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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 Sandoval Academy of Bilingual Education (SABE) applying for a state charter in Rio Rancho, New Mexico, Rio Rancho Public Schools to serve grades Kindergarten – 8 and represented by applicants, Miranda González and Brennan Divett. 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.
4. Provide a detailed scope and sequence for all grade levels and subject matter offered in the first year that align with the charter application.
5. Provide a detailed curriculum for all grade levels and subject matter offered in the first 60 days of instruction aligned with the charter application.

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
<b>Application</b>		
• Education Plan/Academic Framework	82	92
• Organizational Plan and Governance/Organizational Framework	140	163
• Business Plan/ Financial Framework	45	52
• Evidence of Support	24	24
• Required Appendices	4	4
<b>Capacity Interview</b>		
	54	60
<b>Overall Score</b>	<b>349</b>	<b>395</b>

## IV. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
EDUCATION PLAN/ACADEMIC FRAMEWORK	82	92

### Evidence/Statements Supporting Score in this Section:

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

The mission statement provides a clear, precise, and ambitious picture of what the school hopes to achieve for its students. The statement is sufficiently focused to realize a clear and coherent picture of the proposed school's educational model and the students who will be served.

The 2 student performance goals provided align with the school mission by measuring student academic growth in reading in both Spanish and English. The team expressed concern that other elements of the school's mission are not being measured, such as student growth in mathematics and students acquiring an expanded worldview (an implied bi-literacy). This was posed to the applicants during the Capacity Interview, and the applicants' response included recognition for the need of additional performance goals, though only two were provided, as this is what the application requested. The applicants assured the review team that they would work to define and establish additional meaningful performance goals to measure all elements of the school's mission.

The application provided a clear and comprehensive description of the proposed immersion program, including the percentage of class time devoted to Spanish and to English from grade K through grade 8. The application explains that the curriculum will be developed once teachers have been identified. The mission, the applicants state, calls for a culturally relevant curriculum, so the curriculum cannot be "purchased" as such. Research is cited in support of a bilingual education, and the standards and values against which the curriculum will be developed are enumerated. A clear timeline for the development of the curriculum is provided that includes who will be responsible for what activity.

The applicants provided a list of instructional strategies that support the school's two-way immersion program, along with a rationale for each strategy. Strategies for differentiated instruction provided very broadly drawn suggestions, raising some questions with the review team about the applicants' understanding and capacity to identify and implement a broad array of differentiated instructional approaches.

The applicants provide assurance that the school will comply with special populations requirements, but do not provide meaningful detail as to how it will work at the proposed school. The review team recognized enough detail in the applicants' responses to be assured that the school understands the requirements and therefore its obligations. The application explains that English Language Learner needs will be accommodated and supported through the school's dual-language immersion program (advisement in native language, Spanish-language assessment, etc.), supplemented with English language tutoring. The applicants provide enough detail to deem this section adequate and complete.

The application is clear and comprehensive in its description about assessments and how it will use resulting data to drive instruction. The assessments, including PARCC, DRA, and EDL, are aligned with

the school’s chosen academic program and support its mission.

Finally, The school provides a clear 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. The school also identified appropriate corrective action triggers, and the responsible persons.

Application Section	Points Received	Applicant School’s Possible Points
<b>ORGANIZATIONAL PLAN AND GOVERNANCE / ORGANIZATIONAL FRAMEWORK</b>	<b>140</b>	<b>163</b>

**Evidence/Statements Supporting Score in this Section:**

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

The all key components of governance structure is included, though some of the draft by-law provisions require clarification or further consideration, such as the following:

1. Determination of quorum with a variable membership;
2. Clarity of “ratifying” members;
3. Board Secretary as custodian of school records;
4. Clarity of how chairs are determined (election or appointment);
5. By-laws explicitly requires governing body training solely with the New Mexico Coalition of Charter Schools, which may become too restrictive if PED allows additional training options.

The applicants provided a compelling and relevant list of all proposed governing body members and described their experience, skills, and qualifications. There is a clear and appropriate process or plan described for selecting new governing body members that is focused on selecting leaders who have the enumerated skills required to govern the school. In addition, the application provides a clear governance training plan that is supported by the budget (\$2,500 for year 1). The application also provides a plan for the governing body’s annual self-evaluation of its own effectiveness.

The application adequately demonstrated the applicants’ understanding of governance responsibilities, and this was clearly confirmed during the Capacity Interview.

The description of the qualities of a head administrator was a clear and comprehensive, and included leadership characteristics and qualifications, and takes into account the mission of the school. The application also describes a clear plan for how the governing body will convey and delineate the roles and responsibilities of the school’s head administrator, though this is broadly drawn.

The school provides a clear, comprehensive, and reasonable organizational chart accompanied by a narrative that aligns structures with the mission of the school. Job descriptions for most of the key staff are included, except that of the school counselor. Again, the school’s staffing plan appears to be aligned with the budget.

The school provided assurance that it would meet the state's required instructional hours, though the assurance did not provide details regarding how the calendar supports mission of the school and the target student population.

The application includes a plan for Professional Development that meets state requirements, supports the implementation of the school's educational plan, mission and performance goals. The plan appears to be supported by the budget, which lists \$500 per teacher for a total of \$3,500.

The application describes the employer/employee relationship and provides the terms of employment for all classes of employees. The school provides assurance that it will recognize teachers' representatives. There is a clear set of personnel policies and procedures, though they are not comprehensive. The personnel policies include a staff discipline process that is clear, comprehensive, and cohesive and aligned with stated employer/employee relationship, and appears to follow an appropriate route to ensure due process. The application also provides a clear employee grievance process that is again aligned with the stated employer/employee relationship, and includes provisions for appropriate protections and appeals, and time frames that follow legal guidelines. The team noted that these might be incorporated into staff or employee handbook.

Meaningful parental involvement in the school, whether in governance, operations, or an advisory capacity, is described in the application. The section could have been bolstered by a description of how parental involvement will help to advance the school's mission. A clear plan for receiving and processing complaints from the community and parents appears to be transparent, fair, and accessible, and assures a timely and meaningful response from school administration or the governing body.

Student Rights and Responsibilities are described in the proposed school's Student Discipline Policies. This set of policies includes a fairly clear alternative placement plan that could use more meaningful detail. The plan does not appear to provide for in-school interventions.

The application provides a complete description of the proposed school's lottery procedures that appear to comply with state statutes, and support equal access to the school.

The school provides a current, clear, comprehensive, and cohesive Conflict of Interest Policy that demonstrates an understanding of, and capacity to meet the requirements of the law. The school provides a sample disclosure statement of any real or potential conflict of interest.

The applicants provided assurance that the school will comply with the state's Open Meetings Act. The team noted the absence of some meaningful elements of the Open Meetings Act.

The school provided a list of statutes or state rules for which a waiver is being requested, including a rationale for why the waiver is being requested.

The application indicated that the school plans to offer transportation to its students. The application, however, provided only a limited description of how student transportation needs will be met is provided. The budget did not include any funding for any of the 5 years. The review team expected to see a note about transportation in the budget narrative. The narrative indicated only that the school will apply for funding. The school has no plans for providing food services.

The applicants have a PSFA-approved Facilities Master Plan/ Ed Spec. The applicants also provided



evidence that they has researched potential facilities/properties and made significant efforts to identify an appropriate, viable facility/ property in the targeted geographic location. This was reinforced during the Capacity Interview.

The application provided a description of the school’s potential capital outlay needs, including potential requests for capital outlay assistance that are reasonable and sufficient to support the school program. The maintenance and repair estimates are not found in the budget. The school lease is estimated at \$183,600; year 1 of the budget includes \$104,000 for lease. The difference is \$79,600, assumed to be covered by the lease assistance program at approx. \$663/student, based on the projected membership of 120.

Application Section	Points Received	Applicant School’s Possible Points
<b>BUSINESS PLAN/ FINANCIAL FRAMEWORK</b>	45	52

**Evidence/Statements Supporting Score in this Section:**

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

The application included a completed 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet using appropriate values and computations for each year of the 5-year budget plan. The worksheet may contain some minor errors, but demonstrates an adequate understanding of, and capacity to, implement New Mexico public school funding.

The completed 910B5 demonstrated general understanding of the State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet. The applicants used correct T&E and at-risk index, and correct figures for Special Education calculations. However, in years 2 – 4, minor errors suggest that the applicants did not clearly understand in the use of basic student membership to calculate the school size adjustment units.

The application provides a five-year budget that appears overall to support the proposed school’s mission and the school’s five-year growth plan, including staffing, facilities, educational program and services. The draft budget adequately demonstrates the financial capacity and long-term sustainability of the school. The budget narrative was clear and contained some meaningful detail that explains basic assumptions, how those were determined based on reliable sources, and identifies most of the priorities that are consistent with the school’s mission, educational program, staffing and facility. The budget narrative demonstrates the school’s general understanding of the budget and of budgeting.

The application review team was only somewhat concerned that the school did not provide adequate assumptions for facility costs, such as utilities and property insurance. This can be explained, however, by the fact that the applicants have not yet identified a facility.

The applicants provided a clear and meaningful description of viable and realistic budget adjustments to be made to meet financial budget and cash-flow challenges. The applicants provided a salary schedule for all key staff, including teachers, administrators, and other salaried / hourly staff that complies with

state requirements.

The application includes a clear, comprehensive, and cohesive set of financial policies and internal controls that are sufficient and comply with requirements and financial best practices. These include the identification of appropriate staff to perform financial tasks, and the staff positions are supported in the organizational structure/chart and in the budget. Qualifications and responsibilities for those positions are clearly provided. The application also provides a clear description of how the governing body will provide proper legal and fiscal oversight, including state-required audit and finance committees, and of how these committees will operate.

Finally, the applicants provided a clear description of long-range goals and strategies, though the description was generalized. The review team would have liked to have seen more detail tied to student performance.

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

**Evidence/Statements Supporting Score in this Section:**

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

The application provided clear, comprehensive, and cohesive evidence that the applicants have developed an effective and thoughtful outreach program. Clear descriptions of outreach activities provide convincing evidence that the school has addressed a broad audience to ensure that all students have an equal opportunity to enroll. Evidence of strong community support for this program was also evidenced during the Public Education Commission's Community Input Hearing, conducted in Rio Rancho on August 20, 2014.

The ties to the community appear to be significant, with applicants and supporters firmly rooted in the community. The application also clearly demonstrates that the applicants have developed meaningful, strategic networking relationships or resource agreements with local community agencies, groups, or individuals.

Finally, the proposed membership numbers cited in this section of the application correlate to the school size information that was given on page 3 of the application.

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 SABE application.

Section	Points Received	Applicant School's Possible Points
CAPACITY INTERVIEW	54	60

**Evidence/Statements Supporting Score in this Section:**

The SABE school applicants provided a clear and complete explanation of the proposed school's mission, including identifying the various types of learners the school anticipated serving. The school's mission and approach, providing a dual-language (English/Spanish) immersion program from Kindergarten through grade 8 with a culturally relevant curriculum, is not of itself innovative, as the local school district currently offers such opportunities. The applicants made a compelling case for their proposed school by explaining that opportunities for children to participate in bilingual immersion programs are limited to a relatively small number of available places at those schools offering such programs. Further, the opportunities to continue a comprehensive dual-language education are still more constrained at the middle school level. The applicants also explained what the application meant by a culturally relevant curriculum, one that would focus on Spanish language and culture of the state, southwest region, and of Latin America.

Thus, the SABE program will provide a contextually innovative and relevant program.

The applicants explained in broad brush stroke the expected outcomes of their students, that they would become both bilingual and bi-literate or bi-cultural. To this end, they explained the meaning and value of the proposed performance indicators that would measure the school's progress towards meeting this general outcome. When pressed to describe what a bi-literate or bi-cultural performance goal might look like, the applicants recognized the challenge of measuring quantifiable growth in these areas, but stated that they plan to develop such goals and metrics.

The applicants acknowledged the challenge in identifying and recruiting an instructional and administrative staff licensed and experienced in developing and supporting the school's academic program. To support this higher expectation, the applicants pointed to their application's budget, which allocates a slightly increased salary schedule to compensate for the increased demands that would be made of specially trained and experienced teachers in such a program. The applicants stated that they have identified a prospective school head with the skills, experience, and qualities that would support the school's mission and program.

The applicants clearly and adequately described the roles of governance and school administrative leadership in developing and sustaining a successful school with high student outcomes. Both governance and school administrator have a shared responsibility, each at its own level, they explained, though the governing body is ultimately accountable for student achievement as well as the school's

financial performance.

They spoke about plans to identify, recruit, and train governing council members to ensure sustained governance. The applicants clarified a minor discrepancy in the application, “appointed” governance members and “elected” members. Affirming that all governance members must stand for election, the applicants explained that “appointed” really denotes “recommended” for membership.

When asked about the application’s insistence on a high degree of voluntary activities to help develop the school’s curriculum, secure facilities, acquire resources, etc., during the school’s planning year, the applicants said that the proposed school enjoyed significant community support and numerous volunteers have already signaled interest in providing support. Further, in the absence of federal or state start-up funding, school developers must rely to a large extent on voluntary support.

The applicants’ response described an existing body of volunteers, all of whom share a commitment to the mission of the school. These, they said, will have assigned responsibilities and timelines: applicants looking for and securing a facility, business manager ensuring that the planning year checklist tasks are accomplished, head administrator and teachers developing curriculum, and governing body members and others organizing student recruitment and lottery. The applicants stressed that volunteers have already been identified and been apprised of the work and division responsibilities.

The school applicants appear to have already made strides in laying the groundwork for the identification of an appropriate facility. The description of their work with local realtors, experienced in working with charter schools, reveal considered progress. They report that they have already contacted the local school district about existing and available school facilities, though they have been told that none exists. Their realtor continues to search for appropriate facilities. When asked how they might proceed if they are unable to secure a facility, the applicants’ response suggests that they will continue to do what they have been doing. While the response seems obvious, it does not consider distinct alternatives.

The applicants plan to contract business manager services through the Vigil Group. Speaking for the applicants, Michael Vigil spoke about structuring school finances conservatively enough to ensure a sustainable web of multiple safety nets. These include considerable volunteer assistance (head of school and prospective teachers and others during the planning year), continuing to secure in-kind donations (such as those described in the application), establishing a foundation to solicit grants, and working with the New Mexico Charitable Foundation to identify likely sources of funding.

In providing an example of structured financial safety nets, Mr. Vigil spoke about how the school might safely insulate itself from the vagaries of student enrollment numbers. He explained that the school would know where it stood in terms of student enrollment long before the 40<sup>th</sup> day and would have already begun to make efforts to address both the enrollment and the budget. He said that he would encourage the school to take seriously the importance of accurate enrollment projections and monitoring the enrollment on a weekly basis. Mr. Vigil added that he would have set aside funds to address any adjustments that might need to be made.