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SUSANA MARTINEZ
Governor

August 31, 2015

Dear Public Education Commissioners:

Enclosed is the Final 2015 Charter School Application Final Analysis and Recommendation for Desert Willow School applying for a state charter in Silver City, NM in the Silver City Consolidated Schools school district to serve grades K-5 and represented by founders, Emily Aversa and Fiona Bailey. The staff at the Charter Schools Division (CSD) along with a team of independent reviewers gave full consideration to the information gathered in this process.

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

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

Sincerely,

Katie Poulos
Director of Options for Parents

I. Recommendation

APPROVE

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

APPROVE WITH CONDITIONS

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

PROPOSED CONDITIONS

The Applicant will negotiate a contract with the Public Education Commission pursuant to 22-8B-9.1:

1. Obtain standing as an approved Board of Finance
2. Secure a facility that meets PSFA Approval
3. Complete the planning-year checklist

DENY

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

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

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

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

CHARTER SCHOOLS DIVISION

By: _____
Katie Poulos, Director of Options for Parents

I. Overall Score Sheet

Section	Points Received	Applicant School's Possible Points
Application Overall Score	<i>145</i>	<i>331</i>
• Education Plan/Academic Framework	49	92
• Organizational Plan and Governance/Organizational Framework	64	159
• Business Plan/ Financial Framework	20	52
• Evidence of Support	12	24
• Required Appendices	4	4

II. Explanation Regarding Use of the Score Sheet

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

Also please note two additional considerations:

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

III. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
EDUCATION PLAN/ACADEMIC FRAMEWORK	49	92
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be complete but inadequate.</p> <p>The following areas of the applicant's response were found to meet the application requirements, for the reasons described.</p> <p>Mission</p> <p>The applicant provides a clear and reasonable purpose for the school. The mission statement sufficiently answers what the proposed school seeks to accomplish and how it will accomplish that.</p> <p>The following areas of the applicant's response were found to be incomplete or inadequate, for the reasons described.</p> <p>Indicators/Goals</p> <p>The applicant does not adequately identify goals aligned to the mission with a clear rationale for the goals as they relate to the mission and a clear plan for methods of assessment. While the applicant did provide goals that included most of the required key elements, including SMART format elements, measures and metrics, and at least a partial reflection of the mission, the applicant does not meet the other requirements of this area of the application.</p> <p>Specifically, the applicant provides a clear rationale for two of its three goals, but only a general rationale for one of the goals. The applicant also provides a plan and methods of assessments for two of the three goals and a limited plan for the third.</p> <p>Curriculum, Instructional Program, Student Performance Standards</p> <p>The applicant does not adequately respond to the prompts regarding its curriculum, instructional program, and student performance standards. While the applicant does provide a clear overview of the instructional strategies and methods to be implemented, with an explanation for why these methods and strategies are effective with the target population, the applicant does not meet the other requirements of this area of the application.</p> <p>Specifically, the applicant does not provide a description of a fully developed curriculum that is aligned to the NMCCSS and NM Content Standards and that has the potential to raise student achievement. Instead, the applicant describes the Enki curriculum – which is described by individuals opposing the school as a homeschool curriculum – and specifically notes, both in the application and in comments</p>		

made during the community input hearing, that that curriculum has not yet been aligned to the common core state standards or New Mexico Content Standards. The applicant does not provide a plan for this alignment to take place, instead, both in the application and in the community input hearing the applicant generally stated the two founders would be responsible for completing this work and hoped to be done by December.

The applicant also does not provide an adequate explanation of how instruction will be differentiated based on identified student needs. Instead, the applicant generally states that differentiation is a “cornerstone of philosophy” for the school, they will differentiate for dyslexia and other brain-based learning differences, they will use small group instruction, and they “will work to differentiate instruction.” The applicant also generally states that during weekly collaborative time the school will “more effectively identify students” who need instruction tailored to their learning styles, but no detail is provided about how this will be accomplished. The applicant does not provide a clear description of how instruction will be differentiated based on identified student needs.

Special Populations

The applicant does not adequately respond to the prompts regarding how the applicant will address the needs of all special population students. While the applicant does provide a clear explanation and description of how the school will identify, serve, and monitor the progress of students with IEPs, the applicant does not meet the other requirements of this area of the application.

The applicant does not adequately provide a plan for budgeting and staffing to meet the identified needs and educational plans for students needing special education support and services. The applicant has identified that its target population may represent a higher proportion of need than is traditional, but the budget does not reflect the higher cost that would be associated with this. Additionally, the applicant has provided a limited plan for providing support services, stating simply that it will contract with local providers for ancillary services; no detail is provided.

In relation to serving students with 504 plans, the applicant does not clearly describe how the school will serve, evaluate, and monitor the success of these students. The applicant identifies some of the legal requirements, but does not provide a clear plan or description for how the proposed school would meet the legal requirements. The applicant generally states they will provide a full range of services, will work with parents and health care workers to identify the need for a 504 plan, and will document any required accommodations. In relation to monitoring student progress, the applicant merely identifies that if services are provided, eligibility, and the subsequent plan, will be reviewed periodically as determined by the group that developed the plan. This response does not provide sufficient detail to understand how the school will serve, evaluate, and monitor the progress of students with 504 plans.

In relation to identifying, serving, and monitoring the progress of ELLs, the applicant does not adequately respond to the prompts. Specifically, the applicant provides a limited process for identifying ELLs that does not identify the level of performance on the screening assessment that would qualify a student for ELL status and does not explain how students who do not identify on the language survey, but otherwise demonstrate indicators of ELL status, will be identified.

The applicant provides inadequate responses to address how the school will provide services and supports and how the school will differentiate instruction for ELLs. The applicant’s responses in these

prompts appear to rely on the general curriculum and building a sense of belonging to meet the needs of ELLs. The applicant also states the school will employ “at least one staff member who is fluent in Spanish” to pre-teach, re-teach, and translate. The responses do not identify any supports or services the school will provide to ELLs, and do not identify how instruction will be differentiated based on identified ELL needs. The applicant also does not provide any plan to evaluate or monitor the progress of ELLs. Instead, the applicant states they will strive to employ a TESOL endorsed teacher and will assess students annually to determine language proficiency and need for services, which is a minimum requirement. Finally, the applicant does not describe how the school will budget and staff itself to meet the needs of ELLs. The applicant merely references the one bilingual teacher they hope to hire, no information is provided about how they will ensure staff is able to meet ELL needs.

Assessment and Accountability

The applicant does not adequately respond to the prompts regarding an assessment plan and how the applicant will use assessment data to inform instruction and for accountability purposes. While the applicant does provide a clear explanation and description of what assessments will be administered at which grade levels, the applicant does not meet the other requirements of this area of the application.

The applicant states that assessment data will be used to inform instruction, and clearly understands the importance of using data; however the applicant provides no description or explanation of how this will be accomplished. The applicant also provides only a limited description of corrective actions that will be taken in response to student achievement data that does not demonstrate acceptable student performance. The applicant provides some limited details about individual corrective actions and the use of the SAT process, but provides very limited information about school- wide corrective actions. In relation to school wide responses, the applicant states that the director “has the responsibility of informing the staff and leading them in a proactive plan when needed.” The applicant also states the director is responsible for monitoring effectiveness. No meaningful detail is provided to understand how a plan would be determined, implemented, monitored or evaluated.

Finally, the applicant provides very limited information about how student assessment and progress will be appropriately communicated to parents, the school’s governing body, the authorizer, and the community. The applicant specifically states that a communication plan and report card will be created during the planning year. The applicant also states that presentations from various classrooms of the school as a whole will be made at the governing body meetings. No detail is provided about what these presentations will consist of or how they will communicate student assessment and progress. The applicant has not provided sufficient information to understand how student assessment and progress will be communicated.

Because 68 percent of the applicant’s responses were evaluated as “partially meets” or “does not meet” for the reasons described above this section of the application is inadequate.

Additionally, as noted above, the application does not propose to offer an educational program consistent with the requirements and the purposes of the Charter School Act because the application has not demonstrated the proposed school will 1) address the needs of all students, including those determined to be at risk; 2) improve student achievement; or 5) meet the department's educational standards.

Finally, also for the reasons stated above, the application is contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate.

Application Section	Points Received	Applicant School's Possible Points
ORGANIZATIONAL PLAN AND GOVERNANCE / ORGANIZATIONAL FRAMEWORK	64	159

Evidence/Statements Supporting Score in this Section:

The CSD found this section to be complete but inadequate.

The following areas of the applicant's response were found to meet the application requirements, for the reasons described.

Waivers

The applicant identifies the waivers it intends to request and provides a rationale for each.

The following areas of the applicant's response were found to be incomplete or inadequate, for the reasons described.

Governing Body Creation/Capacity

The applicant does not provide adequate responses to demonstrate the capacity to create a governing body that will oversee the initiation and operation of a public school. While the applicant does incorporate most of the key components of their governance structure, by adequately outlining the roles and responsibilities of the members, providing adequate bylaws, and providing a list of members that reflects the diverse skills necessary to oversee all aspects of the school; the applicant does not meet the other requirements of this area of the application.

Specifically, the applicant provides only a limited process or plan for selecting new board members. The applicant states that the board will have a nominating committee that will review submissions for qualifications, interview candidates, and make recommendations to the entire governing body. No detail is provided about these three processes to understand how they will be implemented and how they will focus on identifying the skills necessary to govern the proposed school. The applicant did provide a list of competencies that will be considered for board membership, the listed competencies appear to be relevant to governance of a public school.

Governing Body Training and Evaluation

The applicant does not provide an adequate plan for governing body training or evaluation. The

applicant's response indicates the governing board members will be required to attend training annually from the NMSBA or NMCCS, but does not provide any sort of plan for that training. The applicant merely identifies the legal requirements but does not describe how the proposed school will comply with those requirements. The applicant identifies additional requirements related to the school, including an Enki specific orientation, classroom visit, and Q&A session. No detail is provided about these additional requirements to understand how they would be implemented.

The applicant provides a limited plan for annual self-evaluation. The applicant states the process will be annual for the first five years and then twice a year after that, and the applicant states they may retain a consultant to help with the process. The applicant provides a series of action steps for an annual review, but does not provide sufficient detail to understand the implementation of the steps.

Leadership and Management

The applicant does not provide a clear plan for how the governing body will monitor school outcomes. Instead, the applicant identifies the governing body's responsibility to uphold the mission without any detail about how they will achieve this. The applicant briefly identifies the obligation of the governing body to review and approve financial reports, but provides no information about what financial reports would be reviewed, using what standards, or to what end. The applicant does not at all address how the board will monitor organizational or academic performance. Instead, the applicant merely states "the director will make presentations regarding the progress of various classrooms or the school as a whole at Governing Council meetings", but no information is provided about the content of the reports, how often the reports would be provided, or how the board would review them and to what end.

While the applicant does provide a clear description of the desired head administrator's leadership characteristics and qualifications and does provide a clear plan for hiring a head administrator, the applicant does not at all address a plan to evaluate a head administrator. Instead, the applicant merely states that the governing council will be well versed in evaluating principals and provides links to a variety of webpages about evaluating principals and superintendents.

Additionally, the applicant's hiring plan raised questions during the capacity interview which revealed that the applicant used a hiring plan created by Fred Nolan from Minnesota, without having a complete knowledge and understanding of the plan. One of the Commissioners asked the applicant why the hiring plan included the statements that they would "Discuss whether for political reasons these candidates should be added to the pool." The applicant stated it was not aware of that statement and they would take that part of the hiring process out. This exchange raises serious questions about the applicant's ownership over the information in the application and its intention to be faithful to that information.

The applicant does not provide a plan for how the governing body will convey and delineate the roles and responsibilities of the school's head administrator. The narrative merely stated that the governing body sets broad policies, and hires, oversees, and evaluates the director, but no detail is provided about how roles and responsibilities will be conveyed or delineated.

The applicant provides a limited job description for the head administrator that does not include a list of responsibilities that are significant or unique to charter school leaders. Specifically, the job description does not address the responsibility to ensure compliance with the charter contract, interact with the PEC, or report achievement data to the PEC annually as part of the performance framework.

Organizational Structure of the School

The applicant provides an inadequate organizational chart and narrative of the relationships between governance, administration, teaching, support staff, and external agencies essential to the proposed school. The applicant's organizational chart, called the "Enki Web", is a diagram that identifies family, community, and the natural world. The chart does not identify governance, administration, teaching, support staff, or external agencies. The chart does not identify any clear reporting lines or lines of authority within the school and does not identify appropriate relationships between any of these essential groups.

The applicant provides inadequate job descriptions that do not provide reporting lines.

The applicant provides a limited staffing plan that does not provide sufficient detail to understand how it will support timely implementation of the academic program.

The applicant states it will meet or exceed the minimum number of teaching days and hours, but does not provide a school schedule that identifies the number of instructional days per year. Instead, the applicant states they will mostly align with the Silver Consolidated School District calendar. The applicant also states the daily schedule will be Monday through Thursday from 8:30 to 4:00 with breakfast and lunch and Friday from 9:00 to 2:00, but does not provide a breakdown of this time or details sufficient to understand how much of the time will be instructional. The applicant does not adequately respond to the prompt, as such, it cannot be determined whether the calendar complies with state requirements.

The applicant provides a very limited professional development plan. The applicant states in the narrative and the job descriptions that all teachers will be required to complete the Enki Teacher Training Program. The applicant also stated that teachers will have time on Fridays for professional development and collaboration. Sufficient detail is not provided to understand a plan for professional development. During the capacity interview the applicant made assurances that the Friday time would be used as professional development time, but did not provide a plan with sufficient details. The applicant states that PD will be provided based on teacher needs, but does not provide any detail to understand how this will be accomplished.

Employees

The applicant does not provide adequate responses to demonstrate the capacity to manage the employment requirements of operating a public school. While the applicant does provide a clear set of personnel policies that mostly complies with all applicable state and federal regulations, the applicant does not meet the other requirements of this area of the application.

The applicant's personnel policies appear to describe in detail all classes and terms of employment, but the applicant fails to address how the school will address employee's recognized representatives. Instead, the applicant merely states that they will comply with the School Personnel Act and the Public Employee Bargaining Act, but provides no detail to understand how the school will comply with these acts or how it will address recognized representatives.

The applicant does not provide a clear staff discipline process. The process described provides for substantial discretion in its application, without clear criteria to guide the use of that discretion. As result, it is unclear whether the process ensures due process. While it is previously stated that the school will comply with the School Personnel Act, this policy does not clearly ensure compliance.

The applicant provides a limited grievance policy. Specifically, the policy does not provide clear timelines or steps for the resolution of a grievance after it has been considered by the Management Team. The process seems to indicate that the grievant would have taken the grievance to the governing body, but no process is discussed for this and no timelines are provided. The process then indicates that after the governing body, a grievant would utilize a neutral mediator, no timelines are provided for this process.

Community/Parent/Employee Involvement in Governance

The applicant does not adequately describe school structures that provide meaningful parental, professional educator, and community involvement. While the applicant does provide a clear plan to receive and process concerns and complaints from the community and parents, the applicant does not meet the other requirements of this area of the application.

The applicant does not provide a clear plan that describes school structures that will provide meaningful parental, professional educator, and community involvement in the governance and operation of the school. Instead, the applicant's response describes how they will build awareness of the school and states that they believe parents and community members will want to become active once they are aware of the school; briefly identifies the use of governing body committees and public comment at board meetings; and describes the non-voting roles for teachers and staff on the governing board. No detail is provided to understand how these minimal structures will provide for meaningful involvement in the operation of the school.

Student Policies

The applicant does not provide clear student discipline policies that comply with the student rights and responsibilities as set forth in the PED rules. Instead, the applicant provides policies that wholly fail to address due process requirements for all students and due process rights specifically for students with disabilities.

The applicant also provides no plan for addressing alternative educational settings; rather the applicant identifies that students may be placed in interim alternative education settings if needed. The response does not identify or address the legal protections that are required in these circumstances. The applicant also stated that students without IEPs who are expelled will be referred to another school; this statement demonstrates a lack of understanding concerning charter law, which provides that if a student is expelled from a charter school they are also expelled from the district in which the charter resides.

Student Recruitment and Enrollment

The applicant's response to the student recruitment and enrollment prompts are inadequate and raise substantial concerns about the applicant's understanding of, and ability to comply with, New Mexico charter school law.

The applicant does not describe an adequate outreach or recruitment plan. The applicant provides no timelines and provides only general statements about newspaper and radio advertising, internet information, and information sessions that will be hosted.

The applicant describes a lottery process and enrollment practices that violate statute and appear to misuse the enrollment and school finance system. Specifically, the applicant proposes to provide enrollment preference to children of school employees and children on the waitlist from the prior year. Neither of these groups is eligible for enrollment preference, which is limited in statute to siblings of enrolled students.

The applicant's policies violate open enrollment requirements, stating that the school "will not enroll any new student after the 120th day of the school year." There is no point in the year when a school with spaces available may refuse to enroll additional students.

The policies similarly violate the open enrollment requirements, and misuse the enrollment and school finance system, stating "if an opening occurs within five business days prior to the 40th, 80th, and 120th school day, vacancies will be filled via *selection* of students on the waiting list **at the discretion of the Administrator**. The intent is to ensure full enrollment on days where enrollment is used to calculate school funding." Emphasis added. Again, if a school has space, they are not entitled to refuse enrollment at any time of the year and are not entitled to "use discretion" in determining whether to fill open spaces. Additionally, enrollment policies may not be crafted to ensure full enrollment on days where enrollment is used to calculate school funding.

Finally, the applicant's policies further appear to violate open enrollment requirements when the policies indicate that students will be enrolled in subsequent years contingent upon "meet[ing] the state's minimum academic and behavioral requirements." It is unclear what is meant by this statement, but it appears to indicate the school might not reenroll students who failed to score proficient or who did not pass a class.

During the capacity interview, the applicant indicated that they had copied these lottery and enrollment practices from some other application that had previously been filed by a different applicant. The applicant indicated they received bad advice. The applicant indicated they would comply with all legal requirements, but failed to demonstrate knowledge of, or a capacity to comply with, the legal requirements for operating a charter school. Additionally, as stated previously, this exchange raises serious questions about the applicant's ownership over the information in the application and its intention to be faithful to that information.

Legal Compliance

The applicant does not demonstrate a capacity to comply with legal requirements. Specifically, the applicant provides a conflict of interest policy that does not comply with NMSA 22-8B-5.2, in that the policy indicates the governing board will decide if a conflict of interest exists and the policy appears to allow board members with a financial interest to participate in the selection award of contracts.

The applicant also does not provide an explanation of how it will comply with the requirements of the Open Meetings Act and the Inspection of Public Records Act. Instead, the applicant cuts and pastes the

Attorney General's open meeting compliance checklist, using a version that is not the most recent version. This does not address compliance with IPRA, and does not demonstrate an understanding of, or capacity to comply with, the OMA. This use of outside materials once again raises serious questions about the applicant's ownership over the information in the application and its intention to be faithful to that information.

Evidence of Partnership/Contractor Relationship

The applicant has identified third-party relationships that are essential to the existence of the school, but does not provide a clear description of the relationships and does not clearly demonstrate knowledge of the legal implications of the relationships. Specifically, the applicant does not clearly describe the relationship the school will have with The Learning Center for Dyslexia and Academic Success; rather the applicant describes what that organization does on its own. The applicant indicates an MOU has been entered into with Enki, but limited information is provided about the relationship and at this time the parties have not negotiated a financial arrangement leaving essential details missing. Finally, the applicant provides a general description of a potential relationship with the Guadalupe Montessori School and has indicated the MOU states the parties' intent to work together. Each of these descriptions is limited and does not address legal implications.

Transportation and Food

The applicant indicates it plans to offer food services to its students, but provides a very limited description of how food services will be provided. The applicant identifies it will apply for participation in the national school lunch and breakfast programs, states it will comply with all regulations, and will keep nutrition options local. The applicant does not provide any detail to understand how food services would be provided.

Facilities/School Environment

The applicant's responses do not adequately demonstrate a capacity to address all school facility needs. While the applicant does describe its projected facilities needs and provide evidence that the PSFA has provided tentative approval to the facilities plan – subject to assessing a building to ensure it meets e-occupancy, code, and WNMCI requirements – and does provide evidence that it has researched potential facilities and made significant efforts to identify a viable facility, the applicant does not meet the other requirements of this area of the application.

Specifically, the applicant does not identify or provide estimates for any capital outlay needs for equipment, or preparing a facility for use. Instead, the applicant merely indicates that it will use lease reimbursement to cover space needs and other capital funds to cover furniture.

Because 81 percent of the applicant's responses were evaluated as "partially meets" or "does not meet" for the reasons described above this section of the application is inadequate.

Additionally, as noted above, the application does not propose to offer an educational program consistent with the requirements and the purposes of the Charter School Act because the application contains information that expressly violates some of the requirements of the Charter School Act.

Finally, also for the reasons stated above, the application is contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate.

Application Section	Points Received	Applicant School's Possible Points
BUSINESS PLAN/ FINANCIAL FRAMEWORK	20	52

Evidence/Statements Supporting Score in this Section:

The CSD found this section to be complete but inadequate.

The following areas of the applicant's response were found to be incomplete or inadequate, for the reasons described.

Budgets

The applicant does not demonstrate the capacity to implement New Mexico School funding and budget for long-term sustainability. While the applicant provides a 910B5 that demonstrates an adequate understanding of New Mexico Public School funding, the applicant does not meet the other requirements of this area of the application.

The applicant provides a 5 year budget that only generally supports the school's plan and raises some questions about the financial capacity or the long term sustainability of the school. The review team raised concerns that the budget does not address facilities, business software, start-up costs, a student information system, or systems to run alarms, intercoms, or the telephone system.

The applicant's budget narrative is limited, as it does not explain how basic assumptions in the narrative were determined, using reliable sources.

The applicant provides a limited description of what budget adjustments could be made to meet financial budget and cash-flow challenges. The applicant makes general adjustments, such as eliminating a teaching position, creating combined classes, obtaining grants, and moving line items around. As the applicant's educational model has been built on low teacher/ student ratios and single - grade classrooms, the applicant does not identify how these two options would be viable.

The applicant provides an incomplete salary schedule. Specifically, the teacher salary schedule does not include salaries for Level 1 teachers. The schedules do not address all combinations of education and experience, and as a result appear to limit the applicant's ability to accurately correct T&E funding.

Financial Policies Oversight, Compliance, and Sustainability

The applicant does not provide financial policies and internal controls. Instead, the applicant states the

policies will be developed and provides a list of 10 policies that will need to be developed.

The applicant provides incomplete internal control procedures. The applicant briefly identifies that the school “will develop and adopt a formal internal control procedure guide.” Then the applicant identifies that guide will address the following, and provides a limited description for each: segregating payroll, check disbursements, safeguarding assets, segregation of duties, cash receipts, receiving assets, budget, bank reconciliation, and inventory controls. The applicant does not provide sufficient detail to understand what these policies entail or how they will be implemented. The applicant fails to describe how the proposed school will ensure reliable financial information is provided.

The applicant provides an inadequate description of staff necessary and appropriate to perform financial tasks. The applicant’s response identifies only the business manager, and does not identify sufficient staff to implement the limited internal controls described in the prior response. The applicant also does not identify the role of the administrator/director in financial tasks, and does not identify a certified procurement officer.

The applicant also does not provide a description of how the governing body will provide fiscal oversight and oversight of the audit and finance committees. Instead, the applicant discusses both committees and their responsibilities, but does not identify how they will operate in the context of the larger governance structure. The applicant briefly makes the assurance that the governing council will provide oversight of fiscal responsibilities “with the assistance of the finance and audit committees”, but provides no detail about how this will be accomplished.

Finally, the applicant does not provide adequate long range goals and strategies to build the school’s capacity to ensure the school’s sustainability. Instead, the applicant identifies one long- range goal for “each of its students to be happy, passionate lifelong learners.” The applicant then states that its response will identify strategies the school will use to ensure that its mission is met, and identifies each of the areas identified in the prompt. The information provided for each of these areas does not constitute strategies to build the school’s capacity to ensure the school’s sustainability.

Because 90 percent of the applicant’s responses were evaluated as “partially meets” or “does not meet” for the reasons described above this section of the application is inadequate.

Additionally, as noted above, the application does not propose to offer an educational program consistent with the requirements and the purposes of the Charter School Act because the application has not demonstrated the proposed school will 1) meet the department’s fiscal requirements.

Finally, also for the reasons stated above, the application is contrary to the best interests of the charter school's projected students, the local community or the school district in whose geographic boundaries the charter school applies to operate.

Application Section	Points Received	Applicant School’s Possible Points
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EVIDENCE OF SUPPORT	12	24
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be complete but inadequate.</p> <p>The following areas of the applicant’s response were found to meet the application requirements, for the reasons described.</p> <p>Outreach Activities</p> <p>The applicant provides clear evidence that it has developed an adequate outreach program that has reached a broad audience. This was also evidenced by the substantial turn out at the community input hearing.</p> <p>Community Support</p> <p>The applicant provides sufficient measurable, quantifiable and qualitative data-based evidence of broad-based support for the school among residents in the targeted community. This was also evidenced by the substantial turn out at the community input hearing.</p> <p>The following areas of the applicant’s response were found to be incomplete or inadequate, for the reasons described.</p> <p>Community Relationships</p> <p>The applicant does not demonstrate evidence that it has developed meaningful working relationships or resource agreements with local community groups or individuals. While the applicant provides many letters of support in the application, and additional letters have been received since the community input hearing, the letters do not demonstrate the applicant has developed meaningful working relationships or resource agreements. Instead, the letters indicate an understanding of the school’s mission and support for that mission.</p> <p>Uniqueness and Innovation</p> <p>The applicant does not provide adequate evidence of the uniqueness, innovation, or significant contribution of its educational program. Specifically, the applicant plans to implement the Enki curriculum, which purports to meet the needs of the whole child. This program appears to contain some of the same elements as Waldorf and Montessori programs. In the application, the applicant identifies that there is at least one Montessori school in the community already. The applicant also indicates they will implement services to meet the needs of dyslexic students, but the local schools are required to and do provide services to these students also. The applicant indicates they will have an extended day, but a comparison to local school schedules indicates the school is not offering more instruction than other local schools. Many of the other features including teacher collaboration time, community service activities, and family participation are seen in schools throughout the state and the local area. The applicant has not provided adequate evidence of a significant contribution of its educational program.</p>		

The applicant also has not established a compelling need for the proposed school’s educational program; of the 5 elementary schools in the Silver Consolidated School District three have school letter grades of B, one has a C, and one has a D.

Because 50 percent of the applicant’s responses were evaluated as “partially meets” or “does not meet” for the reasons described above, this section of the application is inadequate.

Application Section	Points Received	Applicant School’s Possible Points
REQUIRED APPENDICES	4	4
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD found this section to be complete.</p>		

Other Pertinent Information

Seventy-eight people were in attendance at the community input hearing, it appears that approximately seventy of those attendees were in support of the opening of the school.

During the Community Input Hearing, the local school district briefly indicated they did not support the proposed school.

The applicant had nearly twenty supporters present who made remarks in support of the applicant. Many of the supporters identified themselves as parents of potential students or potential volunteers, one current charter school leader also made remarks in support of the applicant.

Since the community input hearing, CSD has received the following letters of opposition to the application:

Cliff Schools – two letters, one from a teacher and one from the principal. The letters question whether the proposed school will have any significant benefits, express concern about the proposed school’s ability to serve all students, and express concern about the qualification of the board members.

Silver Consolidated Schools – six letters, from the Director of Special Education, Associate Superintendent of Learning Services, Superintendent, Director of Facilities and Business Supervisor, and two Associate Superintendents. The letters express concern about the limited reading curriculum to be offered at the proposed school, the heavy use of (and reliance on) volunteers, the applicant team’s readiness to implement a school, the viability of a new school in the community, the need for a school in this community that already has excellent schools meeting student needs, the inconsistent use of data from multiple school districts throughout the application, the lack of alignment of the Enki curriculum to

the NMCCSS and NM content standards, incorrect data about the performance of local schools in the applicant's information, the ability of the proposed school to find staff, and the funding for the proposed school's facilities

CSD has received 13 letters of support to the application. These letters vary and include: simple statements of support, letters from personal contacts of the founders, letters from parents interested in enrolling their students, letters from individuals who are promising the support the school with volunteer work, and letters from the application writing team. At least one of the letters raises concerns that the supporters of the applicant team do not understand that the applicant would be required to meet the state's educational standards and provide a curriculum aligned to the NMCCSS and NM Content Standards. The letter from the application writing team indicates that the team has reviewed the analysis and is committed to utilizing the feedback to make changes to the proposed plan.