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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
Governor

September 8, 2014

Dear Public Education Commissioners:

Enclosed is the 2014 Charter School Application Final Analysis and Recommendation for Sh-eh Wheef Shu-noon applying for a state charter in Isleta Pueblo, Albuquerque, Los Lunas Public Schools to serve grades 7th 8th and 9th and represented by founders: Charlene Lucero, Joseph Lucero, and Denise Zuni. The staff at the Charter Schools Division (CSD) along with a team of independent reviewers gave full consideration to the information gathered in this process.

The CSD has provided evidence and rationale gathered in the team analyses and interviews in this evaluation to fully 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
C. Application		
• Education Plan/Academic Framework	73	104
• Organizational Plan and Governance/Organizational Framework	85	152
• Business Plan/ Financial Framework	19	52
• Evidence of Support	24	24
• Required Appendices	4	4
D. Capacity Interview		
	45	60
Overall Score	250	396

IV. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
EDUCATION PLAN/ACADEMIC FRAMEWORK	73	104

Evidence/Statements Supporting Score in this Section:

The CSD review team deemed the Education Plan/Academic Framework section to be incomplete or inadequate.

The mission statement identifies the uniqueness and innovation of the school but does not address “how” the school will accomplish the mission. The “how” accounts for a significant part of the assessment criteria.

The applicant’s academic goals are clearly stated, related directly to the mission of the school. Metrics are provided for each goal for assessing student progress toward achievement of the goals which fulfills the criteria. While there is a clear and reasonable rationale provided for the goals they are lacking the specificity called for in the application. For instance, the applicant does not indicate the time-bound element of the SMART format.

The applicant provides a plan for the first six weeks of school but does not provide a specific plan to align the instructional program with the NM content standards. It is indicated that the curriculum will be developed prior to the first week of school by the instructional staff with guidance from the Head of School but how that effort will be supported monetarily is not addressed. A scope and sequence for aligning the school’s mission with the curricular program was not provided. The application addresses and meets the NM graduation requirements.

The application provides a long list of strategies and methodologies to be utilized but does not address how they will support and align with the curriculum, instructional program and performance standards. Without this explanation,, it is difficult for the review team to determine the efficacy of the proposal as relates to implementation. Student needs are addressed by identifying differentiation strategies including cooperative learning, formative assessments, and tools to help students organize and visualize learning. How these strategies will be implemented based on the identification of individual student needs is not included in the application.

The section on special populations is thorough and fully addresses how the school will provide services and support to students with IEP’s. Budgets are sufficient for the identified supports and ancillary services needed. Graduation plans for students with IEP’s are clear and

comprehensive. This section reflects a thorough understanding of how students must be monitored and accommodated through provision of a continuum of services in order to ensure attainment of stated goals. A clear description of how the school will address and monitor the progress and the needs of students with 504 plans is provided.

The applicant understanding of the testing, evaluation and monitoring requirements of ELL students is partially addressed. Some problematic areas in this section of the application include the following: the omission of TESOL endorsed teachers which is required by statute; the potential for over-identification of ELL students as SPED; alignment of budget with separate needs of the ELL program; and not identifying ELL students by the 20th day of school as required by law. The application did not mention use of ACCESS in the identification of ELL students. The application shows a thorough understanding of the strategies of differentiated and sheltered instruction.

The application clearly addresses the use of data to assess student progress but does not provide a cohesive and comprehensive plan. The specific assessments used to measure student progress are provided and use of student data notebooks and data walls is mentioned. Lacking are the grade levels and specific timelines for the assessments and evidence of how the data will be utilized to inform instruction. Corrective actions are addressed in the application including tutorials for students, assistance to parents and assistive technology. Classroom interventions are addressed as well as holding the head of school accountable for results. Specificity regarding what will trigger the various options and timelines for corrective actions are not provided. Specific assessments of effectiveness are not provided. A comprehensive and cohesive plan for keeping stakeholders and the authorizer informed of student and school progress is provided.

Application Section	Points Received	Applicant School's Possible Points
ORGANIZATIONAL PLAN AND GOVERNANCE / ORGANIZATIONAL FRAMEWORK	85	152

Evidence/Statements Supporting Score in this Section:

The CSD review team deemed the Organizational Plan and Governance/Organizational Framework incomplete or inadequate.

The applicant has provided an initial GC membership with diverse and relevant experience needed for school start up. There was no specific plan provided for identifying and acquiring

new members for the GC. Training regarding finance and audit for GC members was not addressed. GC assured it would evaluate itself but no specific plan or process was proposed. The application raised concerns about the understanding of the relationship and lines of authority between the GC and the head of school. One section of the application mentioned that the GC would screen all applicants which should be the responsibility of the head of school. Another section mentions that complaints would go directly to the GC or to the parent organization for consideration.

A specific plan for the evaluation of the head of school is incomplete and the position description is somewhat confusing and seemingly contradictory. The terms "head of school" and "principal" are used interchangeably and several of the responsibilities given to this position are also delegated to the GC in another section of the application. Structurally, there seem to be too many entities reporting directly to the GC. This could create conflicts of interest and crossed lines of communication for the head of school, staff and community at large.

The various personnel the school will require are identified in the application but only two position descriptions could be found in the appendices. CSD staff could not identify the necessary information in the school staffing plan provided in the application to determine adequacy. The information provided could not be tied into the budget and a line item for a licensed business manager was not found.

The school calendar and school schedule provided complies with all state requirements and is designed to ensure successful implementation of the academic program. Extended learning time is built in to assist students who may need remedial work or more one-to-one learning. The professional development in the application addressed teacher evaluation through TeachScape but does TeachScape does not prescribe training. There is no budget set aside for professional development. The conditions of employment set forth in the application appear to have the GC playing a role in the hiring and possibly the evaluation of staff. The same issue arises in the policies section of the application as well.

Student discipline policies comply with statute and rules set forth by the state. There is a detailed and cohesive plan to deal with the rights of special populations. Alternative educational settings are thoroughly addressed. The lottery process has a specific timeline but does not delineate the process itself.

The application provided a complete and comprehensive description of its facility needs and has submitted the Master Facilities Plan, Ed/Spec checklist to PSFA. The applicant has provided evidence of a comprehensive search of 5 potential facilities, including existing facilities in the Pueblo and the possibility of temporary facilities being brought in. The capital outlay budget projections are thorough and provide a reasonable projection for building, maintenance and repairs including Furniture, Fixtures & Equipment.

Application Section	Points Received	Applicant School's Possible Points
BUSINESS PLAN/ FINANCIAL FRAMEWORK	19	52
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD review team deemed the Business Plan/Financial Framework incomplete or inadequate.</p> <p>The CSD review team identified several issues of concern in the business plan and financial framework: Size adjustments were not included in the budget projections after the 1st year of operations and T&E projections were not included. The mention of a sizable donation from the Pueblo was not supported by documentation from the tribal government. The proposed salary schedule does not reflect Level 2 or Level 3 staffing and does not tie into the budget. There is no provision in the budget specifically set aside for a business manager. The Medicare projection is off by one decimal point which will significantly impact the budget. Cost of Living Adjustments are not accounted for in the projections. The budget narrative seems to be missing from the application.</p> <p>The budget adjustments section mentions a 10% reserve but it could not be found in the actual budget. The description of how the school would handle a significant shortfall in projected enrollment only addressed that the budget would be reviewed within 2 weeks of the start of school and student recruitment efforts would be increased. No mention was made of the impact of staffing on the budget and the need for conservative hiring prior to school opening.</p> <p>The projected salary schedule does not include provisions for Level 2 or Level 3 staff. The information provided is incomplete regarding projections for all needed staff. The proposed fiscal year is not in compliance with statute because it uses Jan. 1 until Dec. 30, rather than the required school model of July 1 through June 30. There is mention of purchasing business insurance and no mention of the use of an electronic disbursement system as required by state statute. The plan does not seem to indicate a complete understanding of how fiscal oversight works in an educational setting. Overall, CSD found the Business/Finance section to have several major deficiencies.</p>		

Application Section	Points Received	Applicant School's Possible Points
EVIDENCE OF SUPPORT	24	24
<p>Evidence/Statements Supporting Score in this Section:</p> <p>The CSD review team found the Evidence of Support section adequate and complete.</p>		

The application provided strong evidence of support regarding outreach activities and community support. Evidence is provided of students from the Pueblo enrolled in other schools and the number of potential students who might enroll in the proposed charter is provided. Evidence is provided of many community relationships which have been formed with groups and individuals within the Pueblo. The uniqueness and innovation of the school is well established as documented by the efforts to preserve the culture and language of the Pueblo. Letters of support were attached with the application.

Application Section	Points Received	Applicant School's Possible Points
REQUIRED APPENDICES	4	4
Evidence/Statements Supporting Score in this Section:		
The required appendices were uploaded with the application.		

Section	Points Received	Applicant School's Possible Points
CAPACITY INTERVIEW	45	60
Evidence/Statements Supporting Score in this Section:		
<p>The applicants clearly articulated the need for a charter school of the type proposed. They indicated that discussions have been continuing for many years now. The importance of rigorous academics was highlighted along with how academics would potentially be tied in with the mission of the school. The applicants had thoroughly read the CSD comments on the preliminary application and came to the capacity interview prepared to address deficiencies in their application. The review team determined there were still gaps in the applicant's knowledge of boundaries that should not be crossed in the relationship between the GC and head of school.</p> <p>The applicants indicated there is a Tewa language assessment available as well as a certification process for indigenous teachers. The applicants have a limited understanding of the role short cycle assessments play in the education process and how they can be used to measure student incremental progress during the year to preclude end of year disappointments regarding student achievement.</p> <p>The applicants have a thorough understanding of the process of obtaining appropriate facilities</p>		

and the importance of e-occupancy. In response to the question of how they will open the school without federal start-up funds, they indicated that the Pueblo government had committed a sum of money to the start-up and that there was precedent for that type of monetary commitment from the Pueblo for other projects.

When asked how the school would respond to a 50% shortfall in projected enrollment, the applicants indicated they would seek out other sources of money and double down on recruitment efforts. No mention was made of the importance of conservative hiring prior to the opening of school and that staffing is the largest percentage of the budget. The applicants demonstrated a complete understanding of the planning year process and the steps to be taken regarding training. They indicated they were aware of the shortcomings of the proposed budget and assured the team they would make any and all needed adjustments.

The applicants have a clear understanding of what the school day will look like from a student point-of-view.