



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

CHRISTOPHER N. RUSZKOWSKI
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

2017 Public Education Department (PED) Preliminary Analysis of Renewal Application (Part B – E)

November 7, 2017

School Name: New Mexico Connections Academy (NMCA)
School Address: 4001 Office Court, Suites 201-204, Santa Fe, New Mexico
CEO/Principal: Ramoncita Arguello
Business Manager: Justine Vigil
Authorized Grade Levels: 4-12
Authorized Enrollment: 2000
Mission: The mission of New Mexico Connections Academy (NMCA) is to help each 4-12th grade student, throughout the state of New Mexico who needs an alternative to the traditional classroom for a particular time period, maximize his or her potential and meet the highest performance standards through a uniquely individualized learning program, access to high quality NM-certified teachers, and high parental involvement. The mission will also include a school-with-in-a-school model with a focus on science, technology, engineering, and math (STEM).

SECTION 1. ACADEMIC PERFORMANCE FRAMEWORK

1a. Department's Standards of Excellence—A-F Letter Grades

This section includes analysis of academic performance of New Mexico Connections Academy (NMCA) towards meeting the Department's Standards of Excellence –A-F Letter Grade System. **Based on the data and the site visit to the school, Part B, Section 1a, Department's Standards of Excellence, A – F Letter Grades, is rated as Failing to Demonstrate Progress.** New Mexico Connections Academy's performance on each component is specifically compared to other virtual schools and evaluated over time. Note that the A-F Letter Grade System used Standards-Based Assessment (SBA) results during 2014, while Partnership for Assessment of Readiness for College and Career (PARCC) results was used 2015-present.

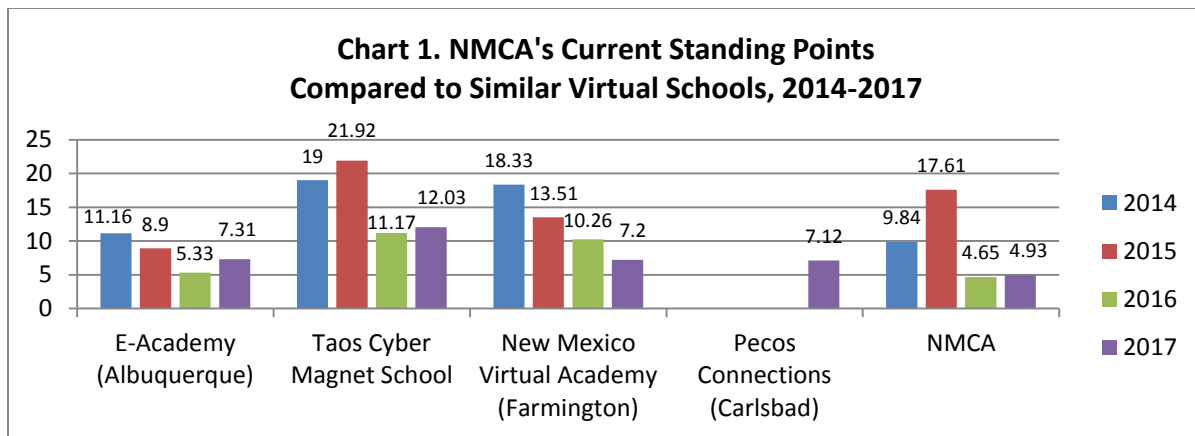
Current Standing. The current standing performance on the School Grading Report for NMCA was compared to other schools offering virtual programs in the state and is presented in Chart 1. NMCA performed as follows:

- In 2014, all virtual schools outperformed NMCA.
- In 2015, one school outperformed NMCA.
- In 2016, all virtual schools outperformed NMCA.
- In 2017, all virtual schools outperformed NMCA.

Current Standing

NMCA was outperformed by virtual schools across the state.

NMCA was outperformed by most virtual schools in the Current Standing component in nearly each year of its contract.



NMCA was outperformed by similar virtual schools in the Current Standing component in three of the four years in its contract. Furthermore, in 2017 NMCA earned less than 5 of the possible 30 points in this category.

In addition, NMCA’s performance, while improving temporarily in 2015, is lower in 2017 than it was in 2014. This lower performance is the result of continually declining proficiency in both math and reading and growth (at the student level in comparison to academic peers) in both math and reading that declined from 2105 and continues to sit below expected—meaning students are falling behind their academic peers. (See 2017 letter grade report, pages 2 and 3 for more detail.)

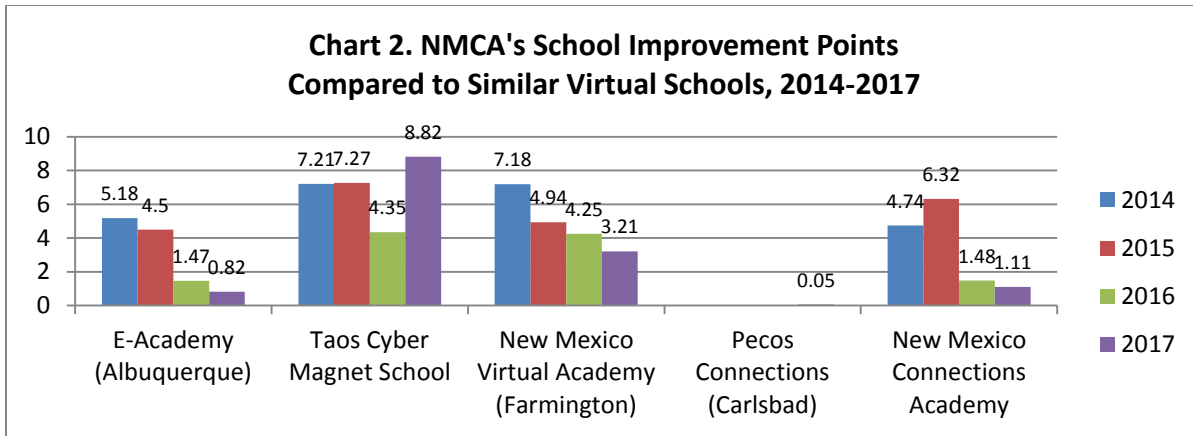
School Improvement. The school improvement performance (formerly known as *School Growth*) on the School Grading Report for NMCA along with other virtual schools is presented in Chart 2. NMCA performed as follows:

- In 2014, all schools outperformed NMCA.
- In 2015, one school outperformed NMCA.
- In 2016, two schools outperformed NMCA.
- In 2017, two schools outperformed NMCA.

School Growth

NMCA was outperformed by other virtual schools in the state.

NMCA was outperformed by other virtual schools for three out of the four years in its contract term.



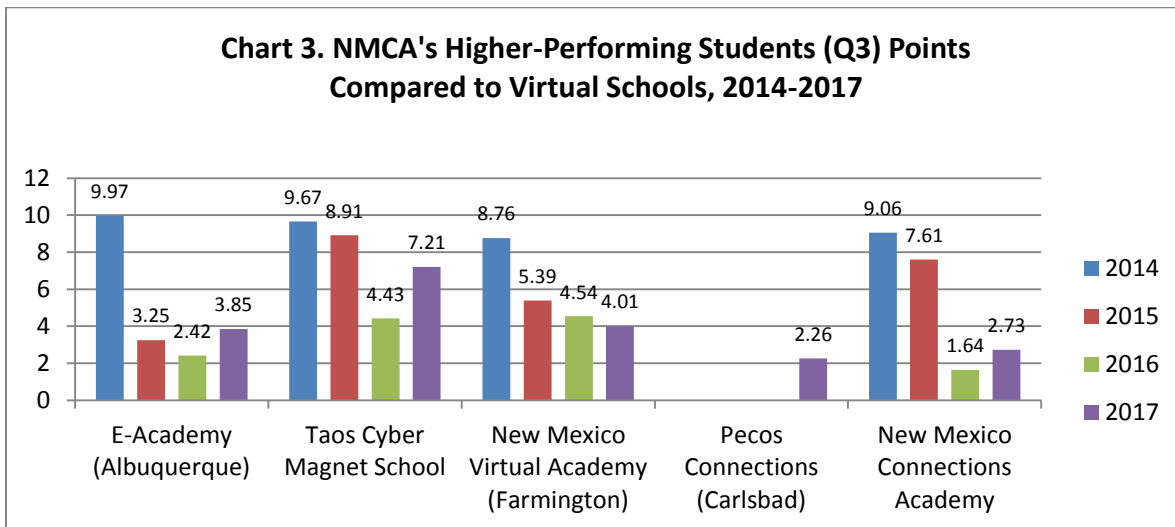
In its contract term, the amount of school growth points that NMCA has earned has steadily decreased over time, and in 2017 only earned 1.11 points out of the 10 possible on this indicator of school grades.

In addition, NMCA's performance, while improving temporarily in 2015, is lower in 2017 than it was in 2014 and 2016. This lower performance is the result of growth (at the student level in comparison to academic peers) in both math and reading that declined from 2105 and continues to sit below expected—meaning students are falling behind their academic peers. (See 2017 letter grade report, page 3 for more detail.)

Higher-Performing Students. The performance of top three quartiles of students, the higher-performing students (or Q3), on the School Grading Report for NMCA along with other virtual schools is presented in Chart 3. NMCA performed as follows:

- In 2014, two schools outperformed NMCA.
- In 2015, one school outperformed NMCA.
- In 2016, all schools outperformed NMCA.
- In 2017, all schools outperformed NMCA.

Highest-Performing (Q3)
NMCA was outperformed by virtual schools in the last two years.
 NMCA was outperformed by nearly all schools in Highest-Performing Students component in most years in its contract.



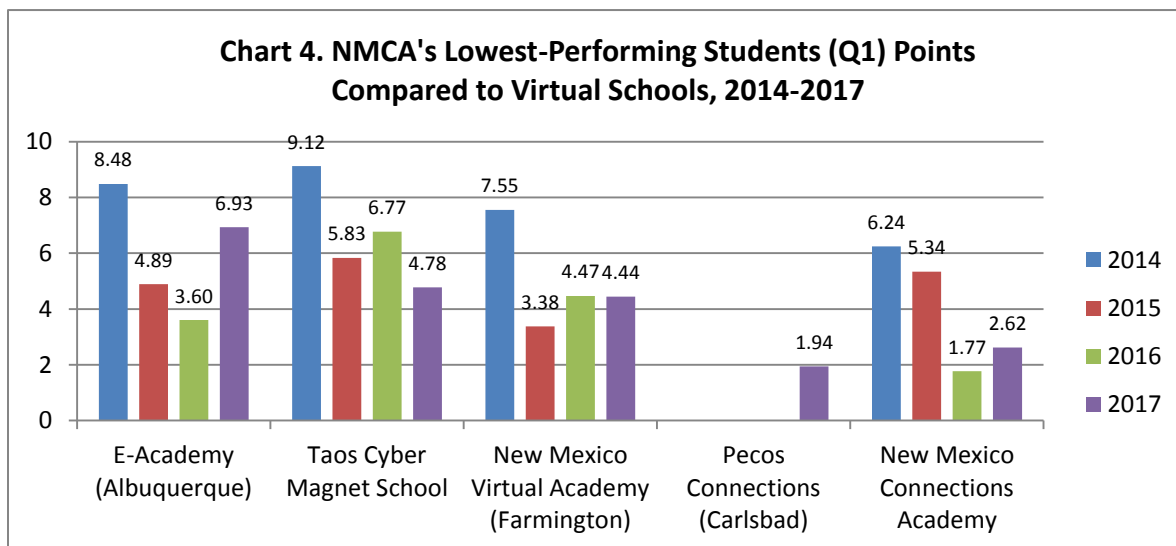
In the higher-performing students (Q3) indicator, NMCA earns few points and over the four years of its contract the school’s performance in this category has steadily declined. Of the four years, NMCA earned the fewest points in 2017.

In addition, NMCA’s performance, while improving slightly from 2016 to 2017, is lower in 2017 than it was in 2014 and 2015. This lower performance is the result of growth (at the student level in comparison to academic peers) in both math and reading that declined from 2105 and continues to sit below expected—meaning students are falling behind their academic peers. (See 2017 letter grade report, page 3 for more detail.)

Lowest-Performing Students. The performance of the bottom quartile of students, the lowest-performing students (or Q1), on the School Grading Report for NMCA along with other virtual schools in are presented in chart 4. NMCA’s performance compared to other virtual schools is as follows:

- In 2014, all schools outperformed NMCA.
- In 2015, one school outperformed NMCA.
- In 2016, all schools outperformed NMCA.
- In 2017, three schools outperformed NMCA.

Lowest-Performing (Q1)
NMCA is consistently outperformed by most schools.
 NMCA has had declining performance with students in its bottom quartile since its inception.



In the last two years, NMCA significantly trails the state average for this indicator. The school has not made significant improvements over time and instead has had declining performance over the contract term. In 2017, the school only earned 2.62 of the 10 possible points for this indicator.

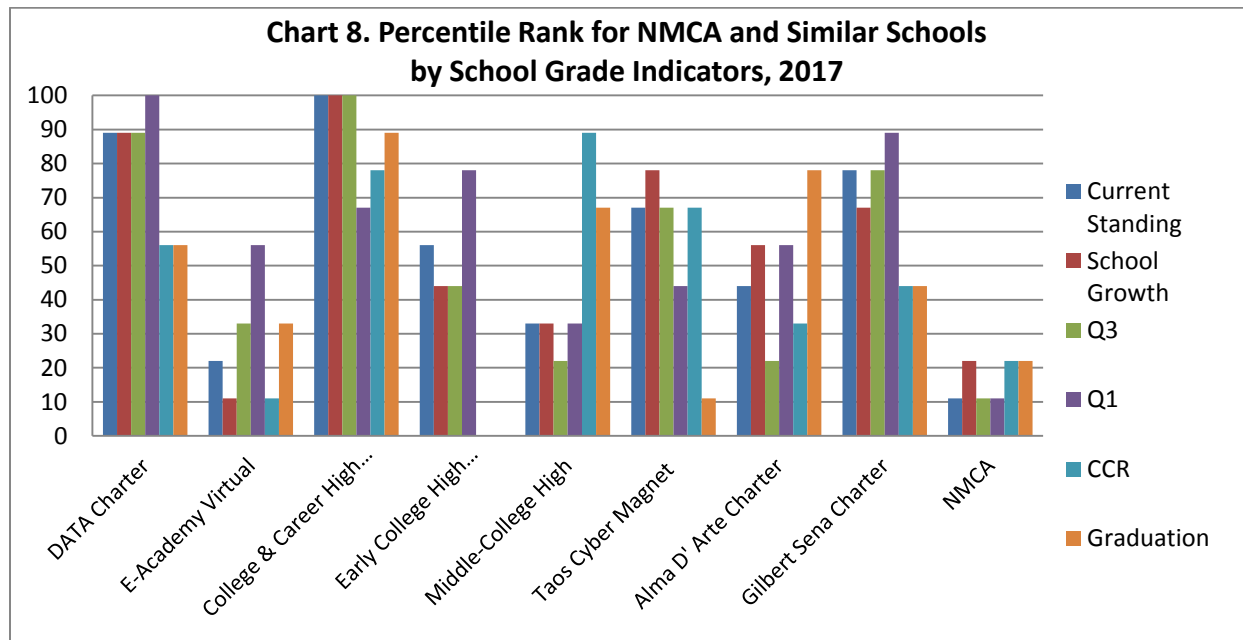
In addition, NMCA’s performance, while improving slightly from 2016 to 2017, is lower in 2017 than it was in 2014 and 2015. This lower performance is the result of growth (at the student level in comparison to academic peers) in both math and reading that declined from 2105 and continues to sit below expected—meaning students are falling behind their academic peers. (See 2017 letter grade report, page 3 for more detail.)

Comparison Schools Ranking in Most Recent Year (2017). This analysis also includes a comparison of New Mexico Connection Academy’s performance on the A-F School Grading Report in relation to similar schools statewide (see Table 1). The cluster of schools in which NMCA was compared to in 2017 totaled 9 schools. **Compared to similar schools, NMCA ranked no higher than 7th out of 9 schools on any of the indicators. NCMA ranked last in current standing, higher-performing students, and lowest-performing students. NMCA ranked 8th in school growth, and 7th in graduation and college and career readiness (CCR).**

Table 1. NMCA’s Percentile Rank and Rank Order by School Grade Indicator, 2017							
	Current Standing	School Growth	Highest-Performing (Q3)	Lowest-Performing (Q1)	OTL	Graduation	CCR
Percentile Rank	11 th	22 nd	11 th	11 th	-	22 nd	22 nd
Rank Order (Out of 9 schools)	9 th	8 th	9 th	9 th	-	7 th	7 th

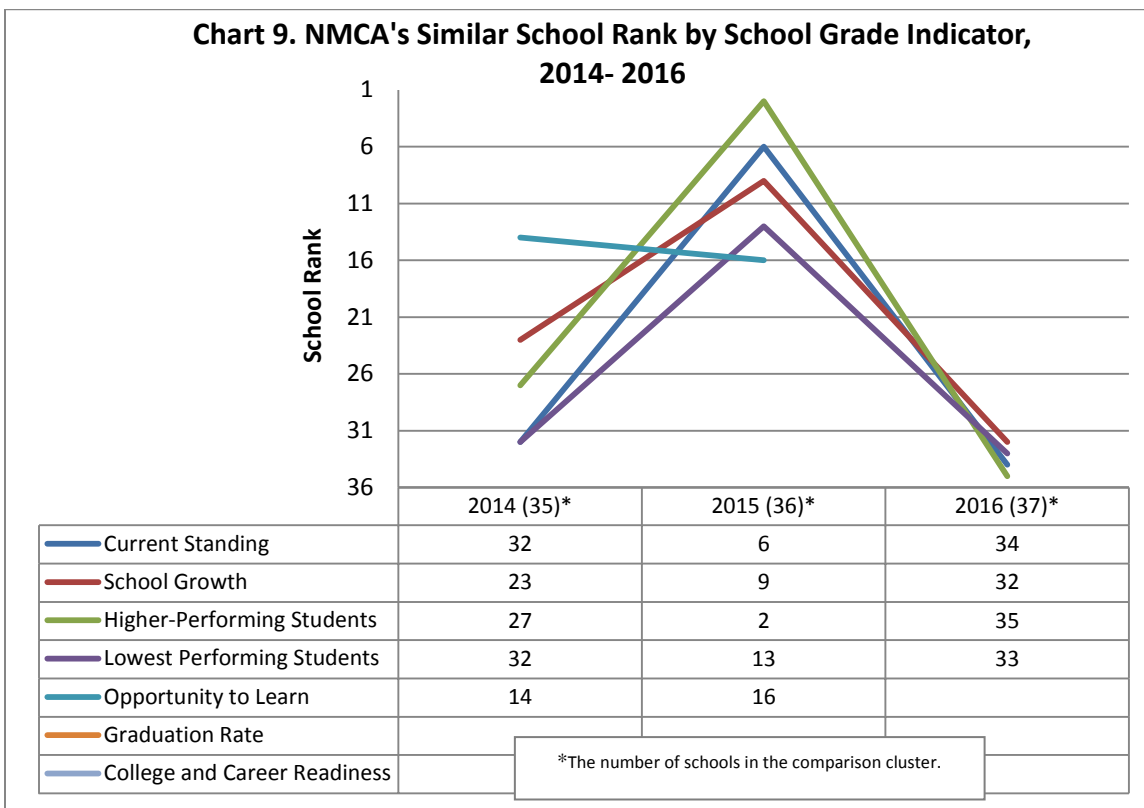
Note that the Opportunity to Learn (OTL) category is comprised of both attendance and student survey data. NMCA earned 2.69 point for attendance only as it did not administer student surveys. Therefore, NMCA was not ranked in this indicator.

Below, Chart 8 illustrates the 2017 percentile rank for NMCA and the other 8 similar schools to which it was compared.



As illustrated above, NMCA was vastly outperformed by other virtual schools or schools with a virtual schooling program in 2017.

Chart 9, below, illustrates NMCA’s ranking by school indicator when compared to the other schools in its cluster for 2014-2016. The 2017 rankings were not included in chart 9 since in that year NMCA was in a cluster with only 9 schools.



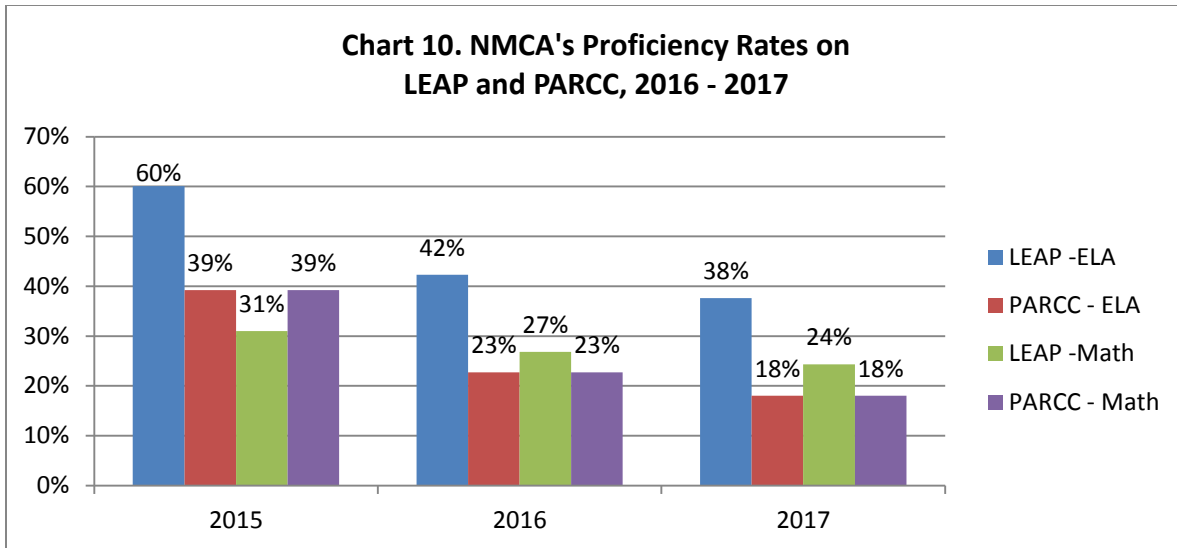
While NMCA experiences increases in 2015, by 2016, the schools performance has declined. Above, Charts 8 and 9 illustrating comparative performance, NMCA ranks at the bottom when compared to its peer schools. The school’s overall reading (18%) and math (11%) proficiency remains very low (see page 2 of the school’s 2017 school grade report) and growth declined sharply from 2015 to 2016, with less-than expect growth from 2016 to 2017 (see page 3 of school’s 2017 school grade report).

NMCA Compared to Similar Schools

NMCA ranked last or near last on all categories when compared to similar schools statewide.

Over the four years in its contract, NMCA fared quite low in comparison with similar schools. While 2015, NMCA did experience some success, overall the school’s trajectory has been downward trending.

Comparison of Short-Cycle Assessment and State Summative Assessment Results. NMCA uses LEAP short cycle assessments to meet its mission-specific indicators for reading and math. Chart 10, below, illustrates a comparison the LEAP and PARCC results from 2015 to 2017. This data is reported in the school’s pivot tables as the percentage of students who scored 75% of better.

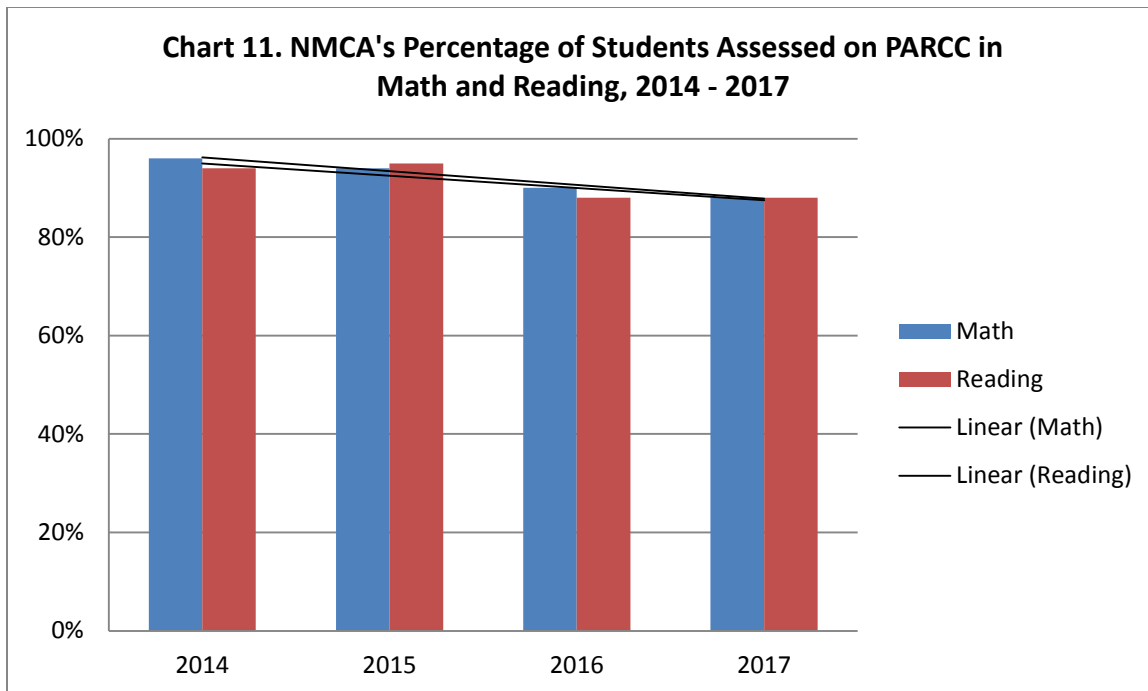


It is also notable that the school indicates it has met its LEAP goals in most years, however the PARCC results and the overall letter grade appear to be somewhat misaligned. This raises concerns that the school feels it is meeting its goals yet not improving towards meeting the department's standards of excellence.

Further, while the school reports that it has met its LEAP goals, the data indicates in both math and reading that over the past three years performance on both math and reading LEAP has declined. All data, including short cycle and PARCC data indicates the school is not making progress.

LEAP and PARCC Proficiency Rates Decline Over Time
Proficiency rates on LEAP far exceed PARCC by as much as 21%.
 NMCA met its reading goals in two of four years and math in all four years, yet PARCC results in both reading in math have been low and declining

Even more, the school reports that it is making attempts to increase the percentage of students who complete the PARCC assessment and that if it only met the assessment threshold it would earn a higher grade. The data below represents the school's percentage of students assessed from 2014 through 2017. This data demonstrates that the school's efforts to increase the percentage of students assessed are not effective, and in fact may be having the opposite effect.



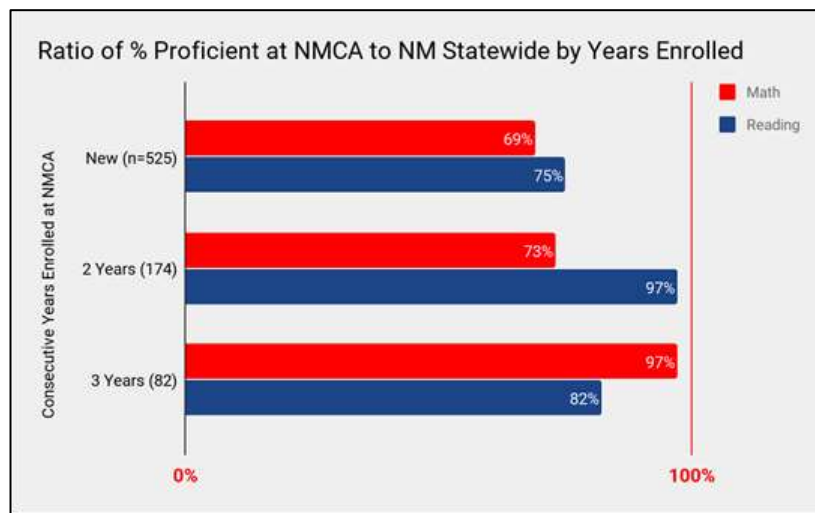
Summary: Department’s Standards of Excellence – A-F Letter Grades

According to NMCA’s Renewal application, the school acknowledges its “student outcomes, especially in math, an area that has been deficient” and that “we own the state performance scores” (p. 16). The school’s narrative response for this section focuses on describing three main circumstances that it claims are connected to poor performance: a) challenging testing environment and failure to meet the required student testing participation rate; b) student characteristics and late student enrollment, and c) low academic performance, especially math.

Student testing environment and participation. While NMCA does not dispute the school grades earned over the last four years of its contract, it states a main reason as the challenges associated with conducting state testing in virtual environment. The PARCC assessment has been administered online since 2015. The school also cites the “opt-out movement” as another reason for meeting federal testing requirement of 95% student participation. NMCA states that “[f]or the 2013-14 school year, our school received a D letter grade. If our school had met the state testing goal of 95% participation, our school would have received a C letter grade.”

There is no basis for making such claims. The school presumes that untested students would have performed well enough for the school to maintain the C grade in 2014. Without achieving the 95% test rate, the school does not have complete information for its students and cannot know how well a student would have performed. Further, students that not tested are being denied the opportunity to demonstrate their skills and/or receive instructional support to meet their individual needs. It is for this reason that all New Mexico public schools are required to administer state assessments. It is deeply concerning that the school has failed to meet federal and state testing participation requirements all the years in its charter contract (2014 through 2017) and that the percentage of students assessed continues to decline rather than increase. The school’s minimal improvement actions describe providing over 18 test sites across the state and its efforts to increase student assessment through email, phone calls, and letters – all which is required through state regulation or basic expectations for communication. The data demonstrates that these efforts have been ineffective and instead have resulted in lower test participation. Further, the school’s response does not address the root causes of low academic performance.

Student characteristics and late enrollment. The school also describes student characteristics such as homelessness, mobility, disability and academically failing, including late enrollment, as another reason for poor performance or excuses for poor performance. NMCA discusses its students’ proficiency relative to the state average as if it were 100%, which is not how performance is measured. A school’s performance is measured on academic assessment results, irrespective of the state average on those. Even by its own assessment, however, it is concerning that students that have been at NMCA three years fare *worse* in reading than those who have been at NMCA two years as evidenced below (see NMCA Charter Renewal application, p. 20).



Even so, the school’s analysis is limited. The school does not address how its population is different or similar to the statewide population. However, we know that the school has a higher percentage of white students, a lower percentage of Hispanic, Native American, and African American students. Further, the school has a substantially lower percentage of economically disadvantaged students, a lower percentage of students with disabilities and a lower percentage of English learners. Thus, the school’s population represents a population with lower risk factors than New Mexico’s student population and still, the school’s performance is below the state’s average performance.

The school should also note that students who enroll late in the year are not calculated into the letter grades because letter grades incorporate only full academic year students.

Academic performance. According to its application, NMCA claims it has closed the gap for math performance in some grade levels for its first two years of the contract term, stating that large increases in student enrollment in the 2016-2017 were responsible the decrease in performance in that year. The school claims it has “implemented numerous strategies tied to school improvement efforts including additional teacher training on the use of data to inform math instruction and implementing multiple student engagement efforts” (NMCA Renewal Application, p.21). It points to several changes its curriculum vendor is *in the process of making* to middle school math curriculum. NMCA states that at the high school level it is “now offering credit recovery math courses that target key math skills that many incoming credit-deficient secondary students lack” and further states it is “are also implementing efforts to foster a comprehensive culture shift in how students view math” (NMCA Renewal Application, p. 22).

NMCA discussed activities it purportedly took to improve student achievement, the Public Education Department (PED) team did not observe thorough and sustained implementation of a number of activities mentioned in the renewal application narrative during the site visit which took place October 12, 2017.

Math Time to Talk Program. NMCA also states that for the 2017-2018 school year, that its teachers are implementing the Math Time to Talk Program for 4-5th grade students. The school asserts that its curriculum vendor “trains teachers in effective strategies for promoting math discourse and understanding that students make most sense of math when they participate in the sense-making process through conversation.” However, during the PED site visit on October 12, 2017, the school did not provide evidence that the intervention was effective. Please note the intervention, as confirmed by the school, is recent. While the PED was able to observe a Time to Talk session for the 4th grade, it was not clear that the specific session was related to the grade level unit of instruction.

Upon further review of the classroom’s data, it was not clear that the intervention was meeting the student’s need. The PED was onsite during the 7th week of instruction, one student had failed a math assessment in the second week with no documented follow-up by the teacher, which the virtual platform has the capability to document. Furthermore, the school did not provide evidence that it monitors student performance in this program to determine effectiveness of the intervention. When the school was asked to provide evidence of the training teachers have received, the head administrator described the training provided to new teachers to learn how effectively use the instructional platform.

Math Improvement Plan. The school, according to the submitted improvement plan, did not take the listed action step of providing teacher training in math literacy, number sense, and standards for mathematical practice (NMCA Renewal Application, p. 25). Furthermore, several of the actions listed were not complete and goals were not met, including the goals of its grade level PLCs. According to NMCA,

While we successfully identified the students who needed help and that help was provided by individual teachers, school administrators should have monitored the support and interventions more closely. The teachers were providing interventions but those interventions were not getting to the crux of the students’ and the school’s issues (NMCA Renewal Application, p. 26).

Grade Level PLCs. According to the school’s 2016-2017 goal—“Grade Level PLCs will set and achieve Math SMART Goals, set strategies and use best practices to increase proficiency aligned to previous SY testing data”—was not met. According the NMCA’s Renewal Application (p.28-29), the process for implementing PLCs is described as an action to support improved student performance. NMCA refers to its PLCs by stating “[w]e will create PLCs based on standard academic deficiency areas. An examination and analysis of 2015-16 and 2016-17 school year PARCC data demonstrates specific deficiencies in the proficiency of our lowest achieving students” (NMCA Renewal Application, p 31.) During the PED visit to the school on October 12, 2017, the school made mention several times of the importance and utility of its grade level PLCs. However, when asked for specific data to demonstrate the relevance and effectiveness of the PLC actions, none was provided. It is unclear that NMCA’s implementation of PLCs has proven effective as part of the school’s course of action to significantly improve student outcomes.

Credit Recovery. The school stated it first offered credit recovery in the 2016-2017 school year and state it received “feedback from both ELA teachers and administrators was promising” (NMCA Renewal Application, p. 25). The school did not provide evidence that offering credit recovery has improved reading performance.

LiveLessons. The school references it LiveLessons in grade 4-6 as strategy for improvement, but provides no evidence of its implementation or effectiveness. It is not clear to what degree the strategy is implemented and to what level of effectiveness, if any.

NMCA has failed to demonstrate substantial progress *“towards achievement of the department’s standards of excellence”* (NM Stat § 22-8B-12 NMSA) and has focused its renewal application narrative on *“describing circumstances that connected to the poor performance or excuses for the poor performance”* (see quotes above). In addition, description of improvement actions in the narrative are no different than the typical activities the school would have been required to do regardless of A-F School Letter Grade performance since such activities are specified in its charter contract and performance framework (e.g., administration and review of PARCC and LEAP short-cycle assessments, offering credit recovery, and engaging in PLCs) (Renewal Application Rubric, p. 15). The school has not identified any root causes that can be connected to adult actions taken by the school that have improved student outcomes and performance.

Further, the academic performance in has continued to decline over the past three years. PARCC proficiency rates in math have dropped from 15% in 2015 to 13% in 2016 and then 11% in 2017. Additionally, the school’s own LEAP data shows proficiency rates in math fell from 31% in 2015 to 27% in 2016 and 24% 2017. In reading, PARCC proficiency rates have dropped from 39% in 2015 to 23% in 2016 and 18% in 2017. The school’s LEAP data shows proficiency rates in reading fell from 60% in 2015 to 42% in 2016 and 38% 2017. Any improvement efforts have been ineffective and have failed to improve student achievement.

Since the narrative responses provided in the renewal application are *“focused on describing circumstances that connected to the poor performance or excuses for the poor performance”*, *“describes minimal improvement actions”* that are already required by the school contract and not specifically targeted to root causes for poor performance, described evidence that the site visit team could not confirm to *“support the implementation of improvement actions”* and the available data demonstrates performance that continues to decline or remain at an unacceptable level, **Part B, Section 1a, Department’s Standards of Excellence, A – F Letter Grades, is rated as *Failing to Demonstrate Progress.***

School Specific Charter Goals

This section includes analysis of NMCA’s performance on its school specific charter goals during the course of its contract (excluding the final year). NMCA has four mission-specific indicators. Below are description and analysis of each indicator:

Mission-Specific Indicator 2.a

All full academic year students for grades 4 thru 8 will maximize their potential in one academic year by applying strategies and skills as assessed on the Longitudinal Evaluation of Academic Progress® (LEAP) in reading.

Analysis. According to the data provided by the school, NMCA met its goals on this indicator in two of the four years. The school did not meet the standard on this indicator in 2016 and fell far below standard in 2017 (NMCA Renewal Application, p. 35). According to NMCA, the school has *“seen a decline in our students’ performance on the LEAP reading test”* (NMCA Renewal Application, p. 36). According to the school, improvement actions for the 2017-2018 school year include data analysis training for teachers to help better support students. The school states that

After analyzing the last two to three years of data, we realize that in addition to analyzing student data to identify areas of deficiency, we also need to adjust instruction to better meet those areas through re-teaching with a focus on mastery. In the last two to three years, teachers may have identified particular areas of deficiency, but struggled to make decisions based on that information (NMCA Renewal Application, p. 36).

During the renewal site visit held October 12, 2017, PED team members observed evidence that the school had and is currently implementing some of these activities but not always with a clear purpose or understanding. For example, when asked about professional development during interviews, teachers indicated there was no shortage of professional development opportunities and many of the listed several conferences. However, teachers did not mention any training that help them better use LEAP data to make instructional decision-making. From observations of virtual instruction during the site visit, it was unclear how teachers use LEAP data to create effective interventions to support students improve in reading.

Some adult actions described in the Renewal Application to improve student outcomes were observed, but again appeared unsystematic and not specific to the given indicator (e.g., NMCA failed to explain and provided evidence as to how LiveLessons, PLCs, and credit recovery remedies consistently low student performance in reading across multiple years). Further, the school's data reported that the FAY students achieving growth or proficiency continued to decline. The percentage of students in 2014 was 66% and was 77% in 2015; however this has declined to 59% in 2016 and 50% in 2017. Any improvement efforts have been ineffective.

Mission-Specific Indicator 2.b

All full academic year students (as defined by New Mexico accountability system definitions) for grades 4 thru 8 will maximize their potential in one academic year by applying strategies and skills as assessed on the Longitudinal Evaluation of Academic Progress® (LEAP) in math.

Analysis. According to the data provided by the school, NMCA met its goals on this indicator in all four years (NMCA Renewal Application, p. 38). According to the school, it has “seen a small increase in our students’ performance on the LEAP math test (NMCA Renewal Application, p. 38). While the school may have met its math goals on LEAP, the school acknowledges low math performance on state testing, with an overall proficiency rate of only 11% in 2017. In 2015, math proficiency was 15% and in 2016, math proficiency was 13%. The school’s LEAP data somewhat aligns to the PARCC results in this case, showing little to no change in student performance. The LEAP data indicates in 2015 59% of students made proficiency or 1 years’ worth of growth, and in both 2016 and 2016 63% did so. This data shows little change in the school’s performance and demonstrates that improvement efforts are having little to no impact.

The school lists improvement actions for the 2017-2018 school year include data analysis training for teachers to help better support students. The school states that

After analyzing the last two to three years of data, we realize that in addition to analyzing student data to identify areas of deficiency, we also need to adjust instruction to better meet those areas through re-teaching with a focus on mastery. In the last two to three years, teachers may have identified particular areas of deficiency, but struggled to make decisions based on that information (NMCA Renewal Application, p. 36).

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Some adult actions described in the Renewal Application to improve student outcomes were observed, but again appeared unsystematic and not specific to the given indicator (e.g., NMCA failed to explain and provided evidence as to how LiveLessons, PLCs, and Math Talk Time remedies consistently low student performance in math across multiple years).

Mission-Specific Indicator 2.c

All full academic year students in grades 9-12 will maximize their potential and meet the highest performance standards by earning a minimum of six credits for the school year.

Analysis. According to the school, this indicator was met three out of the four years in the contract term. In its application, the school states that “this goal [was met] for most of the charter term, but did not reach the goal in 2014-15. That data was unacceptable and [the school] put plans in place to do better – subsequent years’ results demonstrate those plans worked” NMCA Renewal Application, p. 41). The school goes on to list its efforts to aggressively monitor the teacher’s use of his/her gradebook to understand student performance across courses. The school asserts that “[t]hese actions helped us to improve and meet this goal in the last two school years” (NMCA Renewal Application, p. 43). However, the application does not provide evidence that the described actions led to the improvements toward meeting this indicator. Furthermore, during the site visit on October 12, 2017, it was not evident that managers (principals) engage in proactive monitoring of teachers use of the gradebook.

Mission-Specific Indicator 2.d

The number of students completing one or more advanced STEM courses with a C grade or better will equal at least 5% of total student enrollment for whom advanced STEM is available.

Note: Advanced STEM is defined as any STEM course above the chronological grade level for a student or a course that is labeled as Honors, Advanced Placement, or Dual Credit.

Analysis. According to the school’s application, NMCA met this indicator in all four years of the contract term. During the site visit on October 12, 2017 when asked during interviews, students were not sure if they participate in the school’s STEM academy.

Supplemental Indicators

This section includes analysis of NMCA's performance on its supplemental indicators during the course of its contract (excluding the final year). NMCA has three supplemental indicators. Below are description and analysis of each indicator:

Supplemental Indicator 3.a

Parents, guardians and adult students will be satisfied with New Mexico Connections Academy as measured by the Annual Connections Academy Parent Satisfaction Survey, which will be in addition to that required by state law, rule or regulation.

Supplemental Indicator 3.b

Parents, guardians of students and adult students enrolled during the Annual Connections Academy Parent Satisfaction Survey window will complete the survey.

Analysis. According to the data provided, the school met the supplemental indicators relating to the timeliness of survey completion and parental satisfaction with NMCA. Over the years of the contract term, parental satisfaction has increased by 5% whereas survey completion has steadily decreased by 14%.

Supplemental Indicator 3.c

All learning coaches of full academic year students will have at least two conference meetings with a New Mexico certified teacher to discuss academic goals and progress of the student, and to update the student's Personalized Learning Plan (PLP).

Analysis. According to the school, this indicator was not met in the first two years of the contract term, but was met in the last two years. The school indicates that prioritizing this indicator and monitoring teachers' communications with parents resulted in meeting the indicator.

Summary: School Specific Charter Goals

It is evident in the narrative and through the site visit that the school has failed to consistently meet all of its mission-specific indicators, specifically its academic indicators. Even when the school has met its mission-specific indicators, they are not indicative of improved academic performance as measured by state assessments in reading or math. The school's responses and approach are neither systematic nor sufficiently targeted in ways that will adequately address its persistent low academic performance (e.g., while the school meets some of its short-cycle assessment goals, NMCA continues to underperform on PARCC). It is notable that the school's short cycle assessment does align with the PARCC to the extent that it show little to no change in student math performance and continually declining student reading performance. According to the school, the same activities that have created this circumstance have and will continue to be used to address each indicator.

School Goals

NMCA failed to meet key mission-specific goals over the years.

NMCA acknowledged failure in meeting at least one indicator and did not provide evidence of systematic and consistent implementation of stated actions that has resulted in improvement of low student performance for the other indicators.

The school does not have a demonstrated record of meeting all standards in each of the years of the contract term and the narrative, supporting documentation and “data demonstrates performance that has continued to decline or remained at an unacceptable level” (p. 15), the rating for the **Part B, Section 1b, School Specific Charter Goals, is “Failing to Demonstrate Progress.”**

SECTION 2. FINANCIAL COMPLIANCE FRAMEWORK

Audit. NMCA described audit findings it received in FY14, FY15, and FY16 and improvement efforts it had taken to avoid repeat findings. During the site visit on October 12, 2017, the PED site visit team attempted to verify the implementation and oversight of improvement efforts. During the governing board member interview portion of the visit, the PED team asked the governing board about the actions it has taken. The board members who were interviewed stated NMCA had not received many audit findings. This is concerning considering the school has 6 audit findings from 2014, 5 audit findings in 2015 and 3 audit findings in 2016; this is a substantial number. When the governing body was further asked what internal control structures have been put into place to deal with the financial non-compliance the school has experienced over the last three fiscal audits, the board member expressed a misunderstanding of what can be purchased and stated that petty cash and purchase orders were being processed before purchases were made, yet also stated that the governing council “addresses audits findings when they arise” and “ensures that audit findings are addressed and policies and guidelines are set in place.” These answers indicate a lack of appropriate oversight by the governing body.

When asked who was on the audit committee, governing board members interviewed identified the same member as “the board finance member” and both acknowledged being participants on the audit committee, yet neither named all of the six persons required to be on the audit committee. When asked about the specific actions the audit committee has taken, the governing board members stated that “the governing council monitors audits and financial...to [ensure] that administrators and teachers are held accountable.” The board members also stated that “the business manager reports to the governing council.” No specific details were provided. These answers indicate a lack of appropriate oversight by the governing body.

Later, the business manager was also interviewed and asked about who was on the audit committee, named two board members, stated that a parent served on the committee (yet could not recall the parent’s name), and a third person (community member).

Although the narrative in the appendix provided by the school described improvement actions, implementation could not be fully confirmed for the audit findings addressed in the narrative, either because no documentation was provided, documentation was incomplete, or the individuals interviewed provided no specificity or detail. As noted above, the number of audit findings has decreased over the past three years, thus there appears to be some progress in this area. Consequently, the rating for the **Financial Compliance, Subsection a, is “Approaching Progress.”**

Financial Performance Framework. During the 2013-2014 and 2014-2015, the school was not rated on the Performance Framework. For 2015-2016 and 2016-2017, NMCA received the rating “Meets Standard” for all areas in the Financial Performance Framework. Consequently, the rating for the **Financial Compliance, Subsection b, is “Meets Standard.”**

Board of Finance. TIS’s Board of Finance was never suspended during the term of its contract. Consequently, the rating for the **Financial Compliance, Subsection c, is “Meets Standard.”**

SECTION 3. CONTRACTUAL, ORGANIZATIONAL, AND GOVERNANCE RESPONSIBILITIES

Charter Material Terms. The school's narrative described implementation of a number of activities related to its educational program such as:

Operating *"as a fully-virtual public charter school enrolling and serving students across the state. We had 1,622 students enrolled as of June 30, 2017, from 32 of 33 New Mexico counties"* (p. 64).

- *"Each student has a Personalized Learning (PLP), developed collaboratively by teachers, parents/guardians, and the student."*
- *"We offer a STEM focus, including over 40 STEM courses and enrichment activities including clubs, field trips, guest speakers, and community service opportunities."*
- *"...to best serve struggling students and help them rise to grade level expectations, we utilize a Response to Intervention [RtI] model."*
- *"...to monitor attendance and time-based requirements, we closely monitor completed work, login activity, and student/teacher interactions."*
- *"Parents and other parent-designated responsible adults serve as Learning Coaches and play an active role in the learning process. Learning Caches are in regular communication with teachers via phone, WebMail, and in-person contact..."*
- *"Teachers also value collaboration and learn from one another through Professional Learning Communities [PLCs]. PLC meeting agendas, meeting notes, and to-do's are tracked in Connexus."*

The school discussed other activities they engaged in and will continue to engage in that resulted in meeting its material terms since the 2013-2014 school year. Consequently, it did not specify actions it would take to improve progress towards specific areas. The following material term, however, was identified as receiving a rating below *"Meets Standard"*:

- **2014-2015 IV-A.05: Material Terms** (1.a. contract ref.) was rated *"Does Not Meet"* in which the school was required to bring in guest speakers, but was unable to *"provide evidence for this material term"* (see web-EPSS document for the given year).

During the teacher interview portion of the site visit which took place October 12, 2017, teachers described their *"PLC meetings."* Teachers stated that the

...advisory teacher will inform the teachers on what needs to be done [i.e., temporary zeros for students]...advisory teachers will pull reports to review ...[and] teachers are in contact with Connections staff and they let the teachers know where they [i.e., students] are (Interviews at site visit).

NMCA also presented *"PLC meeting agendas"* that occurred on a number of occasions since the start of the school year and prior. However, the PED site visit team did not observe key components of Professional Learning Communities (PLCs) such as: (a) a strong focus on student learning, (b) *"collaborative inquiry into best practices"*, and (c) action-oriented behaviors by staff to improve student outcomes (see DuFour, 2004; DuFour et. al, 2006; Marzano, 2003) being implemented in a robust or intense manner given the school's low student achievement data.

Through student and parent interviews, the PED team was able to verify that guest speakers were included in courses that students had or were currently taking. The PED team was also able to verify a number of material terms during the visit (e.g., offerings of advanced placement courses, clubs, 'student-to-student' access, Personalized Learning Plans, and trainings for Learning Coaches). During the interviews, however, students and parents were asked to describe the "STEM Academy." None seemed familiar with the term. One student responded, "Not sure that the school has a 'STEM'." The same student did say he participated in a field trip to "Las Cruces for the Space Shuttle" and suggested the program may be for younger students. The material term that the school failed to meet in 2014-2015 was remedied although no mention of it was included in the narrative. Consequently, the rating for the **Charter Material Terms, Subsection a, is "Approaching Progress."**

Organizational Performance Framework. NMCA provided a narrative to describe efforts it has made and/or will continue to make in order to improve on items identified as "Does Not Meet Standard" or "Falls Far Below Standard" in the Organizational Performance Framework section of its 2013-2014, 2014-2015, 2015-2016, and 2016-2017 Performance Framework as identified in Web-EPSS reports. Examples of items that were rated below standard are as follows:

2016-2017 VI-A.01: Employees was rated "Working to Meet Standard" "because the school has not implemented the program [e.g., formal mentorship program that includes compensation for selected mentors]."

2016-2017 III-A.06: Educational Plan was rated "Working to Meet Standard" "because its recurrent enrollment was 56.95% according to STARS data."

2016-2017 III-A.01: Educational Plan was rated "Falls Far Below Standard" "because the school failed to implement the program during the 2016-2017 school year [i.e., shortage in instructional hours and non-compliant Next Step Plans]."

During the site visit, the PED team verified that school attendance was being monitored in which monitoring included weekly review of student logged attendance (i.e., time student is engaged in the online curriculum) and pacing in the class (e.g., percentage of assignments completed). A sum of attendance hours was also observed for select students and teachers/parents who's student falls below 30 hours per week, for example, are notified of the concern. Desktop monitoring showed that a formal mentorship program that indicates "compensation for selected mentors" will occur (Charter Renewal Application Appendix A-Supporting Documents, p. 531). Although NMCA also provided evidence that all students will receive a computer within 45-days of the request (Ibid, p. 541) it has not demonstrated efforts to provide connectivity when needed given the broadband issues experienced in some rural parts of the state (see [Article 1](#), [Article 2](#), and [Article 3](#)). Note that a formal special education complaint had been received by the Special Education Bureau (SEB) after it had already submitted its Renewal Application. Consequently, the rating for the **Organizational Performance Framework, Subsection b, is "Approaching Progress."**

Governance Responsibilities. NMCA provided the number of governing board members for each of the school years in the contract term. According to NMCA, "[a]ll members were in compliance for all years except for Carlo Lucero in 2016-17. Mr. Lucero resigned from our Governing Council on August 29, 2017" (NMCA Renewal Application, p. 96). During the site visit on October 12, 2017, when the board members were asked about the board's action plan for ensuring it meets its training requirements, the board member stated that "[Employee] from NM Connections contacted new members regarding trainings." The PED team reviewed the governing board annual report which states the governing board currently

has six members and the service start dates for each member. Carlo Lucero was replaced by Lupita Gurule de Martinez on September 26, 2017. According to PED's records "*there is not training documentation for Carlo Lucero*" for the 2016-2017 school year (see Renewal Application, Part A, p. 2) although the school uploaded evidence of training for all members during that year as part of the Renewal Application. More recently, Ms. Gurule de Martinez was scheduled to complete introductory training on October 28, 2017 but was not in attendance, according to PED records. Both timely submission of documentation and completing required training is a concern. Consequently, the rating for the **Organizational Performance Framework, Subsection c, is "Demonstrates Substantial Progress."**

PART C: FINANCIAL STATEMENT

The school provided a response in Section IX of the *Charter Renewal Application Budget Analysis* as required as per NMAC 6.19.8.10 which requires that governing bodies of charter schools must prioritize "*resources of a public school rated D or F toward proven programs and methods linked to improved student achievement.*" The school has earned the following grades: D (2014); C (2015); F (2016); and F (2017). In all four years, the school the failed to meet the required student test participation rate and therefore grades were lowered by one full letter grade. The school contents that if it had met the testing requirements, school grades would be higher.

NMCA described three main expenditures –significant spending on increased testing sites, staffing, and math professional development—to improve student testing participation, which it believes as contributing factor to low performance in the past few years. NMCA described an increased need for staffing commensurate with its expanded enrollment, not that doing so addresses improves student achievement. NMCA also lists training and conferences to support teachers. While these expenditures portend to address the stated circumstances that have led to poor academic performance, the expenditures fail to meet statutory requirements. Increasing test sites are not a proven method linked to improved student achievement. While it is important that more students are tested to better understand student performance and meet federal and state testing requirements, expenditures to improve student achievement should be focused on improving actual student learning.

The school also expended its funding on staffing and for teachers to attend conferences. The school failed to provide evidence that conference attendance by a few teachers has led to increased student achievement for the school. While a few teachers may have benefit professionally from attending conferences, conferences are not a proven program or method for improving student achievement. According to research, effective teacher professional learning is: job-embedded; ongoing; supportive; instructionally-focused (content and pedagogy); and collaborative (interaction and feedback).¹ Thus, expending public dollars on unproven methods is neither effective nor aligns with the statute as required in in 22-2E-4 NMSA.

Based on the activities on which the school is expending public dollars, the school does not appear to be prioritizing its funding to meet its statutory requirement under NMSA 22-2E-4 to "prioritize[e] resources of a public school rated D or F 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" nor is it clear that such expenditures have had the intended impact.

¹ See Darling-Hammond et al., 2009; Gusky, 1995; Hunzicker, 2010; Quick et al., 2009; and Palardy & Rumberger, 2008.

PART D: PETITION OF SUPPORT

NMCA provided both petitions that appear to reach at least 65% (employees) and 75% (households).

PART E: DESCRIPTION OF THE CHARTER SCHOOL FACILITIES AND ASSURANCES

The school provided a narrative description of its facilities. The school also attached required documents that appear to place it in compliance with Section 22-8B-4.2 NMSA 1978.

PART F: AMENDMENT REQUESTS

The school submitted two amendments. Analysis of the amendment requests and a recommendation from the PED will be provided on December 4, 2017.