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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
Governor

September 8, 2014

Dear Public Education Commissioners:

Enclosed is the Charter School Division (CSD) preliminary analysis of the 2014 Charter School Application for Columbus Community Charter School applying for a state charter in Columbus, New Mexico, Deming School District, to serve grades 6 - 12 and represented by applicants, Jack Long and Phillip Skinner. The staff at the Charter Schools Division 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 understand the recommendation. Please give special consideration to section II of this final analysis and recommendation.

Thank you all for your hard work and dedication to ensure that New Mexico's Charter Schools represent the best of alternative and innovative options for parents and students.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Pahl".

Matthew Pahl
Interim Director
Charter Schools Division

I. Recommendation

APPROVE

Overall the application is complete and adequate; and during their Capacity Interview, the applicant(s) demonstrated the capacity to implement the education and governance/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 the capacity to implement the education and governance/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; however, the conditions listed below are required by law and must be addressed. If the PEC determines that there are any other conditions that need to be addressed, then those should be negotiated in a 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:  _____

Matthew Pahl, Interim Director of Charter Schools Division, or Designee

II. Explanation Regarding Use of the Score Sheet

In the Final Analysis and Recommendation the CSD has considered the overall score in the written application, as well as the score in each individual section and Capacity Interview. For example, while the total possible points in the Business Plan only equals 52 points, it is essential that an applicant school score high in this section and have a sound financial plan. If an applicant school receives a low score in this section then the CSD carefully considers that in their final analysis.

Also please note two additional considerations:

- First, the CSD does not score the community input hearing, but may reference it in this Final Analysis and Recommendation and if pertinent information was offered that contradicts or affirms what was found in the application or the capacity interview.
- 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. Overall Score Sheet

Section	Points Received	Applicant School's Possible Points
Application		
• Education Plan/Academic Framework	82	108
• Organizational Plan and Governance/Organizational Framework	118	155
• Business Plan/ Financial Framework	19	52
• Evidence of Support	14	24
• Required Appendices	4	4
Capacity Interview		
	49	60
Overall Score	286	403

IV. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
EDUCATION PLAN/ACADEMIC FRAMEWORK	82	108

Evidence/Statements Supporting Score in this Section:

The CSD Review Team found this section to be complete but inadequate in places.

The applicants provided a mission statement that is mostly precise and clear, though it does not include all significant elements of the schools program. The mission statement needs greater clarity about the phrase, "its own sustainability." The applicants included performance goals that contain most elements of the SMART format, and attempt to include measures and metrics. The review team noted two areas that need attention: the goal statements need to be more precise, and the dual language goal measure progress only for English proficiency but not for Spanish proficiency. But this latter part depends upon the applicants' intentions around One-Way Dual Language Immersion vs. ELL program. The team felt that it did not receive sufficient clarification on this during Capacity Interview unsuccessfully.

The applicants provided a clear and reasonable rationale for the performance goals/indicators. This section of the application, however, introduced new information that arguably should be turned into an organizational goal, i.e., collaborative (teacher/student) work on curriculum development.

The description provided is limited. The review team noted that not enough meaningful detail is provided about the proposed school's dual language program (e.g., the structure of the program and how it will work), the STEM program, and the development of the curriculum. The Scope and Sequence appears to isolate the Spanish language instruction to a language-learning activity as distinct from using Spanish as a language to learn content area, typical of dual language programs. There is no timeline for the development of the curriculum. This was of significant concern to the review team, as the application is clear that curriculum development will not take place until the start of the school. It is also not clear how the school curriculum will integrate the various program elements of the school.

The application provided clearly defined research and data in support of the major program elements of the proposed school.

The application provided clearly articulated high school graduation requirements that meet state requirements.

The applicants' response was clear and adequately supports the proposed school's mission, curriculum, instructional program, and performance standards. The response did not provide a cohesive and comprehensive overview, critical given the multiple program strands of the school.

The applicants also provided a clear description of how instruction will be differentiated. The review team noted that the proposed school's mastery approach, if successfully implemented, could ensure student success.

The applicants provided a clear, cohesive, and comprehensive explanation of how special education students will be supported, and it appears to tie to the budget. In addition, there is a clear description

of how the school will regularly evaluate and monitor the progress and success of special education students to ensure attainment of IEP goals. The applicants also provide a clear plan for graduating students with special education needs

The applicants provided a budget for staffing identified needs and education plans for students, as well as their understanding of the special education funding formula. The proposed budget also reflects an annual increase based on increased enrollment. The applicants provided a broad, general description of Section 504 Plans, though they gave no indication of how it will work at the school.

The applicants provided a clear, if limited, description of its ELL plans. The applicants did not provide details about services that it will offer to the ELL students, as distinct from its dual-language approach. The team inferred from the application that the student population will be overwhelmingly ELL, and therefore the applicants' goal is to design differentiated instructional approaches that will support all students, native English speakers as well as English Language Learners.

The applicants provided a clear plan to regularly evaluate and monitor the progress of English language learners and provided a budget to support staff in meeting ELL needs. The plan does tie back to the budget, but the response is not comprehensive and raises some "what if" questions.

The application provided limited information about the assessments to be used at the school. The assessments are named, but there is no information about the grade levels that will be assessed with each assessment tool, the frequency of assessing, and how the proposed school plans to use the assessments to inform instruction.

The applicants provided a limited description of the corrective actions that will be taken if the school falls short of achieving student academic achievement or growth expectations or goals at the individual (remediation/at-risk student) and school-wide levels other than to provide tutors.

The applicants provided a clear plan to communicate student assessment and progress to parents, the school's Governing Body, the school's Authorizer, and the broader community.

Application Section	Points Received	Applicant School's Possible Points
ORGANIZATIONAL PLAN AND GOVERNANCE / ORGANIZATIONAL FRAMEWORK	118	155
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD Review Team found this section to be adequate (with the exception of the school facility), though incomplete in places.</p> <p>The applicants provided a description that included all key components of their governance structure, specifically outlining the roles and responsibilities of the Governing body members. They also included</p>		

a list of proposed governing body members with diverse experiences and credentials. The team noted that none have mid- or secondary education background. This credential or experience could be important as the school develops and implements its program and curriculum.

The application provided a clear plan for the annual training of GB members, and the proposed budget provides \$3,000 for GB training and \$2,000 for travel in year one, with slight annual increases. The application describes a clear plan for an annual self evaluation of the governing body, though it does not indicate how self evaluation results will be used to ensure continuous improvement.

The applicants' descriptions of how the Governing Body will monitor outcomes adequately demonstrate its understanding, but more meaningful detail is needed to determine whether the governing body is able to manage and sustain a quality school. This is question is echoed in the Capacity Interview.

The applicants provided a clear description of the desired leadership characteristics and qualifications. Although suggested, the description does not clearly take into account the mission of the school.

The applicants described a clear plan for how the governing body will delineate the roles and responsibilities of the school's head administrator.

The applicants provided a limited organizational chart and the narrative of the relationships are either missing or not clear. There are clear job descriptions that align with the school's mission, but the reporting lines are mostly missing. The team inferred that these positions will report to the head administrator, as per the organizational chart. The proposed staffing plan appears adequate and appears to be supported by the proposed budget (\$59,000 under the Central Services function). The team inferred that this amount will help support the staffing plan, but this is not clear as there is no reference to this figure in the budget narrative.

The applicants provided a daily schedule and assurance that it will provide 1,197 instructional hours, which exceeds the state minimum requirement. More meaningful detail is required to determine if this will ensure effective and successful implementation of the school's educational program / curriculum.

The applicants described the employer/employee relationship and provide the terms of employment for all classes of employees. The application provides broad assurance that it will meet state and federal employment obligations.

The applicants provided a handbook that mostly complies with all applicable regulations, but does not address employees representatives, salaries, benefits, Reduction in Force, etc., though these may be covered by individual tables, contracts, and policies. The application does indicate that the handbook will be regularly reviewed and updated. The provided staff discipline process ensures due process, although this is done via a statement of assurance. Also provided is a clear employee grievance process that appears to provide appropriate protections.

The applicants included a description of school structures that will provide meaningful parental, professional educator, and community involvement in the governance and operation of the school. It is not clearly stated how parental involvement will help to advance the school's mission. The budgeting and role (if any) for the proposed parental engagement center in this regard is not clear.

The Applicants describe a clear plan to receive and process concerns and complaints from the community and parents. The plan appears transparent, fair, accessible to the community, and assures a

timely and meaningful response from school administration or the governing body.

The applicants provided a clear and comprehensive set of student discipline policies that appear to comply with the Student Rights and Responsibilities as set forth in the Public Education Department rules. These include a detailed explanation of how it will take into account the rights of students with disabilities. The school provides a clear plan for addressing alternative educational settings for eligible students who are long-term suspended or expelled. The applicants did not, however, discuss alternative placements within the school for in-school suspensions.

The applicants provided a clear outreach and recruitment plan that appears to ensure equal access to the school. The recruitment plan is tied to the budget. There is a clear description of its lottery procedures, however the lottery needs to be aligned with the stated enrollment periods. More meaningful detail is needed on the wait lists.

The applicants provided a detailed conflict of interest policy; however it does not clearly reference the law. The applicants provided a clear explanation that demonstrates an adequate understanding of and capacity to how it will comply with the Open Meetings Act and most of its parts.

The applicants provided a list of statutes or state rules for which a waiver is requested, including a rationale for why the waiver is being requested. The applicants have plans to contact the PED about transportation, and the budget includes some operational funding for this. The school plans to offer food services to its students. However, only a limited description of how food services will be provided is included. The application did not include any funding in the budget.

The applicants completed and submitted the Facilities Master Plan Ed / Spec Checklist to PSFA for review and approval, and attached the approved form as Appendix "J." The letter from PSFA indicates approval of the plan.

The applicants provided evidence that it has researched potential facilities/properties and has identified a facility / property in the targeted geographic location. As is described in the Capacity Interview section of this report, there are significant questions about the suitability of the identified facility and viable contingency plans.

The school provided a limited description of the school's potential capital outlay needs. However the school did provide budget for maintenance and repair of the buildings and grounds (\$2,000 in the first year). There is nothing in the budget narrative to explain this amount and whether capital outlay needs will be addressed.

Application Section	Points Received	Applicant School's Possible Points
BUSINESS PLAN/ FINANCIAL FRAMEWORK	19	52

Evidence/Statements Supporting Score in this Section:

The CSD Review Team found this section to be inadequate and incomplete.

The applicants provided a completed 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet. The worksheet contains some errors that may raise questions about understanding of and capacity to implement New Mexico public school funding.

- The school does not appear to understand how membership projections are vital for preparing 910B5. Year 1 projections match; subsequent years projections do not match.
- The school did not follow the 15% SPED guideline.
- They did not include an ancillary FTE which should be reflected in the 910B5. However, they did budget \$22,000 contract for CES Ancillary Services.
- The school will need to obtain approval of their bilingual program in order to include this in the 910B5.
- The school appears to have used an old T&E index, because the handout provided at the charter applicants training shows Deming's October 2013 T&E as 1.086. While the index used is only fractionally less, the fiscal impact is significant because the index is used as a multiplier.
- The at-risk index is incorrect as well.

While these errors in year one do not appear to be significant, these errors in years 2 – 5 combined with the fact that the school did not use the projections provided in the application create significant differences in SEG funding.

The school provided a five-year budget that generally supports the school's five-year growth plan. However, the draft budget may raise some questions about the financial capacity or the long-term sustainability of the school.

- The school appears to lack complete understanding of the value of its membership projections for calculating SEG revenue.
- Assumptions on Teacher salaries & benefits – While the budget reflects adequate numbers, it is not clear that the applicants understand the numbers as they are not explained in the budget narrative.
- The business manager is stated as a contracted position, but this is not clear in the budget narrative, the amount of which is significant.
- The budget narrative should explain all assumptions, especially large amounts of money (e.g. the unidentified contract services for \$10,000 on page 3 of the budget.)
- The reviewers are uncertain if the \$59,000 budgeted expenditure for "contracts" in Year 1 in the Central Services Function is for the contracted Business Manager, since this wasn't explained in the budget narrative.

The school provided only a limited budget narrative, especially on the revenue side. On the expense side only some of the purposes of the budget amounts are listed.

The applicants provided an inadequate or incomplete description of budget adjustments. The school did not provide any information about special needs here. There is also no detailed information about the contingency plan if the school is under-enrolled and its plan to reduce teachers. No specific budget control strategies are detailed.

The applicants provided a limited salary schedule for some key staff, including teachers and

administrators, that complies with state requirements. The schedule itself is accurate, and the steps are accurate. The office manager is not referenced elsewhere in the application, so it is difficult to know what this position is (office manager/secretary) and therefore if the salary is appropriate. The EA salary schedule does not tie in adequately to the budget.

The applicants provided a limited description of financial policies and internal controls that comply with requirements. The policies are not fully developed. The application indicates, however, that the school intends to develop these further.

The applicants provided a limited description of the internal control procedures.

- More information or detail is needed for the Payroll section in terms of required filings to various agencies.
- More information is needed regarding purchasing and encumbrances that align to the state procurement code.

More detail is needed in Accounts Payable with regards to appropriate segregation of duties (e.g., signing authority, if the business manager prints the check, who signs them).

The applicants generally identified the appropriate staff to perform financial tasks. However, it is not clear whether some of these staff mentioned tie back to the budget, as they are not in the budget narrative.

The applicants provided a limited description of how the governing body will provide legal and fiscal oversight, significantly through its state-required audit and finance committees. The applicants did not indicate, for example, how the governing body would respond to audit findings. Some of these concerns, however, were addressed during the Capacity Interview.

The applicants provided a general description of long-range goals and strategies that will help build the school's capacity. The description demonstrates that the school has a limited understanding of long-range planning and school sustainability. Important considerations include building a capable governance structure, trained teaching force prepared to deliver the demanding proposed program, plans for building and sustaining community relationships, and expanding the sources of revenue beyond SEG. Sustainability is an explicit part of the school's mission statement.

Application Section	Points Received	Applicant School's Possible Points
EVIDENCE OF SUPPORT	14	24

Evidence/Statements Supporting Score in this Section:

The CSD Review Team found this section to be inadequate and incomplete.

Although the applicants have clear, deep and meaningful ties to the community as well as established networking relationships, they provided limited measurable evidence of support for the school among residents in the targeted community. The review team noted that the numbers provided do not suggest an adequate enrollment for year 1 projections.

The applicants provide clear evidence of an outreach program, but limited evidence of how that plan will be implemented and timelines for its implementation.

Application Section	Points Received	Applicant School's Possible Points
REQUIRED APPENDICES	4	4

Evidence/Statements Supporting Score in this Section:

The CSD Review Team found this section to be adequate and complete.

All of the required appendices were provided in the Columbus Community Charter School application.

Section	Points Received	Applicant School's Possible Points
CAPACITY INTERVIEW	49	60

Evidence/Statements Supporting Score in this Section:

The applicants reported that their goal, as captured by the mission statement, is to have all students graduate with a solid STEM background prepared to enter and be successful in post-secondary studies or in the workforce. The educational program and approach of the school would combine several major threads:

- STEM-focused program;
- Project-based learning;
- Small-team collaboration;
- Student construction of curriculum;
- one-way dual language;
- Development of an educational research center in adobe /rammed earth construction and green energy.

The proposed school's program and approaches are meant to address some of the many pressing concerns that persist in the community of Columbus. The one-way dual language program is meant to address this achievement gap and provide support for students with American citizenship who reside just across the border in Palomas, Mexico. The project-based learning would take advantage of the area's natural resources to construct building materials and harness natural sources for energy. This, the applicants noted, would be the basis of a school-based research center concerned with adobe and rammed-earth construction and green energy that would be run by students.

The review team noted that the charter school's intent to develop a research center did not appear in the application, hence the need for opening a line of inquiry into the purpose and funding of the center.

The applicants described several of the pressing factors that they see this proposed local charter school might address successfully: poor academic performance, a gap in student achievement between Anglo

and Hispanic students, relative low income and few economic opportunities, dual languages, remote location, infrastructural needs, strong community ties, and relatively long distances to travel in order to access a high school education.

The applicants demonstrated a clear and reasonable understanding of the importance of and tools used in monitoring student progress and school progress towards achieving its mission. They identified the proposed performance indicators, the state grade report, and other forms of state and school-based assessments as instruments that will provide them with indications of the school's progress towards meeting their goals. They described the process of how the teachers will monitor student achievement based upon data from short cycle assessments; administrators aggregating these data and reporting them up to the school's governing body. The applicants noted that they planned to monitor not only student academic growth, but also improvement in student engagement and motivation.

The applicants demonstrated a limited understanding of the need for clear planning for and implementation of these distinct approaches. The review team asked for more information about the proposed one-way dual language immersion approach mentioned in the application and how it would work at the school, as there appeared to be confusion about the differences between a dual language immersion program and an ELL program and how either or both would operate at the school. The applicants responded that the dual language approach – or ELL program depending upon student enrollment – is a response to the school's geographic circumstances. It was therefore a necessary part of the school program. The applicants were not able to address whether the approach would be One-Way Dual Language Immersion or an ELL program until they saw the needs of the students who actually enrolled.

The applicants' response raised some concern that the skills and experiences necessary to govern a school might not be available to support and sustain the school. However, the applicants demonstrated reasonable understanding of the importance of the governing body, both in terms of its legal accountability and its role in developing and guiding the school. The applicants acknowledged that the community is not filled with wide variety of skilled professionals, but assured the review team that Columbus did include a variety of community members who have a passion for the mission as well as experience and skills that will help advance the school. These would include parents, business people, and those committed to community-based education. These would serve on board committees, including Finance, Audit, and others that will be positioned to help support and guide the school.

The applicants demonstrated a clear understanding of the role and qualities of a school head required to support the school mission. They clearly defined the qualities that would make a leader successful in the community as well as bring success to the charter school. These qualities included first and foremost an understanding and commitment to the vision and mission of the school. Second, the leader must be able to create a positive learning environment in the school and report to the board regularly. In addition, the applicants stressed the need for the school leader to be an experienced and successful educator, a strong community supporter, able to communicate well with students, parents, teachers, and work with a governing body. At the time of the Capacity Interview no specific individual was named; however, at the PEC Community Input Hearing one experienced educator present introduced himself and suggested that he might be available to take the lead.

The applicants' response demonstrated a clear understanding of the distinct roles of governance and management. They indicated that the applicants would migrate to the governing body where they could continue to help shape the meaning of the school mission and vision, and recruit new governing

body members. They added that the governing body would provide the main support for completing the planning year activities of the school, including developing policies. The applicants explained that the governing body would hire the school head and ensure alignment with the mission and vision. They expected that the school head would become the catalyst to move the school agenda forward.

The applicants' response to the question demonstrated a clear and reasonable understanding of the role of the governing body in ensuring high student outcomes. They indicated that with continuous monitoring, as explained above, the governing body would know ahead of receiving test results how students were faring. They would expect the school head to be prepared to provide a plan of action, and as necessary bring in consultants to identify weaknesses in the school's systems and supports and recommend improvements.

The applicants' response to the question demonstrated a clear and reasonable understanding of the importance of by-laws and policies, including the roles of the school leadership (governance and management) in developing, approving, and implementing policies. The applicants provided assurance that the policies would be kept current and aligned with state and federal laws through regular review.

The applicants' response and subsequent communications about school facilities raised concerns about their understanding of the expectations of the state about suitable school buildings. During the capacity interview the applicants reported that they had selected a facility and have an MOU in place with the Village of Columbus for the use of the building. They reported further that they have an approved Master Facilities Plan/Ed Specs with the required PSFA approval letter submitted in the appendix of the written application. They noted that the facility is the former Columbus Elementary School. They explained that the village of Columbus has expressed interest in developing a local school and so has offered important lease considerations for the prospective school, including a building maintenance plan and cooperation in bringing the building up to code, if necessary.

Subsequent communications between the applicants and PSFA suggest that much work on ensuring the suitability of the identified facility and viable contingency plans have yet to be done. The PEC Community Input Hearing underscored the scope and complexity of that work, especially if the wNMCI number assigned to the identified facility requires that significant renovation be undertaken.

The applicants indicated that ACES has provided assurance that it will help them with business manager services and identify potential sources of funding, including foundations, as well as provide the services of a shared grant writer.

The applicants said that they would take proactive measures by not entering into a contract that could not be adjusted due to funding levels from SEG. They stated that they would know well before the 40th day what their enrollment numbers would look like, and begin to address enrollment as well as contractual commitments. The applicants expressed optimism in their enrollment projections due to their marketing plan work.

The applicants' response to the question demonstrated a limited understanding of the process and schedule that the school would need to follow during the planning year in order to develop the required infrastructure of the school and its programs if it is to open successfully. The applicants provided assurance that they would complete the planning year checklist and set a schedule in January 2015 for the governing body.

The applicants' answers to these questions demonstrated a limited understanding of the concerns of

the question and do not provide adequate clarification of how teacher/student development of the curriculum will work at the school and ensure high student outcomes.

The applicants did add important information that was not a part of the application itself, that the teachers would be expected to participate in national training in the techniques of collaborative curriculum development and provide a general outline of the curriculum before the start of school. In addition, the applicants stated that the administration would need to provide the overall guidance in the curriculum development.

What remained unaddressed is a timeframe for the completion of the curriculum development, or at least the critical elements necessary to complete the school year and beyond, how the various components of the school's educational program would be integrated into the curriculum development, e.g., projects, dual language, small group teaming, alignment with state standards and Common Core, etc.