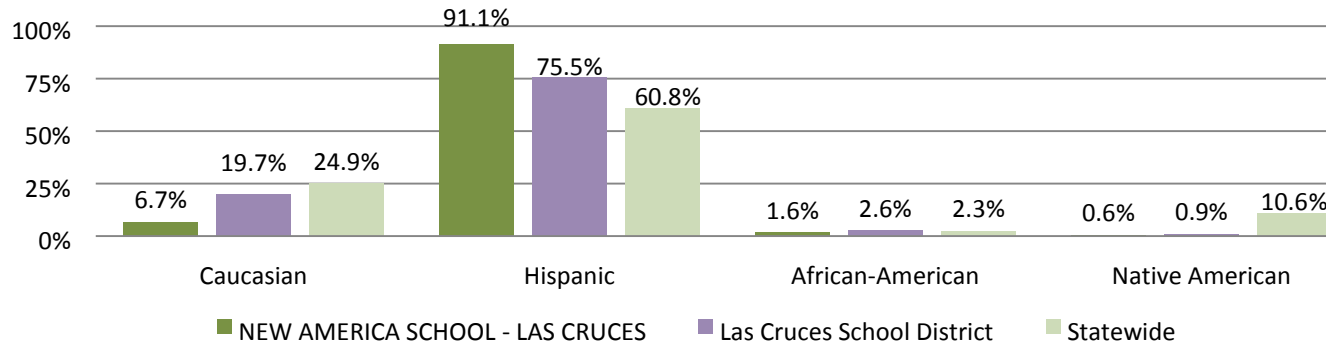
The following information provides a snapshot of the school's academic performance over the last three years.



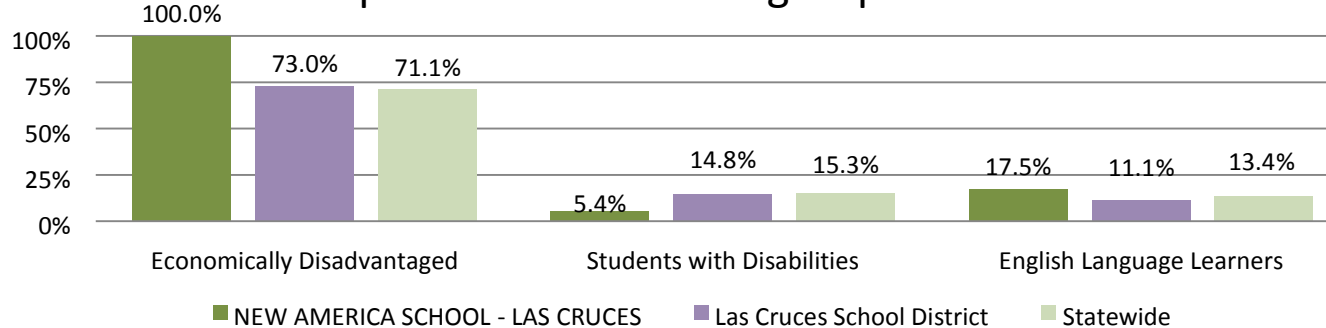
The following information provides a picture of the school's current enrollment, including the number as well as the demographics of the school, and the enrollment trends over the term of the contract. Additionally, CSD has provided information about the teacher retention rate over the term of the contract.

Comparative demographics show the school has a higher Hispanic population than the surrounding district and a lower Caucasian, Native American, and African-American population. The school also has a higher population of English Language Learners and Economically Disadvantaged students and a lower population of students with disabilities.

Comparative Student Demographics

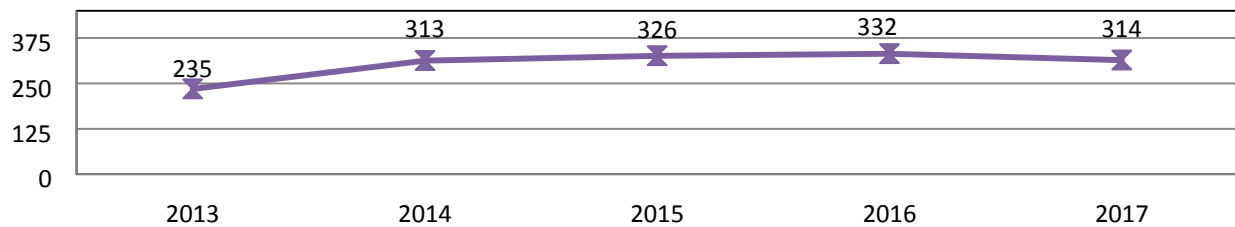


Comparative Student Subgroup Enrollment



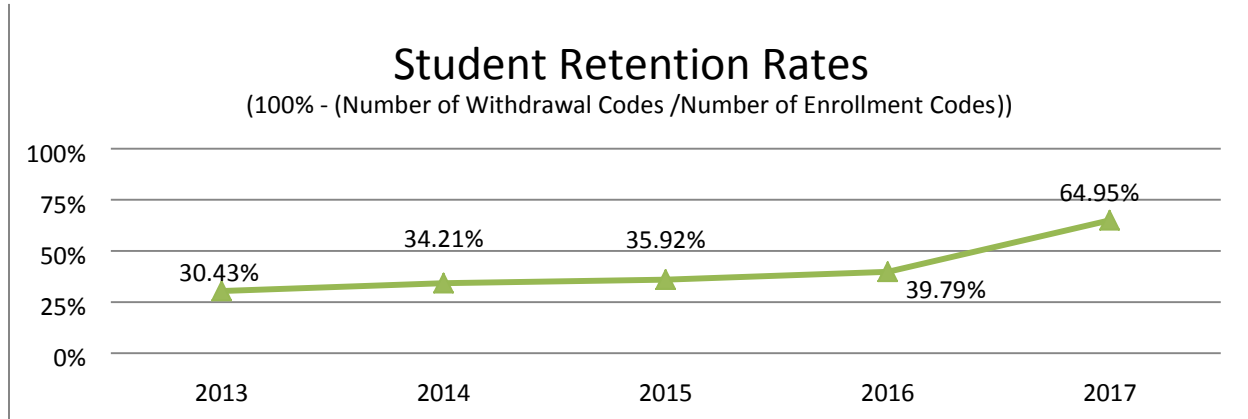
The table below demonstrates the 40 day membership for each of the years in operation. The school's enrollment steadily increased from its first year to the fourth year. The current year has a slightly lower enrollment than in the prior year.

40 Day Student Membership



The table below demonstrates the student retention rates for each of the years in operation. Retention rates were calculated by first finding the attrition rate and then subtracting from 100%. The attrition rate is found by dividing the number of withdrawal codes (number of students who were withdrawn from the school at school point during the year) by the total number of enrollment codes (number of students who were enrolled into the school at school point during the year). Students who have a WG (graduate) code are not counted in the attrition. CSD believes this calculation accurately captures retention within the year as well as retention between the years because schools have the practice of enrolling students they expect to return on the first day of

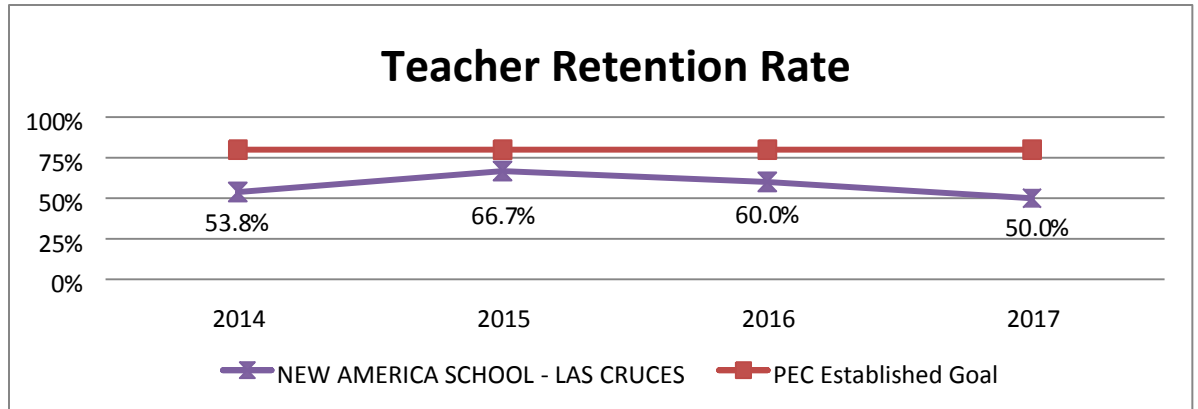
school and then withdrawing them if those students do not return. The school's retention rate is very low, ranging between 30% and 40% in the first four years. However, this rate has been increasing over the four year period. The current year retention is higher than 2016, but cannot be compared to prior years as it does not account for attrition or additional retained enrollments through the year.



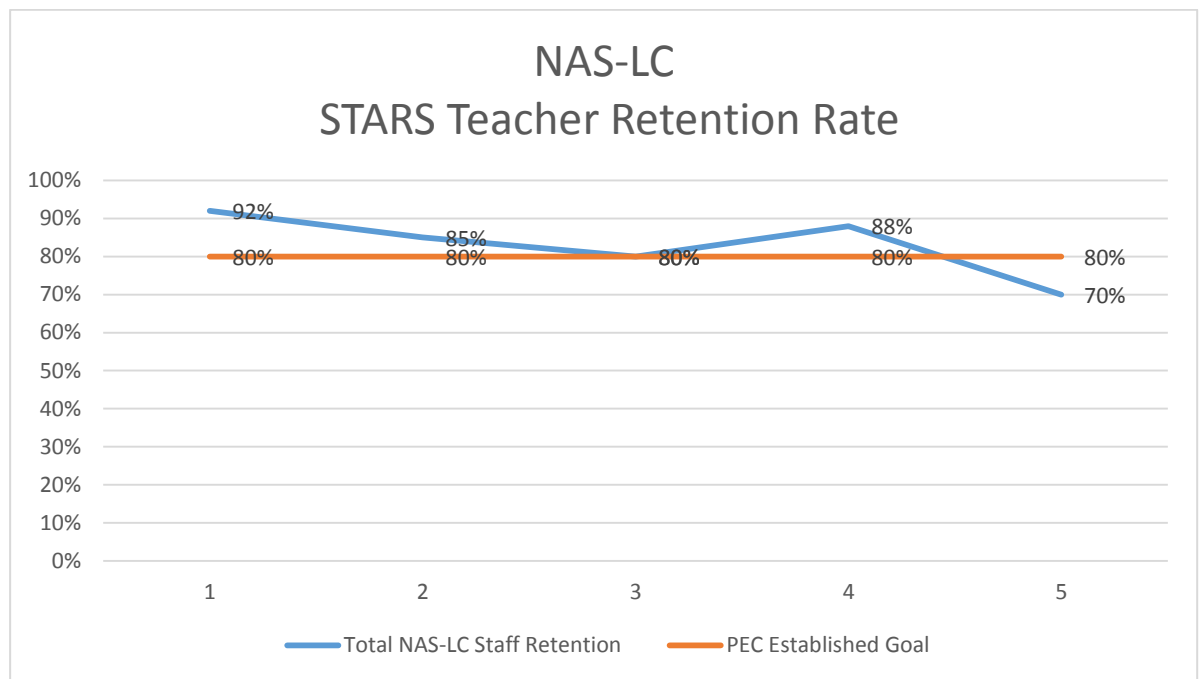
SCHOOL RESPONSE: NAS-LC goal #3 in the original charter application is a 55% retention of a cohort group of students, to be calculated utilizing the names of students noted on the 40th day count and were still enrolled at NAS-LC at the End of Year (EOY). This is the information that was submitted in renewal packet, both in graph and narrative form. Utilizing the data, as clearly outlined in the approved charter application, NAS-LC maintains that although the target was not met, it is an average of 10% higher than the non-negotiated retention calculated method used by the CSD. Please refer to the renewal packet submitted on October 3, 2016.

In looking at the NAS-LC STARS Mobility rate, which is the flip side of Student Retention, NAS-LC does have a high mobility rate, but it is decreasing yearly with interventions put into place at the school level. The end result is that as mobility decreases, retention increases. The method utilized by the CSD does not correspond to the original charter data collection method, but it is one way of quickly determining retention data based off of enrollment records. It does not, however, take into account students who withdraw and then subsequently return within the school year, a common occurrence, nor does it take into account a large number of students who are new enrollees, but for whatever reason, then decide to never attend. These are listed as W3 on the enrollment status. It is unreasonable to hold a school responsible for retaining a student who never actually walks through the door. A W3 student is not a "retained" student from the previous year, nor was that student ever served by NAS-LC at any point.

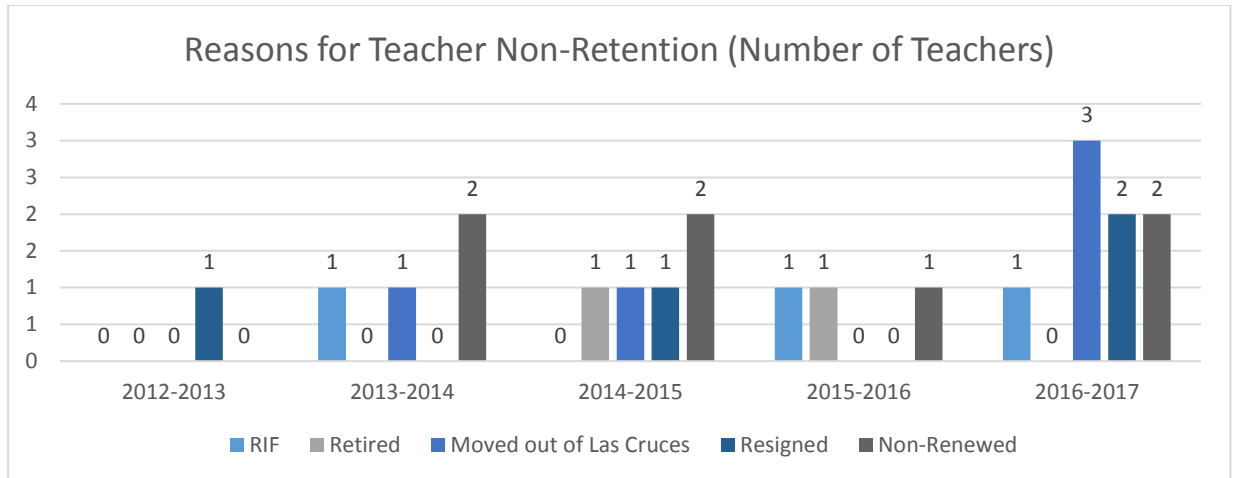
The table below demonstrates teacher retention for the second through fifth years. Annually, the school's teacher retention rate has ranged between 50% and 70%, below the PEC's stated goal of 80% retention (lower than 20% turnover). The school had the greatest retention between the second and third school years, the rate has steadily declined since that time.



SCHOOL RESPONSE: The data presented above is not correct, and NAS-LC is uncertain where the information was derived from. Correct data, pulled from NAS-LC NMPED STARS reports, has been provided below:



In addition, a potential underlying assumption is that a greater than 20% turnover at charter school may be an indication of other issues at the school. While it is true that a high teacher turn-over rate may be the result of a poor school culture, this is not always the case, and it is certainly not the case at NAS-LC. NAS-LC has indicated below the reasons for teachers leaving the school each of the past five years. Please note that in the data below, actual numbers of personnel are reflected rather than percentages, since the smaller sample size may lead to a misrepresentative percentage rate.



The renewal application demonstrates support for the continuation of the school from the *current* local school community. The application includes signed petitions by 100% of the school’s current employees and 77.4% of the families whose students are currently enrolled in the charter school. The petitions are included in the application materials.

During interviews with the students, staff, and families, the CSD learned that while there are concerns each group has, they overwhelmingly support the continuation of the school.

During student interviews PED CSD interviewed seven students. Students came to this school because it is smaller. This means the classes are smaller, the teachers know everyone, and they feel more comfortable asking questions. Students generally answered that if school was not available they would attend one of the local traditional public schools. Some students indicated they might drop out because other schools don’t care if a student doesn’t show up. The students support the continued operation because the staff and teachers are all really good. And they have received lots of help compared to previous school. Students also noted that school allows students to come even when classes are not open. Students also supported the program that permits students to graduate, the scholarship opportunities, and the flexible schedule offered. The students felt the school’s mission is to provide people with second chances and to give other people the opportunity to live the American dream. The program is for immigrants and provides a chance to learn English. It also provides an opportunity for night and older students who don't know how to speak English can come to school and get their diploma. Students receive information on academic growth through Family Link which is an Online portal. The parents are also provided access. This portal allows students to see their grades, the classes they've taken, what assignments they missed and stuff like that it also give students their report cards and MAP scores. Students like the school environment. There aren't as many people. It's easy to get to class and be content and comfortable. They feel freer and there’s not a lot of bullying. Students also like that the school can work with your schedule and the classes the students need. Students would like to see more extracurricular programs like art and sports. Students noted that the Next Step Plan gets reviewed often but it's more a concern near the end of the year because at least one student is going to graduate and wants to go on to college.

During family interviews PED learned that parents chose to send their students to the school because they were generally struggling at other school. Parents reported students have less anxiety, happy, easier to live with at current school and academic improvement. Traditional schools have a tendency to just check the box. This school invests in students and they want to be here. Students really want to be here and learn something - they're invested in their own education. Parents advised if school was not available they would not send students to another public school but rather a private or home school option. Parents support the school because they like what they do in the community and value the honor society and Student Council. This school has been an integral part of zero homelessness for Veterans, and La Casa women's shelter. Parents thought the school is amazing and that the staff wants the children to succeed. The school is invested in graduating the students. The other schools have not been so invested in success. Parents valued that it is like family and that they know everybody. The parents believe the mission statement is something along the line of helping immigrants. The school offers more than just the academic curriculum. The discipline rate is much lower than in public school. The school communicates using an automated system to inform about changes in schedule, etc. Teachers check in with parents when they are on campus - communicating that they care. Parents are not involved in day to day operations. The school sponsors trips for students at no cost to parents through robust fundraising. Parents are concerned about the school budget and the possibility of the school getting shut down. One parent noted that parents were previously concerned about the older population being here, but once they understood that the adults wouldn't be here at the same time as the children it was no longer a concern. Parents expressed concern that the teacher who has stepped in to teach science isn't a Science teacher and doesn't have the experience or expertise. With regards to desired changes, the parents mentioned space as being an issue and indicated they would like to see extra-curricular activities like team sports grow. The parents would also like to see more support for students on IEPs. The parents think that school has some students that are discipline problems and the school needs to get to them. The parents feel that the teacher tends to make or break a particular program, they feel that the school doesn't have either the physical facilities or the teachers to offer students the same opportunities as a bigger school.

During staff interviews PED interviewed 11 teachers. The teachers generally described them being attracted to the opportunity offered by the school to teach in a non-traditional setting and to work in an environment that was less administratively or bureaucratic focused and more focused on the students. Teachers also expressed interest in working with the at-risk population that is the a huge demographic of the school. The majority of the teacher responses indicated the teachers were employed part time, or had started due to the opportunity to teach part time and the school's flexibility to work with teacher schedules. Nearly all teachers expressed they were teaching due to the opportunity the school afforded and advised that if the school was not available then they would not continue teaching. Teachers support the mission of the school because it "walks its talk" and "fulfills our mission in every way every day". Specifically, the teachers felt that the school supports a need of the students and that if the school was not available then they wouldn't be in school at all. Teacher all noted that students seem to see a future here and suggested that the school is the only program that offers diplomas to adult learners. Staff indicated that the mission is to

focus on those students who need more attention, to serve the academically underserved, the people who struggle with English, and those who aren't fitting in at other school. The teachers advised that 90% of the school population comes from public schools where their needs were not being met. The teachers also felt that the school's mission is to help students reach the American dream. Teachers noted that many students are working to become American citizens. Teachers advised that population rises and falls in attendance but sometimes it feels like school is too small and that they are limited by the physical space they have. The teachers feel they do not have the resources to offer all the support the student need - like a psychologist, school counselor, etc. The administrator and her assistant communicate with the teachers through email on a regular basis. They also have daily classroom visits and they receive a "Monday memo" which tells them about important events coming up, schedule changes, if a teacher is going to be out, etc. Additionally, the head administrator has an open door policy anytime we have an issue to discuss. Teachers are involved in the operations of the school by being asked to participate once a year in the development of the school's master plan, and master calendar. Teachers also advised about frequent meetings with the Head Administrator where they are asked for input and feedback. Teachers expressed concern about lack of support for single parents, including childcare, pregnant teens and how to reach students that may have Mr. DiFelice issues. Teachers also expressed an interest in continuing to foster students who do come to the school but also how to draw in the ones who don't. Teachers advised they have received training in the Early Warning System this past summer. Teachers have also attended PARCC training and weeklong retreats to align CCSS and create a curriculum map.

RENEWAL STANDARD

Pursuant to NMAC 22-8B-12, a charter may be not renewed if the charter school did any of the following:

- (1) committed a material violation of any of the conditions, standards or procedures set forth in the charter contract;
- (2) failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract;
- (3) failed to meet generally accepted standards of fiscal management; or
- (4) violated any provision of law from which the charter school was not specifically exempted.

In addition, in 2015 the New Mexico statutes annotated was revised to reflect the following:

On or after July 1, 2015, a new charter school shall not open and an existing charter shall not be renewed unless the charter school:

- (1) is housed in a building that is:

1. owned by the charter school, the school district, the state, an institution of the state, another political subdivision of the state, the federal government or one of its agencies or a tribal government; or

- (a) subject to a lease-purchase arrangement that has been entered into and approved pursuant to the Public School Lease Purchase Act [Chapter 22, Article 26A NMSA 1978]; or
- (2) if it is not housed in a building described in Paragraph (1) of this subsection, demonstrates that: (a) the facility in which the charter school is housed meets the statewide adequacy standards developed pursuant to the Public School Capital Outlay Act and the owner of the facility is contractually obligated to maintain those standards at no additional cost to the charter school or the state; and
- (b) either: 1) public buildings are not available or adequate for the educational program of the charter school; or 2) the owner of the facility is a nonprofit entity specifically organized for the purpose of providing the facility for the charter school.

ANALYSIS

In order to support the decision making of the Public Education Commission, this renewal report reflects the information known to the Public Education Department in relation to:

- the school's efficacy in fulfilling the conditions, standards, and procedures set forth in the charter contract;
- the schools status in relation to achieving, or making progress toward achieving, the Public Education Department's standards of excellence as reflected in the school letter grade;
- the school's status in relation to achieving, or making progress toward achieving, the student performance standards identified in the charter contract;
- the school's efficacy in meeting generally accepted standards of fiscal management;
- the school's compliance with all provisions of law from which the charter school was not specifically exempted; and
- the school's status in relation to meeting the facilities requirements laid out in 22-8B-4.2.

Summary		
	Meeting Expectations	Not Meeting Expectations
Charter Contract Material Terms	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Education Department's Standards of Excellence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Student Performance Standards in the Charter Contract	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Generally Accepted Standards of Fiscal Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Compliance with all Provisions of Law	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Facilities Requirements Laid Out in 22-8B-4.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT FULFILLED THE CONDITIONS, STANDARDS, AND PROCEDURES SET FORTH IN THE CHARTER CONTRACT

The school is under an original charter, which incorporated the school's application into the charter as material terms. CSD's observations indicate the school may not be implementing the educational program set forth in the school's charter. Specifically, the observed educational program does not align with the promise that students will have access to a substantial amount of extra educational and comprehensive ESL courses.

The school's original application included the following material terms, which were incorporated into the charter contract:

Mission:

The mission of The New America School- Las Cruces (NAS-LC) is to empower immigrants and English Language Learners (ELLs), with the educational tools and support they need to maximize their potential, succeed, and live the American dream.

Who the School will Serve

NAS-LC will serve non-traditional students in the Las Cruces area. Our target population is those students who need support in acquiring English language proficiency to complete credits toward earning a high school diploma. NAS-LC offers students a flexible, morning to evening 912 charter high school within a culturally relevant and supportive environment. The population we will serve includes:

- Young people, ages 14 and over, who are not currently utilizing the public school system and its resources through a day or night program.
- Newly-arrived immigrants lacking Basic English proficiency.
- Las Cruces students with limited English proficiency, who may also lack basic literacy and numeracy skills.
- Students residing in the USA, with some English proficiency, but because of interrupted education or personal circumstances have dropped out of the traditional school system.

The vision of NAS-LC is to assist students to achieve their American dream. NAS fosters a productive and meaningful partnership among students, teachers, and the school community that supports academic progress, English language development and high school completion.

NAS-LC creates an accessible program that allows non-traditional students the opportunity to learn in an academically-challenging and supportive environment. We empower students to obtain the language skills, knowledge and confidence necessary to be productive members of their community.

We combine the best practices of the charter school movement with a state-of-the-art, content based ESL curriculum. We offer

academic coursework that combines a complete and tested content-based ESL curriculum with a schedule that allows students to attend school day or night.

-
- Flexible Class Scheduling: NAS-LC offers a full high school program both in the daytime and in the evening. Classes are offered from 8:00 am-10:00 pm Monday – Thursday, four days a week for 150 days of instructional time. The four-day week is beneficial for our students who work as well as our young parents. It allows our students to have a full work day on Friday, and eliminates the need for childcare one day a week.
 - English as a second language courses that prepare students to learn the NM content of our standards based curriculum.
 - ESL 1 – a four hour English block per day. The beginner English speakers are placed in this class possibly for an entire year, and begin to transition into other sheltered content and/or elective classes during their second semester, or at the start of the next school year.
 - ESL 2 – a two hour English block per day. Students have two hours of intensive English instruction, as well as take three or four sheltered content and elective courses. Many of the ESL 2 students take an additional English elective class to strengthen their English skills.
-
- ESL 3 – a one hour English class. This class serves as a preparation and transition for students as they move into language arts classes. The majority of students in ESL 3 take an additional English elective class to strengthen their English skills.
 - Sheltered Content Classes: All classes at New America School are sheltered instruction classes. From mathematics to elective courses, NAS teachers use SIOP strategies and techniques in the classroom. The staff participates in course work and professional development that train and strengthen their sheltered classroom techniques.
 - Professional Learning Communities: All teachers participate in Professional Learning Communities with fellow content area teachers.
 - Committed Staff: NAS teachers choose to work at New America School. They are aware of the unique student population and issues the students face and welcome the challenge.
 - Newcomer Center: The self-contained center is especially geared toward incoming monolingual, Spanish speaking students. The center provides intensive language and cultural support to these students, who are then mainstreamed once a baseline is established.
-

The Five Keys to Educational Success are as follow:

1. NAS students will be engaged in challenging, project and theme based curriculum to develop academic concepts leading to English acquisition.

2. NAS teachers will draw on students' background—their experiences, cultures, interests, and languages to support all social and academic content.
3. NAS teachers will organize collaborative activities and scaffold instruction to build students' academic English proficiency.
4. NAS teachers will create a culture and climate where confident students will value school and themselves as successful learners.
5. NAS teachers will have a New Mexico teaching license with a Bilingual Education and/or TESOL endorsement

The school year will consist of 150 instructional days, four days a week from Monday to Thursday, 8:00 AM to 10:00 PM. This will offer students an opportunity for 2100 hours of instructional time, far in excess to the minimum requirement.

The GC intends to contract, in accordance with the provisions of the New Mexico Procurement Code, with New America School ("NAS"), a Colorado non-profit corporation, to ensure that the NAS-LC's mission and vision as described in the charter is implemented successfully and that all financial and business operations of the school are conducted in compliance with applicable laws and the charter. Services to the GC and to the Principal of the school will be akin to a partnership to advise, assist with oversight, guide, train, and support the school's governing body as well as charter school's leadership and teachers. NAS employs highly successful, experienced educational and financial leaders who were instrumental in the development of the NAS model in the Colorado New America Schools. This non-profit organization is dedicated to the success of the NAS schools both in New Mexico and Colorado who serve new immigrants and ELLs as described in this charter's mission statement.

Based on PED's observations it is unclear whether the school is implementing the materials terms of the contract. For example the school states that the school will "offer students an opportunity for 2100 hours of instructional time, far in excess to the minimum requirement." However, conversations seem to indicate that night students do not have the option to enroll in the day or morning programs. Further, it's unclear whether the day/morning students have the option of enrolling in other programs.

SCHOOL RESPONSE:

NAS-LC does not recognize different programs, per se, for students. Rather, there is one program, which is to assist students in meeting academic goals and graduating. It is true that to meet student needs, different instructional school-directed options are assigned by taking the age of the students into consideration. The primary reason for this is in response to concerns from state legislators that minor students would be in the same classes as adult students. Recognizing this valid concern, NAS-LC has adopted the following class schedule, which allows all students equal access to

instructional materials and time requirements, while preserving the safety of all students:

**Students aged 14-18 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:*

8:30am - 4:27pm

7 periods of 57 minutes = 399 minutes

6 passing periods of 3 minutes = 18 minutes

1 Rtl period of 27 minutes = 27 minutes

*Total minutes per day = 444 minutes/60 minutes in an hour = 7.4 hours/day*150 days = 1,110 instructional hours a year – 4.5 hours for early release = 1,105.5 instructional hours/year. NAS-LC has 25.5 instructional hours over the minimum requirement of 1080 instructional hours. Students are released 30 minutes early on 9 Tuesdays throughout the school year for a total of 4.5 hours of early release for the year. The calendar on the website indicates that early release is one hour. This is incorrect as students are released 30 minutes early. See attached schedule.*

**Students aged 18-21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:*

12:00pm – 10:00pm

9 periods of 57 minutes = 513

9 passing periods of 3 minutes = 27

1 Rtl period of 27 minutes = 27

1 advisory period of 27 minutes = 27

*Total minutes = 594/60 = 9.9 hours/day *150 days = 1485 instructional hours*

**Students over 21 can also access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:*

4:30pm – 10:00pm

5 periods of 57 minutes = 285

5 passing periods of 3 minutes = 15

1 advisory period of 27 minutes = 27

1 "period" of 60 minutes dual credit or on-line = 60

1 "period" of 60 minutes work study = 60

*Total minutes = 447/60 = 7.45 hours/day *150 days = 1,117.5 instructional hours*

Additionally, CSD observed no specific English Language Learner tools or support.

SCHOOL RESPONSE: The CSD conducted the site visit on a day when quarterfinals were being administered. NAS-LC informed CSD of this but CSD stated that they could not change the date of the visit. As such, CSD staff was unable to observe any direct instruction and specifically was unable to observe specific English Language Learner tools or support.

CSD conducted classroom walk-throughs, however, during those visits did not speak to any of the teachers or the students about what was occurring in class. No questions were asked of teachers about English Language Learner tools or support they utilize in their classrooms or curriculum. Without those conversations taking place, it would be difficult for CSD staff, who may not be trained in ELL teaching methods, to determine what exact ELL supports are being utilized in instructional practice. This is regrettable, as teachers would have shared this information with the CSD staff. In addition, teachers could have provided ELL data binders containing student data, including ACCESS data. In addition to the binders, teachers all have access to their students' ACCESS scores in the Student Information System.

NAS-LC teachers use Sheltered Instructional Observation Protocol (SIOP) methods, graphic organizers, flexible language groupings, peer learning and support, etc. Teachers implement these strategies, among others, on a daily basis during instruction, and these strategies are reflected in lesson plans as part of the Model Performance Indicator Objectives for learning each day. To ensure that new staff are well-trained in ELL methods, yearly PD is administered in SIOP methods and differentiation, as well as non-ELL certified staff taking coursework towards that certification.

A review of the class curriculum revealed no program specific material.

SCHOOL RESPONSE: CSD conducted a walk-through review of class curricular materials, but did not request specific curriculums being utilized in classes, which teachers have developed using multiple sources of information, such as ACCESS results, EOC and PARCC data, and in tandem with school provided curricular materials. All of these documents are available upon request. Without knowing specifically which curricular

materials were reviewed by CSD, NAS-LC assures the PEC that the following ELL accommodations are in place in academic instruction:

All direct instruction is scaffolded throughout lesson delivery. In the Language Arts classes, the ESL curriculum that is used is Pearson's Edge, available in hard copy and online. Edge has 3 levels to support the different levels of language acquisition. Edge is aligned with the Common Core standards.

Each lesson plan must have a Model Performance Indicator (MPI) which is a statement of the daily objective and contains a language function and content stem and support. This MPI is based on the WIDA Can-Do standards. WIDA sets the standards for second language learners. Teachers are required to turn in their weekly lesson plans and these plans are reviewed by the Principal. Example of an MPI: Students will interpret aspects of the Renaissance using images and videos. Interpret is the language function, aspects of the Renaissance is the content stem and using images and videos is the support.

Bilingual academic materials are available for students, including texts, dictionaries, and other support materials. The online Edgenuity Program utilized for credit recovery is also available in English and Spanish.

Following site visit, a phone conversation was held with the School about this concern. During phone conversation, the school advised English Language support is provided through an ESL program for identified ELL students which includes English language development, support services and pull out and may include language building survival language, literacy and numeracy instructed by TESOL endorsed teachers. Additional support may include Rosetta stone. Teachers are additionally given copies of access scores so teachers have quick access to ELL needs.

SCHOOL RESPONSE: ACCESS scores are available to teachers via the Student Information System as well as the copies they have in their classrooms. All teachers received copies of the ACCESS student reports as part of beginning of the year professional development and data review for student targeted differentiation.

CSD reviewed the school master schedule. CSD was unable to confirm implementation of the claimed ESL program in either the day or evening program. The master schedule indicates ESL is only taught during 11th, 12th, and 13th periods which are only in the night program. CSD also secured class enrollment lists from school. CSD confirmed that ESL was taught during the night program at 11th, 12th, and 13th periods. CSD, however, was unable to confirm a corresponding class during either the day or evening programs.

SCHOOL RESPONSE: The statement above is unclear in that it indicates that CSD was both able and unable to verify and ESL program in the evening program. To be clear, the evening ESL program is conducted during a complete 3-hour block: from 6:30-9:30.

The day ESL class is conducted from 8:30-9:27, 1-1:27 for RtI and again 2:30-3:27, thus providing them with a 2.5 program. This means students requiring ESL are receiving instruction for 2.5 hours/day. In addition, ELL students are scheduled in Science, English and Math classes with TESOL endorsed teachers.

The revised master schedule is attached.

CSD did confirm that school had at least two teachers with TESOL endorsement. School provided evidence that teachers undergo required ELL professional development.

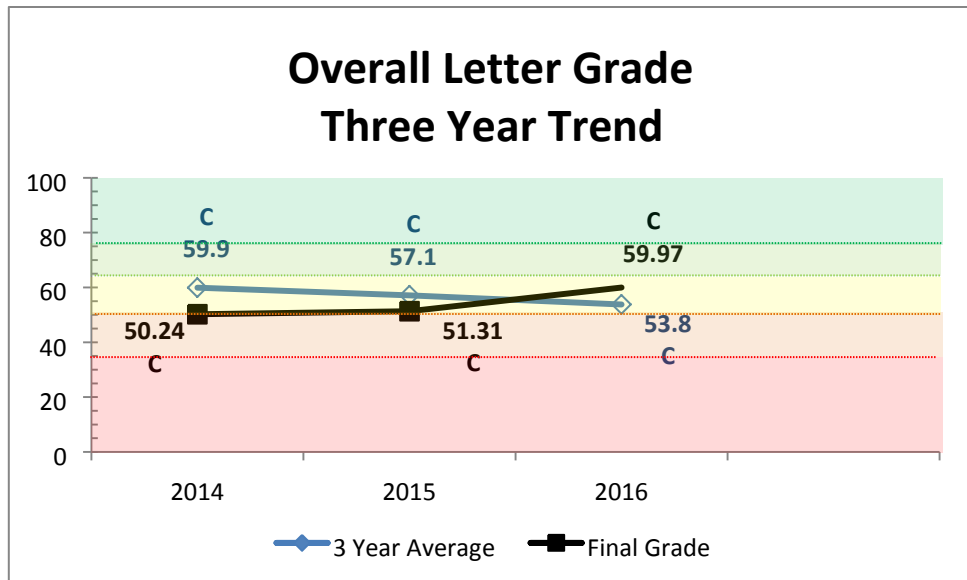
SCHOOL RESPONSE: Currently, NAS-LC has 8 teachers who are endorsed in Teaching English to Speakers of Other Languages (TESOL). This represents 42% of teachers, with the remaining 58% currently working on their TESOL certification or taking 6 hours of SIOP training to support second language learners in the content areas. At this time, all English Language Arts teachers are also endorsed in TESOL methodology and practices. The licenses for the teachers hold a TESOL endorsement have been attached.

- *Laura Carrion (ESL teacher)*
- *Dawn Catanach (Math)*
- *Patricia Dahlin-Dunne (Science)*
- *Janae Graves (ESL/Lang Arts)*
- *Lorynn Guerrero (Lang Arts)*
- *Susana Hyne (Lang Arts)*
- *Murray Ray(Lang Arts)*
- *Roberta Stathis (Social Studies)*

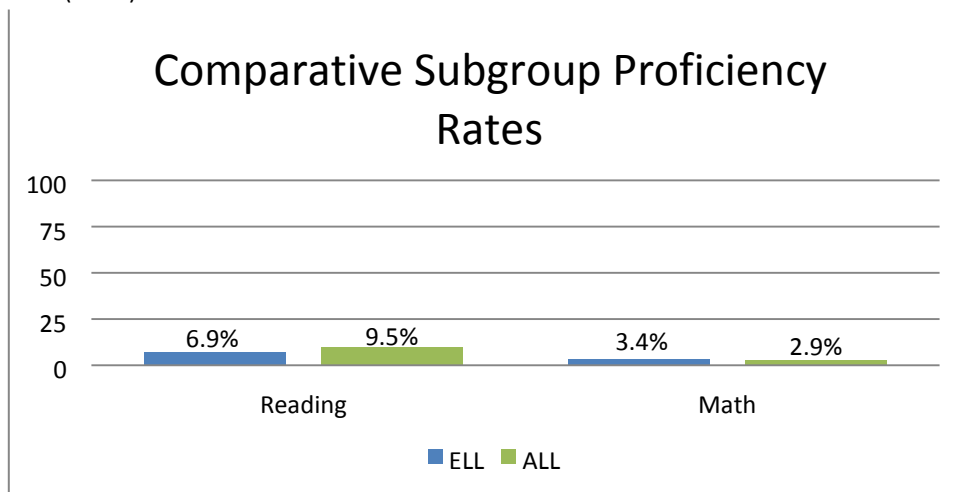
NEW AMERICA SCHOOL - LAS CRUCES HAS ACHIEVED THE PUBLIC EDUCATION DEPARTMENT'S STANDARDS OF EXCELLENCE AS REFLECTED IN THE SCHOOL LETTER GRADE

The state's letter grading system, required by law starting in 2012, results in each school being assigned a letter grade of A, B, C, D, or F annually. The law provides that certain rights for are imbued to the families who have students enrolled in a public school rated F for any two of the last four years. Additionally, the law requires that a public school rated D or F must prioritize its resources toward proven programs and methods linked to improved student achievement until the public school earns a grade of C or better for two consecutive years.

The tables below reflect the school's academic performance over the last 3 years. The school currently maintains a 3 year average letter grade of C. The current year letter grade has increased in points each year over the past 3 years.



The school had limited data for subgroups. The available information is reported below. The percentage of students with disabilities that scored proficient was not available to be reported. The percentage of English Language Learners that scored proficient in reading was approximately 2.5% lower than non-English Language Learners. The percentage of English Language Learners that scored proficient in math was approximately 0.5% higher than non-English Language Learners. The school scored an “F” for the growth of Q1 (25% Lowest Performing Students). In both Math and Reading the lowest performing students gained *slightly more* than 1 years’ worth of growth with positive VAS scores of 0.02 (reading) and 0.11 (math).



In current standing, the school earned a C, which is up from an F in 2014. In school growth, the school earned a C, which is up from an F in 2014.

While the school’s 2016 performance is acceptable, the school notes that there was a reading proficiency decline in 2015. As a result, the school notes:

Following the analysis of our SY2015 data, we developed an intervention plan to improve our English Language Arts (ELA) results that included the following:

Based on the Measured Academic Progress (MAP) scores, students are assigned into groups of 8-10 students in a 30-minute Response to Intervention (RtI) group, where teachers focus on reading strategies and interventions to support literacy. According to research from the ACT College Board, when a student is a proficient reader, the benefits transfer to all content areas. NAS-LC has adopted a school-wide program of Sustained Silent Reading (SSR) that consists of 10 minutes of reading at the beginning of each class. It is expected that students will read for no less than 60 minutes per day as part of the supplemental academic initiative. NAS-LC ELA teachers have implemented a Common Core research-based reading program in all grades. The Standardized Testing for the Assessment of Reading (STAR) program is utilized to identify students' reading levels to help them make informed choices when selecting appropriate reading material.

The final analysis of the data indicates these reading interventions are proving to be highly effective.

In addition, the school notes a decline in math proficiency in 2016. As a result, the school notes:

NAS-LC is in the process of analyzing the PED data from SY2016 which the school received in late August 2016. NAS-LC staff will study the data provided at the subset level to determine the decline in math scores. After studying and researching possible causes for the decline, instructional strategies will be implemented immediately.

Strategies implemented at the beginning of SY2015 and that will continue in SY2016 include increasing the Algebra II block from 57 minutes to 87 minutes of daily instruction. NAS-LC has also collaborated with New Mexico State University to access the MC2 teacher program. In the summer of 2016, one staff member attended a weeklong conference to help with curriculum development and delivery. This program helps our math teachers develop and implement teaching strategies that support differentiated instruction; thereby more effectively meeting student needs.

In growth of the highest 75% (Q3), the school has demonstrated acceptable performance. The grades for the last three years are an A in SY2014, a B in SY2015 and an A in SY2016.

In the Growth of Lowest Performing Students (Q1) the school earned an F. The school notes that this grade decreased from prior years after the implementation of PARCC. The school describes the efforts it makes to support the Q1 students:

Special Education Inclusion: NAS-LC utilizes a full-inclusion model for special education students. This model ensures students receive instruction from a highly qualified teacher along with

support from the special education specialist. The special education teacher will work closely with the classroom teacher to provide modifications and supports within the classroom. The special education teacher provides focused strategies for targeted students within the classroom setting.

English Language Learners: English language learners (ELL) are supported through English as a Second Language (ESL) block, from one to four hours. The teacher utilizes sheltered instructional strategies for academic language acquisition. Teachers are required to complete 6 hours of ESL methodology coursework during their two years of employment at NAS-LC or may attain Teaching English to Speakers of Other Languages, TESOL certification. Through increased professional development and knowledge of instructional strategies specific to language acquisition, ELL teachers will be better prepared to meet the needs of the students.

Low performing students: Students who are low in academic language and skills can also fall into the lowest quartile. These students may be monolingual English speakers with English levels lower than expected. Teachers have been given the list of Q1 identified students that are on high alert. These students are receiving RtI daily with focused strategies to support literacy and numeracy. Teachers participating in professional development opportunities will learn strategies and best practices that benefit all students.

Analysis of SY2016 PARCC data disaggregated specifically for Q1 students will require teachers working in Professional Learning Communities to investigate, train, and implement strategies specific to the needs of the Q1

The school's performance in Opportunity to Learn has been consistently acceptable: C in SY2014, an A in SY2015 and a B in SY2016.

The school has not received a graduation or college and career readiness rating because the school has not been in operation long enough. The school did provide information about both measures in the application.

For the reasons stated above, it appears that the school has achieved the public education department's standards of excellence as reflected in the school letter grade.

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT ACHIEVED, OR MADE PROGRESS TOWARD ACHIEVING, THE STUDENT PERFORMANCE STANDARDS IDENTIFIED IN THE CHARTER CONTRACT

In its renewal application the school indicates it did not meet any of the goals identified in the charter contract.

SCHOOL RESPONSE: Although NAS-LC did not meet all charter performance goals, 45% were met, which is not reflected in the CSD analysis above.

The school's charter, including its original application, incorporated the following goals:

☐ Goal 1: 70% of students attending will show one year's growth on the WIDA ACCESS Placement Test (W-APT).

- ☐ Goal 2: 3% of the student scores will improve in each category annually on the New Mexico Statewide Assessment Program (NMSAP).
- ☐ Goal 3: 70% of students will show one year's growth on the Measuring Academic Progress (MAP) tests in Mathematics, Science, Writing, Reading and Language Usage.
- ☐ Goal 4: In an effort towards credit accumulation, 70% of the students who attend at least 75% of the time will acquire 5 or more credits per year.
- ☒ Goal 5: Passing rates in core subject areas (Mathematics, Science, Language Arts and Social Studies) will be 68% or better throughout quarters 1 to 4.
- ☐ Goal 6: NAS-LC will have a composite ACT score of 18 or better.

In relation to Goal 1, the school has provided data that demonstrates the school met the goal in FY2013 and 2014, but did not meet this goal in FY2015 and 2016. The data provided by the school indicates the performance is declining, which means the school has not demonstrated substantial progress toward achieving this goal. The school noted it took the following action:

Based on analysis of this data, NAS-LC implemented the use of Rosetta Stone during RtI, to support growth in listening and speaking. The ESL teacher provides supports to ELL students in core classes to support language acquisition in listening, speaking, reading and writing while gaining the knowledge of standards they are expected to know. In addition, the entire staff receives professional development in sheltered instruction strategies to support language learning. All teachers are required to successfully complete 6 credit hours of ESL methodology during their first two years of employment with NAS-LC.

The school has not demonstrated how these efforts have been successful in achieving or making progress toward its goal.

SCHOOL RESPONSE: The school has been successful in that ELL students are outscoring non-ELL students in Math as measured by the PARCC. The CSD noted: "The percentage of English Language Learners that scored proficient in math was approximately 0.5% higher than non-English Language Learners." NAS-LC relies on the data that students understand the math content and have more students scoring proficient. With respect to academic language acquisition, the academic reading and writing skills take 5-7 years to develop. Therefore, growth in academic language acquisition, as demonstrated by ACCESS scores is slower.

An ever-increasing number of students attending NAS-LC enroll with various levels of language acquisition and performance. In addition, some students arrive with little or no home language literacy. They cannot read or write their native language or English which poses an additional challenge. Also, the student population of NAS-LC has a high rate of mobility and many students are high risk. Despite this, teachers use their understanding of academic language acquisition to support acquisition of content knowledge as language develops.

As NAS-LC begins making plans to administer the ACCESS for SY 2017, one informational piece that will be disaggregated from that data is if students who have

been at NAS-LC for multiple consecutive years are continuing to make expected progress.

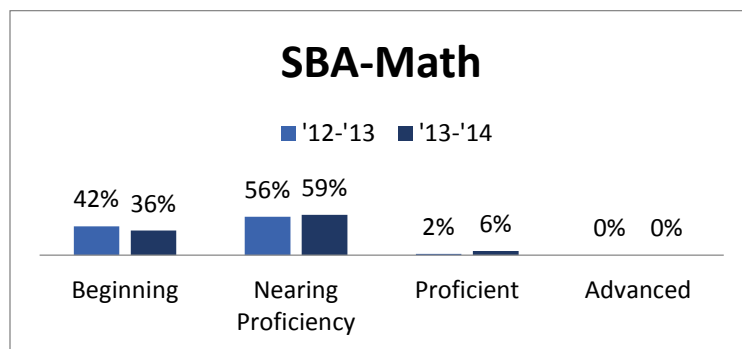
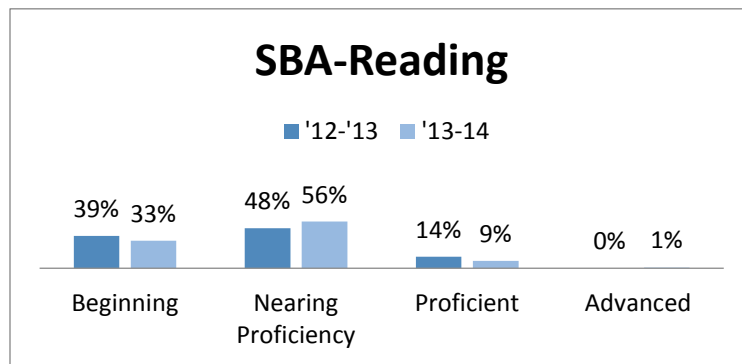
NAS-LC uses Title III funding to provide the staff with ongoing professional development in SIOP strategies on how to support students with their language learning.

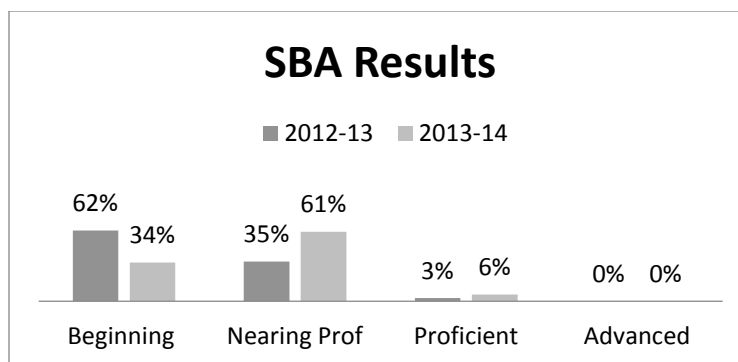
The school has provided insufficient data to demonstrate substantial or sustained progress toward meeting the second goal listed above:

Goal 2: 3% of the student scores will improve in each category annually on the New Mexico Statewide Assessment Program (NMSAP).

The school has indicated it meet this goal. However, the school provides a general comparison of the scores of students enrolled and tested in both FY2013 and 2014. The school did not provide data to verify this analysis and did not identify the number of students who were tested in both years.

SCHOOL RESPONSE: SBA was only in place for the first two years at NAS-LC with PARCC being administered in years three and four. This goal requires NAS-LC to look at the data of students who took the SBA two consecutive years (year 1 to year 2). There are 7 students who were here for two consecutive years. These graphs were submitted with the renewal packet on Oct. 3, 2016. As CSD requested additional information, NAS-LC is adding these graphs below to show how the school performed overall, school-wide. These graphs and analysis are below.





Reading				
2012-13	B 39%	NP 48%	P 14%	A 0%
13-14	B 33%	NP 56%	P 9%	A 1%
Math				
2012-13	B 42%	NP 56%	P 2%	A 0%
13-14	B 36%	NP 59%	P 6%	A 0%
Science				
2012-13	B 62%	NP 35%	P 3%	A 0%
13-14	B 34%	NP 61%	P 6%	A 0%

Data analysis:

Beginning Steps: Percentages in all three areas: Reading, Math and Science dropped from SY13 to SY 14. This demonstrates fewer students scored Beginning Steps from year 1 to year 2 as the result of a potential shift in students scoring higher due to increased academic proficiency moving them up to the next step.

Nearing Proficient: Percentages in all three areas increased. This also demonstrates few students scored Nearing Proficient. One exception is in reading where the number of students scoring Proficient also dropped, indicating that some students who scored proficient in year 1 dropped to Nearing Proficient in year 2.

Proficient: Percentages in Math and Science increased and decreased in reading. See explanation above.

Advanced: Reading was the only area that showed an increase.

It is unclear whether the goal is limited only to students assessed in both years or is intended to include all students tested in a single year. The goal is very low, which may indicate that it was intended to include all students in a given year and account for the anticipated high student turnover.

SCHOOL RESPONSE: Both sets of data, both retesters and whole school have been submitted to CDS now to represent our growth.

In its analysis of PARCC data, the school appears to provide data that is not broken out by retesters. Additionally, the school includes only level 3, 4, and 5, but does not account

for the number of students moving from 1 to 2. More data and information is needed to evaluate this goal, at this time the school has not demonstrated it met the goal.

SCHOOL RESPONSE: In the initial application for renewal, the school's whole group results were submitted because there were only 28 students who were retested in all of the categories.

Retesters by subgroup are:

Algebra I – Geometry = 13 students

Geometry – Algebra II – 3 students

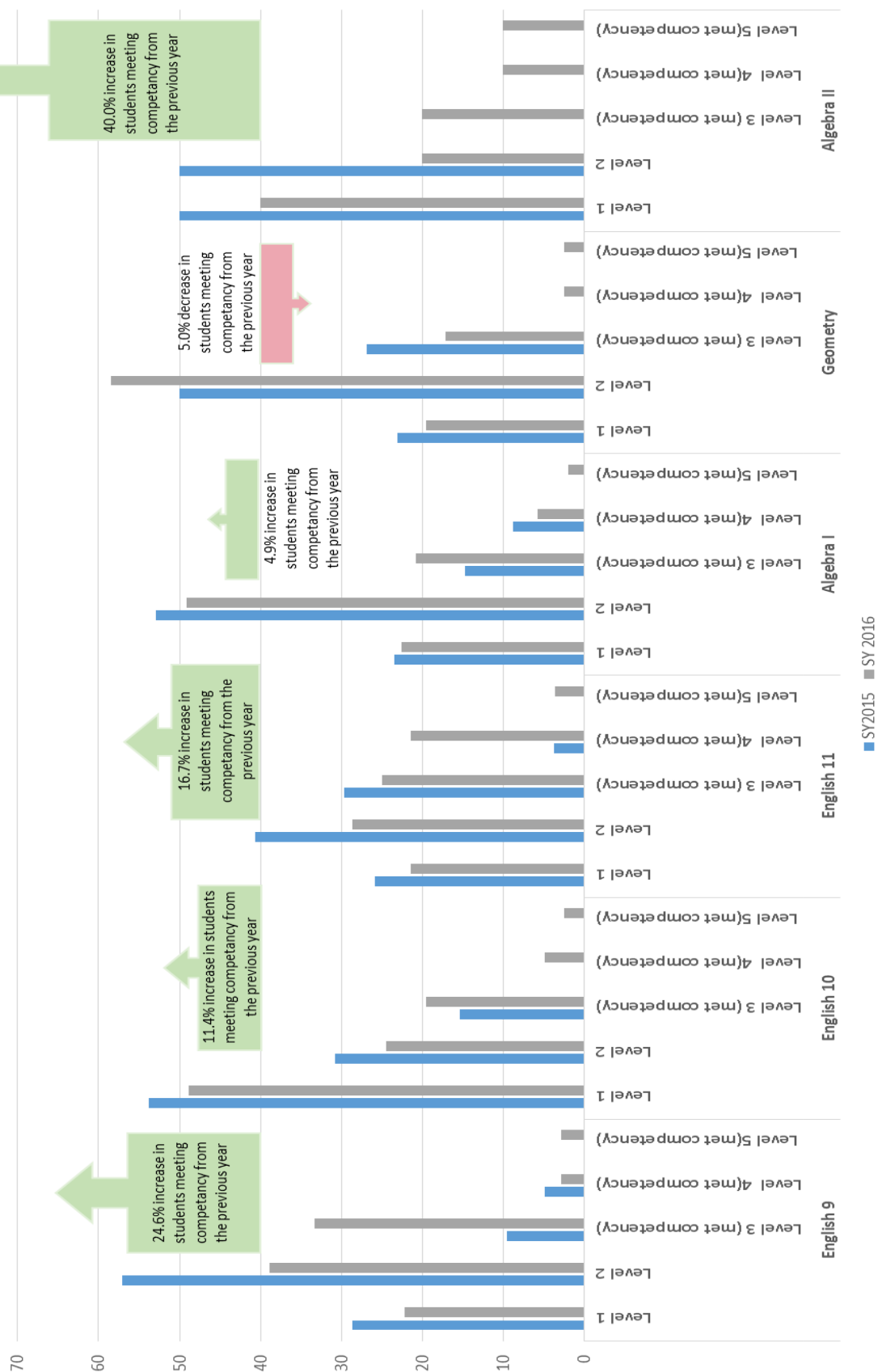
English 9 – English 10 – 10 students

English 10 – English 11 – 2 students

Because of the small size of each cohort, NAS-LC did not consider this a strong disaggregation of the data. The graphs submitted in the renewal packet were a schoolwide comparison of the data.

A new graph of the PARCC scores compared side by side with the analysis has been inserted below.

Percent of Students Performing at Each Level on the PARCC Assessment 2014-15 and 2015-16



SCHOOL RESPONSE: *There was an observed decrease in the percentage of students scoring at levels 1 and 2 and marked increases in the percentage of students meeting competency by scoring in levels 3 through 5 in English 9, English 10, English 11, Algebra I and Algebra II.*

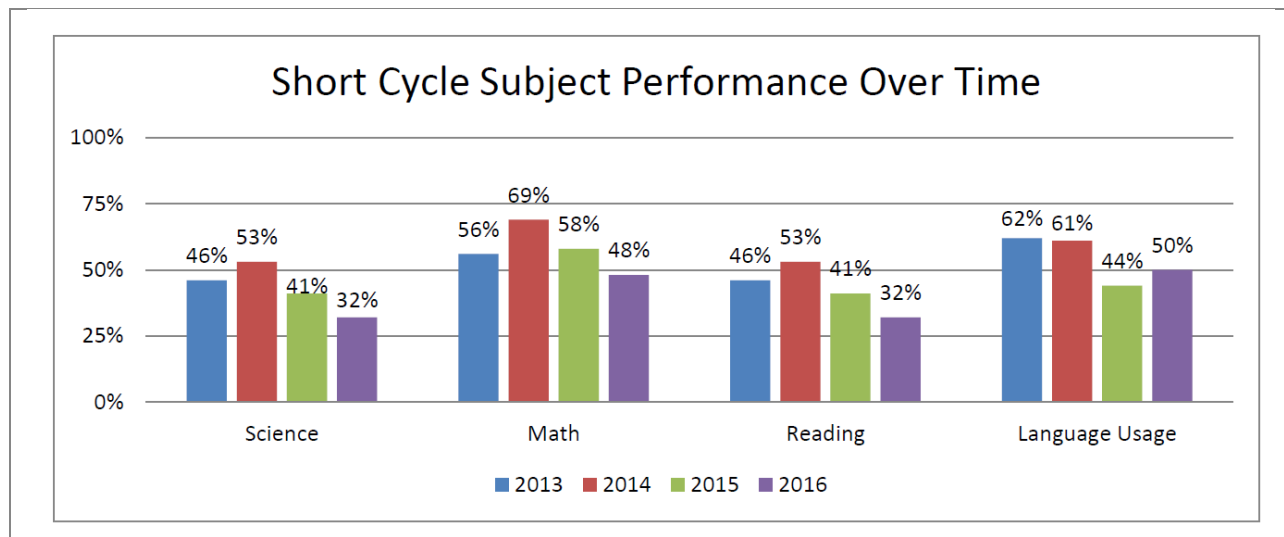
The school did not have an “annual Implementation Review” performed by Expeditionary Learning in either the 3rd or the 4th year of the charter. Between the first and the second year, the school’s data indicates there was a decline in the assessed performance from a 2.2 to a 2.0. As noted in other sections of the application, the school terminated its relationship with the EL organization. In its narrative, the school states “It became clear at this point that the EL Designer/Leader was proposing fundamental changes that were beyond her authority and level of responsibility. Some of the recommended changes conflicted with other charter components and budgetary allowances.”

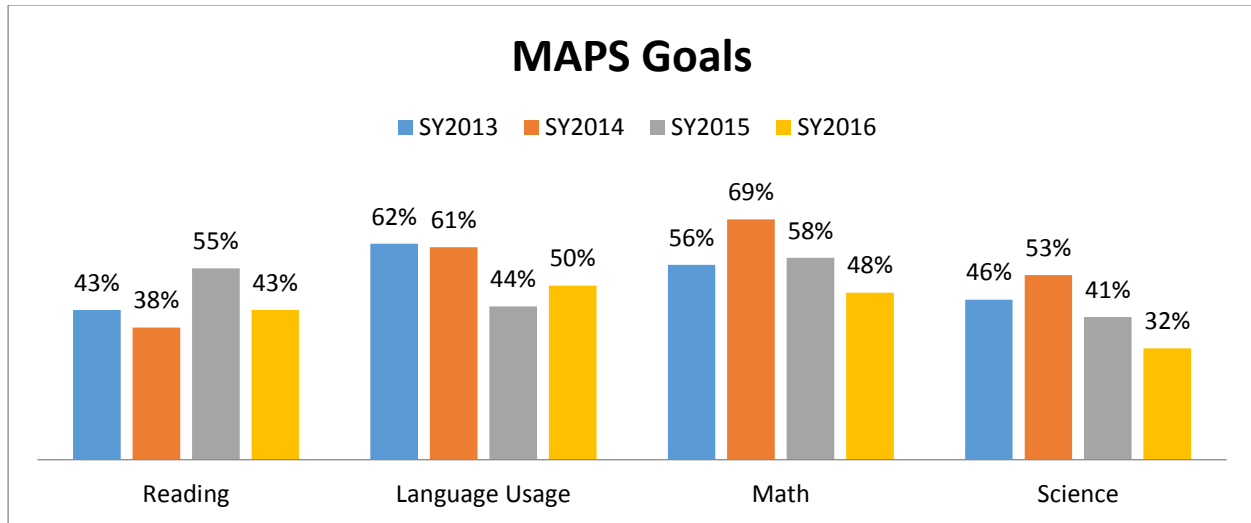
SCHOOL RESPONSE: *NAS-LC is not and has never been an Expeditionary Learning School and therefore is not required to conduct the stated “annual Implementation Review.” The data analyzed in the above paragraph is not data from NAS-LC, and as such, is not relevant.*

The school has not provided data to demonstrate substantial or sustained progress toward meeting the third goal listed above:

Goal 3: 70% of students will show one year's growth on the Measuring Academic Progress (MAP) tests in Mathematics, Science, Writing, Reading and Language Usage.

The school notes that “NAS-LC did not achieve this goal.” The school’s data, re organized below, demonstrates that over time the school’s performance has mostly declined in every area.





The school did not provide a narrative to describe what action it has taken based on this data or how the school can demonstrate improved performance.

SCHOOL RESPONSE: When the CSD converted the data to the opposite axis, the data the CSD used was incorrect. The CDS used the science data twice, once for science and again for reading. The correct graph has been inserted above.

NAS-LC will take the following action to improve MAP scores:

Teachers will receive an understanding of the MAP goal and use it with students in the homeroom to define where the student is and needs to be. These scores are shared with parents during parent teacher conferences. The Rtl groups are based on the MAP scores. The Rtl groups focus on reading strategies. Teachers are provided training in the implementation of reading strategies in their Rtl groups. There are 2 Rtl groups focused on math strategies for students that score below the expected grade level. All core classes integrate the academic vocabulary “word of the day” into their lessons. In addition, the schoolwide Silent Sustained Reading program is implemented during the first 10 minutes of each class every day.

The school has not provided data to demonstrate substantial or sustained progress toward meeting the third goal listed above:

Goal 4: In an effort towards credit accumulation, 70% of the students who attend at least 75% of the time will acquire 5 or more credits per year.

The school provided data that demonstrates the school has not achieved this goal. The school’s data demonstrates that over time the school’s performance has increased in this area, but has declined from year 3 to year 4. At its lowest, the school was 51% points away from meeting the goal and at its best it was 11% points away. In response the school states, “NAS-LC determined that 70% credit accumulation was a high bar for the target population.”

It is worth noting that the school only includes students who are enrolled in the “day program” however the school has many more students enrolled in both “morning” and “evening” programs. The Commission may want to understand what percentage of the school’s population is included in this data.

SCHOOL RESPONSE: The way the goal is stated, the students who were included in the data subset were those enrolled in 5 or more classes, regardless of age or time of day academic instruction.

Additionally, the school notes: “Students, who attend NAS-LC, historically have significant absentee rates in their previous schools. Students attending NAS-LC also have decreased engagement and low interest. It is difficult for students to successfully complete and pass classes.” Based on the school’s habitual truancy rate from 2016 (23%) and current year attendance rate (81%), it is unclear if and how the school is changing this behavior. Additional information about this may be helpful for the Commission to understand. The school describes efforts that it is undertaking:

In an effort to increase credit accumulation, NAS-LC has recruited faculty with experience in teaching high risk populations, as well as a strong knowledge base regarding student engagement. Our staff is able to utilize strategies to increase student success. NAS-LC has made a commitment to provide teachers with professional development, including focused workshops. Teachers also have a common prep period that allows collaboration and cross content alignment. As the curriculum becomes more rigorous, NAS-LC students are being held to higher expectations.

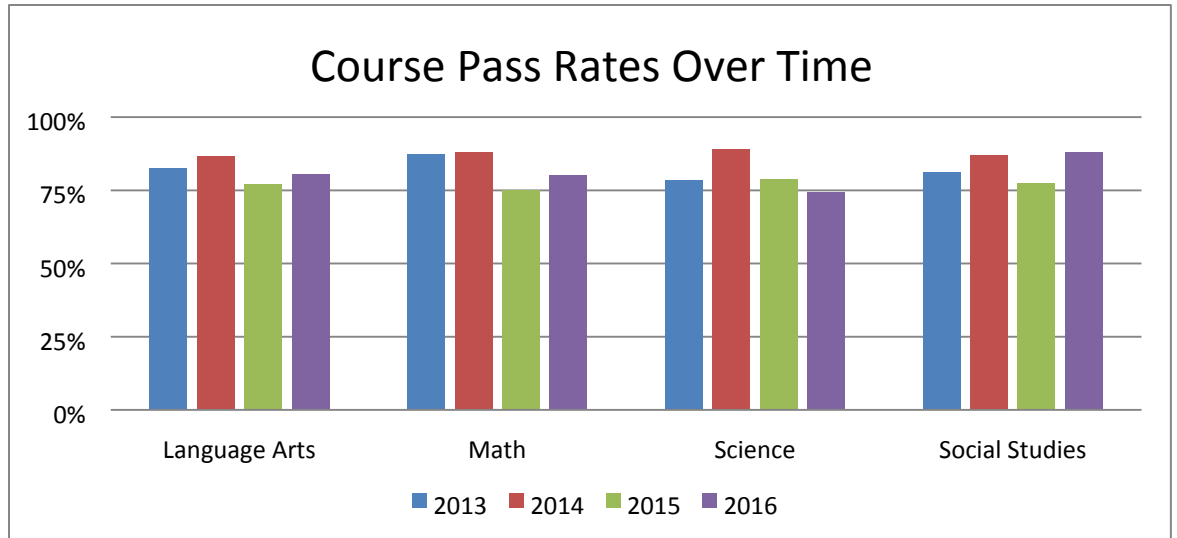
SCHOOL RESPONSE: In addition to the actions already noted by CSD in its analysis above, NAS-LC continues to increase the level of support for students in reducing truancy. Some of these supports include implementing the Early Warning System, and the addition of a full-time Truancy Officer on staff. We are continually working on student engagement strategies along with strategies on how to work with high-risk students and English Language learners.

The school has provided data to demonstrate it is meeting the fifth goal listed above:

Goal 5: Passing rates in core subject areas (Mathematics, Science, Language Arts and Social Studies) will be 68% or better throughout quarters 1 to 4.

However, the school’s passing rates for most core classes, except social studies appear to be declining. This is concerning as the school may not continue to meet this goal if the current trend plays out:

SCHOOL RESPONSE: If approved, NAS-LC does not anticipate this being a school performance indicator after this renewal cycle. Therefore, CSD’s analysis of the “current trend” is moot.



The school has not provided data to demonstrate substantial or sustained progress toward meeting the sixth goal listed above:

Goal 6: NAS-LC will have a composite ACT score of 18 or better.

The school has noted that it met the goal in one year that is the first year of the school when only two students took the assessment. Since then the school has increased the number of students taking the assessment, and the average score has declined. The school notes it is taking the following action to improve achievement:

In an effort to improve the average ACT score, NAS-LC has created several opportunities including workshops and individual tutoring to prepare seniors to take this exam.

During RtI, Seniors participate in activities to develop and refine their knowledge of ACT vocabulary, grammar, reading strategies and test taking strategies. We give ACT practice tests to help students experience the timed test and the format. The second semester, seniors apply for scholarships, complete the financial aid application (FAFSA), and apply to college. Seniors are also offered tutoring on Fridays in preparation for the ACT exam. Juniors are also given the opportunity to take the ACT, which indicates a high level of interest in preparing for college and/or careers.

Anecdotal, we are seeing success in the individual students we serve. For example, an undocumented student attended NAS-LC for two years, earned a score of 22 on the ACT. Today, he is thriving in his second year of college.

The school has not provided any data to demonstrate these efforts have been successful in improving student achievement.

SCHOOL RESPONSE: The Response to Intervention strategies for Seniors to make them more successful on the 2016-2017 ACT testing cycle began in the last quarter of last year, and has carried over to the current year. This year, it has been in full implementation. Understandably, data tied to these new efforts will not be available until the end of the school year. Additionally, this is another goal that will not be carried forward as performance indicator metrics into the new charter if renewed.

As demonstrated in the analysis above New America School - Las Cruces has not achieved, or made progress toward achieving, most of the student performance standards identified in the charter contract. The school itself has indicated that it has not many of the goals above. Further, the school provided limited data that does not demonstrate improved performance. For the reasons stated above, it appears that the school neither achieved, nor made substantial progress toward achieving, the student performance standards identified in the charter contract.

The school's charter, including its original application, incorporated the following additional goals:

- ☒ Goal 1: NAS-LC will achieve a 65% graduation rate.
- ☒ Goal 2: NAS-LC will achieve an 80% average daily attendance.
- ☐ Goal 3: NAS-LC will achieve 55% retention of a cohort group of students enrolled continuously from August to June and taking the maximum number of credits.
- ☒ Goal 4: NAS-LC will maintain a rate of discipline referrals and subsequent actions of no more than 5% per quarter.
- ☒ Goal 5: NAS-LC will maintain an enrollment number at the 120 day count of at least 75% of its 40 day count number.

The school has provided data to demonstrate it is meeting the first goal listed above.

The school notes that:

Students who are within 6 credits of graduation are categorized as seniors. Seniors who are enrolled at NAS-LC at the 40th day count and complete their credits by the following May are counted in the graduation rate.

It is unclear that this definition will meet the definition used by the PED. However, using the definition, including the reclassification of juniors who earn enough credits by the end of the first semester, the school meets the graduation rate goal: SY2013 - 71%, SY2014 - 65%, SY2015 - 64%, SY2016 - 75%.

The school has provided data to demonstrate sustained progress toward meeting the second goal listed above: Goal 2: NAS-LC will achieve an 80% average daily attendance.

The school's data indicates the school's attendance rate has increased from 68% in its first year to 82% in the fourth year. However, the school's habitual truancy rate is a concern to CSD. The school should provide additional information about the success of efforts to improve habitual truancy rates. The school has noted the following efforts in decreasing truancy:

In SY2016, the PED awarded a grant for a Truancy Coordinator to assist in supporting students with the challenges and obstacles that affect their attendance. The Truancy Coordinator contacts the families of students who miss class and are on the verge of being dropped. The Truancy Coordinator provides information on agencies that can help with childcare, food, and clothing. The Truancy Coordinator has been successful in implementing an Early Warning System, a research-based initiative by Johns Hopkins University, which is a statewide initiative for schools wanting to identify students at risk of dropping out or becoming habitually truant. The entire staff

is committed to the program with five staff members participating in the PED-sponsored conference in June 2015 and 2016 and serve as the EWS core resource team. The EWS will be implemented in the school year SY2017.

SCHOOL RESPONSE: The habitual truancy rates have declined over the SY2014 to SY2015 from 69% to 49% as reported in NMPED STARS data. Efforts such as home visits, parent phone calls, full-time truancy coordinator funded via the Truancy Coordinator Grant that was applied for and awarded to NAS-LC, have all proven effective, reflected in the sharp reduction in student truancy rates reported above.

The school has not provided data to demonstrate substantial or sustained progress toward meeting the third goal listed above:

Goal 3: NAS-LC will achieve 55% retention of a cohort group of students enrolled continuously from August to June and taking the maximum number of credits

The school's data shows it did not meet this goal. In the first year, the retention of students from August to June was 33%, in the second year it was 49%, in the third year it was 46% and in the fourth year it was 49%. The school's goal states, additionally, that the students will be "taking the maximum number of credits." The school provided no information on the number of credits or the percentage taking the maximum number of credits. The school should provide the Commission additional information to better understand its progress toward this goal.

SCHOOL RESPONSE: The data submitted in the original application was taken from 40 day counts and EOY. In this data subset, there were a total of:

- ***235 students in SY12-13***
- ***314 in SY13-14***
- ***324 in 14-15***
- ***332 in 15-16***

And were taking the maximum amount of credits possible within the scheduled time constraints.

The school states that it has implemented a number of efforts to improve engagement including tutoring, hiring teachers with relevant experience, and offering extracurricular activities. The school has not provided data to demonstrate the success of these efforts.

SCHOOL RESPONSE: Data demonstrates that the implementation of a block schedule in SY16 resulted in an increase in student retention of 3%.

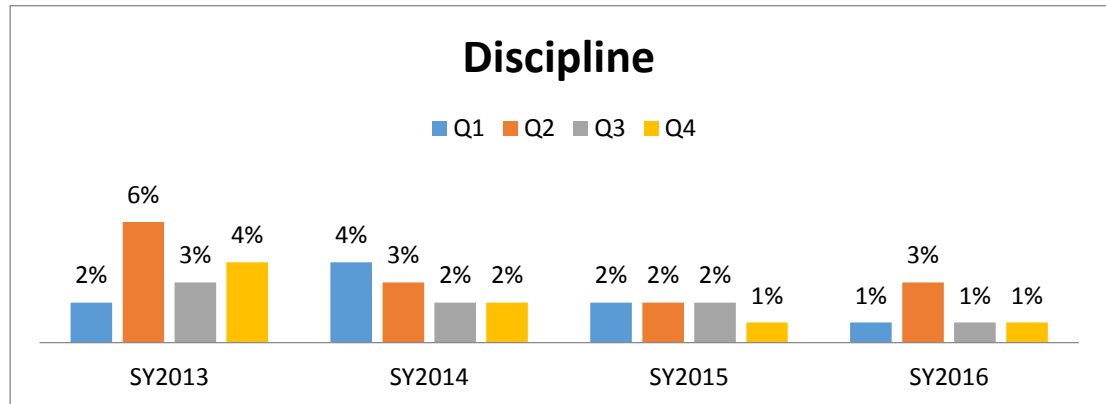
The school has provided data to demonstrate it is mostly meeting the fourth goal listed above:

Goal 4: NAS-LC will maintain a rate of discipline referrals and subsequent actions of no more than 5% per quarter.

The school noted it achieved the goal in 15 out of 16 quarters. In the second quarter of its first year, the discipline rate was 6%, in all other quarters it is 4% or below.

SCHOOL RESPONSE: This goal was achieved by NAS-LC 94% of the time. As can be seen from the graph below, which was submitted in the renewal packet, NAS-LC achieved this goal 15 of 16 quarters. In addition, 75% of the quarters were 3% or below. Furthermore, the yearly average rate of discipline referrals at NAS-LC was:

- SY2013 : 3.75%
- SY2014 : 2.75%
- SY2015 : 1.75%
- SY2016 : 1.75%

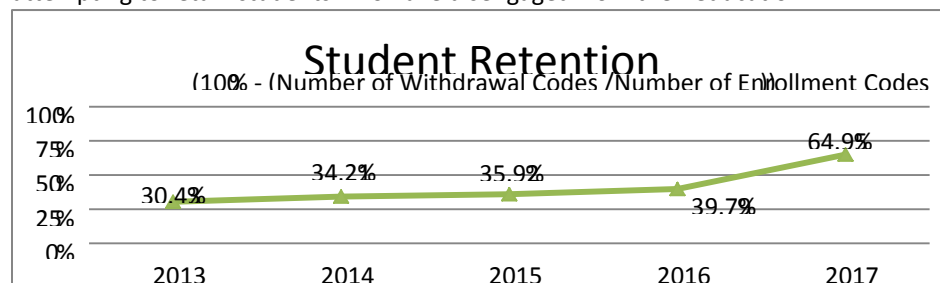


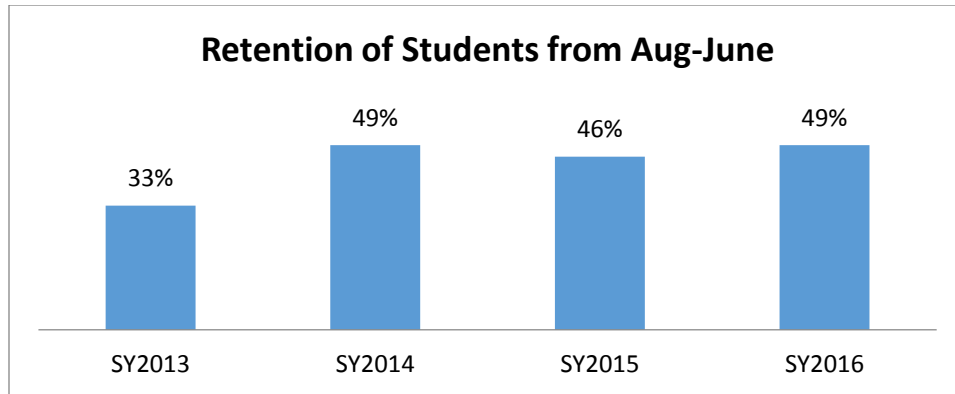
The school has provided data to demonstrate it is mostly meeting the fifth goal listed above:

Goal 5: NAS-LC will maintain an enrollment number at the 120 day count of at least 75% of its 40 day count number.

The school's data shows that it has met this goal in all years except FY2015, its third year. The school notes that the percentages are: Year 1: 91%, Year 2: 98.7%, Year 3: 74.3%, Year 4: 90.3%.

However, as noted above, the school's student retention data is concerning. While the school may be maintaining an enrollment number that is fairly equal on the 40th and 120th day, it is unclear how much of the population is the same and how much consists of students who were not present on the 40th day. The school should provide additional information to help the Commission understand this data and how the school is attempting to retain students who have disengaged from their education.





SCHOOL RESPONSE: *This goal is not stated to represent student retention of the same cohort but rather stable enrollment numbers which supports stable funding. Goal #3, which graph is reinserted above, was included in the original charter and in the renewal packet to monitor student retention through one school year. The same number of students were counted on the 40th day and compare to the number at the EOY.*

As demonstrated in the analysis above New America School - Las Cruces has not achieved, or made progress toward achieving, all of the organizational performance standards identified in the charter contract. For the reasons stated above, it appears that the school neither achieved, nor made substantial progress toward achieving, the performance standards identified in the charter contract.

NEW AMERICA SCHOOL - LAS CRUCES HAS MET ALL GENERALLY ACCEPTED STANDARDS OF FISCAL MANAGEMENT

The school has indicated it is following generally accepted accounting principles; the record during the contractual term includes evidence that supports this assurance.

The information presented in the school's application Audit Report Summary is consistent with the audit released by the Office of the State Auditor. For the contract term of the charter, the last three audits released by the Office of the State Auditor indicate the school has not had significant and material weakness findings.

In 2016, this school was required to provide the PED with a corrective action plan for all audit findings from the FY15 audit. The school did timely submit a corrective action plan.

The fiscal year 2016 audit has not been completed therefore, that status of whether findings are repeated, resolved or new is unknown. The fiscal year 2016 audit has not been released publicly therefore, that status of whether findings are repeated, resolved or new is unknown. However, the school should have this information and should be able to share it with the Commission.

The school is working hard to find the right balance of cash in the bank while also ensuring that the school is properly staffed and that staff and students have all the tools

they need in order to be successful. Being in its first 5 years, the school is still growing a little, the governing council is beginning to mature more in respect to public school finance, and the business office is getting more of a grasp on what it takes to keep the school running smoothly on a day to day basis. As the school continues to move on, administration and the GC will continue to learn and discuss on the right amount of cash to have with the idea in mind that the student needs are the most important. Overall, the Charter submits all their documentation in a timely and accurately matter. The School Budget and Finance Analysis Bureau have not had any significant issues with New America School regarding FY17 budget development or required financial reporting. Cash carryover has been up and down over the last couple of fiscal years. This adjustment to determining correct cash carryover amounts are normal growing pains in new charter schools.

NEW AMERICA SCHOOL - LAS CRUCES HAS NOT COMPLIED WITH ALL PROVISIONS OF LAW FROM WHICH THE CHARTER SCHOOL WAS NOT SPECIFICALLY EXEMPTED

In the school's renewal application, the school is asked to make assurances about whether the school is meeting the educational, civil rights, and special population, employee, school environment, appropriate handling of information, and governance requirements of all provisions of law from which the charter school was not specifically exempted. In the application, the school has made assurances that it is in compliance with all provisions of law from which the charter school was not specifically exempted.

In order to determine compliance with all provisions of law from which the charter school is not specifically exempted, CSD conducts annual monitoring visits and desktop monitoring. CSD also relies on reporting from other bureaus in the Public Education Department. Below are findings that demonstrate whether or not the school has complied with all provisions of law from which the charter school was not specifically exempted. A full copy of the site visit report is provided in the attached materials.

CSD finds that the school has not complied with the following provisions of law:

- Teacher Pay, Licensure, Mentorship, Contracts and Background Check Requirements
- Instructional Hours
- Compulsory Attendance Laws
- Response To Intervention
- Special education service requirements
- ELL service requirements
- New Mexico Residency Verification
- Next Step Plans
- Assessment
- Governance requirements

Teacher Pay, Licensure, Mentorship, Contracts and Background Check Requirements

PED Staff reviewed 28 staff files. Pursuant to NMSA § 22-10A-5, a school must require background checks on all employees. CSD observed 2 out of 28 staff files or 7% had deficient background checks.

SCHOOL RESPONSE: All 28 staff files have current background checks. CSD states they observes two files were missing background checks. CSD staff was shown one of these two during the site visit exit meeting. This remaining teacher in question is a full-time teacher with Las Cruces Public School and has her fingerprints on file with them. She completed the NAS-LC fingerprints on Oct. 18, 2106.

The school must have systems in place to ensure all school personnel are properly licensed for courses taught. In the review one file had no evidence of valid licensure. A review of the STARS reporting indicates of the 28 staff files reviewed 2 files out of the 28 lack appropriate licensure.

SCHOOL RESPONSE: An Improvement Plan has been filed with Ms. Frost at PED as of November 16, 2016 for one of the teachers in question. A plan of action was also submitted to Ms. Reyes in licensure in regard to other staff members in question.

CSD observed a discrepancy between the special education teacher reported in STARS and that observed during the site visit. Specifically, the name of the staff file did not match the name in STARS. The staff member was interviewed during site visit and staff member had indicated occupation had preceded the date of the STARS report (10.12.16). CSD did not secure the data of hire during site visit as discrepancy was discovered after the site visit had been completed.

SCHOOL RESPONSE: One of the attachments that is submitted with this response indicates the Special Education teacher WAS on file at the 40th day. His first day of hire was August 1, 2016. He is Trevor Tuthill.

Pursuant to NMSA 22-10A-21, a school must provide employment contracts between local school boards and certified school personnel and between governing authorities of state agencies and certified school instructors shall be in writing on forms approved by the state. CSD observed 4 certified school files out of 28 staff members or 14% without signed contracts.

SCHOOL RESPONSE: The employees noted by CSD were not certified personnel, but rather non-certified support staff. All of the certified personnel files were signed and submitted to payroll in order to set up their monthly pay. Without signature on contracts, payroll would not have been approved by the business manager, Vigil Group.

As such, each of the four non- certified staff members have an appropriate signed Memorandum of Employment dated October 13, 2016. These 4 staff members were hourly employees. Please note that the School Personnel Act does not require that non-certified staff salaries be "aligned" with any salary schedule. The four members in question are non-certified staff members. NMSA 22-10A-39 requires only a certain minimum wage be paid to non-certified school personnel. CSD should be able to determine compliance with this requirement through payroll records.

A school must pay minimum salary levels and in all cases, salaries must be compliant with the school schedule. CSD observed that 8 employees out of the 28 staff files or 29% had deficient salaries. In each case, school employees were hired for less than 1 FTE.

However, these amounts were apportioned incorrectly resulting in underpayment. These were as follows:

LVL II Instructor - Paid \$5,281.34 (.13 FTE) which is less than the required \$42,000 statutory minimum or \$5,460.00 (.13 FTE). Employee underpaid by: \$178.00
LVL II Instructor -- Paid \$9,321.46 (.23 FTE) which is less than the required \$42,000 statutory minimum or \$9,660.00 (.23 FTE). Employee underpaid by \$338.48
LVL II Instructor – Paid \$9,334.32 (.23 FTE) which is less than the \$42,000 statutory minimum or \$9,660.00 (.23 FTE). Employee underpaid by \$338.48
LVL I Instructor – Paid \$12,294.71 (.46 FTE) which is less than the \$34,000 required or \$15,640 (.46 FTE). Employee underpaid by \$3,345.29
LVL II Instructor – Paid \$14,236.69 (.35 FTE) which is less than the \$42,000 statutory minimum or \$14,700 (.35 FTE). Employee underpaid by 463.31.
LVL I Instructor – Paid \$5,649.02 (.18 FTE) which is less than the required \$34,000 statutory minimum or \$6,120.00 (.18 FTE). Employee underpaid by 470.98.
LVL III Instructor – Paid 14,955.87 (.35 FTE) which is less than the required \$52,000 statutory minimum or \$18,200 (.35 FTE). Employee underpaid by \$3,244.13.
LVL I Instructor – Paid \$5,690.52 (.18 FTE) which is less than the required \$34,000 statutory minimum or \$6,120.00 (.18 FTE). Employee underpaid by 429.48.

Total Employee Underpayment: \$8,808.15

SCHOOL RESPONSE: The New America School-Las Cruces calculates salaries for part-time licensed teachers by utilizing the annualized salary per the adopted 166 working day salary schedule and prorating it by calculating the number of actual days and hours to be worked. There should be no change in salary for the employees in question. The need for correction needs to be applied to the FTE listed on the contract to give a more accurate representation of how much a part-time teacher is required to work when compared to a full time teacher. An example of a proper calculation is below (please note that where percentages are rounded will play a small factor in the calculation):

Level II BA+15 w/ 8 years' experience = \$44,959 annual salary (based on a 166 day salary schedule).

of days per contract 150

Prorated FTE based on # of days per contract = $150 \div 166 = .9036$

Prorated Salary based on # of days per contract = $\$44,959 \times .9036 = \$40,625.60$

of hours per week = 5

Prorated FTE based on # of hours worked per week per contract = $5 \div 40 = .13$

Prorated salary based on # of days per contract and # of hours per week per contract = $\$40,625.60 \times .13 = \$5,281.33$

FTE that should be reflected on the contract is calculated as follows:

Prorated salary based on # of days per contract and # of hours per week per contract ÷ annual salary based on a 166 day salary schedule

$\$5,281.33 \div \$44,959 = .1175$

In addition, CSD was unable to determine the salary compliance for 3 non-licensed staff files. These reasons included: a failure to include either a signed contract or a failure to include salary or pay rates in the memorandum of employment the school utilized.

CSD was also unable to verify the salary compliance of one teaching staff file because no license was provided and CSD was unable to verify the teacher level from the information in the teacher file.

SCHOOL RESPONSE: The teacher's license in question has been added to her file.

Pursuant to NMSA § 22-10A-7, schools shall provide a mentorship program and evaluation of all first year level I teachers. During site visit, CSD observed 6 level I teachers that may require a mentorship program. 4 out of the 6 files were confirmed to be first year, level 1 teachers. Of these 4 first year, level 1 teachers CSD observed no evidence of a mentorship program and school provided no evidence the school was tracking mentorship activities or mentorship sessions. School advised during site visit that it was unaware of the mentorship requirement.

SCHOOL RESPONSE: The final statement above is incorrect. NAS-LC is aware of the mentorship program. In SY2015, NAS-LC incorporated a NEST program, New Educators Support Team. NAS-LC supports beginning teachers.

One of the Level I teachers who has been at NAS-LC for 3 years and was mentored, has attached her response. It verifies that she was supported throughout her first years of teaching while at NAS-LC.

NAS-LC currently has ONE LEVEL 1, FIRST YEAR teacher. This teacher is being mentored by a Level III teacher. The Mentorship Agreement is attached.

The other Level I teachers who are employed at NAS-LC were mentored, via Las Cruces Public Schools, prior to being hired at NAS-LC. NAS-LC did not mentor them as they previously mentored or were hired past the first 3 years of teaching.

The statement made during the exit meeting was that NAS-LC was unaware that Level I teachers who were in their 4th or more years of teaching needed to be mentored, which was what CSD was leading to believe. According to the statute stated below, "beginning teachers" in years 1-3 must be mentored. Therefore, NAS-LC IS in compliance with the statute.

TITLE 6 PRIMARY AND SECONDARY EDUCATION

CHAPTER 60 SCHOOL PERSONNEL - GENERAL PROVISIONS PART 10 MENTORSHIP PROGRAMS FOR BEGINNING TEACHERS

6.60.10.1 ISSUING AGENCY: Public Education Department (PED)
[6.60.10.1 NMAC - N, 07-01-02; A, 11-30-05; A, 10-31-07]

6.60.10.2 SCOPE: All beginning teachers holding a waiver, internship license, or level 1 New Mexico teaching license and employed in a New Mexico public school district, charter school, or state agency shall successfully complete a one to three year beginning teacher mentorship program provided by the public school district, charter school or state agency.
[6.60.10.2 NMAC - N, 07-01-02; A, 11-30-05]

6.60.10.3 STATUTORY AUTHORITY: Section 22-2-8.10, NMSA 1978.
[6.60.10.3 NMAC - N, 07-01-02]

6.60.10.4 DURATION: Permanent
[6.60.10.4 NMAC - N, 07-01-02]

6.60.10.5 EFFECTIVE DATE: July 1, 2002, unless a later date is cited in the history note at the end of a section.
[6.60.10.5 NMAC - N, 07-01-02]

6.60.10.6 OBJECTIVE: To establish requirements for statewide mentorship programs to provide beginning teachers an effective transition into the teaching profession, retain capable teachers, improve the achievement of students, and improve the overall success of the school.
[6.60.10.6 NMAC - N, 07-01-02]

6.60.10.7 DEFINITIONS:

A. **“Beginning teacher”** means a teacher holding a New Mexico waiver, internship license, or level 1 teaching license who has less than three complete years, full-or part-time, of classroom teaching experience. For the purpose of this rule, teachers with more than three complete years, full-or part-time, of classroom teaching experience but who hold a waiver, internship license, or level 1 licensure are not beginning teachers.

B. **“Teaching license”** means a (PED) license issued in early childhood, birth-grade 3; elementary education, grades K-8; middle level, grades 5-9; secondary education, grades 7-12; special education, grades pre K-12; licensure for pre K-12 in specialty areas; blind and visually impaired, birth-grade 12; and secondary vocational-technical education.

Instructional Hours

A. Budget Calendar Review.

Pursuant to NMSA § 22-8-9 the school must provide a budgetary calendar to the PED that supports the required minimum school directed program time requirements.

The budget calendar provided to the PED does support the school directed program time requirements. However, after further review this school budget calendar does not align with the program being implemented at the school.

The school calendar does not align because the school budget calendar does not reference either the night or the mid-day programs being offered to the school and the school provided no notice to the Budget Bureau that it was providing these programs.

SCHOOL RESPONSE: According to the NAS-LC PED Budget Analyst, the School Budget that is submitted to PED is based on hours of instruction per grade level, not a total of hours per day. So, on the submitted School Budget Calendar, in the section that denotes 7.5 hours per day, that refers to student instructional hours, NOT school instructional hours. Therefore, it does not need to reflect the afternoon or evening programmatic schedule.

In addition, the school budget calendar claims the school provides instruction 7.5 hours 4 days a week. This is not supported by the analysis below. A review of the bell schedule demonstrates the school provides 7.1 instructional hours 4 days a week for the day program, 5.2 hours days a week for the mid-day program, and separately for the night program the school provides 2.85 hours a week 2 days a week and 1.45 hours a week 2 days a week.

School documents provided to the PED budget are also irreconcilable. School certifies in the school budget calendar documents that it only provides 150 instructional days

throughout the year. However, the school is also required to provide a budgetary calendar that denotes these instructional days. This calendar denotes there are 168 instructional days which does not reconcile with the budgetary report that it only provides a 150 instructional days.

The Head Administrator was asked how many days of instruction the school provides and CSD was advised in response that the school provides only 150 instructional days. The school website meanwhile includes a calendar that was approved by the Governing Body effective 8.11.16 and it indicates only 148 days of instructional days.

SCHOOL RESPONSE: The budgetary calendar attached to this analysis by CSD indicates NAS-LC has 150 instructional days and 16 non-instructional days for a total of 166 days for the 2016-2017 school year. It is unclear what document CSD is referring to when it states above that the budgetary calendar “denotes 168 instructional days”. Additionally, the analysis above states the calendar on the school website indicates only 148 instructional days. Attached is the calendar from the school website and it indicates 150 instructional days. This calendar was approved by the GC on 8-11-16.

B. Instructional Calendar Review

As discussed above the Calendar provided to the School Budget Bureau (indicating 168 days) does not align with the amount of days reported in the school calendar statement (indicating 150 days) and that reported by the Head Administrator (advising CSD 150 days.) These dates also differ from the calendar (indicating 148 days) provided to CSD by the school, that listed by the school website, and that states was approved by the Governing Body on 8.11.16.

For the purposes of this review, CSD will utilize the 148 day calendar because: 1) it is the most recently approved calendar of all the calendars provided, 2) the school provided this calendar to CSD as the calendar being currently implemented by the school, and 3) this calendar is on the school website and being held to the public as the calendar being implemented.

SCHOOL RESPONSE: As stated above, the calendar CSD used for its analysis indicates 150 instructional days, not 148 instructional days. As such, the CSD analysis and conclusion for section B. Instructional Calendar Review is incorrect.

This calendar indicates there are: ***Corrections to the count are in below:***

34 days of Monday instruction.

38 Days of Tuesday instruction. ***(Early release by 30 minutes is on the last Tuesday of each month. There are 9 early release days.)***

37 Day of Wednesday instruction. (9 of which are early release days by 1 hour) ***This is incorrect, the early release days are on Tuesdays, not Wednesdays as denoted by CSD.***

36 Days of Thursday Instruction. ***This is incorrect, there are 37 on the calendar, not the 36 that CSD notes.***

3 days of Friday Instruction. ***This is incorrect, there are 4 on the calendar, not the 3 that CSD notes.***

(Nowhere on the school website does the school indicate how many hours are provided in a Friday instructional day. With regards to the below analysis, CSD has given the benefit to the school by giving the maximum allotted in the school daily schedule).

SCHOOL RESPONSE: Mandatory Fridays are the regular schedule, no early release.

This currently approved calendar differs significantly from the calendar provided to budget. First, it is 20 days shorter. It includes 3 days of Friday instruction which the school had certified in the School budget calendar that it did not provide, and it includes 9 days of early release which is also not reflected in the school budget calendar.

SCHOOL RESPONSE: Again, both the budgetary calendar indicates 150 instructional days as does the calendar approved on 8-11-16 by the GC.

C. Day Program Schedule Review (127 Students)

The Day Program operates from 8:00 AM to 4:30 Monday through Thursday. This constitutes 7 periods of 57 minutes + an RTI period of 27 minutes + or a total of 426 minutes.

The analysis excluded 30 minutes of lunch, 7 periods of 3 minute passing time (21 minutes), and one 30 minute 0 hour optional block.

The Morning Schedule therefore supports a total instructional program time of 7.1 Hours. (426 minutes / 60 minutes in an hour = 7.1 hours)

The School Calendar that is on the school website and was approved by the Governing Body on 8.11.16 indicates there are 148 days of Day Program time being operated in a school year and the school schedule indicates 7.1 Hours are being operated in a day. This school calendar and hours support a total of 1050.8 hours a year. (7.1 Hours * 148 Days = 1050.8 Hours a year.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total day program time provided is 1041.8 hours (1050.8 Hours a year – 9 hours of early release = 1041.8 total instructional hours a year.)

CSD observed that the actual school directed program time offered by the school day program is 141.8 hours a year which is less than the 1080 hours of Grades 7-12 instructional program time required by NMSA §22-2.8.1(3) and NMAC § 6.29.1.9(c) both of which require 1080 hours for Grades 7-12.

SCHOOL RESPONSE: NMSA 22-2-8.1 says students shall be in a “school directed program” for the minimum hours –excluding lunch (not passing time or optional blocks) from that calculation. So excluding these 18 minutes and/or optional block is not in accordance with the statute, below is the calculation for each of the three groups of students served at NAS-LC:

Students aged 14-18 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

8:30am - 4:27pm

7 periods of 57 minutes = 399 minutes

6 passing periods of 3 minutes = 18 minutes

1 Rtl period of 27 minutes = 27 minutes

*Total minutes per day = 444 minutes/60 minutes in an hour = 7.4 hours/day*150 days = 1,110 instructional hours a year – 4.5 hours for early release = 1,105.5 instructional hours/year. NAS-LC has 25.5 instructional hours over the minimum requirement of 1080 instructional hours. Students are released 30 minutes early on 9 Tuesdays throughout the school year for a total of 4.5 hours of early release for the year. The calendar on the website indicates that early release is one hour. This is incorrect as students are released 30 minutes early.*

Students aged 18-21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

12:00pm – 10:00pm

9 periods of 57 minutes = 513

9 passing periods of 3 minutes = 27

1 Rtl period of 27 minutes = 27

1 advisory period of 27 minutes = 27

*Total minutes = 594/60 = 9.9 hours/day *150 days = 1485 instructional hours*

Students over 21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

4:30pm – 10:00pm

5 periods of 57 minutes = 285

5 passing periods of 3 minutes = 15

1 advisory period of 27 minutes = 27

1 “period” of 60 minutes dual credit or on-line = 60

1 “period” of 60 minutes work study = 60

*Total minutes = 447/60 = 7.45 hours/day *150 days = 1,117.5 instructional hours*

D. Afternoon Program Schedule Review (41 Students)

The afternoon program operates from 12:00 to 5:30 Monday thru Thursday. This constitutes 5 periods of 57 minutes + an RTI period of 27 minutes or a total of 312 minutes.

This analysis excluded 5 periods of 3 minute passing time (15 minutes). No meal is provided.

The afternoon schedule therefore supports a total instructional program time of 5.2 hours a day. (312 minutes / 60 minutes in an hour = 5.2 Hours).

The school calendar indicates there are 148 days of afternoon program being operated in a school year and the school schedule indicates 5.2 Hours of afternoon program being operated a day . This school calendar and hours support a total of 769.6 hours a year. (5.2 hours * 148 days = 769.6 hours a year.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total day program time provided is 760.6 hours (769 hours a year – 9 hours of early release = 760 total instructional hours a year.)

The actual school directed program time offered by the school afternoon program is therefore less than the 1080 hours required by NMSA §22-2.8.1 and NMAC § 6.29.1.9 both of which require 1080 hours for classes 7-12.

The school head administrator advised that the school does provide an option for the students to enroll in the night program. This may provide an opportunity for students to secure additional hours. This is not required of the students.

E. Night Program Schedule Review (157 Student)

The night program operates from 5:30 to 8:27 on Monday and Wednesday and from 8:30 PM to 10:00 PM Tuesday and Thursday. Monday and Wednesday constitute 3 periods of 57 minutes each or a total of 171 minutes. Tuesday and Thursday constitute 1 period of 57 minutes and one 30 minute passing period or a total of 87 minutes.

The school calendar indicates there are 148 days of night program being operated in a school year. This schedule constitutes 71 Monday and Wednesdays, 75 Tuesday and Thursdays and 3 Fridays.

The school therefore operates 12,141 minutes or 202.35 hours of Monday and Wednesday instructional program time a year (71 days of Monday and Wednesday in a program year * 171 minutes a day = 12,141 minutes.) The school therefore operates 6,525 minutes or 108.75 hours of Tuesday and Thursday instructional program time a year (75 days of Tuesday and Thursday in a program year * 87 minutes a day = 6,525 minutes.) The school therefore operates 513 minutes or 8.55 hours of Friday instructional program time. (3 days of Friday class in a program year * 171 minutes in day = 513 minutes.)

This school calendar and hours support a total of 319.65 hours in a program year. (202.35 hours of Monday and Wednesday instructional program time + 108.75 instructional program time + 8.55 hours of instructional program time. = 319.65 total hours.) The school calendar also indicates that 9 days are early release days of 1 hour which means that the total night program time provided is 310.65 hours. (319.65 hours a year – 9 hours of early release = 310 instructional hours a year.)

The actual school directed program time offered by the school afternoon program is therefore less than the 1080 hours required by NMSA §22-2.8.1 and NMAC § 6.29.1.9 both of which require 1080 hours for classes 7-12.

The school head administrator advised that the school does not provide an option for night students to enroll in either the day or the afternoon program. This indicates students enrolled in the night program are not eligible to receive additional hours than the school directed program time of 310.65 hours.

CSD observed that school directed program time for the Day program and the Night program is 1050.8 hours and 310.65 hours respectively. These hours indicate school is noncompliant with instructional program time requirements. In addition, CSD did observe evidence that school is not complying with applicable laws, rules, and regulations relating to Financial Reporting requirements because CSD observed SY16 School Budget Calendar does not align with the instructional program offered by school.

SCHOOL RESPONSE: NMSA 22-2-8.1 says students shall be in a "school directed program" for the minimum hours –excluding lunch (not passing time or optional blocks) from that calculation. So excluding these 18 minutes and/or optional block is not in accordance with the statute, below is the calculation for each of the three groups of students served at NAS-LC:

Students aged 14-18 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

8:30am - 4:27pm

7 periods of 57 minutes = 399 minutes

6 passing periods of 3 minutes = 18 minutes

1 Rtl period of 27 minutes = 27 minutes

Total minutes per day = 444 minutes/60 minutes in an hour = 7.4 hours/day*150 days = 1,110 instructional hours a year – 4.5 hours for early release = 1,105.5 instructional hours/year. NAS-LC has 25.5 instructional hours over the minimum requirement of 1080 instructional hours. Students are released 30 minutes early on 9 Tuesdays throughout the school year for a total of 4.5 hours of early release for the year. The calendar on the website indicates that early release is one hour. This is incorrect as students are released 30 minutes early.

Students aged 18-21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

12:00pm – 10:00pm

9 periods of 57 minutes = 513

9 passing periods of 3 minutes = 27

1 Rtl period of 27 minutes = 27

1 advisory period of 27 minutes = 27

*Total minutes = 594/60 = 9.9 hours/day *150 days = 1485 instructional hours*

Students over 21 can access the following instructional hours in addition to other school directed programs including on-line courses, dual credit courses and work study/internship:

4:30pm – 10:00pm

5 periods of 57 minutes = 285

5 passing periods of 3 minutes = 15

1 advisory period of 27 minutes = 27

1 “period” of 60 minutes dual credit or on-line = 60

1 “period” of 60 minutes work study = 60

*Total minutes = 447/60 = 7.45 hours/day *150 days = 1,117.5 instructional hours*

Compulsory Attendance Laws

In SY16 the school had a 23.01% habitual truancy rate. During site visit CSD reviewed 60 student files. 0 of the 60 student files or 0% contained attendance letters. School was asked to produce evidence of truancy intervention efforts during site visit. School did not provide evidence during site visit. CSD observed no evidence of attendance monitoring.

SCHOOL RESPONSE: CSD was provided the zip file with all of the attendance letters that have been sent this school year on October 14, 2016. The attendance letters for withdrawn students are in the cumulative folders in the withdrawn student files.

NAS-LC has a truancy coordinator, Mr. Diaz, funded by the PED Truancy grant. The CSD did not have a conversation with Mr. Diaz about any of the efforts in place to support truancy. Had he been consulted, Mr. Diaz would have shared his interventions such as home visits, calls home, calls to JARC, Juvenile Assessment and Reporting Center, meetings with local judges, etc. Along with these efforts and part of the Truancy Grant, the Early Warning System is in place to support truancy. From the Title I funding, we fund a Parent Liaison to support families with issues such as finding community resources for meals, clothing, etc. CSD did not have a conversation with our Parent Liaison either.

Response To Intervention

School is required to implement an RTI & SAT program that is compliant with the NM 3 Tier Guidance. CSD observed school is implementing an RTI & SAT program.

However, CSD observed School has no written RTI & SAT policy or program and although school provided copies of PED SAT forms it was unclear how school was implementing

RTI & SAT due to lack of policy or program. Due to lack of a written policy or program to evaluate CSD conducted a capacity interview of school and observed some data provided by school.

School is tracking intervention data.

CSD observed no evidence of Tier 1 universal screening in Academics, Vision, Hearing, Language Proficiency, General Health, Social and Behavioral Health, and Socio Economic Status. School advised they do universal screen in Academics but CSD was not able to observe this being implemented. School advised they do not do universal screenings in other areas.

School is required to implement Tier 1 Interventions dependent upon academics and behavior. Tier 1 interventions are monitored at the classroom level. School advised that it began implementing Tier 1 Universal Interventions in last year. CSD observed evidence that school is monitoring classroom intervention data.

School is required to implement a plan or policy in Tier 2 for the convening of a SAT team. CSD observed no policy or plan for these referrals. School advised in Tier 2, the student is referred to a diagnostician. This is not consistent with Tier 2 guidance. School was unclear on the process for SAT referral. School however does appear to have SAT teams. School indicated SAT teams meet once a month to discuss any students teachers have "red flagged". School was asked how the ref flagging process works and school advised it was informal and based on teachers who mentioned some students might have problems. School does not use Tier 1 data to drive referral process.

CSD observed evidence that school is noncompliant with the requirement to fully implement the State's Response to Intervention (RtI) Framework known as the Three-Tier Model of Student Intervention and which includes the Student Assistance Team process which supplements regular education functions, conducts evaluations and develops accommodation plans under Section 504, develops individual student academic improvement plans, and receives and analyzes evaluation requests for special education and gifted education services.

SCHOOL RESPONSE: NAS-LC does not lack written RtI and SAT policies. The SAT policy and RtI were approved by the GC on the May of 2014, as part of a comprehensive set of Special Education policies and procedures. The SAT and RtI policy is in the attachments. These have been uploaded on Web EPPS under IDEA/Special Education Policies.

(6.29.1.9 NMAC) says: D. Student intervention system. The school and district shall follow a three-tier model of student intervention as a proactive system for early intervention for students who demonstrate a need for educational support for learning or behavior.

(1) In tier 1, the school and district shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. If data from universal screening, a referral from a parent, a school staff member or other information available to a school or district suggests that a particular student needs educational support for learning or behavior, then the student shall be referred to the SAT for consideration of interventions at the tier 2 level.

(2) In tier 2, a properly-constituted SAT at each school, which includes the student's parents and the student (as appropriate), shall conduct the student study process and consider, implement and document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures. As part of the child study process, the SAT shall address culture and acculturation, socioeconomic status, possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms in order to rule out other possible causes of the student's educational difficulties. When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a full, initial evaluation to determine possible eligibility for special education and related services consistent with the requirements of Subsections D-F of 6.31.2.10 NMAC and federal regulations at 34 CFR Sec. 300.300.

(3) In tier 3, a student has been identified as a student with disability or gifted under the state criteria for giftedness deemed eligible for special education and related services, and an IEP is developed by a properly-constituted IEP team, pursuant to Subsection B of 6.31.2.11 NMAC and federal regulations at 34 CFR Sec. 300.321.

(4) The department's manual, the student assistance team and the three-tier model of student intervention, shall be the guiding document for schools and districts to use in implementing the student intervention system.

According to the approved policy in Chapter 1 of the Special Education PED Policy that NAS-LC approved:

B. Three-Tiered Model: Response to Intervention (RtI)

Authority: NMAC 6.29.1.9 IDENTIFICATION

D. Student intervention system (e.g., SAT, RtI, PBS). The school and district shall follow a three-tier model of student intervention as a proactive system for early intervention for students who demonstrate a need for educational support for learning or behavior.

- (1) In Tier I, the school and district shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. If through universal screening, a referral from a parent, a school staff member or other information available to a school or district suggests that a particular student needs educational support for learning or behavior, then the student shall be referred to the SAT for consideration of interventions at the Tier II level.**

SCHOOL RESPONSE: NAS-LC is providing Tier I for all students. Universal screening for general health and well-being, language proficiency via Home Language Survey, and levels of proficiency via MAP are being conducted at NAS-LC. We have a nurse who is available to students. NAS-LC in fact does gather yearly Socio Economic Status information via the Title I PED provided document. When students register at NAS-LC, the packet contains the Title I, Income Verification Form. This form is used to identify our level of poverty in the school. It is also used for the National Food Service Program.

- (2) In Tier II, a properly-constituted SAT at each school, which includes the student's parents and the student (as appropriate), shall conduct the student study process and consider, implement and**

document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures. In addition, the SAT shall address culture and acculturation, socioeconomic status, possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms in order to rule out other possible causes of the student's educational difficulties. When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a multi-disciplinary evaluation to determine possible eligibility for special education and related services consistent with the requirements of Subsections D-F of 6.31.2.10 NMAC and federal regulations at 34 CFR Sec. 300.300.

- (3) In Tier III, a student has been identified as a student with disability and deemed eligible for special education and related services, and an IEP is developed by a properly-constituted team, pursuant to Subsection B of 6.31.2.11 NMAC and federal regulations at 34 CFR Sec. 300.321.*

SCHOOL RESPONSE: This was the SAT process that was explained during the site visit with CSD. When a student is in a regular classroom, which is Tier I, and a teacher notices the student is having difficulty with the regular classroom instruction or behavior, the general education teacher then fills out the PED SAT referral documents. These documents are reviewed by the SAT team, comprised of staff members, the student and the parents and interventions are suggested. These interventions are in place for 6-8 weeks to measure any growth or change. After the allotted time, the SAT team and all of the members reconvene to discuss the effectiveness of the interventions. If the student has not made progress, the next level of referral such as testing or placing the student on a 504 plan is reached.

Special Education Requirements

A. Special Education File Review:

Pursuant to NMAC § 6.31.2.10 (D), a school must evaluate a student within 60 days of student enrollment or referral and reevaluate a student within 3 years. Pursuant to NMAC § 6.31.2.10(C) an evaluation or MDT evaluation must include a determination of eligibility with specific language. CSD reviewed 8 total special education files for sufficient documentation for a determination of eligibility. Out of the 8 reviewed special education files, CSD observed that 5 or a total of 62.5% of the reviewed files lacked sufficient documentation of determination of eligibility.

SCHOOL RESPONSE: NAS-LC has reviewed the relevant Special Education Federal and State statutes and regulations in regard to evaluation timelines. In no instance could NAS-LC find language requiring an evaluation within 60 days of student enrollment, as noted by CSD. In regards to files lacking a determination of eligibility, it is possible that the students' prior school district, which placed them into program, did not include the determination statement in the IEP documents received by NAS-LC upon request. NAS-LC has requested further guidance from NMPED Special Education Bureau on how to best handle this issue. Please see regulations at the end of this section.

Pursuant to NMAC § 6.31.2.10(C), a school must consider the home language in a special education determination and must ensure students are evaluated and tested in the home language. CSD tested 6 total special education files for English Language Learner Special Education determination. 0 of the 6 files or 0% contained documentation whether the student was an English Language Learner. Due to this lack of documentation, the Special Education Teacher was directly asked whether the information would be included in some other location other than the evaluation or the MDT team evaluation. The special education director advised us it would not be in another location.

SCHOOL RESPONSE: This statement listed above is incorrectly quoted. The special education teacher directed the CSD personnel that the Home Language Survey (HLS) can be found in the cumulative files. At the time of the site visit, NAS-LC stored all Home Language Surveys in a binder for easy data access. Since CSD has said that they would like to see the Home Language surveys in student cumulative files, NAS-LC has made copies of the HLS and has added the HLS, Access, WAPT scores if applicable, to the IEP files.

The special education director was asked to direct us to where this information would be in the files. The Special Education Teacher reviewed the evaluations in two files for some time before advising that it does not look like the home language of the students had been recorded. A question was posed to the Special Education Teacher how many Special Education English Language Learners the school had. The Special Education Director was unable to answer this question.

SCHOOL RESPONSE: The Special Education teacher stated that he misunderstood the question and thought he was being asked how many ELL students there are in the entire school. However, he knows that of the 17 students with IEPs, 1 student is a current ELL.

A School must develop a new IEP annually or within 30 days of student enrollment within a school. CSD reviewed 8 files. 4 of the 8 files or 50% were not timely. These 4 files were from different schools and had not been revised or adopted within 30 days of student enrollment.

SCHOOL RESPONSE: The IEPs are now current for all new enrollees.

School is required to log and monitor the services being provided in order to verify students are receiving special education services. CSD requested and School provided a service log binder. When CSD reviewed the service log, the logs were blank. CSD inquired whether the logs would be in a different location and was advised they would not be. Special Education Teacher advised that services are not logged or monitored. B. Special Education Program Review.

SCHOOL RESPONSE: The service providers were not hired via contract until October 13th. NAS-LC works with Cooperative Educational Services to secure ancillary services for student IEP needs. CES had difficulty in meeting this contract, as NAS-LC only needs part-time contracted personnel to meet IEP needs. This resulted in what may seem like a late contract date between NAS-LC and CES.

CSD inspected School on 10.12.16 and observed a total of 17 Special Education files in possession of the school. An interview of the school special education director

confirmed the school only had 17 special education students. This was a discrepancy from the 40 day STARS data (dated 10.1.16) where the school had self-reported 22 active Special Education files. The school over-reported the active Special Education Files by 29.4%.

SCHOOL RESPONSE: The 40-day STARS report indicating the number of Special Education students for NAS-LC is attached. NAS-LC correctly reported 17 Special Education students on the 40-day and therefore there is no over-reporting by NAS-LC. After some investigation by NAS-LC, it appears CSD may have been reviewing the 40-day report for NAS-NM (who did report 22 Special Education students) and not for NAS-LC. The data submitted by NAS-LC is indeed 17 as can be verified by the documents downloaded from the PED SharePoint. The 40-day count for New America School-New Mexico (506) has been submitted for your review.

CSD reviewed 8 files to indicate level, type, and service hour needs. Out of the 8 files reviewed, 7 IEPs or 87.5% indicated individualized instruction was required.

SCHOOL RESPONSE: The service time was due to expired IEPs which have since then been re-evaluated for service requirements, none of which require individualized instruction to the extent that was required in the original IEP from the prior school, put in place and services are being correctly provided.

The total service hours required per week were approximately 178 service hours. The school employs one special education teacher. There is no support staff. School provided no evidence that services are being met or that school has capacity to provide needed special education services.

SCHOOL RESPONSE: Every IEP is in place and students are being serviced correctly via case management and related services as required by law. The Special Education teacher pushes into classrooms to give academic support to students and staff, and in addition conducts pull out services as stated in the IEPs. His schedule has been attached.

School indicated that FTE is calculated by using the PED website and that the school is currently at a 1.0 FTE. However, when special education teacher was asked how all individual services are provided, CSD was advised that services are not being provided and that the teacher does not have time to provide all the services indicated. Teacher indicated services were never required to be provided previously.

SCHOOL RESPONSE: The statement is incorrect. The Special Education teacher keeps anecdotal records of all of his case management and classroom/student time. He does not keep his services logged in the same manner as related service. All of the related services are logged in the book maintained in the Spec Ed office.

The Special Education teacher confirmed that school only has one gifted IEP. Special Education Teacher advised he was unaware who provided gifted services.

SCHOOL RESPONSE: Mr. Murray Ray, license # 255479 is gifted endorsed and will be servicing the one gifted student. His hours of service will be logged in the same form as the other service providers. However, the only services to be provided to the student are 30 minutes of case management and no direct services for the student are needed.

School Special Education Teacher stated indicated no service logs are kept for ancillary or special education files.

SCHOOL RESPONSE: The service logs have been attached.

CSD observe no evidence of a gifted endorsed teacher during the site visit staff file review. School has made no STARS report of a gifted endorsed teacher .

SCHOOL RESPONSE: This has been resolved. Mr. Murray Ray, license # 255479 is gifted endorsed and will be servicing the one gifted students. His hours of service will be logged in the same form as the other service providers.

CSD observed a discrepancy between the special education teacher reported in STARS and that observed during the site visit. Specifically, the name of the staff file did not match the name in STARS. The staff member was interviewed during site visit and staff member had indicated occupation had preceded the date of the STARS report (10.12.16). CSD did not secure the date of hire during site visit as discrepancy was discovered after the site visit had been completed. Neither staff member has a gifted endorsement.

SCHOOL RESPONSE: The document from PED Share Point is attached indicating that Mr. Tuthill #316107 was the Special Education teacher at the time of 40 day reporting and was hired on August 1, 2016.

6.31.2.10 IDENTIFICATION, EVALUATIONS AND ELIGIBILITY DETERMINATIONS:

A. Child find. Each public agency shall adopt and implement policies and procedures to ensure that all children with disabilities who reside within the agency's educational jurisdiction, including children with disabilities attending private schools or facilities such as residential treatment centers, day treatment centers, hospitals, mental health institutions, detention and correctional facilities, children who are schooled at home, highly mobile children, children who reside on Indian reservations and children who are advancing from grade to grade, regardless of the severity of their disability, and who are in need of special education and related services, are located, evaluated and identified in compliance with all applicable requirements of 34 CFR Secs. 300.111, 300.131, 300.301-306 and these or other department rules and standards. For preschool children, child find screenings shall serve as interventions under Subsection B of 6.31.2.10 NMAC.

B. The public agency shall follow a three tier model of student intervention as a proactive system for early intervention for students who demonstrate a need for educational support for learning as set forth in Subsection D of 6.29.1.9 NMAC.

C. Criteria for identifying children with perceived specific learning disabilities.

(1) Each public agency must use the three tiered model of student intervention for students suspected of having a perceived specific learning disability, consistent with the department rules, policies and standards for children who are being referred for evaluation due to a suspected disability under the specific learning disability category in compliance with 34 CFR Sec. 300.307.

(a) The public agency must, subject to Subparagraph (d) of this paragraph, require that the group established under 34 CFR Secs. 300.306(a)(1) and 300.308 for the purpose of determining

eligibility of students suspected of having a specific learning disability, consider data obtained during implementation of tiers 1 and 2 in making an eligibility determination.

(b) To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation required in 34 CFR Secs. 300.304 through 300.306:

(i) data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and

(ii) data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

(c) The documentation of the determination of eligibility, as required by 34 CFR Sec. 300.306(c)(1), must meet the requirements of 34 CFR Sec. 300.311, including:

(i) a statement of the basis for making the determination and an assurance that the determination has been made in accordance with 34 CFR Sec. 300.306(c)(1); and

(ii) a statement whether the child does not achieve adequately for the child's age or to meet state-approved grade-level standards consistent with 34 CFR Sec. 300.309(a)(1); and

(iii) a statement whether the child does not make sufficient progress to meet age or grade-level standards consistent with 34 CFR Sec. 300.309(a)(2)(i), or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, grade level standards or intellectual development consistent with 34 CFR Sec. 300.309(a)(2)(ii); and

(iv) if the child has participated in a process that assesses the child's response to scientific, research-based intervention: a statement of the instructional strategies used and the student-centered data collected; documentation that the child's parents were notified about the state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided; strategies for increasing the child's rate of learning; and the parents' right to request an evaluation.

(d) A parent may request an initial special education evaluation at any time during the public agency's implementation of tiers 1 and 2 of the three-tier model of student intervention. If the public agency agrees with the parent that the child may be a child who is eligible for special education services, the public agency must evaluate the child. If the public agency declines the parent's request for an evaluation, the public agency must issue prior written notice in accordance with 34 CFR Sec. 300.503. The parent can challenge this decision by requesting a due process hearing.

(2) Preschool children suspected of having a specific learning disability must be evaluated in accordance with Subparagraph (f) of Paragraph (5) of Subsection A of 6.31.2.11 NMAC and 34 CFR Secs. 300.300 through 300.305, which may include the severe discrepancy model.

(3) Public agencies must implement the dual discrepancy model in kindergarten through third grade utilizing the student assistance team and the three-tier model of student intervention as defined and described in the New Mexico Technical Evaluation and Assessment Manual (New Mexico T.E.A.M.). Data on initial evaluations for perceived learning disabilities in grades K-3 must be submitted to the department through the student teacher accountability reporting system (STARS).

(4) In identifying children with specific learning disabilities in grades 4 through 12, the public agency may use the dual discrepancy model as defined and described in the New Mexico Technical Evaluation and Assessment Manual (New Mexico T.E.A.M.) or the severe discrepancy model as defined and described in New Mexico T.E.A.M.

D. Evaluations and reevaluations.

(1) Initial evaluations.

(a) Each public agency must conduct a full and individual initial evaluation, at no cost to the parent, and in compliance with requirements of 34 CFR Secs. 300.305 and 300.306 and other department rules and standards before the initial provision of special education and related services to a child with a disability.

(b) Request for initial evaluation. Consistent with the consent requirement in 34 CFR Sec. 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) Procedures for initial evaluation.

(i) The initial evaluation must be conducted within 60 calendar days of receiving parental consent for evaluation.

(ii) Each public agency must follow evaluation procedures in compliance with applicable requirements of 34 CFR Sec. 300.304 and other department rules and standards to determine: (1) if the child is a child with a disability under 34 CFR Sec. 300.8; and (2) if the child requires special education and related services to benefit from their education program.

(iii) Each public agency shall maintain a record of the receipt, processing and disposition of any referral for an individualized evaluation. All appropriate evaluation data, including complete SAT file documentation and summary reports from all individuals evaluating the child shall be reported in writing for presentation to the eligibility determination team.

(iv) A parent may request an initial special education evaluation at any time during the SAT process. If the public agency agrees with the parent that the child may be a child who is eligible for special education services, the public agency must evaluate the child. If the public agency declines the parent's request for an evaluation, the public agency must issue prior written notice in accordance with 34 CFR Sec. 300.503. The parent can challenge this decision by requesting a due process hearing.

(d) Exception to the 60 day time frame. The requirements of this subsection do not apply:

(i) if the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(ii) if the child enrolls in a school of another LEA after the 60 day time frame in this subsection has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under 34 CFR Sec. 300.8.

(e) The exception to the 60 day time frame in Item (ii) of Subparagraph (d) of Paragraph (1) of Subsection D of 6.31.2.10 NMAC applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

(f) The eligibility determination team including the parent and child, if appropriate, must meet to determine if the child is a child with a disability and requires an IEP upon completion of the initial evaluation.

(2) **Reevaluations.**

(a) Each LEA must ensure that a reevaluation of each child is conducted at least once every three years, unless the parent and the public agency agree that a reevaluation is unnecessary, and is in compliance with the requirements of 34 CFR Secs. 300.303-300.311, and any other applicable department rules and standards.

(b) Reevaluations may be conducted more often if:

(i) the LEA determines the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or

(ii) the child's parent or teacher requests a reevaluation.

(c) Reevaluations may not occur more than once a year, unless the parent and public agency agree otherwise.

(d) **Procedures for conducting evaluations and reevaluations.**

(i) The public agency must provide notice to the parents of a child with a disability that describes any evaluation procedures the agency proposes to conduct in compliance with 34 CFR Sec. 300.503.

(ii) The initial evaluation (if appropriate) and any reevaluations must begin with a review of existing information by a group that includes the parents, the other members of a child's IEP team and other qualified professionals, as appropriate, to determine what further evaluations and information are needed to address the question in 34 CFR Sec. 300.305(a)(2). Pursuant to 34 CFR Sec. 300.305(b), the group may conduct its review without a meeting.

(iii) If it is determined that a child requires an individualized evaluation or reevaluation the public agency is required to follow the procedures established by the department.

(iv) Each public agency must use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child, including information provided by the child's family that may assist in determining if the child is a child with a disability, the content of the child's IEP including information related to assisting the child to be involved and progress in the general education curriculum or for a preschool child to participate in appropriate activities.

(e) Each public agency shall maintain a record of the receipt, processing, and disposition of any referral for an individualized reevaluation. Reevaluation shall be completed on or before the three year anniversary date. All appropriate reevaluation data and summary reports from all individuals evaluating the child shall be reported in writing for presentation to the eligibility determination team or IEP team.

(f) The parents of a child with a disability who disagree with an evaluation obtained by the public agency have the right to obtain an independent educational evaluation of the child at public expense pursuant to 34 CFR Sec. 300.502.

E. Procedural requirements for the assessment and evaluation of culturally and linguistically diverse children.

(1) Each public agency must ensure that tests and other evaluation materials used to assess children are selected, provided and administered so as not to be discriminatory on a racial or cultural basis and are provided and administered in the child's native language or other mode of communication, such as American sign language, and in the form most likely to yield accurate information, on what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to select, provide or administer pursuant to 34 CFR Sec. 300.304(c)(1).

(2) Each public agency must ensure that selected assessments and measures are valid and reliable and are administered in accordance with instructions provided by the assessment producer and are administered by trained and knowledgeable personnel.

(3) Each public agency must consider information about a child's language proficiency in determining how to conduct the evaluation of the child to prevent misidentification. A child may not be determined to be a child with a disability if the determinant factor for that eligibility determination is limited English proficiency. Comparing academic achievement results with grade level peers in the public agency with similar cultural and linguistic backgrounds should guide this determination process and ensure that the child is exhibiting the characteristics of a disability and not merely language difference in accordance with 34 CFR Sec. 300.306(b)(1).

(4) Each public agency must ensure that the child is assessed in all areas related to the suspected disability.

(5) Policies for public agency selection of assessment instruments include:

(a) assessment and evaluation materials that are tailored to assess specific areas of educational need; and

(b) assessments that are selected ensure that results accurately reflect the child's aptitude or achievement level.

(6) Public agencies in New Mexico shall devote particular attention to the foregoing requirements in light of the state's cultural and linguistic diversity. Persons assessing culturally or linguistically diverse children shall consult appropriate professional standards to ensure that their evaluations are not discriminatory and should include appropriate references to such standards and concerns in their written reports.

F. Eligibility determinations.

(1) General rules regarding eligibility determinations

(a) Upon completing the administration of tests and other evaluation materials, a group of qualified professionals and the parent of the child must determine whether the child is a child with a disability, as defined in 34 CFR Sec. 300.8 and Paragraph (2) of Subsection B of 6.31.2.7 NMAC. The determination shall be made in compliance with all applicable requirements of 34 CFR Sec. 300.306 and these or other department rules and standards and, for a child suspected of having a specific learning disability, in compliance with the additional procedures of 34 CFR Secs. 300.307-300.311, and these or other department rules, policies and standards.

(b) The public agency must provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

(2) Optional use of developmentally delayed classification for children aged 3 through 9

(a) The developmentally delayed classification may be used at the option of individual local education agencies but may only be used for children who do not qualify for special education under any other disability category.

(b) Children who are classified as developmentally delayed must be reevaluated during the school year in which they turn 9 and will no longer be eligible in this category when they become 10. A student who does not qualify under any other available category at age 10 will no longer be eligible for special education and related services.

[6.31.2.10 NMAC - Rp, 6.31.2.10 NMAC, 6/29/07; A, 12/31/09; A, 7/29/11]

A School must develop a new IEP annually or within 30 days of student enrollment within a school. CSD reviewed

8 files. 4 of the 8 files or 50% were not timely. These 4 files were from different schools and had not been revised

or adopted within 30 days of student enrollment.

School Response: All files are now compliant.

English Language Learner Requirements

CSD observed 60 student files. 6 out of the 60 files reviewed by CSD or 10% failed to include the required Home Language Survey.

SCHOOL RESPONSE: 90% of the files had the Home Language Survey included within the file. All of the student files have been reviewed and all of the documents have been verified to be in the student folders.

CSD did a test pull of 6 home language surveys that positively indicated a need for the W-APT test and WIDA access scores. 0 of the 6 or 0% included W-APT testing and WIDA access scores. CSD observed no evidence of W-APT testing scores or WIDA access scores in any files. School was unable to provide evidence of W-APT testing or WIDA access scores. School did advise that this data is given individually to the teachers. CSD observed no evidence of this.

SCHOOL RESPONSE: All of the students who have indicated on the HLS another language other than English have an orange folder within their cumulative folder. This orange folder contains the HLS, WAPT and ACCESS information. CSD never asked NAS-LC to provide evidence of WAPT, which was available. At the exit meeting, NAS-LC was advised that CSD was not able to find the materials, but NAS-LC did not get an opportunity to give them the requested information due to the extremely late hour of the exit interview.

CSD was unable to observe any evidence regarding ELL monitoring because school provided no evidence ELL students were tracked or that WIDA access progress was monitored.

SCHOOL RESPONSE: ACCESS scores are given to teachers at the beginning of the year and are also entered into the Student Information System (SIS). All teachers have

access to the information in the SIS. Teachers monitor their students' progress during class. Teachers also differentiate instruction and support students with sheltering strategies. When CSD visited classrooms, no teacher was asked for evidence on how ELLs were supported. Teachers would have been able to provide CSD staff with information regarding how students are being supported and monitored. In addition, during the CSD site visit, all students were taking quarter final exams so no direct instruction was taking place.

New Mexico Residency Verification

School is required to verify residency of enrolled students. CSD observed 60 student files. 3 of the 60 student files or 5% failed to contain residency verification.

SCHOOL RESPONSE: 95% of residencies were verified at the time of visit. All residencies have been verified in the cumulative files.

Next Step Plans

The school operates grades 7-12th grade program and is required to begin administer 9th Grade Next Step Plans within 60 days of the end of the school year for 8th grade. CSD was unable to determine if the school was timely creating next step plans because the school failed to include grade level determinations in the next step plans.

SCHOOL RESPONSE: New America School-Las Cruces is not at 7-12th grade program as stated by CSD.

Senior level grade files have additional requirements. CSD was unable to effectively evaluate senior level next step plans because the school failed to include grade level determinations in the next step plans.

SCHOOL RESPONSE: All grade levels have been indicated on the cumulative files. Due to the uncertainty by the CSD, grade level is now indicated by a colored dot placed on the name tab to make it easier for CSD to identify. During the site visit, CSD did not ask for clarification regarding grade levels of students. The NAS-LC Stars/Registrar would have been able to explain the system of identifying the grade level to the CSD staff had they asked.

A senior level next step plan is required to be filed in the student's cumulative file. CSD observed no evidence of next step plans filed in the cumulative files. CSD reviewed 60 student files 0 out of 60 files or 0% contained an indication of the grade level of the student because of this, CSD was unable to do a test pull of senior level only students because school did not identify which grade students were in. School kept all Next Step Plans in a separate folder.

SCHOOL RESPONSE: According the state statute, senior next step plans are required to be placed in the student's cumulative file UPON GRADUATION. Prior to graduation, the Next Step Plan (NSP) is to filed with the principal. The NSP for graduates are in the student's cumulative files. CSD staff did not request to see graduated/exited students, therefore did not see the completed NSP in the cumulative folder.

According to statute:

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 29 STANDARDS FOR EXCELLENCE
PART 1 GENERAL PROVISIONS

6.29.1.1 ISSUING AGENCY: Public Education Department, hereinafter the department.
[6.29.1.1 NMAC - Rp, 6.30.2.1 NMAC, 6-30-2009]

(2) The next step plan. Each student shall complete a next step plan for each high school year. For students with individualized education programs (IEPs), the transition plan substitutes for the next step plan. The next step plan requires that:

(j) the completed next step plan shall be filed with the school principal or charter school administrator and only the final next step plan shall be filed in the student's cumulative file upon graduation;

Next Step plans are required to include signatures of the principal, student's parents, and one other school official such as an adviser. CSD observed school was not securing all needed signatures on Next Step Plans.

SCHOOL RESPONSE: *The statute also states:*

(i) the next step plan shall be signed by the student, the student's parent or guardian and the advisor;

The statute does not require Principal's signature.

CSD's review of the next step plans indicates that school's use of Next Step Plans was not effective. CSD observed next step plans that failed to effectively document coursework and classes needed to graduate, personal and academic goals, and post-graduation goals. In some cases, these fields were blank in other cases the responses to these fields were not meaningful or responsive.

SCHOOL RESPONSE: *NAS-LC is reviewing the process of Next Steps Plans and is creating an action plan to effectively complete each one. NAS-LC is unclear as to what would constitute a "meaningful" or "responsive" field entry, as no technical guidance regarding this has been provided at any point by either PED or CSD.*

Assessment Requirements

Pursuant to NMSA § 22-2C-4, all students shall participate in the academic assessment program. There is no exemption for day, night, afternoon, or credit recovery programs.

The school PARCC participation included 95 students for math and 114 students for reading. School in SY2016 had an average enrollment of 305 students. This indicates approximately 178 students or 55% failed to participate in

PARCC testing for reading. This indicates approximately 210 or 69% failed to participate in PARCC testing for math.

Evidence and data appear to indicate that school is not complying with statutory requirement that all students participate in the academic assessment program.

SCHOOL RESPONSE: NAS-LC makes a great effort to include ALL students in state testing requirements. As reported by NMPED School Report Card, the student participation rates in SY 2016 were 81% in Reading and 83% for Math. NAS-LC is exempt from participation thresholds due to its Supplemental Accountability Model status.

As reported by NMPED School Report Card, the student participation rates in SY 2015 were 77% in Reading and 81% for Math. NAS-LC is exempt from participation thresholds due to its Supplemental Accountability Model status.

According to the New Mexico Statewide Assessment Program, students are required to take the PARCC assessment in Language Arts 9, 10, 11, Algebra 1, Geometry and Algebra 2 if they are enrolled in those specific courses. The New Mexico Department of Assessment and Accountability was very adamant during their PED state training session, about students being tested in these specific content areas only if they had been exposed to more than half the course in that school year that the test is being administered. NAS-LC students were tested in accordance with the guidance provided by the New Mexico Department of Assessment and Accountability through their twice yearly District Testing Coordinator training.

Governance Requirements

Pursuant to NMAC § 6.29.1.9 (2), it is a responsibility of the governing body to employ and evaluate the local superintendent or charter school administrator.

In reviewing the Charter School Administrator evaluation, CSD observe the evaluation was conducted not by the Governing Body but instead was conducted and signed by a Mr. Dominic DeFelice. Mr. Mr. Dominic DeFelice was also listed on the evaluation as the supervisor of the Head Administrator. Mr. DeFelice is a representative of the New America Schools Network and is listed as the New America Schools Network representative in the services agreement between New America Schools Network and the School. Mr. DeFelice is also listed on the school's website as a non-voting member of the Governing Body.

SCHOOL RESPONSE: A licensed administrator with educational experience, the Superintendent, was charged by the GC to conduct an evaluation and to present that evaluation and any recommendations he had to the GC. Mr. DiFelice is the Superintendent, and this is part of his "oversight" duties given him by the GC, to assist it in overseeing the Principal in accordance with sound educational principles, practices and laws. In soliciting and enlisting Mr. DiFelice's experience, assistance and opinions, the GC in no way was delegating or abdicating its duties and authority.

CSD reviewed the New America Schools Network services agreement and found it consistent with the sample agreement provided in the School's original application.

Neither the original agreement nor the current agreement provide for supervision or evaluation by the New America Schools Network. The contract limits New America Schools Network to, amongst other things, “assist with oversight”.

SCHOOL RESPONSE: EN. The School and Mr. DiFelice, who are the contracting parties operating pursuant to the contract, agree that Mr. DiFelice’s duties include assisting the GC with the oversight (including evaluation) of the Principal.

SCHOOL RESPONSE: The PSA is attached. In the Appendix A, it states,

SCHEDULE OF FEES FOR SERVICES AND MATERIALS

The Network will provide the School the Professional Educational and Management Services described below.

PROFESSIONAL EDUCATIONAL AND MANAGEMENT SERVICES/ DELIVERABLES		
I. GOVERNING COUNCIL (“GC”)		
CONSULTING SERVICES & DELIVERABLES:		FREQUENCY/HOURS
A.	<i>GC Support.</i> 1) Superintendent/designee will attend periodic GC meetings; deliver reports on status of contract obligations; 2) Train and oversee School personnel in their support of the GC functions: preparation for board meetings, compliance with Open Meetings Act requirements, document retention, and other administrative functions as needed.	
B.	<i>Administrator Selection.</i> 1) Conduct recruiting services for School Principal, screen candidates and make recommendations to the GC.	
C.	<i>Administrator Oversight.</i> 1) Develop/revise Principal evaluation model for GC review and adoption; 2) Superintendent will observe and evaluate Principal’s educational administrative competency and provide his/her evaluation to the GC; [recommend deadline for this function] 3) Assist GC in completing Principal’s annual evaluation; and [insert “on or before date”] 4) Superintendent makes recommendation to GC regarding Principal’s contract [on or before date].	

CSD verified that New America Schools Network is a Colorado Non Profit Corporation that has active Tax Exempt status. The Colorado Secretary of State’s website lists the corporation as being in good standing.

The Governing Body was interviewed about the supervision and evaluation of the Head Administrator. The Governing Body advised it did not have the expertise to evaluate the head administrator and was not aware of the requirement for a Governing Body to evaluate the head administrator. The Governing Body advised it votes on final approval the Head Administrator evaluation in a closed session.

SCHOOL RESPONSE: This statement is incorrect. Please refer to minutes from March 2016. At no point did the GC vote in executive session on the principal's evaluation. See attachment.

Governing Body also confirmed that Mr. Mr. DiFeliceinic Felice was the Head Administrator supervisor.

CSD reviewed a year's worth of Governing Body minutes. CSD found no evidence of referenced closed session.

CSD found no evidence that Governing Body had voted to approve an evaluation conducted by an outside entity.

SCHOOL RESPONSE: There is no legal requirement that the GC "approve an evaluation conducted by an outside entity". Rather, the GC is required to evaluate the principal annually, which it did through Mr. DiFelice's legwork and subsequent report to the GC and GC consideration of that report in closed session.

Evidence supports School delegating the evaluation and supervision of the head administrator to New America Schools Network. This is not compliant with the New America Schools Network Services Agreement or the administrative requirement that the Governing Body employs and evaluate the head administrator.

Further, CSD reviewed all available agendas and minutes on school website. (September 2015 – September 2016.) No evidence school had gone into closed session throughout the year. However, during interview with the School Governing Body, CSD was advised that the Governing Body does go into closed session for the purposes of Head Administrator Evaluations. It appears that the governing body may not be following the OMA requirements for noticing a closed session or the minute's requirements for a closed session.

SCHOOL RESPONSE: The minutes have been attached from March 2016, along with the agenda.

NEW AMERICA SCHOOL - LAS CRUCES HAS MET THE FACILITIES REQUIREMENTS LAID OUT IN 22-8B-4.2

The PSCOC and PSFA have confirmed that the school meets the facility requirements. Specifically, the charter school is housed in a public facility.

SCHOOL RESPONSE: In SY2014, the CSD rated NAS-LC with 94% compliance with all of the components of the site visit. The 4 areas of "does not meet" sections were uploaded and the school was in compliance with all aspects of the monitoring instrument. In SY2015, NAS-LC was in 90% compliance with the

components of the visit. NAS-LC uploaded the items in the “does not meet” and was in compliance for 100% of all components. To be more specific, both years the SAT, Rtl, instructional hour requirements, Next Step Plans, Student cumulative files, attendance monitoring, and employee files were all in compliance all years since its inception in SY2013. All of these specific areas were “meets” according to the review submitted to NAS-LC after the annual visits.

The CSD has had four site visits to review the school’s operations and had not raised them and thus School has not been given the opportunity to address and correct them. None of these current issues had been raised in prior visits.

Many of these “lack of evidence” statements, could have been quickly and effectively addressed if CSD had asked the School to provide relevant documentation/information immediately after reviewing that specific section, had asked the right questions of the right people, and/or had looked at the documentation/information that the School did provide or was willing to provide. The administrator was available the entire day to answer or provide any additional information.

New America School-Las Cruces will strive for excellence through the CSD’s support and recommendations. We look forward to this continued partnership.

III. Renewal Applicant 2016 Charter School District Report Card

**School Grading Summary**

The district grade is determined by the average of school grades in the district. For a description of status, see page 2.

District Grade C

	Total Number	Percent
Schools Rated in District	1	100.0
Schools in Priority Status	0	0.0
Schools in Focus Status	0	0.0
Schools in Strategic Status	0	0.0
Schools in Reward Status	1	100.0

Source: PED Accountability Bureau

What are school grades?

School Grading is part of state and federal law that mandates accountability for all public schools. The Elementary and Secondary Education Act (ESEA) enacted in 1965 requires schools to show annual improvement in mathematics and reading. New Mexico statute specifies additional requirements that schools demonstrate progress through an A-F letter grade for each school. Individual school report cards can be found online at <http://aae.ped.state.nm.us/>.

What are School District Report Cards?

Each LEA under the jurisdiction of the Public Education Department (PED) annually receives a comprehensive report of their achievement, accountability, teacher qualifications, and post-secondary success. This report is compiled for 89 districts that include regular and locally authorized charter schools, and all state-authorized charter schools. Non-PED schools are exempt from both school grading and School District Report Cards and include private, home, and Bureau of Indian Education schools.

What is contained in this report?

This report provides a concise summary of the LEA and its schools:

LEA Demographic Profile

Accountability

Summaries of School Grades

Cohort Graduation Rates (4, 5, and 6 Year)

Status of Non-Graduates

Achievement

Proficiencies in Reading, Mathematics, and Science

NAEP Statewide Summary for Grades 4 and 8

School Board Member Training

Budgeted Expenditures

Teacher Credentials

Post-Secondary Achievement (College Going, Credit Accumulation)

Parent Survey on the Quality of Education

Definitions and Abbreviations

LEA Local Educational Authority is a broad term that encompasses districts with multiple schools or independent state-authorized charter schools. Locally authorized charter schools are not LEAs and are reported with their parent district.

Subgroups

Asian: Asian or Pacific Islander

Afr Am: African American

Amer Indian: American Indian

Cauc: Caucasian

ELL: English Language Learners

ED: Economically Disadvantaged as determined by eligibility for Free or Reduced Price Lunch Program

SWD: Students with disabilities; does not include special education students who are gifted

Q1: The lowest performing 25% (one quarter) of students in reading or mathematics

Q3: The higher performing 75% (three quarters) of students in reading or mathematics

High/Low Poverty Schools Schools with students most economically disadvantaged (top 25%) and least disadvantaged (bottom 25%).

Recently Arrived These are ELL students new to U.S. schools who qualify for exemption from the reading assessment.

Student Demographics

	LEA		State	
	Number	%	Number	%
All Students	300	100.0	335,694	100.0
Female	170	56.7	164,149	48.9
Male	130	43.3	171,545	51.1
Caucasian	23	7.7	82,116	24.5
African American	7	2.3	7,302	2.2
Hispanic	269	89.7	205,853	61.3
Asian	0	0.0	4,345	1.3
American Indian	1	0.3	35,543	10.6
Pacific Islander	0	0.0	535	0.2
Multiracial	0	0.0	12	0.0
ED	299	99.7	240,438	71.6
SWD	12	4.0	49,729	14.8
ELL	65	21.7	48,275	14.4
Migrant	0	0.0	329	0.1
Recently Arrived	23	7.7	14,844	4.4

Source: LEA 120th-day submission to the PED

Accountability - School Grading and Status

Status refers to schools that are in some form of improvement that requires increased monitoring and educational enhancement. The improvement categories are

*** Priority Status (5% of schools that are lowest performing)

** Focus Status (additional 10% of schools that are low performing with large gaps between lower and higher performing groups)

* Strategic Status (additional 10% of schools that are low performing with large gaps between lower and higher performing groups)

^ Reward Status (the top 5% of schools in the state)

A school's status is footnoted next to its overall letter grade and, where blank, means the school is not in any status. Only schools receiving Title I funds are eligible, which in 2016 represented 654 schools.

School	Overall Grade	School	Overall Grade
New America School Las Cruces	C ^		

Achievement - Proficiency Summaries by Grade

The assessments were developed to measure grade-level standards that New Mexico educators and the public determined are important for students to master. Results include all students enrolled within the LEA or school, regardless of whether for a full academic year or not. Students are assessed in reading and mathematics in grades 3-11 and in science in grades 4, 7, and 11. Note that proficiencies do not include the assessment for grades KN, 1 and 2.

		Reading		Mathematics		Science	
Grade		Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)
9	State Current	27	73	18	82		
9	State Prior	27	73	16	84		
9	LEA Current	3	97	4	96		
9	LEA Prior	9	91	10	90		
10	State Current	32	68	14	87		
10	State Prior	31	69	12	88		
10	LEA Current	5	95	<2	>98		
10	LEA Prior	7	93	4	96		
11	State Current	45	55	10	90	39	61
11	State Prior	44	56	10	90	36	64
11	LEA Current	22	78	6	94	16	84
11	LEA Prior	4	96	10	90	7	93

Blanks or missing rows indicate too few students to report (N<10)

Achievement - Proficiency Summaries by Subgroup

		Reading		Mathematics		Science	
		Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)
All Students	State Current	28	72	20	80	43	57
All Students	LEA Current	9	91	3	97	16	84
Female	State Current	34	66	20	80	41	59
Female	LEA Current	11	89	<2	>98	7	93
Male	LEA Current	8	92	7	93	30	70
Male	State Current	22	78	20	80	44	56
Caucasian	State Current	43	57	33	67	64	36
African American	State Current	24	76	15	85	38	62
Hispanic	State Current	23	77	16	84	37	63
Hispanic	LEA Current	8	92	3	97	13	87
Asian	State Current	55	45	48	52	65	35
American Indian	State Current	17	83	11	89	22	78
Economically Disadvantaged	State Current	21	79	15	85	34	66
Economically Disadvantaged	LEA Current	9	91	3	97	16	84
Students w Disabilities	State Current	7	93	7	93	16	84
English Language Learners	State Current	8	92	7	93	11	89
English Language Learners	LEA Current	7	93	3	97	10	90

Achievement - Proficiency Summaries by School

	Reading		Mathematics		Science	
	Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)	Proficient (%)	Not Proficient (%)
New America School Las Cruces	9	91	3	97	16	84

Blanks indicate too few students to report (N<10). Schools without tested grades 3 through 11 will not have data.

Source: PED Accountability Bureau

Budgeted Expenditures

Locally authorized charter schools manage their budgets independently of their parent district. For detailed information please contact either the individual school or the PED Budget and Finance Office for the budget analyst assigned to that school. The district summary includes its locally authorized charter schools.

	Amount \$	Percent %
Capital Outlay	\$179,277	6.5
Central Services	\$298,561	10.8
Community Services	\$0	0.0
Debt Service	\$0	0.0
Food Services	\$61,876	2.2
General Administration	\$79,316	2.9
Instruction	\$955,874	34.6
Instructional Support Services	\$20,407	0.7
Operations & Maintenance	\$573,466	20.8
Other Support Services	\$0	0.0
School Administration	\$405,344	14.7
Student Support Services	\$186,517	6.8
Student Transportation	\$0	0.0

Source: PED School Budget and Financial Analysis Bureau

School Board Training

School board members must accumulate five points during the year by attending specific training. These figures do not reflect additional training that board members may have received.

Board Member	Number of Points
Fernando Macias	0
Jennifer L Garcia Kozlowski	5
John Munoz	5
Martha Valdez	5
Susie Kimble	5
Toby Rue	5

Source: NM School Board Association

Graduation - 4-Year Cohort of 2015

These figures represent students who were expected to graduate on time by August 1, 2015, and graduated on time. Graduation cohorts include all students who were ever enrolled during the four years, including part-time students.

	All Students %	Caucasian %	Afr Amer %	Hispanic %	Asian %	Amer Indian %	ED %	SWD %	ELL %
State Current	68.6	73.6	61.0	67.2	78.9	62.9	63.5	59.3	64.0
New America School Las Cruces	33.8			32.1			35.4	65.2	22.3

Blanks indicate too few students to report (N<10).

Source: PED Accountability Bureau

Graduation - 5-Year Cohort of 2014

These figures represent students who were expected to graduate on time by August 1, 2014, and either graduated on time or required one additional year. Graduation cohorts include all students who were ever enrolled during the four years, including part-time students.

	All Students %	Caucasian %	Afr Amer %	Hispanic %	Asian %	Amer Indian %	ED %	SWD %	ELL %
State Current	70.5	76.4	65.8	69.0	86.1	62.9	64.6	59.5	66.3
New America School Las Cruces	51.0			52.4			48.7		43.1

Blanks indicate too few students to report (N<10).

Source: PED Accountability Bureau

Graduation - 6-Year Cohort of 2013

These figures represent students who were expected to graduate on time by August 1, 2013, and either graduated on time or required up to two additional years. Graduation cohorts include all students who were ever enrolled during the four years, including part-time students.

	All Students %	Caucasian %	Afr Amer %	Hispanic %	Asian %	Amer Indian %	ED %	SWD %	ELL %
State Current	71.8	78.7	69.5	69.5	87.4	65.7	66.6	62.3	67.2
New America School Las Cruces	35.4			35.2			37.7		40.5

Blanks indicate too few students to report (N<10).

Source: PED Accountability Bureau

Graduation - 4-Year Cohort of 2015, Status of Non-Graduates

These figures represent students who were expected to graduate on time by August 1, 2015, but did not graduate. Graduation cohorts include all students who were ever enrolled during the four years, including part-time students. Percentages do not use the Shared Accountability method of calculation. For details see the Cohort Graduation Rate Technical Manual on the PED website:

http://ped.state.nm.us/ped/Graduation_guides.html.

	Certificate Completed coursework but did not pass exit exam %	Status Unknown Dropped out or whereabouts unknown %	Exit Out Exited with intent to get GED or vocational credential %	Still Enrolled Continued high school enrollment past 4th year %
State Current	<2	29	6	3
New America School Las Cruces		69		

Blanks indicate too few students to report (N<10).

Source: PED Accountability Bureau

College Going and College Credit Accumulation

These figures represent students who graduated in 2014 (College Going) and 2012 (Credits Earned) and were tracked for post-secondary education both inside and outside the state.

- Eligible** Students earning a regular high school diploma.
Enrolled Students who enrolled in an institution of higher education within 16 months of earning a regular high school diploma.
Credits Earned Students who enrolled and earned one year of college credit within two years of enrollment.

		All Students N	Cauc N	Afr Amer N	Hisp N	Asian N	Amer Indian N	ED N	SWD N	ELL N
LEA Current	Eligible	70			66			61		
LEA Current	Enrolled in state	30			29			24		
LEA Current	Enrolled out of state									

Blanks indicate too few students to report (N<10).

Source: National Student Clearinghouse

Teacher Credentials

		Statewide %	LEA %
Teachers with Emergency or Provisional Credentials		.3	11.8
Core Classes Not Taught by Highly Qualified Teachers	High Poverty Schools	NA	NA
	Low Poverty Schools	NA	NA
NA= Not applicable; LEA did not have schools that qualified as high or low poverty.			
Professional Qualifications	Number of Teachers	Highest Degree* Bachelor's % Advanced %	Core Classes Not Taught by Highly Qualified Teachers %
New America School Las Cruces	17	35.3 64.7	0.0
* Does not include Below Bachelors			
Blank=no data available or not applicable			
Source: LEA 120th-day submission to PED			

Parent Survey on the Quality of Education

- Q1 My child is safe at school.
 Q2 My child's school building is in good repair and has sufficient space to support quality education.
 Q3 My child's school holds high expectations for academic achievement.
 Q4 School personnel encourage me to participate in my child's education.
 Q5 The school offers adequate access to up-to-date computers and technologies.
 Q6 School staff maintain consistent discipline, which is conducive to learning.
 Q7 My child has an adequate choice of school-sponsored extracurricular activities.
 Q8 My child's teacher provides sufficient and appropriate information regarding my child's academic progress.
 Q9 The school staff employ various instructional methods and strategies to meet my child's needs.
 Q10 My child takes responsibility for his or her learning.

	Survey Count	Agree and Strongly Agree (% of Respondents)									
		Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10
LEA Current	156	97	99	98	94	94	94	90	98	97	94
New America School Las Cruces	156	97	99	98	94	94	94	90	98	97	94

Source: PED anonymous survey collected from parents annually

National Assessment of Educational Progress Statewide Results

The National Assessment of Educational Progress (NAEP) is often called the "Nation's Report Card" because it allows the comparison of student achievement across states and for the nation as a whole. The sampling method does not allow for reporting results by district or by school. For further information please visit <http://NCES.ED.Gov/NationsReportCard>.

NAEP does not replace assessments that annually measure student performance according to New Mexico curriculum standards. All students are required to take the standards-based assessments, whereas the NAEP selects representative samples of students and districts. Because not all subject areas or grade levels are tested every year, these statewide results are for the most recent year assessed in that subject area and grade.

Statewide Participation 2015

	Reading %	Math %	Science %
4th Grade ELL	91	95	95
4th Grade SWD*	93	88	93
8th Grade ELL	92	95	96
8th Grade SWD*	89	90	92

* NAEP does not accommodate students with severe disabilities.

4th Grade	Reading (2015)				Math (2015)				Science (2015)			
	Advanced %	Proficient %	Basic %	Below %	Advanced %	Proficient %	Basic %	Below %	Advanced %	Proficient %	Basic %	Below %
New Mexico	4	19	31	46	3	24	47	27	#	24	40	37
Nation	8	27	33	32	7	32	42	19	1	36	39	25

8th Grade	Reading (2015)				Math (2015)				Science (2015)			
	Advanced %	Proficient %	Basic %	Below %	Advanced %	Proficient %	Basic %	Below %	Advanced %	Proficient %	Basic %	Below %
New Mexico	1	19	45	35	3	17	41	39	1	20	35	45
Nation	3	29	42	25	8	24	38	30	2	31	34	33

Rounds to zero

IV. Charter School Renewal Application

**New Mexico Public Education Commission
and
Public Education Department
Options for Parents: Charter Schools Division
*2016-17 State Charter Renewal Application Kit***

Updated May 2015



**Effective Options
for New Mexico's
Families
Charter Schools**





STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
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HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

Welcome to the wonderful world of charter renewal. If this is your first time renewing your charter, congratulations, if it is your 2nd or 3rd time, more congratulations. Through charter schools, the Public Education Commission (PEC) as Authorizer, and the Charter Schools Division (CSD) in the New Mexico Public Education Department (PED) seek to provide families with effective, quality educational options. The CSD serves as staff to the PEC and will review your renewal application. The PEC makes the final determination regarding the renewal application after reading it, reading the CSD preliminary analysis and school's response, and, finally, considering the information provided by the CSD in their final recommendations to renew, renew with conditions, or deny a school's renewal application.

Renewing charter schools have the option to seek renewal from either their local chartering authority (district) or the PEC as the state chartering authority. All renewal applications must be submitted by **October 3, 2016**, to the charter school's selected chartering authority. In accordance with Subsection A of 6.80.4.13 NMAC, the chartering authority must then rule in a public meeting on the renewal of the application no later than **January 1, 2016**.

The PEC developed this state charter renewal application kit to assist charter schools in the development of their renewal applications to the PEC. The template for the state renewal charter application kit will be posted on the CSD website at <http://www.ped.state.nm.us/charter/index.html>. CSD will provide technical assistance training that focuses on the state-authorization charter school renewal process. If you are intending to renew with a district authorizer, you should check with them on the forms that they require.

The enclosed renewal application is divided into three parts: **Part A: Your School's Summary Data Report; Part B: Self-Report (or Looking Back), and Part C: Self-Study (and Looking Forward)**. **Part A** is provided by the CSD and PED for the school in the spring before Renewal, updated in July after the newest data is released, and then is provided as Part A or the coversheet to the School's Renewal Application when the PEC receives it on

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Renewal Application 2016-17, Approved by the PEC 032814, updated May 2015.

October 1st. The School is asked to comment on the data provided in Part B of their application; however, the School does need to contribute anything to Part A.

Part B offers a School the opportunity to provide information regarding their successes outcomes over the term of their most current charter (we refer to this as “looking back”). As mentioned above, the school has a chance to respond in narrative form to the academic progress and data provided in Part A. For instance, the School will have an opportunity to discuss their School Grading Report and how the school’s performance has evolved over the past four years. The school will use Part B to capture and report on their unique charter goals and educational outcomes. Finally, Part B requires each School to provide assurances and some information regarding the organizational successes, adherence to all required policies and laws, and financial stability of the school over the charter term. The information provided in this section allows the PEC and CSD to ascertain what level of success was achieved over four years.

Finally, **Part C** offers schools an opportu to reflect on the work they have done in the past four years, on the information they summarized in Part B, and to discuss what they envision for the school looking forward (we refer to this as “looking forward”). At the end of this section, the school is then asked to write two “mission-specific indicators/goals” as they would like them to appear in their first annual Performance Framework if approved. The CSD and PEC take the goals included in this section very seriously and use what is written to understand the School’s capacity to continue for another five years. Schools will have the opportunity to request to negotiate these mission-specific indicators/goals if approved; however, the indicators you present here will be considered as “first drafts” of the indicators to be negotiated. It is important that you spend some time creating these mission-specific indicators and that in your Self-Study you provide a general description of where you want the School to be over the next five years. In Part C, the School will also be asked to identify any amendments that they will request of the PEC as part of their new contract, if approved.

Once Parts A, B, and C are complete, the CSD will then write a preliminary analysis of the School’s Renewal Application and send a copy to the School as well as to the PEC. This analysis will include a preliminary recommendation. The School will have a chance to respond to the analysis provided. Once the CSD receives the School’s response, the CSD sends their final Director’s Recommendation.

New Mexico law, in subsection K of Section 22-8B-12 NMSA 1978, includes the four reasons for non-renewal of a school’s charter. It provides that

- a charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...committed a material violation of any of the conditions, standards, or procedures set forth in the charter;
- a charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school... failed to meet or make substantial progress toward achievement of the department’s minimum educational standards or student performance standards identified in the charter application;

- a charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...failed to meet generally accepted standards of fiscal management;
- a charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...violated any provision of law from which the charter school was not specifically exempted.

Please contact Scott Binkley, Scott.Binkley@state.nm.us, or Becky Kappus, Becky.Kappus@state.nm.us, with any questions regarding the state charter renewal application kit.

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Instructions: 2016 State Charter Renewal Application Process and Review Stages

Form and Point of Contact	All submissions should be prepared utilizing the 2016 State Charter Renewal Application Kit. Brevity, specificity, and clarity are strongly encouraged. Any questions regarding the application and the review process must be directed to Scott Binkley, Scott.Binkley@state.nm.us , or Becky Kappus, Becky.Kappus@state.nm.us .
Deadlines and Manner of Submission	<p>2016 State Charter Renewal Application Kits must be submitted using your charter school account through Web EPSS Website. You will learn more about using the Web EPSS site at one of the Technical Assistance Workshops mentioned below. If you have any questions or feedback after reviewing the guide, please contact Becky Kappus @ Becky.Kappus@state.nm.us or Scott Binkley Scott.Binkley@state.nm.us</p> <p>Files must be submitted via your account on the WEB EPPS no later than 5:00 p.m. (mountain time) Monday, October 3, 2016.</p> <p>Note: Submission prior to October 3rd, 2016 of the current year will not change the deadlines for review. Early submissions are welcomed; however, they do not put applicants at an advantage. All applications are treated equally and fairly as long as they are submitted by the deadline above.</p>
Technical Assistance Workshops (June – September 2016)	The CSD will provide technical assistance workshops for the charter renewal application process between June and September 2016. The first training will take place June 10, 2016 and will be an all-day training at CES. Details regarding this training and future trainings will be sent directly to renewing schools. Applicants will be notified of the dates, times, and locations. Continue to check the CSD website for further information and updates to this process.
Renewal Application Review Period (October 3–November 14)**	A CSD review team will analyze your Renewal Application Kit. The CSD staff will schedule your Renewal Site Visit prior to the completion of the CSD Renewal Analysis. This site visit is designed to verify the evidence and documentation supporting the renewal application kit.
CSD Preliminary Renewal Analysis (November 14)**	The CSD will send each renewal applicant and the PEC a Preliminary Renewal Analysis. This analysis will synthesize the strengths and weaknesses of the charter school as found by the CSD Review Team. The charter school will have a time to respond to the analysis before it is sent to the PEC.
Response to Preliminary Renewal Analysis (November 21)	Renewal applicants may respond in writing to the information contained in the Renewal Analysis. These responses must be submitted using the Web EPSS.

CSD Director's Recommendation (November 30)**	The CSD will send a Final Director's Recommendation to the PEC to approve, approve with conditions, or deny the renewal application on Thursday, November 30, 2016 . Renewal applicants will receive a copy of the recommendation prior to the PEC acting on the application.
Final Authorization Meeting of PEC (December 8-9)**	The PEC will hold a public decision-making meeting to approve, approve with conditions, or deny the renewal application on December, 8-9, 2016 .
Contract Negotiations (December, 2016–March, 2017)**	If approved, the chartering authority shall enter into a contract with the governing body of the applicant charter school within 30 days of approval of the renewal application. (The charter schools and PEC may agree to an extension of the 30-day deadline.)

State Charter Renewal Application Evaluation Standards

Based on the completed renewal application kit, the charter school Renewal Site Visit(s), the Renewal Analysis from the CSD staff, status reports provided by the PED's divisions and bureaus, and, if applicable, the local school district, the CSD will make a recommendation to the PEC regarding renewal of a school's charter. The following questions guide the CSD's recommendation regarding renewal and are based upon the four reasons that a chartering authority must determine a charter school has violated in order to refuse to renew a charter pursuant to Subsection K of Section 22-8B-12 NMSA 1978.

Has the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter?

The school's charter defines the terms under which it proposes to operate and defines the measurable goals that the school agreed to meet. The CSD will analyze the evidence presented in the report from the school's current chartering authority regarding their determination of whether the school has committed a material violation of its charter.

Has the school failed to meet or make substantial progress toward achievement of the PED's minimum educational standards or student performance standards identified in the charter application?

The CSD will examine student achievement data on required state tests and on other measures set forth in the preliminary renewal analysis and reflected in Part A of the Renewal Application completed by the charter school.

Has the school failed to meet generally accepted standards of fiscal management?

The CSD will rely on documentary evidence based on the reports from the PED's School Budget and Finance Analysis Bureau and the Audit and Accounting Bureau with regard to whether the school has met generally accepted standards of fiscal management.

Has the school violated any provision of law from which the state-chartered charter school was not specifically exempted?

The CSD will rely on documentary evidence gathered by the CSD or, if applicable, local district authorizer staff during the term of the school's charter to determine if the school has compiled a record of substantial compliance with applicable state and federal laws and regulations.

Glossary of Terms

Amended Charter School Act: In 2011, the New Mexico Legislature amended the Charter School Act (Act) in several ways. The purpose of the amended Act is to increase accountability of charter schools and authorizers. The primary changes to the Act were the addition of a separate “Performance Contract” (§22-8B-9 NMSA 1978) between the authorizer and the charter school and “Performance Frameworks” (§22-8B-9.1 NMSA 1978).

Assessment: A method, tool, or system used to evaluate and demonstrate student progress toward—or mastery of—a particular learning standard or goal (e.g., a standardized test, short-cycle tests, teacher-developed tests, a portfolio-judging system, etc.).

Contract Negotiation Process: *(This process takes place after a success renewal process.)* The PEC and CSD have developed a process so that the PEC and the charter school can negotiate the terms of the Performance Contract and Performance Framework utilizing a Contract Negotiation Worksheet. Part of that worksheet is pre-populated for the School based on information from the renewal application including the mission-specific indicators/goals and amendments included in Part C of their Renewal Application Kit. Once the charter is renewed, representatives from the charter school and the CSD communicate to develop a working draft of the worksheet. The worksheet is then used to negotiate with the PEC Charter School Committee. If negotiations are successful, there will be a fully populated contract and frameworks that are presented to the governing body of the charter school and then the entire Commission for final approval. If the PEC and charter school fail to agree on terms during the contract negotiations, either party may appeal to the Secretary of Education.

Contract Negotiation Worksheet (Worksheet): *(This term is pertinent upon approval and not immediately relevant to the Renewal Application Kit.)* This document is used to assist renewing schools and the authorizer to populate the charter school Performance Contract required under the Charter School Act to improve authorizer and charter school accountability. The items in the Worksheet are intended to ultimately populate the blank sections of the Contract. This document is intended to make it easier to see all negotiated terms at one time in one relatively short document.

Current Charter: The current charter is the approved charter (or charter contract) with any amendments and/or changes that have been authorized for the current operational term.

Material Term: The PEC/PED will use the following definition used by the National Association of Charter School Authorizers (NACSA) for **Material Terms**:

The term *material* 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 charter school.

The material terms will be the provisions that the charter school will need to amend in order for the school to modify any of the terms of the contract. **Please note:** The material terms are those essential elements with which the charter school agrees to 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 Performance Contract or as demonstrated by the results of the Performance Framework.

Material Violation: A material violation occurs when one party fails to perform their duties as specified in a contract. A contract may be violated by one or both parties. A material violation may result in the need for corrective action or other action as allowed by law to be taken by the Authorizer. There could be a material violation of any term in the Performance Contract or as demonstrated by the results of the Performance Framework.

Mission-Specific Indicators/Goals: The Amended Charter School Act requires schools to identify at least two mission-specific indicators/goals in the renewal application that set targets for the implementation of the school mission. Mission-specific indicators/goals **MUST BE** provided within the renewal application. If the application is approved, these indicators/goals will be used as a “first draft” for discussion during the negotiations with the Authorizer.

For the purposes of this renewal application, the indicators/goals will show the capacity of the applicant to identify appropriate indicators/goals aligned with the mission of the School moving forward. During the later contracting process after approval, the indicators/goals that are finally negotiated and put into the Performance Framework allow the school to demonstrate its achievements related to the school mission. The Performance Framework is assessed on an annual basis and the school-specific indicators may be revised yearly. Please note that renewing schools are encouraged to use their history of performance, including baseline data if available, when developing the two mission-specific indicators/goals and metrics.

Mission-specific indicators/goals put into the renewal application should:

- (1) Demonstrate the school’s ability to implement the school’s mission;
- (2) Be in format set forth below which is a SMART goal format (specific, measureable, attainable, rigorous, and time-bound—see below); and finally,
- (3) Include metrics and measures using the following criteria: “Exceeds standards,” “Meets standards,” “Does not meet standards,” and “Falls far below standards.”

If you define a cohort of students (i.e. 11th grade students that have attended the school for at least two semesters), you must identify how many students are in the cohort and how many are the larger category if no cohort were identified. The PEC is typically looking for a cohort to include at least 70% of all students in the larger category.

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.

New Mexico Condition Index (NMCI): The PSFA ranks every school facility condition in the state based upon relative need from the greatest to the least. This metric is used to compare and prioritize schools for capital outlay funding.

Performance Contract: (§22-8B-9 NMSA) *(This term is pertinent upon approval and not immediately relevant to the Renewal Application Kit.)* The charter authorizer shall enter into a contract with the governing body of the applicant charter school within 30 days of approval of the charter application. The charter contract shall be the final authorization for the charter school and shall be part of the charter. If the chartering authority and the applicant charter school fail to agree upon the terms of or enter into a contract within 30 days of the approval of the charter application, either party may appeal to the secretary to finalize the terms of the contract, provided that such appeal must be provided in writing to the secretary within 45 days of the approval of the charter application. Please note: the charter school and PEC may agree to an extension of the 30-day deadline.

Performance Frameworks: [§22-8B-9.1 NMSA] *(This term is pertinent upon approval and not immediately relevant to the Renewal Application Kit.)* The charter contract will also include a performance framework tied to annual metrics and measures for:

- (1) Student academic performance
- (2) Student academic growth
- (3) Achievement gaps in proficiency and growth between student subgroups
- (4) Attendance
- (5) Recurrent enrollment from year to year
- (6) If the charter school is a high school, post-secondary readiness
- (7) If the charter school is a high school, graduation rate
- (8) Financial performance and sustainability
- (9) Governing body performance

PSFA: Public Schools Facilities Authority. The PSFA serves as the staff to the Public School Capital Outlay Council (PSCOC) to implement the New Mexico Condition Index (NMCI) as well as to approve and monitor lease assistance applications.

Self-Study: The Self-Study is a procedure where an education program describes, evaluates, and subsequently improves the quality of its efforts. Through the self-study process, a program conducts a systematic and thorough examination of all its components in light of its stated mission. Self-study is a process that should be ongoing. Active and continuous involvement in self-study reflects a commitment to the concept of providing students with a quality educational experience.

2016 State Charter Renewal Application Process

The Charter Renewal Application Process includes the following:

Part A—School’s Summary Data Report (provided by the CSD)

Part B—Self-Report or Looking Back

Part C—Self-Study and Looking Forward

Please Note

- ☐ Read the entire Renewal Application before you begin to prepare your written documents. Please complete the application thoroughly. In an effort to help you understand the requirements included in the Renewal Application, the CSD will hold a minimum of two technical assistance workshops (May–September). You will be notified of the dates, times, and locations of the workshops.
- ☐ Review your current charter, including any approved amendments, prior to completing the Renewal Application Kit.



Part A—School's Summary Data Report

(CSD will provide pulling from information provided during the charter term.

The school will have an opportunity to comment on this information.)

NM PED Charter School Division - School Snapshot Report

New America School - Las Cruces

Contract Type: Proxy Start: 7/1/2012 End: 6/30/2017 Term in Years: 5

General Information

Mailing Address: 207 S Main St, Las Cruces, NM 88001

Physical Address: 207 S. Main St, Las Cruces, NM 88001

Phone: (575) 527-9085 Ext: Fax: (505) 527-9153 Website: <http://lascruces.newamericaschoolnm.org/newmexico/>

Opened: 2012 State Appvd: Sep-11 Renewal: 2017
School District: Las Cruces County: Dona Ana

Administration:

Staff	Year Began	Phone	Email
Margarita Porter, Principal		(505) 527-9085	(505) 944-5448 mporter@newamericaschoolnm.org
Mike Vigil, Chief Business Officer		(505) 938-7702	(505) 977-5841 mike@vigilgroup.net
Veronica Gonzales, Asst Business Mgr			vgonzalez@newamericaschoolnm.org
Marina Torres, Academic Advisor		575-527-9085	mtorres@newamericaschoolnm.org
Vanessa Herrera, STARS Coordinator			vherrera@newamericaschoolnm.org

Governing Board:

Member:	Affadavit:	Begin:	End:	Training Year and Hrs:
Toby Rue Board		2015		
Jennifer Garcia-Kozlowski Board		2015		
Susie Kimble Board		2011	10/2013	
Fernando Macias Board		2016		
John Munoz President		2011	10/2014	
Martha Valdez Board		2011	10/2014	

Other:	Email	Notes
Beverly Aguilar, Budget Analyst	beverly.aguilar@state.nm.us	

Mission: The mission of the New America School- Las Cruces (NAS-LC) is to empower immigrants, English Language Learners (ELLs), and academically underserved students with the educational tools and support they need to maximize their potential, succeed, and live the American dream.

Grade Levels Offered/Enrollment/Cap:

Year	Grades	Grades to phase in	CAP Total (40 day)	Teacher	Teacher/Student Ratio:
	9-12		450	17	

Academics

School Report Card	2011-12	2012-13	2013-14	2014-15	2015-16
1. Final Grade		C	C	C	C
2. 3 Year Avg Grade		C	C	C	C
3. Current Standing		D	F	D	C
4. School Growth		D	F	C	C
5. Highest Performing Students		A	A	B	A
6. Lowest Performing Students		B	A	F	F
7. Opportunity to Learn		A	C	A	B

NM PED Charter School Division - School Snapshot Report

New America School - Las Cruces

Contract Type: Proxy Start: 7/1/2012 End: 6/30/2017 Term in Years: 5

8. Graduation		D	na	na
9. Career and College		D	na	na
10. Reading Proficiency	13.6	8.7	29	10
11. Math Proficiency	2.4	4.3	25.4	3
12. SAMS	Y	Y	Y	N
13. SAMS Graduation %		56.8		
14. Bonus Points	1	2.57	4.94	4

Enrollment

	2010-11	2011-12	2012-13	2013-14	2014-15
1. Total Enrollment			235	313	326
	2010-11	2011-12	2012-13	2013-14	2014-15
2. % Male			38.3%	39.0%	39.6%
3. % Female			61.7%	61.0%	60.4%
4. % Caucasian			5.1%	6.4%	4.9%
5. % Hispanic			90.2%	90.4%	92.9%
6. % African American			3.0%	1.3%	0.9%
7. % Asian			0.4%	0.3%	0.3%
8. % Native American			1.3%	1.3%	0.9%
9. % Economically Disadvantaged			94.0%	80.8%	100.0%
10. % Title 1 TS			0.0%	100.0%	100.0%
11. % Title 1 T			0.0%	0.0%	0.0%
12. %Title 1 S			0.0%	100.0%	100.0%
13. % K-3 Plus			0.0%	0.0%	0.0%
14. % Disabled			3.0%	3.8%	5.2%
15. % ELL			27.2%	27.5%	29.1%



Part B—Self-Report/Looking Back

(A Report on the Current Charter Term)

I. Self-Report—Looking Back

The Charter School Act requires that each school seeking to renew its charter must submit a report on the progress of the charter school in achieving the goals, objectives, student performance outcomes, state minimum educational standards, and other terms of the current charter, including the accountability requirements set forth in the Assessment and Accountability Act.

A. Academic Performance/Educational Plan

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school... failed to meet or make substantial progress toward achievement of the department's minimum educational standards or student performance standards identified in the charter contract at Paragraph 2 of Subsection K of 22-8B-12 NMSA 1978.

New Mexico Educational Standards--School Grading Report

(As measured by the New Mexico Standards Based Assessment (SBA) results)

The PED and CSD have provided a School Summary Data Report in Part A regarding your school's performance history in Math and English Proficiency. Please use Part A's Report to **offer insight, explanation, and/or evidence to fully discuss your accomplishments and your School's unique approach to any progression, stagnancy, and/or regression in the areas of English and Math as measured by the SBA.** The information provided in Part A is merely a snapshot of your school and we realize that the entire report card provides more detailed information.

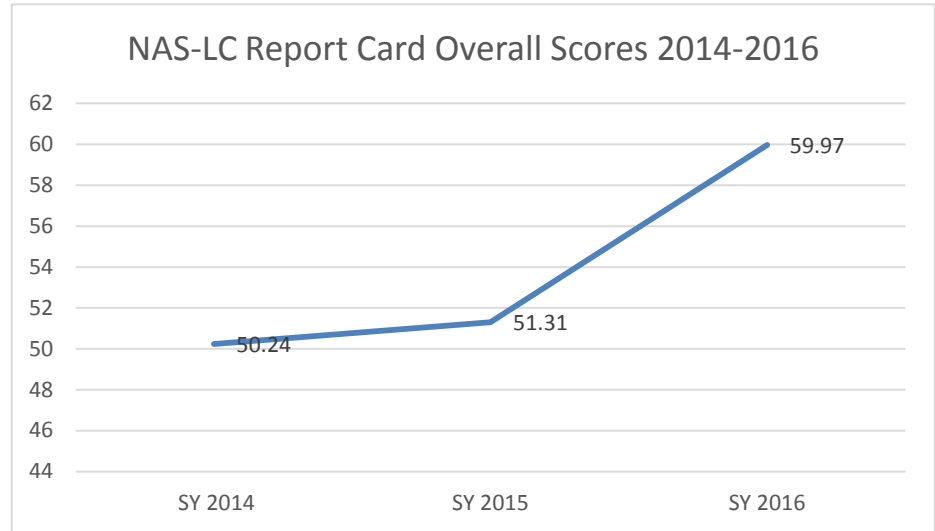
Use this section to discuss, explain, and analyze the information provided regarding your School's Grading Report Card over the past three years. Please feel free to expand the text box below if you need more room for your analysis.

School Grading Report Over Three Years

Provide a statement of progress and additional information regarding your School's Grading Report for the past three years, 2013-14, 2014-15, 2015-16).

New America School-Las Cruces, (NAS-LC) scored a "C" grade for 3 consecutive years, demonstrating a positive gain in overall scores each year.

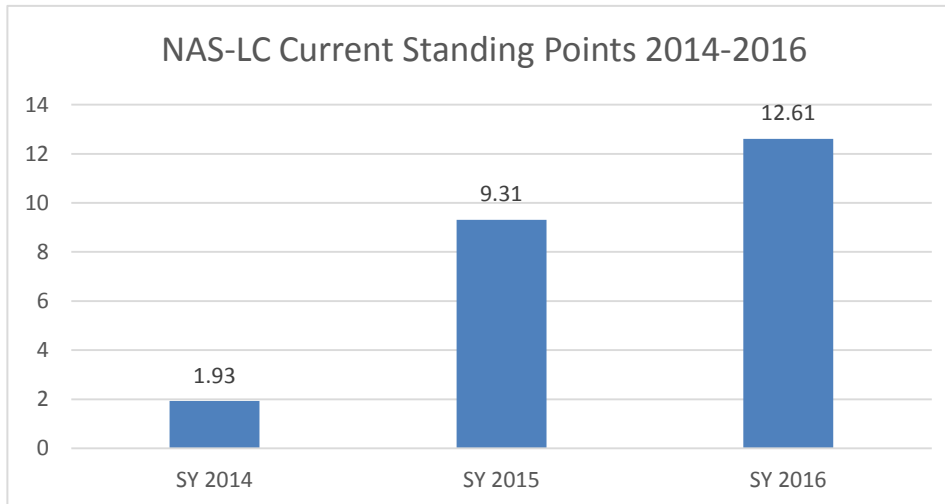
NAS-LC earned 50.24 points in SY2014, 51.31 points in SY2015 and 59.97 in SY2016. Given this progressive growth, NAS-LC anticipates a higher grade/score in the 2017 School Report Card.



Current Standing

Provide a statement of progress regarding your "Current Standing" over the past three years and offer any additional information regarding this measure.

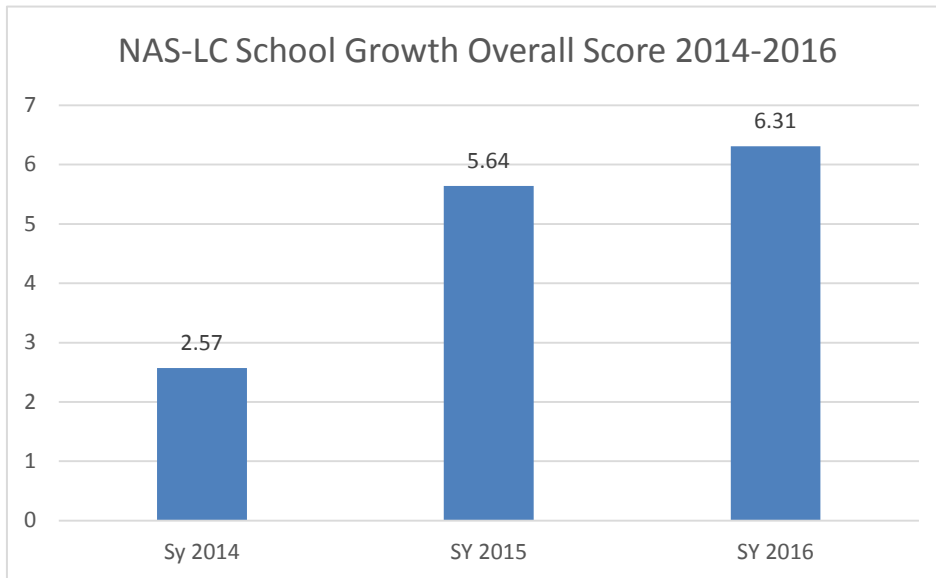
This Current Standing indicates the percentage of students proficient and advanced in math and reading for the particular year. The benchmark is 30 points, with a possible 15 points in growth and 15 for grade level proficiency. NAS-LC's Current Standing grade increased exponentially from an F in SY2014 to a C in SY2016. More in depth analysis of this data is included in the School Growth section below.



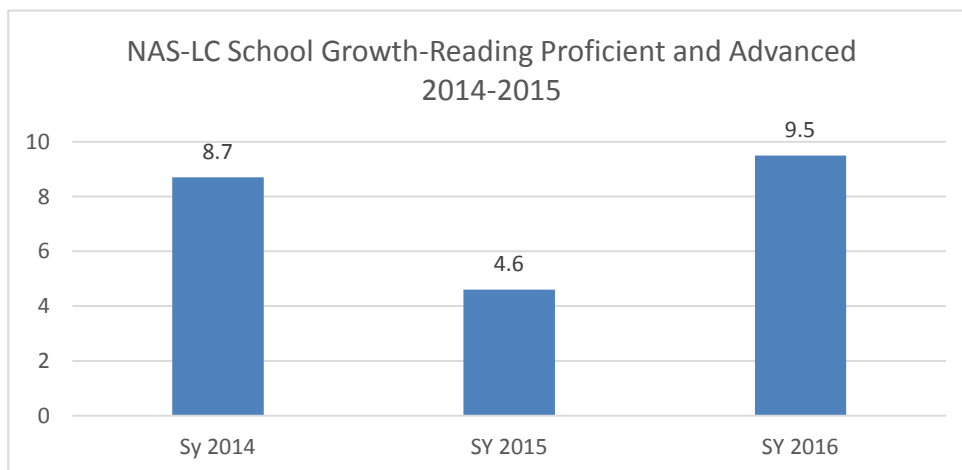
School Growth

Provide a statement of progress regarding your "School Growth" over the past three years and offer any additional information regarding this measure.

The School Growth compares currently enrolled students to their prior 3 years. School growth accounts for the improvement of all students, including Beginning Steps, Nearing Proficiency, Proficient and Advanced. The grade for NAS-LC increased significantly from an F in SY2014 to a C in SY2016.



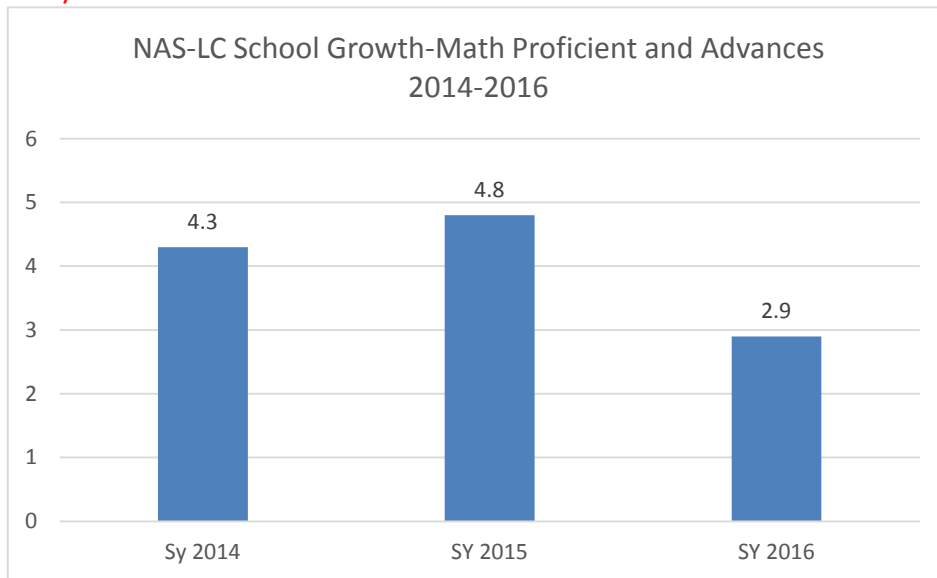
Analysis Reading:



The data shows improvement in reading scores from SY2014 to SY 2016. Based on NAS-LC's analysis, the decrease from SY2014 to SY2015 may be attributed to the statewide change in testing to the PARCC. Following the analysis of our SY2015 data, we developed an intervention plan to improve our English Language Arts (ELA) results that included the following:

Based on the Measured Academic Progress (MAP) scores, students are assigned into groups of 8-10 students in a 30-minute Response to Intervention (RtI) group, where teachers focus on reading strategies and interventions to support literacy. According to research from the ACT College Board, when a student is a proficient reader, the benefits transfer to all content areas. NAS-LC has adopted a school-wide program of Sustained Silent Reading (SSR) that consists of 10 minutes of reading at the beginning of each class. It is expected that students will read for no less than 60 minutes per day as part of the supplemental academic initiative. NAS-LC ELA teachers have implemented a Common Core research-based reading program in all grades. The Standardized Testing for the Assessment of Reading (STAR) program is utilized to identify students' reading levels to help them make informed choices when selecting appropriate reading material. The final analysis of the data indicates these reading interventions are proving to be highly effective.

Analysis Math:



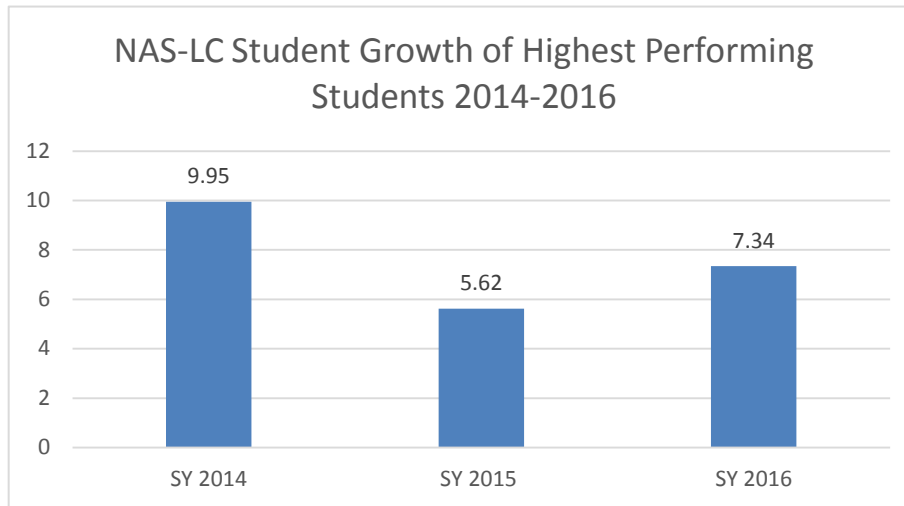
NAS-LC is in the process of analyzing the PED data from SY2016 which the school received in late August 2016. NAS-LC staff will study the data provided at the subset level to determine the decline in math scores. After studying and researching possible causes for the decline, instructional strategies will be implemented immediately.

Strategies implemented at the beginning of SY2015 and that will continue in SY2016 include increasing the Algebra II block from 57 minutes to 87 minutes of daily instruction. NAS-LC has also collaborated with New Mexico State University to access the MC2 teacher program. In the summer of 2016, one staff member attended a weeklong conference to help with curriculum development and delivery. This program helps our math teachers develop and implement teaching strategies that support differentiated instruction; thereby more effectively meeting student needs.

Q3 (Highest Performing 75%) Growth

Provide a statement of progress regarding your "Q3 Growth" over the past three years and offer any additional information regarding this measure.

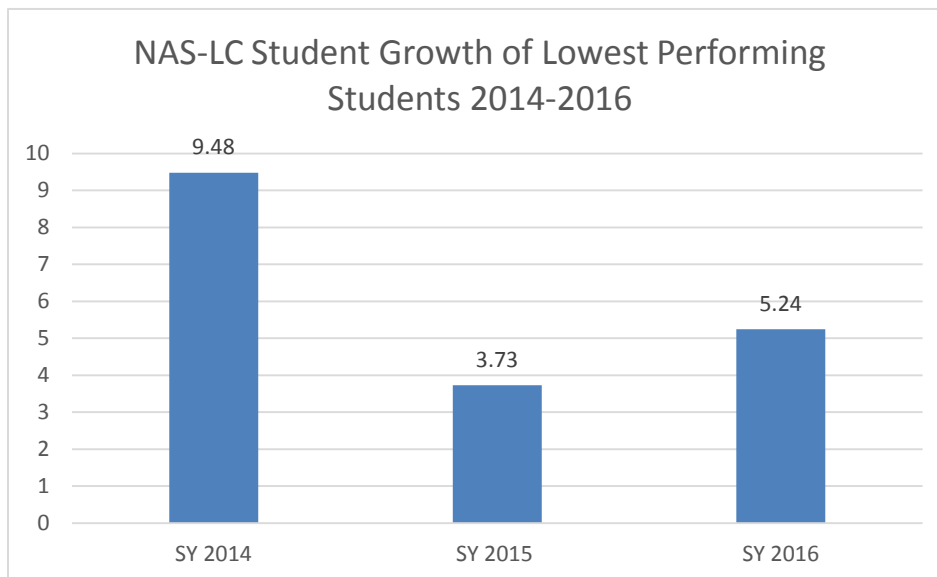
Q3 Growth indicates the percentage of the highest performing students (Q3) meeting their expected academic growth over a 3-year period. This is an area of strength for NAS-LC. The grades for the last three years are an A in SY2014, a B in SY2015 and an A in SY2016.



Q1 (Lowest Performing 25%) Growth

Provide a statement of progress regarding your "Q1 Growth" over the past three years and offer any additional information regarding this measure.

Q1 Growth indicates if the lowest performing students (Q1) meet their expected academic growth over a 3-year period.



Analysis:

NAS-LC's mission is to serve underserved students and English language learners. Students, who have dropped out from other schools or need to recover credits, choose to attend NAS-LC. These particular students normally score in the lowest quartile due to their previous levels of engagement and achievement. In addition, the number of special education students enrolled at NAS-LC is increasing. Prior to the implementation of PARCC in 2014, NAS-LC demonstrated extremely high marks in moving the Q1 students earning a letter grade of an A in SY2013 and a B in SY2014. With the inception of PARCC, however, this metric fell considerably, as it did statewide in schools that serve similar populations as NAS-LC.

Strategies:

Implemented interventions include:

Special Education Inclusion: NAS-LC utilizes a full-inclusion model for special education students. This model ensures students receive instruction from a highly qualified teacher along with support from the special education specialist. The special education teacher will work closely with the classroom teacher to provide modifications and supports within the classroom. The special education teacher provides focused strategies for targeted students within the classroom setting.

English Language Learners: English language learners (ELL) are supported through English as a Second Language (ESL) block, from one to four hours. The teacher utilizes sheltered instructional strategies for academic language acquisition. Teachers are required to complete 6 hours of ESL methodology coursework during their two years of employment at NAS-LC or may attain Teaching English to Speakers of Other Languages, TESOL certification. Through increased professional development and knowledge of instructional strategies specific to language acquisition, ELL teachers will be better prepared to meet the needs of the students.

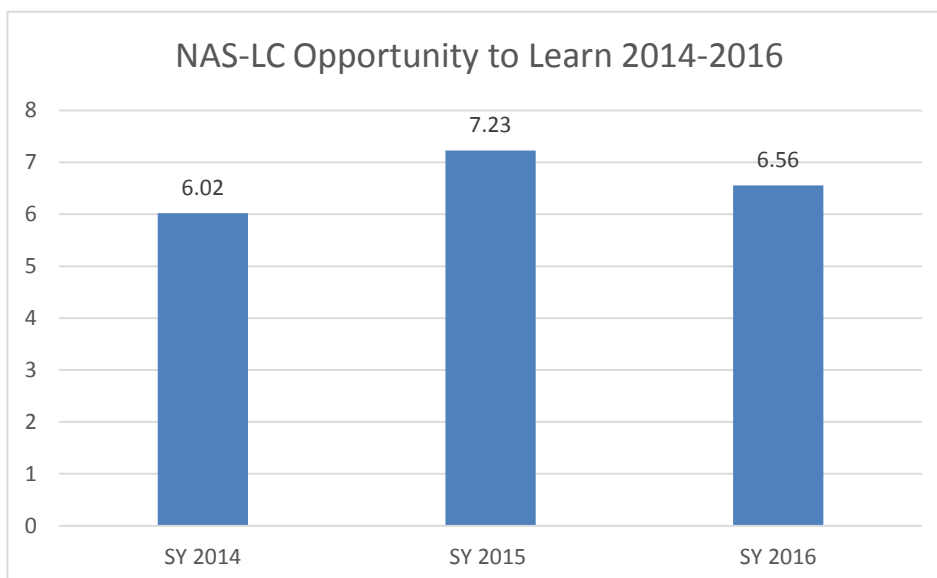
Low performing students: Students who are low in academic language and skills can also fall into the lowest quartile. These students may be monolingual English speakers with English levels lower than expected. Teachers have been given the list of Q1 identified students that are on high alert. These students are receiving RtI daily with focused strategies to support literacy and numeracy. Teachers participating in professional development opportunities will learn strategies and best practices that benefit all students.

Analysis of SY2016 PARCC data disaggregated specifically for Q1 students will require teachers working in Professional Learning Communities to investigate, train, and implement strategies specific to the needs of the Q1.

Opportunity to Learn

Provide a statement of progress regarding “Opportunity to Learn” over the past three years and offer any additional information regarding this measure.

Opportunity to Learn demonstrates the ability of our school to foster an environment that facilitates learning. NAS-LC earned the following grades in this indicator: C in SY2014, an A in SY2015 and a B in SY2016.



A key component to the positive learning environment at NAS-LC is the careful recruitment, training, and retention of teachers committed to NAS-LC’s mission.

Graduation—as applicable

Provide a statement of progress regarding your “Graduation” over the past three years and offer any additional information regarding this measure.

The PED Technical Manual does not rate graduation the first 4 years. However, NAS-LC has had graduates each year. The data is below.

SY2013 – 36
SY2014 – 68
SY2015 – 65
SY2016 – 80

College and Career Readiness—as applicable

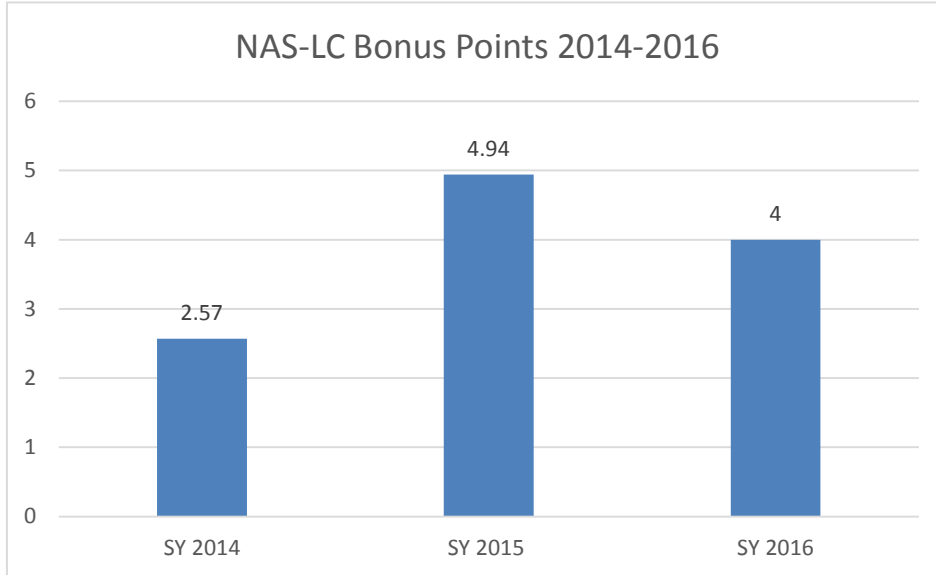
Provide a statement of progress regarding your “College and Career Readiness” over the past three years and offer any additional information regarding this measure.

The PED Technical Manual does not rate College and Career Readiness for the first four years. Still, NAS-LC students have participated in the following college and career readiness indicators: ACT, ASVAB, Dual Credit classes, and Compass. Other indicators that will be used in SY2017 are WorkKeys and the TABE. All of these listed assessments are used by the PED to measure participation in college and career readiness.

Bonus Points

Provide a statement of progress regarding "Bonus Points" over the past three years.

Bonus Points are based on truancy prevention, extracurricular activities, and parent and student engagement in the educational process. Bonus points received have been 2.57 in SY2014, 4.94 in SY2015 and 4.0 in SY2016.



NAS-LC's scores were well above the state average of 1.6 bonus points. NAS-LC has earned points for reducing truancy, promoting extracurricular activities and actively engaging parents and students.

In the SY2015, bonus points reflected improvement in truancy rates.

In SY2016, bonus points were based on the school's Next Step Plans or Student Assistance Team process.

Truancy rates were no longer reviewed in SY 2016, although school rates were dramatically reduced that year at NAS-LC.

This change in metrics renders a three-year data trend invalid.

Mission Specific and/or Student Academic Performance Standards/Goals from your Current Charter
—as measured by the school’s selected short-cycle assessments and/or other standards-based instruments.

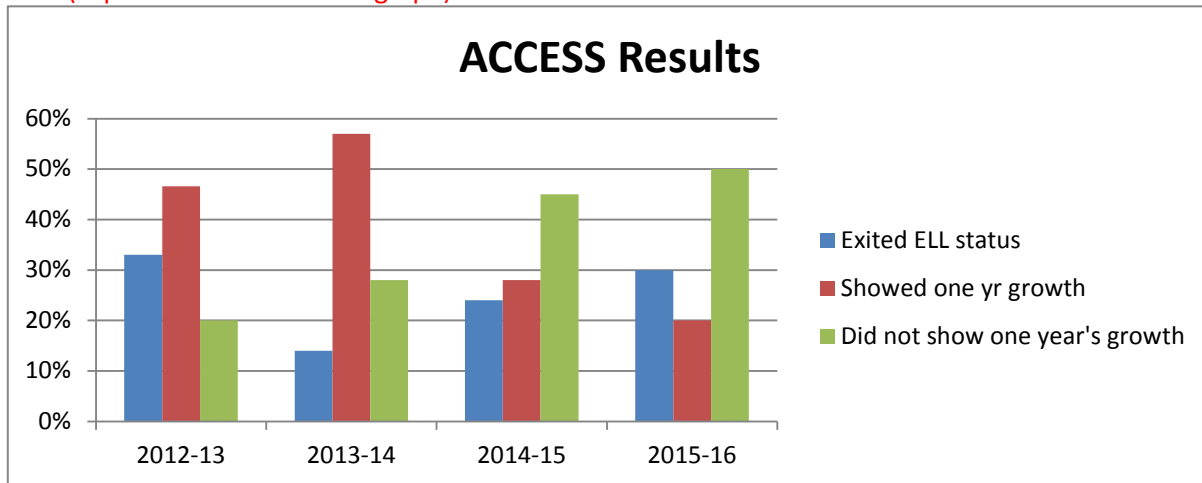
Please provide your goals and/or indicators regarding Academic Student Performance as they are written into your current charter, *as appropriate*. In the boxes below, include the results of short-cycle assessment(s), or other standards-based instrument(s) used to measure student progress, the average annual data obtained using those assessments, and the school’s statements and analysis of student progress towards the standards. *Please copy the box below based on the number of academic/performance goals/indicators you have in your current charter.*

Please note: If you have another means of representing the data requested below, you may insert that alternative representation (e.g., charts, graphs etc.).

Student Academic Performance Standard/Goal #1: **70% of students attending will show one year's growth on the WIDA ACCESS.**

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency): **The assessment used to report this goal is the ACCESS Assessment. This assessment is given to students identified as English language learners (ELL) in January of each year to determine English proficiency.**

**NAS-LC achieved this goal in SY13 and SY2014.
NAS-LC did not achieve this goal in SY2015 and SY2016.
(Explanation is below the graph)**



Provide a statement of progress and additional information regarding the above data:

In the graph above, the blue bar shows the percentage of students who were identified as ELL and who “achieved or reached” proficiency as a NAS-LC student. Such students scored a proficiency level of 5 or better on the test, which indicates a Bridging category. This means they no longer need ESL services and can be exited from the ESL program.

The red bar indicates the percentage of students who were enrolled from one year to the next and also took the ACCESS assessment gaining one year (0.5) in proficiency. This 0.5 measure of growth is the New Mexico state growth target according to the Bilingual Multicultural Education Bureau. Taking both the “exited” students and students who made a gain of 0.5 in one year, the goal in the first two years was achieved. An 80% growth was achieved in SY2013 and a 72% growth in SY2014.

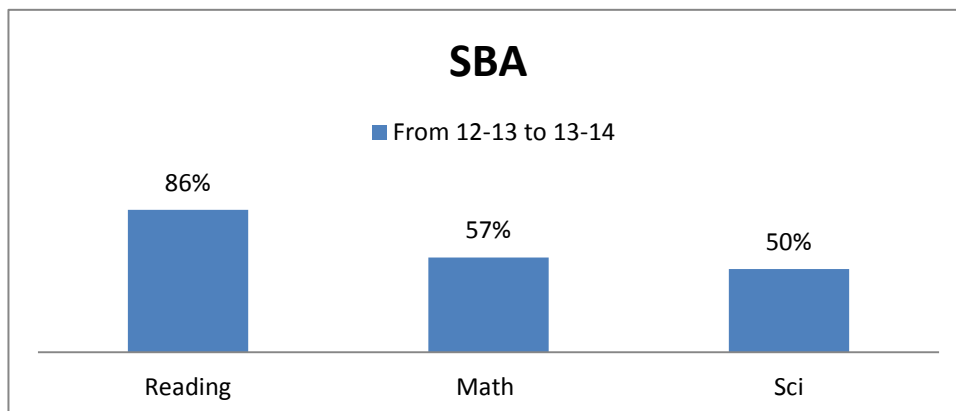
Based on analysis of this data, NAS-LC implemented the use of Rosetta Stone during RtI, to support growth in listening and speaking. The ESL teacher provides supports to ELL students in core classes to support language acquisition in listening, speaking, reading and writing while gaining the knowledge of standards they are expected to know. In addition, the entire staff receives professional development in sheltered instruction strategies to support language learning. All teachers are required to successfully complete 6 credit hours of ESL methodology during their first two years of employment with NAS-LC.

Student Academic Performance Standard/Goal #2: 3% of the student scores will improve in each category annually on the New Mexico Statewide Assessment Program (NMSAP).

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency): The SBA was administered during SY2013 and SY2014. The PARCC test was administered during the SY2015 and SY2016. The results of this goal are reported separately using SBA data for SY2013 and SY2014, and PARCC data for SY2015 and SY2016.

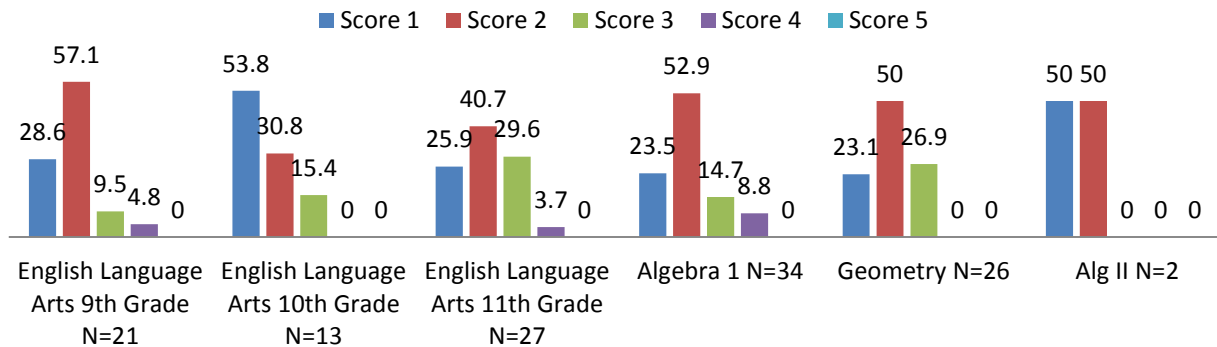
In order to obtain accurate data, the different assessments must be review separately.

SBA results

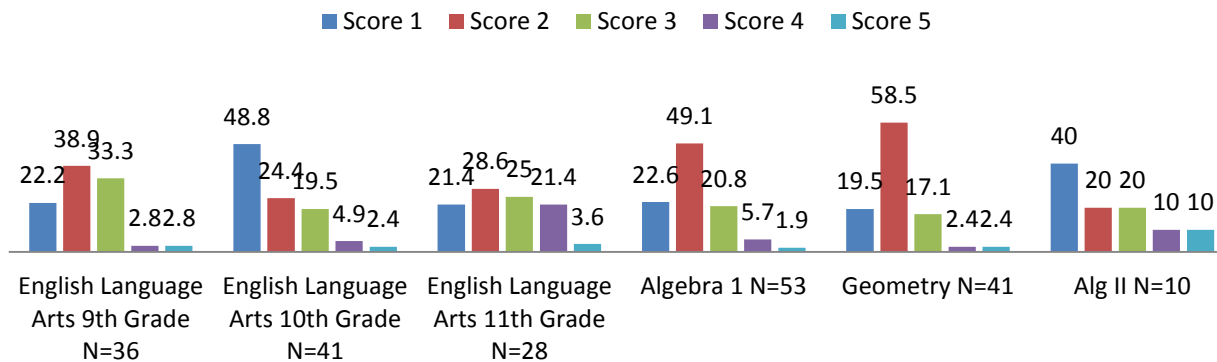


The students who took the SBA the first year at NAS-LC were identified in the second year and their results were compared. NAS-LC can only measure the students who were tested two years in succession. These students are represented in the graph. In reading, 86% of students tested made gains; in math, 57% of students made gains and in science, 50% of the students improved.

PARCC SY2015



PARCC SY2016



Provide a statement of progress and additional information regarding the above data:

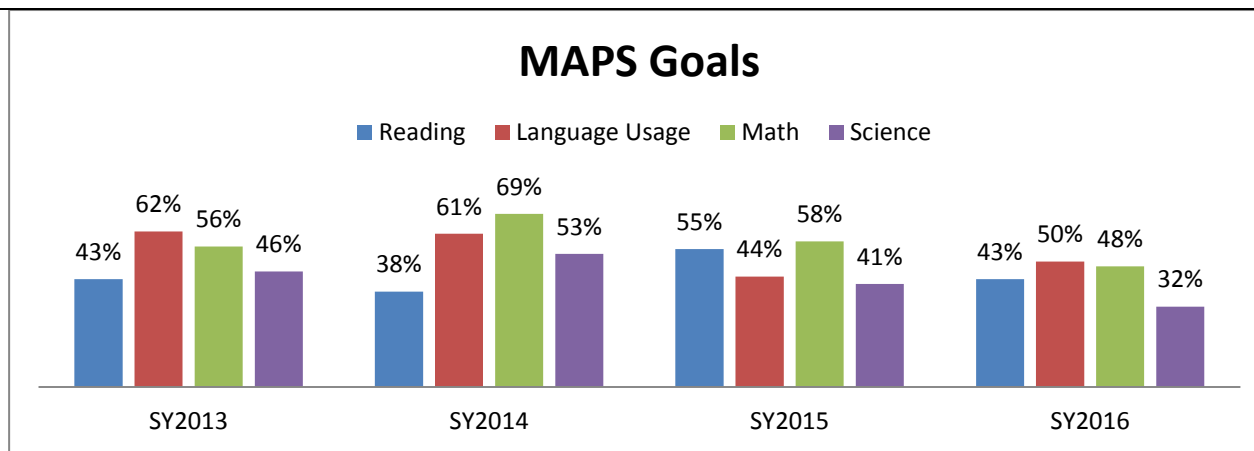
This information was taken from the PED website.

The PARCC was administered in SY2015 and SY2016. Based on that information, shown above, the percentage of students in levels 3, 4, and 5 (combined for each year specified) is shown below. This data indicates overall that students shows progress from one year to the next:

SY2015		SY2016	
9 th ELA	14.3%	10 th ELA	26.8%
9 th Math	23.5%	10 th Math	19.92%
10 th ELA	15.4%	11 th ELA	50%
10 th Math	26.9%	11 th Math	40%

Student Academic Performance Standard/Goal #3: 70% of students will show one year's growth on the Measuring Academic Progress (MAP) tests in Mathematics, Science, Reading and Language Usage.

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency): NAS-LC administers the Northwest Evaluation Association (NWEA), Measures of Academic Progress, MAP, as a short cycle assessment. It is administered three times a year to measure academic growth. The assessment is administered at the beginning of the year to give teachers the students' current academic status. The MAP then sets a goal for each student; students must achieve that goal by year's end, thereby making one year's academic growth. The test is re-administered in January to measure progress and again in May to determine overall achievement for the year.



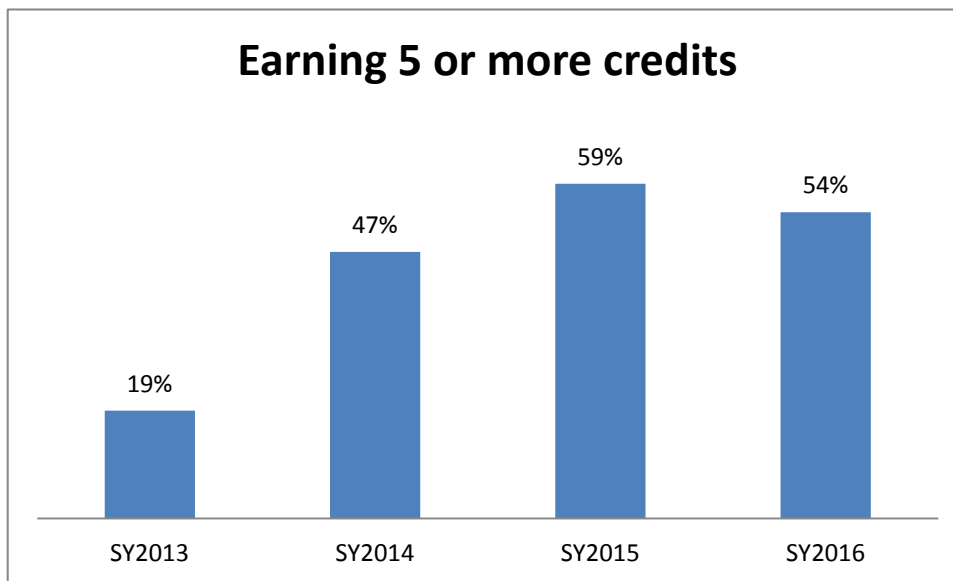
Provide a statement of progress and additional information regarding the above data:

NAS-LC did not achieve this goal. This was an extremely ambitious goal for the school as stated in the initial charter application. In fact, a 70% growth would be equivalent to a 90th percentile standing on a national level.

The graph above indicates the number of students who achieved their MAP goals each year. The graph includes all grades, 9-12. MAP does not set individual student goals for 11th and 12th graders. NAS-LC has set goals for these 2 grade levels by creating a goal by using the "average" goal which is 2 points of growth. All scores are then calculated to reflect the school's growth. The scores were entered into our SIS system and reports are generated to show the number of students in grades 11 and 12 who met the goal along with the 9 and 10th grades.

Student Academic Performance Standard/Goal #4: 70% of the students who attend at least 75% of the time will acquire 5 or more credits per year.

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency). At NAS-LC, students who attend during the day can be enrolled in 5, 6 or 7 credits depending on individual credit graduation requirements. We count the number of credits accumulated by the end of the year. This number is then divided by the total number of students who are enrolled for the 5, 6, or 7 credits.



Provide a statement of progress and additional information regarding the above data:

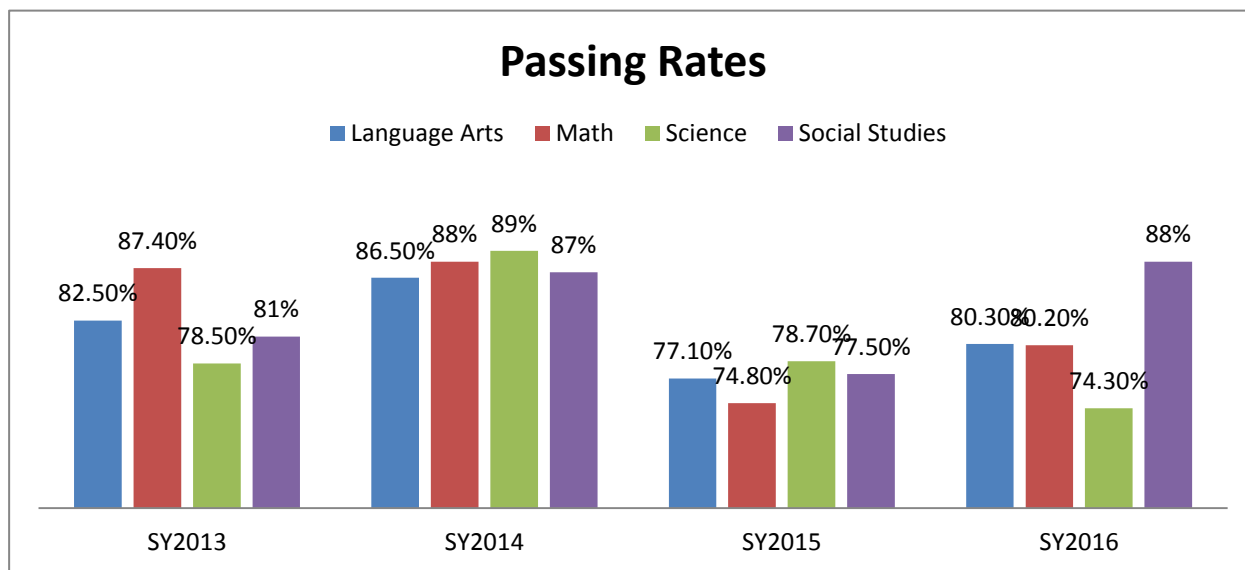
NAS-LC determined that 70% credit accumulation was a high bar for the target population. However, we are pleased that the trend line of earning 5 or more credits is increasing as the graph illustrated.

Students, who attend NAS-LC, historically have significant absentee rates in their previous schools. Students attending NAS-LC also have decreased engagement and low interest. It is difficult for students to successfully complete and pass classes. The data shows an overall upward trend.

In an effort to increase credit accumulation, NAS-LC has recruited faculty with experience in teaching high risk populations, as well as a strong knowledge base regarding student engagement. Our staff is able to utilize strategies to increase student success. NAS-LC has made a commitment to provide teachers with professional development, including focused workshops. Teachers also have a common prep period that allows collaboration and cross content alignment. As the curriculum becomes more rigorous, NAS-LC students are being held to higher expectations.

Student Academic Performance Standard/Goal #5: Passing rates in core subject areas (Mathematics, Science, Language Arts and Social Studies) will be 68% or better throughout quarters 1 to 4.

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency): The passing rates are calculated at end of each year, identifying the number of students each in class earning a passing grade. This number is then divided by the total number of students enrolled in the class.



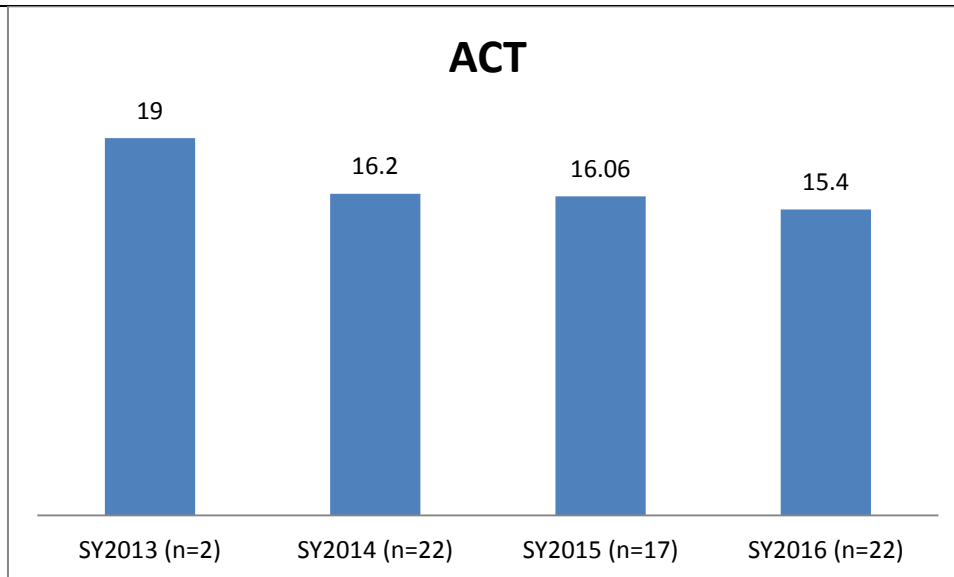
NAS-LC achieved this goal for every core class each year.

Provide a statement of progress and additional information regarding the above data:

Teachers are required to turn in their lesson plans weekly. Plans are reviewed by the principal to ensure teaching is aligned to the Common Core Standards and/or the NM State Standards. Teachers develop long-term curriculum maps with the standards to ensure students receive necessary instruction to earn graduation credits.

Student Academic Performance Standard/Goal #6: NAS-LC will have a composite ACT score of 18 or better.

Standardized Short-Cycle Assessment or other Standards-based Instrument(s) Used (Identify level of scores that indicate proficiency): NAS-LC used information from the ACT College Board to calculate the average ACT scores. Each year, the ACT scores are combined and averaged. Importantly, the number of NAS-LC students taking the ACT has steadily increased over the past four years.



Provide a statement of progress and additional information regarding the above data:

NAS-LC achieved the goal in year one.

NAS-LC provides students with an opportunity to show college and career readiness via the ACT. As the graph indicates, NAS-LC achieved this goal in SY2013. On the report card, the PED measures college and career readiness via participation, not by average score. The above data reflects an increase in student participation. NAS-LC offers waivers of ACT payment to qualifying families. In an effort to improve the average ACT score, NAS-LC has created several opportunities including workshops and individual tutoring to prepare seniors to take this exam.

During Rtl, Seniors participate in activities to develop and refine their knowledge of ACT vocabulary, grammar, reading strategies and test taking strategies. We give ACT practice tests to help students experience the timed test and the format. The second semester, seniors apply for scholarships, complete the financial aid application (FAFSA), and apply to college. Seniors are also offered tutoring on Fridays in preparation for the ACT exam. Juniors are also given the opportunity to take the ACT, which indicates a high level of interest in preparing for college and/or careers.

Anecdotally, we are seeing success in the individual students we serve. For example, an undocumented student attended NAS-LC for two years, earned a score of 22 on the ACT. Today, he is thriving in his second year of college.

Other Organizational Performance Standards/School Goals from your Current Charter—as applicable

Please provide your goals and/or indicators regarding organizational performance measures as they are written into your current charter, *as appropriate*. Please describe the measure(s) used to assess progress; the data obtained using those measures, and the school's statements of progress towards and analysis of the standard/goal(s). *Please copy the box below based on the number of organizational performance goals/indicators you have in your current charter.*

Please note: If you have another means of representing the data requested below, you may insert that alternative representation (e.g., charts, graphs etc.).

Organizational Performance Standard/School Goal #1:
Graduation Goal: <i>NAS-LC will achieve a 65% graduation rate.</i>
Measure(s) Used: <i>Students who are within 6 credits of graduation are categorized as seniors. Seniors who are enrolled at NAS-LC at the 40th day count and complete their credits by the following May are counted in the graduation rate. In addition, NAS-LC students classified as Juniors in August of any year, who earn enough credits by the end of semester one, are reclassified as seniors. Such students who graduate are also included in the graduation rate.</i>
<i>NAS-LC achieved this goal for 3 years.</i>
<p>Data:</p> <p>SY2013 29 Seniors graduated/44 Seniors enrolled on 40th Day = 66%: With 7 Juniors 36/51 = 71%</p> <p>SY2014: 57 Seniors graduated/94 Seniors enrolled on 40th Day = 61%: With 11 Juniors 68/105 = 65%</p> <p>SY2015: 40 Seniors graduated/77 Seniors enrolled on 40th Day = 52%: With 25 Juniors 65/102 = 64%</p> <p>SY2016: 54 Seniors graduated/81 Seniors enrolled on 40th Day = 67%: With 26 Juniors 80/107 = 75%</p>

Provide a statement of progress and additional information regarding the above data:

NAS-LC has sustained students' interest and engagement in order for them to complete graduation requirements.

In SY2015, the PED awarded NAS-LC a College and Career Readiness Grant called The College Navigator. This grant afforded NAS-LC a full time position to support our efforts to successfully graduate students. This position supports all seniors with college applications, completing the FAFSA application, admissions, college visits and scholarships. Along with these duties, our College Navigator follows students after graduation and continues to monitor and support their success in higher education.

Organizational Performance Standard/School Goal #2:

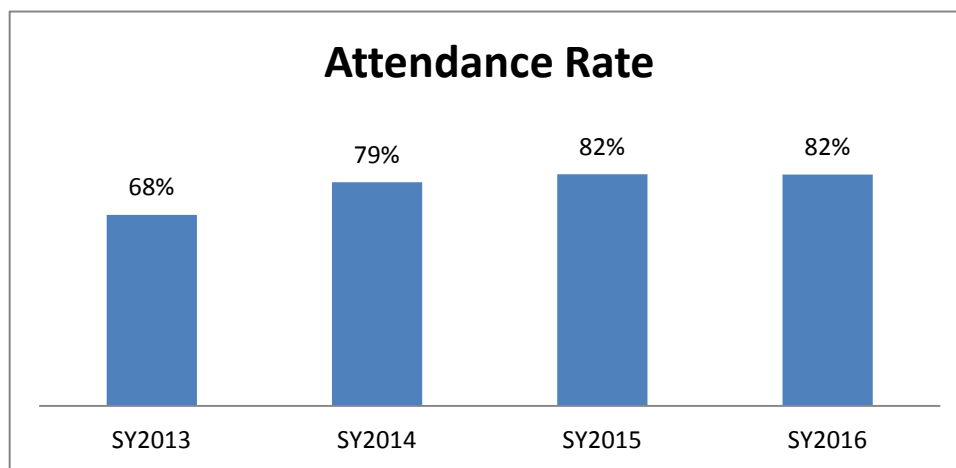
Attendance Goal: *NAS-LC will achieve an 80% average daily attendance.*

Measure(s) Used: NAS-LC is using the attendance rates of the school grading report card. This is the average of all students attending on a daily basis according to the PED.

NAS-LC achieved this goal in SY2015 and SY2016.

Data:

Year 1: 67.7%,
Year 2: 79.3%,
Year 3: 82.1%,
Year 4: 82.0 %,



Provide a statement of progress and additional information regarding the above data:

NAS-LC has demonstrated a steady increase in daily attendance each year.

While typically, students come to NAS-LC with a history of poor attendance; their attendance has improved significantly at NAS-LC.

In SY2016, the PED awarded a grant for a Truancy Coordinator to assist in supporting students with the challenges and obstacles that affect their attendance. The Truancy Coordinator contacts the families of students who miss class and are on the verge of being dropped. The Truancy Coordinator provides information on agencies that can help with childcare, food, and clothing. The Truancy Coordinator has been successful in implementing an Early Warning System, a research-based initiative by Johns Hopkins University, which is a statewide initiative for schools wanting to identify students at risk of dropping out or becoming habitually truant. The entire staff is committed to the program with five staff members participating in the PED-sponsored conference in June 2015 and 2016 and serve as the EWS core resource team. The EWS will be implemented in the school year SY2017.

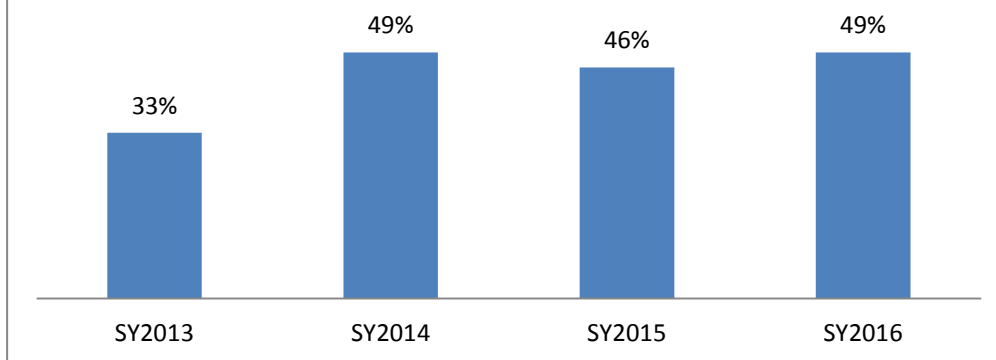
Organizational Performance Standard/School Goal #3:

Retention Goal: NAS-LC will achieve 55% retention of a cohort group of students enrolled continuously from August to June and are taking the maximum number of credits.

Measure(s) Used: NAS-LC used the 40-day count and compared those students with students at the end of year. This number was then divided by the 40-day count to arrive at the percentage of students who were continuously enrolled from August to June.

NAS-LC did not achieve this goal.

Retention of Students from Aug-June



Provide a statement of progress and additional information regarding the above data:

NAS-LC serves students who are highly mobile and have a history of failing in traditional schools. Students who attend NAS-LC are supported through tutoring during lunch and on Fridays. NAS-LC continues to show growth on this measure.

NAS-LC retains student by training teachers to engage students in order to support learning and academic success. Lesson plans are reviewed to verify that learning objectives are aligned with standards and that lessons taught are aligned with the End-of-Course exams.

Other programs in place to support student engagement are extracurricular activities such as sports and clubs, including Yearbook and Student Council. These activities help to create a highly participatory and engaged school community.

Organizational Performance Standard/School Goal #4

Behavioral Goal: NAS-LC will maintain a rate of discipline referrals and subsequent actions of no more than 5% per quarter.

Measure(s) Used: The PED requires schools to indicate suspensions via the student information system. The incidents are uploaded each time a suspension occurs. These referrals are then divided by the total number of students during that quarter. The following graph demonstrates discipline referrals by quarters.

NAS-LC achieved this goal 15 out of 16 quarters.

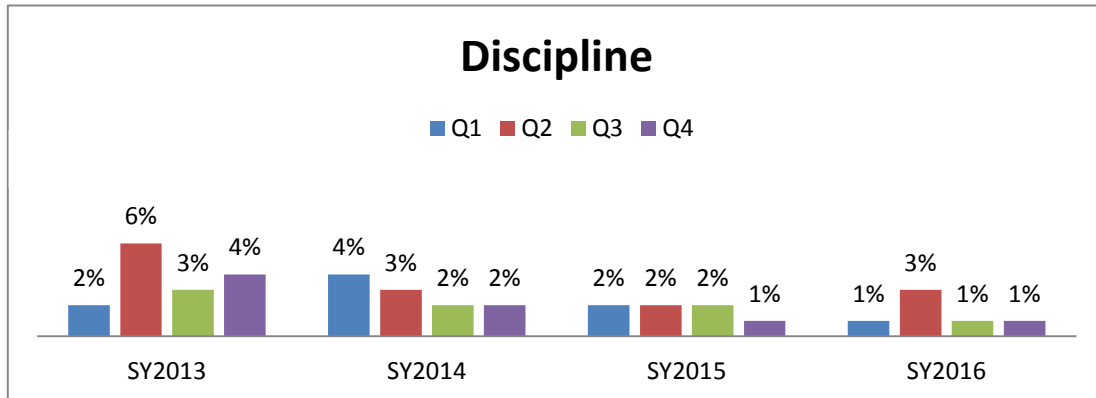
Data:

Year 1: 3.75% average during year 1.

Year 2: 2.75% average during year 2.

Year 3: 1.75% average during year 3.

Year 4: 1.75% average during year 4.



Provide a statement of progress and additional information regarding the above data:

NAS-LC has established a positive culture of learning, which is reflected in the decreasing number of suspensions. Teachers at NAS-LC have established consistent and effective classroom policies and procedures. The consistency has resulted in fewer suspensions. NAS-LC has implemented several interventions to help students learn to regulate their behavior. For example, NAS-LC created a daily lunch detention as an immediate consequence for infractions. This policy has encouraged students to be more aware of their behavior and its immediate penalties. NAS-LC teachers also review the student handbook with students every quarter to remind students of behavioral expectations. NAS-LC implemented “in-school” suspension in SY2017, as a consequence for infractions. This intervention requires the student to remain on campus in a supervised environment separate from other students while continuing to complete assignments.

Organizational Performance Standard/School Goal #5:															
Enrollment Goal: NAS-LC will maintain an enrollment number at the 120 day count of at least 75% of its 40 day count number.															
Measure(s) Used: The 40-day snapshots and the 120-day snapshots are compared to verify that 75% of 40-day enrollment is maintained. The numbers are retrieved directly from the STARS system.															
NAS-LC achieved this goal in year 1, 2, and 4.															
<p>Data:</p> <p>Year 1: 214/235 = 91% of the enrollment number at the 120-day count of the 40-day count number</p> <p>Year 2: 310/314= 98.7%</p> <p>Year 3: 241/324 = 74.3%</p> <p>Year 4: 300/332 =90.3%</p>															
<div><h3>Enrollment Goal</h3><table><thead><tr><th></th><th>40-day</th><th>120-day</th></tr></thead><tbody><tr><td>SYS013</td><td>247</td><td>265</td></tr><tr><td>SY2014</td><td>313</td><td>314</td></tr><tr><td>SY2015</td><td>326</td><td>241</td></tr><tr><td>SY2016</td><td>332</td><td>300</td></tr></tbody></table></div>		40-day	120-day	SYS013	247	265	SY2014	313	314	SY2015	326	241	SY2016	332	300
	40-day	120-day													
SYS013	247	265													
SY2014	313	314													
SY2015	326	241													
SY2016	332	300													
<p><i>Provide a statement of progress and additional information regarding the above data:</i></p> <p>NAS-LC has achieved this goal and sustained students’ interest and engagement to complete their graduation requirements. NAS-LC has maintained an enrollment number above 90% in years 1, 2, and 4.</p> <p>The data is a strong indicator of NAS-LC’s commitment to community and student engagement. Some students indicated that issues such as child care, family obligations, employment and transportation, have deterred them from graduation.</p> <p>In SY2016, NAS-LC accommodated night students by offering classes in two hour blocks, thereby allowing them to attend 2 nights a week only. The change prompted improvement in retention.</p>															

B. Financial Performance

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...failed to meet generally accepted standards of fiscal management at Paragraph 3 of Subsection K of 22-8B-12 NMSA 1978.

Financial Performance Assurances

With respect to findings for Financial Performance, there will be a presumption of compliance unless the five-year record includes evidence to the contrary.

The school meets financial reporting and compliance requirements and submits all documentation related to the use of public funds including annual budgets, revised budgets, if any, and periodic financial reports as required.

☒ **Yes** ☐ **No** Is the school meeting financial reporting and compliance requirements?

☒ **Yes** ☐ **No** Is the School following generally accepted accounting principles?

For any "no" answers please provide an explanation.

a. Financial Statement

This statement should illustrate how the charter school is budgeting funding that easily understandable to the general public (e.g., pie graph outlining the distribution of funds related to administration, direct instruction, instructional materials, lease, etc.) Include as an Appendix A.

b. Audit Findings

The school follows Generally Accepted Accounting Principles by receiving an unqualified audit opinion, and an audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses, and the audits do not include an on-going concern disclosure in the audit report. Complete the following chart by providing any negative findings from independent audits for each fiscal year, and how the school responded.

Audit Report Summary

Identify information from the <u>Component Unit Section</u> of the Annual Audit specific to the Charter School			
Year	Total # of Findings	Nature of Findings	School's Response
1 (12-13) Planning Year	3	<ul style="list-style-type: none"> FS12-01 Purchase orders, significant deficiency and compliance and other matters FS 12-02 Unallowable costs, compliance and other matters 	<p><i>MANAGEMENT RESPONSE</i> The goods received were the accounting software that the school's governing council agreed to sign a professional services agreement with. Because the software actually generates the requisitions and purchase orders it was not possible to create them prior to having access to the software. The contract approved by the governing council listed the services to be provided and the amounts that would be charged in detail. The school currently has procedures in place that follow the state's procurement code.</p> <p><i>MANAGEMENT RESPONSE</i> The reimbursement approved to the consultant for the purchase of alcohol was overlooked after review by both the offices of the NMCCS as well as the NMPED. Emphasis will be put on a more stringent review to prevent unallowable purchases to be included on any reimbursement requests. The offices of the NMCCS now currently file monthly prior to or on the due date as set by the NMTRD for CRS payments and no further penalties will be incurred per the procedures that have been established. The stipends paid to the administrator for phone and vehicle usage were discovered to be in error in June 2012. Stipends were paid back out from the employee to the school in July of 2012 to correct the pay out and to match the contract. Current procedures are in place to prevent an error of this kind and a review of these procedures will be conducted to prevent future oversight of contractual details.</p>

1(12-13) cont Planning Year		<ul style="list-style-type: none"> FS 12-03 Budgetary Conditions, non-compliance and other matters 	<p><i>MANAGEMENT RESPONSE</i> When the issue of the CRS penalties arose there was no longer any time left in FY12 to establish budget authority through the BAR process due to the NMPED final BAR dates being prior to the next scheduled governing council meeting. Management considers this an abnormality in the process that will only possibly occur in a school's planning year and a misunderstanding with the need to establish a CRS number prior to hiring any employees. Management is aware of the need to establish budget authority prior to making expenditures out of any particular fund.</p>
2 (13-14)	2	<ul style="list-style-type: none"> 2014-001 Mileage Reimbursements (Compliance) (repeated) 	<p><i>MANAGEMENT RESPONSE:</i> The school is aware of the mileage rate as set forth by the DFA at 80% of the IRS rate for the previous year. However, the determination was made at one point in time that charter schools do not fall under the same designation that would limit them to the same rate allowable as the DFA. Furthermore, across 3 different auditors over the past 6 years different determinations have been made concerning the amount that a charter school should/is allowed to pay for mileage reimbursement. Management will discuss with the school's finance and audit committees in order to determine what to present to the governing council in full concerning school policy for mileage reimbursement going forward.</p>

2 (13-14) cont		<ul style="list-style-type: none"> 2014-002 Timely Deposits (Compliance) (repeated) 	<p><i>MANAGEMENT RESPONSE</i> Management is well aware of the 24 hour deposit rule and policies and procedures are in place to ensure that the school adheres to this requirement. Policies and procedures were reviewed with the appropriate personnel and the 24 hour rule has been followed for the entire current fiscal year (FY15) to date. Furthermore, the school was alerted to another charter school's practice of weekly deposits as it was granted authority to do so by the NMPED under certain circumstances. Management will discuss this possibility with the finance and audit committees to see if this is something the school would like to look into putting into practice if the NMPED is willing to grant the authority to do so.</p>
3 (14-15)	3	<ul style="list-style-type: none"> 2014-001 Mileage Reimbursements (Compliance) (repeated) 	<p><i>MANAGEMENT RESPONSE:</i> The school is aware of the mileage rate as set forth by the DFA at 80% of the IRS rate for the previous year. However, the determination was made at one point in time that charter schools do not fall under the same designation that would limit them to the same rate allowable as the DFA. Furthermore, across 3 different auditors over the past 6 years different determinations have been made concerning the amount that a charter school should/is allowed to pay for mileage reimbursement. Management will discuss with the school's finance and audit committees in order to determine what to present to the governing council in full concerning school policy for mileage reimbursement going forward.</p>

3 (14-15) cont		<ul style="list-style-type: none"> 2014-002 Timely Deposits (Compliance) (repeated) 2015-001 Budgetary Conditions (compliance) 	<p><i>MANAGEMENT RESPONSE:</i> The NMPED currently has a threshold for which a school can act as its own fiduciary agent of federal fund awards. The school does not currently meet this threshold for its Fund 24153 Title III award. The NMPED therefore requires that the school have another school act as its fiduciary agent for the purpose of the flow through of funds. This process was successful and the school was able to secure reimbursement through its fiduciary agent for all expenditures from this fund. However, the NMPED does not have anything in place that allows the school to establish budget authority over these funds. The school's business manager is currently working with the NMPED in order to establish budget authority while still maintaining the current flow through process.</p> <p><i>MANAGEMENT RESPONSE:</i> The NMPED currently has a threshold for which a school can act as its own fiduciary agent of federal fund awards. The school does not currently meet this threshold for its Fund 24153 Title III award. The NMPED therefore requires that the school have another school act as its fiduciary agent for the purpose of the flow through of funds. This process was successful and the school was able to secure reimbursement through its fiduciary agent for all expenditures from this fund. However, the NMPED does not have anything in place that allows the school to establish budget authority over these funds. The school's business manager is currently working with the NMPED in order to establish budget authority while still maintaining the current flow through process.</p>
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Identify any changes made to fiscal management practices as a result of audit findings.

NAS continues to work closely with The Vigil Group, our business manager to ensure the healthy maintenance of all proper fiscal needs are begin met. The Governing Council Finance Committee meets monthly before each Board meeting to review BARs, Purchase Orders, bank statements, etc. the finance committee is comprised of the business manager, the assistance business manager, 2 board members, and the principal.

C. Organizational Performance

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...committed a material violation of any of the conditions, standards, or procedures set forth in the charter...*and/or*...violated any provision of law from which the charter school was not specifically exempted at Paragraph 4 of Subsection K of 22-8B-12 NMSA 1978.

Material Terms/Violations

Please provide assurances.

Questions	School's Response		Additional details.
Is the school implementing the material terms of the approved charter application as defined in the charter contract? Areas include Mission, Educational Framework (e.g., Montessori vs. STEM), Educational Learning Model (e.g., blended learning model), grade levels, enrollment, graduation requirements, instructional days/hours, or other terms identified in the charter contract? <i>If "no" please provide details.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Over the past four years were there any material terms of the school's charter contract with which the chartering authority determined that the school was not in compliance and the chartering authority notified the school of the compliance violation? <i>If "yes" please provide details.</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Educational Requirements—Assurances

- 1) ☒ Yes ☐ No The school complies with instructional days/hours requirements.
- 2) ☒ Yes ☐ No The school complies with graduation requirements.
- 3) ☒ Yes ☐ No The school complies with Promotion/Retention requirements.
- 4) ☒ Yes ☐ No Next-step plans are completed for applicable grades.
- 5) ☒ Yes ☐ No The school has an approved EPSS Plan.
- 6) ☒ Yes ☐ No The school demonstrates compliance with requirements relating to assessments.

- 7) ☒ Yes ☐ No The school provides support and training to mentor beginning teachers (e.g., first-year mentorship program).
- 8) ☒ Yes ☐ No The school's curriculum is aligned to Common Core Standards.

For any "no" answers please provide an explanation.

With respect to findings for Organizational Performance, there will be a presumption of compliance unless the five-year record includes evidence to the contrary.

Please respond to each of the statements below regarding organizational the current charter term. If any statements result in a "no" response please add an explanation in the box below the appropriate assurance section.

Civil Rights and Special Populations—Assurances

- b) ☒ **Yes** ☐ **No** The school demonstrates compliance with applicable laws, rules, and regulations relating to the rights of students by the following:
- 1) ☒ **Yes** ☐ **No** Development and adherence to legally compliant policies related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment, including rights to enroll or maintain enrollment.
 - 2) ☒ **Yes** ☐ **No** Adherence to due process protections, privacy, civil rights and student liberties requirements, including restrictions prohibiting public schools from engaging in religious instruction.
 - 3) ☒ **Yes** ☐ **No** Development and adherence to legally compliant student discipline policies including discipline hearings, suspension and expulsion policies.
- c) ☒ **Yes** ☐ **No** The school protects the rights of students with disabilities and demonstrates compliance with applicable laws, rules and regulations, including the Individuals with Disabilities Education Act, Section 504, relating to identification and referral of those suspected of having a disability and providing services for students with identified disabilities.
- d) ☒ **Yes** ☐ **No** The school protects the rights of English language learners and demonstrates compliance with applicable laws, rules, and regulations, including Title III of the the ESEA relating to English language learner requirements.
- e) ☒ **Yes** ☐ **No** The school complies with applicable laws, rules, and regulations relating to compulsory school attendance.

For any "no" answers please provide an explanation.

Employees—Assurances

- a. ☒ **Yes** ☐ **No** The school meets teacher and other staff credentialing requirements
- b. ☒ **Yes** ☐ **No** The school demonstrates compliance with applicable laws, rules, and regulations relating to employment. Including adhering to legally compliant personnel policies and an employee handbook that outline disciplinary and grievance procedures.

- c. ☒ **Yes** ☐ **No** The school demonstrates compliance with applicable laws, rules, and regulations relating to background checks of all individuals associated with the school, including staff and members of the community, where required.

For any "no" answers please provide an explanation.

School Environment—Assurances

- a. ☒ **Yes** ☐ **No** The school maintained an Educational Occupancy (E-Occupancy) certificate for its facilities over the past four years? Include a copy of the E-Occupancy certificate as an appendix.
- b. ☒ **Yes** ☐ **No** The school keeps records of fire inspections and other safety requirements.
- c. ☒ **Yes** ☐ **No** The school meets transportation and nutrition requirements, if applicable.
- d. ☒ **Yes** ☐ **No** The school complies with health and safety requirements.
- e. ☒ **Yes** ☐ **No** The building, grounds, and facilities provide a safe and orderly environment.

For any "no" answers please provide an explanation.

Appropriate Handling of Information—Assurances

- a. ☒ **Yes** ☐ **No** The school maintains required information in STARS and submits in a timely manner.
- b. ☒ **Yes** ☐ **No** The school maintains the security of and provides access to student records under the Family Educational Rights and Privacy Act and other applicable authorities.
- c. ☒ **Yes** ☐ **No** The school keep all records safe from fire and theft and stored in a retrievable manner.
- d. ☒ **Yes** ☐ **No** All student records are retained and disposed of pursuant to state requirements.
- e. ☒ **Yes** ☐ **No** The school properly and securely maintains testing materials.

For any "no" answers please provide an explanation.

Governance—Assurances

- 1) ☒ **Yes** ☐ **No** The school complies with governance requirements? Including:
- 2) ☒ **Yes** ☐ **No** All required School Policies
- 3) ☒ **Yes** ☐ **No** The Open Meetings Act
- 4) ☒ **Yes** ☐ **No** Inspection of Public Records Act
- 5) ☒ **Yes** ☐ **No** Conflict of Interest Policy
- 6) ☒ **Yes** ☐ **No** Anti-Nepotism Policy
- 7) ☒ **Yes** ☐ **No** Governing Body Organization and Membership Rules (i.e., Bylaws)
- 8) ☒ **Yes** ☐ **No** Required Committees (Finance and Audit) and submission of appropriate documentation
- 9) ☒ **Yes** ☐ **No** Governing Body Mandated Trainings
- 10) ☒ **Yes** ☐ **No** Governing Body Evaluates Itself

☒ **Yes** ☐ **No** Is the school holding management accountable?

- 1) ☒ **Yes** ☐ **No** The governing body receives regular written reports from the school leadership in regards to key indicators of the school's progress.
- 2) ☒ **Yes** ☐ **No** The governing body provides a written annual evaluation of the head of school that holds the head of school accountable for performance expectations.

For any "no" answers please provide an explanation.

D. Petition of Support from Employees

A certified petition in support of the charter school renewing its charter status signed by not less than 65 percent of the employees in the charter school at Subsection J of 22-8B-12 NMSA 1978.

Include, as **Appendix B**, a certified affidavit of the Employees' Support Petition from not less than 65 percent of the employees of the charter school that indicates their support of the renewal of the charter.

Following is a suggested form to certify the petition. This form may be attached to the petition. You **MUST** have signatures.

I am the head administrator of the _____ Charter School and hereby certify that: the attached petition in support of the _____ Charter School renewing its charter was circulated to all employees of the _____ Charter School. There are _____ persons employed by the _____ Charter School. The petition contains the signatures of _____ employees which represents _____ percent of the employees employed by the _____ Charter School.

STATE OF NEW MEXICO)

ss.

COUNTY OF _____)

I, _____, being first duly sworn, upon oath state:

That I have read the contents of the attached Petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 2016.

Notary Public

My Commission Expires:

E. Petition of Support from Households

A certified petition in support of the charter school renewing its charter status signed by not less than 75 percent of the households whose children were enrolled in the charter school at Subsection J of 22-8B-12 NMSA 1978.

Include, as **Appendix C**, a certified affidavit of the household support petition of the charter school renewing its charter status from not less than 75 percent of the households whose children were enrolled in the charter school.

Following is a suggested form to certify the petition. This form may be attached to the petition. You **MUST** have signatures.

I am the head administrator of the _____ Charter School and certify that: the attached petition in support of the _____ Charter School renewing its charter was circulated to households whose children were enrolled in our charter school. It contains the signatures of _____ households which represents _____ percent of the households whose children were enrolled in the _____ Charter School.

STATE OF NEW MEXICO)

ss.

COUNTY OF _____)

I, _____, being first duly sworn, upon oath state:

That I have read the contents of the attached petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this ____ day of ____ 2016.

Notary Public

My Commission Expires:

F. Facility

A description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 NMSA 1978.

Provide a copy of the building E Occupancy certificate and/or a letter from the PSFA with your NMCI Score as **Appendix D**, indicating that the school facility meets the requirements at Subsection C of 22-8B-4.2 NMSA 1978. (If the charter school is relocating or expanding to accommodate more students.)

Subsection C of 22-8B-4.2 NMSA 1978: On or after July 1, 2011, a new charter school shall not open and an existing charter school shall not relocate unless the facilities of the new or relocated charter school, as measured by the New Mexico condition index, receive a condition rating equal to or better than the average condition for all New Mexico public schools for that year or the charter school demonstrates, within 18 months of occupancy or relocation of the charter, the way in which the facilities will achieve a rating equal to or better than the average New Mexico condition index.

G. Term of Renewal

A statement of the term of the renewal requested, if less than five years. If a Renewal Application does not include a statement of the term of the renewal, it will be assumed that renewal is sought for a term of five years.

State the term of renewal requested if less than five years.

II. Checklist

		Yes)
Appendix A	Financial Statement	<input checked="" type="checkbox"/>
Appendix B	Petition of Support from Employees Affidavit	<input checked="" type="checkbox"/>
Appendix C	Petition of Support from Households Affidavit	<input checked="" type="checkbox"/>
Appendix D	E-Occupancy Certificate and/or Letter from the PSFA indicating that the school facility meets the requirements of Subsection C of Section 22-8B-4.2 NMSA 1978	<input checked="" type="checkbox"/>
Other Attachment(s)	Describe: Appendix E Student Letters Appendix E part 2 Student letters Appendix F NWEA National Percentages	<input checked="" type="checkbox"/>



Part C—Self-Study/Looking Forward

(Reflection and Vision for the Next Five Years)

II. Self-Report—Looking Forward

The Charter School Act requires that each school include two goals in their renewal application.

A. Performance Self Study/Analysis-Key Questions

Directions: The following questions are to help you reflect on the whole of your school as you review the plethora of information provided in Part B above. You have dissected the parts of your School and now it is time to think about what those parts say about your school and learning community over the last four to five years. There is also room to discuss how the past will contribute to how you think about the future of your school if approved.

1. Based on your academic results from the past four years, discuss your School's academic priorities over the next five years, if approved.

NAS-LC has determined the following academic priorities for the coming renewal term.

Priority 1 - Mathematics: Over the course of 4 years, student growth in this area has been inconsistent. Students have shown slight growth if not regression as measured by MAP scores. Although NAS-LC has implemented some intervention programs, it will take time and dedication to raise academic achievement levels in math. This goal will be measured by utilizing gains measured by MAPs, PARCC and End-of-Course (EoC) exams.

Priority 2 - English Language Arts: NAS-LC students coming from primarily non-English speaking homes, as well as a high rate of students with an interrupted education, the PARCC and ACCESS data, make it clear that strong literacy instruction is needed to bring students to an academic level comparable to or above other NM high school students. NAS-LC's goal is to ensure that students who are continuously enrolled and demonstrate a high attendance rate will be at grade level. This will be measured by MAP and PARCC data to determine growth or regression.

2. What main strategies will be implemented to address these priorities?

Priority 1 - Mathematics:

1. Timely identification and placement of all students scoring below high school grade level in math, as measured by MAP, into a mandatory math RtI intervention course for no less than one year or until proficiency is attained.
2. Extended class time for Algebra II course.
3. Analysis of short-cycle assessment data during Professional Learning Communities (PLCs) every 8 weeks to ensure students in math intervention courses are on target to make gains.
4. Utilization of research-based mathematics curricula that are aligned with the Common Core and have ELL as well as differentiated learning components.
5. Offering Friday remedial classes to students to close achievement gaps in their math skills.

Priority 2 – English Language Arts:

1. Timely identification and placement of all students scoring below high school grade level in reading or in language areas as measures by MAP into a mandatory a reading intervention course for no less than one year or until proficiency is attained.
2. Analysis of short-cycle assessment data during PLCs every 8 weeks to ensure students in reading intervention courses are on target to make gains.
3. Utilization of research-based English language arts curricula that are aligned with the Common Core and have ELL as well as differentiated learning components.
4. Offering Friday remedial classes to students to close achievement gaps in their literacy skills.

Professional Development:

At NAS-LC all teachers teach an ELA or Math RtI course, depending on their endorsement. In PLCs, teachers analyze MAP data to identify the greatest learning need of each student. Students are then divided into an appropriate, research-based RtI class where instructional strategies are used to improve this area of need. Professional development is provided to support the successful implementation of these instructional strategies. PARCC and MAP data is analyzed by the staff in PLCs to identify growth areas. Professional development time and support is also provided to teachers to create curriculum maps, unit plans, and lesson plans. One full day is scheduled once a month for these professional development activities. Implementation of the expected curriculum and instruction is monitored and supported through timely feedback based on regular informal and formal observations. The checklist used is that of the PED Frontline Teacher Evaluation system which includes all of the domains that are expected for effective teaching.

3. How has the data been used to modify systems and structures that the leadership team has put into place to support student achievement?

The advisory curriculum at NAS-LC has been modified to focus on ELA and/or math learning needs of students. Using the short-cycle assessments (MAP) data, students who are not scoring at grade level in reading and math are prioritized into new intervention classes. These are small intensive programs designed to increase student achievement and academic knowledge. Teachers also use the analysis of MAP data to identify specific growth areas for students in their RtI group and implement specific instructional strategies to support the identified student growth targets.

Based on MAP data, two new programs were put into place within the last two years, the Accelerated Reader Program for English language arts and the ALEKS program for math. Since these are individualized programs based on student needs and growth, they are much more targeted to meeting the learning needs of all students. Accelerated Reader is part of the English block and ALEKS is part of the RtI mathematics class.

NAS-LC modified the daily schedule to include a common planning period every day to facilitate collaboration among teacher.

Data is a crucial part of determining what professional development teachers need to improve instruction and raise academic outcomes. Focus areas of the yearly professional development plan are based on analysis of school data including MAP, PARCC and the school report card. Teacher professional development is both strategic and purposeful.

One specific modification to the professional development plan is inclusion of more PD days prior to the first day of classes for students. This adjustment supports collaboration on curriculum maps and unit plans.

Attendance and retention data were evaluated and resulted in the hiring of a full-time attendance and retention monitor to closely follow students and work with families to ensure that student attendance and retention increased.

4. Reflect on the academic performance of students your lowest-performing students (Q1s), students with special needs, English Language Learners, and students who are economically disadvantaged. What changes to your program will you make based on your analysis?

Lowest performing students (Q1s):

NAS-LC will conduct MAP testing early in the fall to ensure timely identification and placement of all students scoring below high school grade level in ELA and/or mathematics as measured by MAP into mandatory ELA and/or mathematics RtI intervention courses. All teachers will analyze PARCC and MAP Q1 data to identify focus areas in each content area and integrate these areas into their curriculum and their instruction.

Students with Disabilities:

The special needs population at the NAS-LC has slowly increased over the years. It is about 7%

currently. These students have all levels of needs encompassing A, B, C, and D levels. We serve students up to 21 years of age.

Changes to program will include: NAS-LC is implementing an immersion support program provided by a highly qualified special education teacher. The model is a push-in model to support students within the regular classroom. Modifications will be shared with core content classroom teachers to support students. Academic data will be regularly monitored for gains or losses; this information will be shared with regular general education teachers. Teachers will also collaborate with the special education teacher during common planning time to address the needs of specific special education students. IEP meetings will be student-driven, allowing students to have their voice heard and to learn to take control of their own learning and academic goals.

English Language Learners (ELL):

Although our ELLs are making gains, there is more work to be done to reach proficiency. This is to be expected, of course, as the students enroll far below grade level, sometimes in their native language. In addition, teaching staff is working on becoming trained in how to assist ELLs in gaining and using English language skills in all areas, both socially and academically.

Changes to program will include: NAS-LC will ensure home language surveys are filled out with higher accuracy and students are given the placement within 20 days of registration to ensure better identification of students with language needs. Based on language data, students are placed into classes that most support their level of language acquisition. These classes range from 1 to 4 hour intensive Newcomer program to full classroom immersion. Teaching staff will increase training in meeting the needs of ELL students, including Sheltered Instruction Observation Protocol (SIOP) training, attendance at ELL conferences, and access to professional articles and books.

High Poverty:

NAS-LC is a school-wide Title I school with a high-poverty rate of 96%.

Changes to program will include: Professional development on meeting the needs of high-poverty populations is provided to staff through professional readings and in-service trainings. We provide a school-wide food service program that includes breakfast and lunch for all students. City bus passes are provided to students who need transportation assistance to get to and from school. To qualify for this assistance, students must demonstrate a commitment to education through their attendance and grades. Nursing services are also available, along with a clothing bank. NAS-LC also partners with The Lion's Club for eyeglasses.

5. Describe how your governing body has reflected on and addressed school performance data. Address both the school report card, short-cycle assessment data, and school goals. How is the school's head administrator held accountable for school performance?

School data is shared monthly at the governing council meetings; this includes data on enrollment, attendance, grades, testing, discipline trends, and staff information. The short cycle assessment is shared three times a year and discussed in detail. When state testing results are released, they are immediately shared, reviewed, and discussed. The NAS-LC governing council closely tracks student achievement data and trends and requires the principal to explain how the data is used to adjust school programs and staffing, as well as any additional actions taken to raise school scores.

The principal is held accountable through the monthly meetings, as well as through an annual in-depth administrative evaluation process. In addition to student testing data, the board seeks feedback from students, parents, and staff. This information is carefully considered as part of the evaluation process, providing a full 360-degree picture of the administrator's performance.

2. Mission-Specific INDICATOR(s)

Goal 2.a-Educational Tools: Students will demonstrate growth in the educational tools necessary for academic success.

PERFORMANCE INDICATOR: FAY students will achieve student growth targets in mathematics as demonstrated through meeting the individual student growth targets in math as set during the fall testing cycle by NWEA.

2.a. Did the school demonstrate growth in the educational tools necessary for academic success?

Exceeds Standard:

☐ More than 70% of all students tested will reach the NWEA individual student growth target levels in mathematics.

Meets Standard:

☐ 60-69% or more of all students tested will reach NWEA individual student growth target levels in mathematics.

Does Not Meet Standard:

☐ 50-59% of students will reach NWEA individual student growth target levels in mathematics.

Falls Far Below Standard:

☐ Less than 50% of students will reach NWEA individual student growth target levels in mathematics.

Goal 2.b-Educational Tools: Students will demonstrate growth in the educational tools necessary for academic success.

PERFORMANCE INDICATOR: FAY students will achieve student growth targets in reading as demonstrated through meeting the individual student growth targets in reading as set during the fall testing cycle by NWEA.

2.b. Did the school demonstrate growth in the educational tools necessary for academic success?
<i>Exceeds Standard:</i>
<input type="checkbox"/> More than 60% all students tested will reach NWEA individual student growth target level in reading
<i>Meets Standard:</i>
<input type="checkbox"/> 50-59% or more of all students tested will reach NWEA individual student growth target levels in reading.
<i>Does Not Meet Standard:</i>
<input type="checkbox"/> Less than 40- 49% of students will reach NWEA individual student growth target levels in reading.
<i>Falls Far Below Standard:</i>
<input type="checkbox"/> Less than 40% of students will reach NWEA individual student growth target levels in reading.

Goal 2.d.-Support: Students will engage in opportunities to make smooth transitions from an academic setting to college or career.

2.d. PERFORMANCE INDICATOR: Students will develop an individualized post-secondary career pathway as demonstrated by the completion of college and career entrance assessments and dual credit classes.

2.d. Did the school develop an individualized post-secondary career pathway?

Exceeds Standard:

☐ 80% of all students who are enrolled for four or more continuous semesters prior to senior year will complete 3 of the following AND at least one in two of the three categories:

Category 1

- College and career readiness assessments (PLAN, ASVAB, COMPASS, ACT, TABE); OR
- complete an ACT® WorkKeys certification course with a score of 4 or better

AND

Category 2

- Successfully complete a post-secondary course in Career and College Education courses (Dual credit class, career prep, full credit of work experience) by graduation.

AND

Category 3

- Written plans for transition into college, technical school, armed services, or the workplace as determined by an individual graduation exit interview

Meets Standard:

☐ 70-79% of all students who are enrolled for four or more continuous semesters prior to senior year will complete 3 of the following AND at least one in two of the three categories:

Category 1

- College and career readiness assessments (PLAN, ASVAB, COMPASS, ACT, TABE); OR
- complete an ACT® WorkKeys certification course with a score of 4 or better

AND

Category 2

- Successfully complete a post-secondary course in Career and College Education courses (dual credit, full credit of work experience,) career prep) by graduation.

AND

Category 3

- have plans for transition into college, technical school, armed services, or the workplace as determined by an individual graduation exit interview.

Does Not Meet Standard:

□ 60-69% of all students who are enrolled for four or more continuous semesters prior to senior year will complete 2 of the following AND at least two of the three categories:

Category 1

- College and career readiness assessments (PLAN, ASVAB, COMPASS, ACT, TABE); OR
- complete an ACT® WorkKeys certification course with a score of 4 or better

AND

Category 2

- Successfully complete a post-secondary course in Career and College Education courses (Dual credit, full credit of work experience, career prep) by graduation.

AND

Category 3

- have plans for transition into college, technical school, armed services, or the workplace as determined by an individual graduation exit interview.

Falls Far Below Standard:

□ BELOW 59% of all students who are enrolled for four or more continuous semesters prior to senior year will complete 2 of the following AND at least two of the three categories:

Category 1

- College and career readiness assessments (PLAN, ASVAB, COMPASS, ACT, TABE); OR
- complete an ACT® WorkKeys certification course with a score of 4 or better

AND

Category 2

- Successfully complete a post-secondary course in Career and College Education courses (dual credit, full credit of work experience, career prep) by graduation.

AND

Category 3

- have plans for transition into college, technical school, armed services, or the workplace as determined by an individual graduation exit interview.

Goal 2.e.: Re-engaged Learner Graduation rate

The NAS-LC mission is to empower academically underserved students. Our student population is largely comprised of students who have been unsuccessful in previous settings. They come to NAS-LC with limited educational skills and lack in credits required for graduation. As a result, it is more appropriate to measure the graduation rate at NAS-LC in the following way.

PERFORMANCE INDICATOR: Students classified as seniors on the 40th day will graduate in that academic year.

2.e. Did the school re-engage its learners and graduate them?

Exceeds Standard:

☐ More than 80% of students classified as seniors on the 40th day will graduate in that academic year.

Meets Standard:

☐ 65-79% of students classified as seniors on the 40th day will graduate in that academic year.

Does Not Meet Standard:

☐ 50%-59% of students classified as seniors on the 40th day will graduate in that academic year.

Falls Far Below Standard:

☐ Less than 50% of students classified as seniors on the 40th day will graduate in that academic year.

B. Amendment Requests

Any revision or amendment to the terms of the charter shall be made only with the approval of the chartering authority and the governing body of the charter school.

In the space below, identify any amendments you need. *Recreate the box below if you have more than one amendment request.*

**An approved charter application is a contract between the charter school and the chartering authority.* (22-8B-9 [A] NMSA 1978)

**Any revision or amendment to the terms of the charter shall be made only with the approval of the chartering authority and the governing body of the charter school.* (22-8B-9 [E] NMSA 1978)

Name of State-Chartered School: _____

Date submitted: _____ Contact Name: _____ E-mail: _____
Phone #: _____

Current Charter Application Section and Page	Current Charter Statement(s)	Proposed Revision/Amendment Statement(s)	Rationale Revision/Amendment

Original Signature of Governing Council President or Designee:

Date: _____

Printed Name of Governing Council President or Designee:

Public Education Department use only

Director/General Manager approves change: _____

Date:

(No further action taken.)

Public Education Commission Chair: _____

Date:

☐ APPROVED

☐ DENIED