

2010 CHARTER SCHOOL APPLICATION PRELIMINARY ANALYSIS

School Name: Aspen Grove Academy
Total Projected Enrollment: 260

Proposed Grades: K-12
Review Date: 8/10/2010

I. TABLE OF CONTENTS – Not to be analyzed

II. APPLICATION COVER SHEET/NOTICE OF INTENT/ ABSTRACT – Not to be analyzed

III. STATEMENTS OF ASSURANCES/ASSURANCE THAT ALL GOVERNING BODY MEMBERS HAVE READ THE COMPLETED APPLICATION – Not to be analyzed

IV. CHARTER SCHOOL MISSION AND STATEMENT OF NEED

The Charter School Mission Statement should communicate the essence of the school to stakeholders and to the public and should provide the focal point to which all other sections of the school's plans align. In addition, the proposed charter school and its mission must be in the best interest of the students and community that it proposes to serve.

A Charter School Mission and Statement of Need section will be complete if it has addressed the following components:

- A **Mission Statement** that is clear and compelling and includes the following components:
 - Who the school seeks to serve;
 - What the school seeks to accomplish;
 - What methods the school will use.
- An explanation of **how the school will know if it is achieving its mission** that includes school level or organizational goals that are:
 - Measurable;
 - Directly support the Mission Statement;
 - Stated using the SMART Goal format.

(NOTE: Specific measurable student performance expectations [student goals] should be addressed in section IV, Educational Plan.)
- An **explanation of need** that describes how the proposed charter school is in the best interest of the students and community that it proposes to serve. This will include a demographic description of the student and community population within which the school will be located.

ANALYSIS: CHARTER SCHOOL MISSION AND STATEMENT OF NEED

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <p><u>Mission Statement</u></p> <p>The stated mission is solely focused on establishment of a school environment emphasizing immersion in democracy, transformational leadership, and mentoring. No student academic results of those practices are identified.</p> | <p>P. 35</p> |
| <p><u>Achievement of Mission/Goals</u></p> <p>The stated goals reflect the school mission, but are measured solely by presence, attendance, and participation by staff, students, parents and community members with no other measurement of “engagement” or any result mentioned in the mission statement. The goals reflect attendance but not achievement.</p> | <p>p. 36-38</p> |
| <p><u>Explanation of Need</u></p> <p>The Explanation of Need asserts that a “lack of engagement” is the cause of poor academic proficiency, low graduation rates, and other problems among Albuquerque students. However, the application does not attempt to define or describe “lack of engagement” or any means by which those students might be identified. Further, no data is provided to establish that a “lack of engagement” is correlated with the various problems mentioned or that the proposed programmatic elements will alleviate these conditions. Thus, the argument is more an assumption based on a philosophical position than a solution based on a clear cause-and-effect relationship.</p> | <p>p. 48-53</p> |
| <p>The application asserts that “many parents of preschool-age children in the greater Albuquerque area seek a less coercive educational model than is currently provided in any current local school” but does not provide any survey or other data on parent opinions to support the claim.</p> | <p>p. 51-52</p> |
| <p>The application attempted to bolster the value of the democratic school notion through numerous professional references, but those consisted mainly of positive opinions and conclusions rather than actual student growth data or any information on the successful implementation of the referenced programs that would support a case for replication. There is no quantitative data from previous applications of the methodologies to indicate potential success, nor are there consistent anecdotal reports to establish the instructional viability of these innovative methods.</p> | <p>p. 48-53</p> |
| <p>The required student demographic data was not provided.</p> | |

In place of actual supporting data for information provided in many points throughout the application, the applicants have inserted the phrase “please see” and referenced various external sources of information such as specific websites and books. This does not provide the data, or research-based information that is requested in various sections of the application.

CHARTER SCHOOL MISSION AND STATEMENT OF NEED SUMMARY

Please summarize your analysis of the Mission and Statement of Need section of the school’s application. Your summary should reflect your overall impression of the section as presented and discuss the most significant weaknesses of the section.

Summary Analysis

The application suggests a relationship between student engagement and school success, but does not provide adequate data to establish either the relationship between those factors or that the proposed program elements – immersion democracy, mentoring, and the museum forum - have been successful in improving student outcomes. The various references cited in the statement of need are opinions and conclusions of selected authors but without any measured student progress data attributable to application of the three methods proposed. The application failed to provide reliable research to support their educational assumptions.

Achievement of the mission appears to rely solely on attendance records for various activities without any reference to accomplishment of the goals set forth in the mission statement.

The required student demographic data to support the Explanation of Need was not provided.

Although the concept of a “democratic” school is intriguing, this and subsequent sections lack sufficient information as to the parameters for student opinion, choice, and advocacy. The examples occasionally provided do not present a clear vision or a systematic application of “immersion democracy” in a public school setting. The mentoring program is commendable as an essential element in the school program, and the value of such relationships for students is well established. The essential nature of the museum forum program however, which is the third basic component of the school design, was not adequately established as a critical element for student growth within the school methodology.

V. EDUCATIONAL PLAN

The educational plan should describe who the school expects to serve; what the students will achieve; how they will achieve it; and how the school will evaluate performance. It should provide a clear picture of what a student who attends the school will experience in terms of educational climate, structure, materials, schedule, assessment and outcomes.

A. CURRICULUM FRAMEWORK

The New Mexico Content Standards, Benchmarks and Performance Standards provide the content requirements and expectations for students in all public schools. The description of the curriculum should provide a sense not only of what the school will teach but also of how and why. (*NOTE: Refer to the Glossary of Terms Used in the Application, last two pages of this document, to assist in the analysis of this section.*)

A description of the Curriculum Framework will be complete if it has addressed the following components:

1. Philosophy and Approach to Instruction:

- A description of the educational philosophy and curricular approach of the proposed school.
- A description of why the particular educational philosophy and/or approach were selected.
- Documentation, research, and/or a rationale that supports the educational philosophy and curricular approach.
- An explanation of why the educational philosophy and/or approach is/are likely to result in improved educational performance of students.
- A description of how the educational philosophy and/or approach aligns with the school's mission and student needs.

2. Description of the Curriculum

- **If the curriculum has already been selected/developed:** A detailed description of the curriculum that includes a scope and sequence.
- **If the curriculum has yet to be developed:** A description of the proposed curriculum and a specific plan for its development that will include a scope and sequence. The development plan should include a description of the process, a timeline, and resources (including staffing) to be utilized.

3. Alignment with NM Standards

- A copy of the alignment document if it was completed, **OR**
- If the alignment has not been completed, a description of the process and a specific timeline to be used for aligning the curriculum with the New Mexico Standards.

4. Strategies and Methods:

- A description of the strategies and methods to be used in delivering the curriculum.

- An explanation of how the curriculum will address students’ needs and assist students in reaching the NM Standards. (*NOTE: Students with special needs, including students who require bilingual education, special education or are limited English proficient, should be addressed in Subsection D: Special Populations*)
- A descriptive example of the curricular strategies and methods in action in the classroom.
- A description of professional development that may be necessary for implementation of the strategies and methods to be used in delivering the curriculum.

ANALYSIS: EDUCATIONAL PHILOSOPHY AND APPROACH TO INSTRUCTION

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <p><u>Philosophy and Approach to Instruction</u></p> <p>The information entitled “Introduction to Aspen Grove Academy” appears to present much of the school’s philosophy and approach, and therefore is also referenced in this section of the analysis.</p> <p>It is stated that “the processes of democracy are embedded in every aspect of the school’s structure, in its classes, committees, and advisory as well as decision-making bodies.” However, the curriculum does not describe such processes in the instructional plan.</p> <p>The statement that “Students may make confidential recommendations to the principal teacher about teacher candidates, who will be required to give a sample lesson to students as part of their hiring process” raises a concern as to how these student recommendations will actually be used in the selection process and whether a legal issue could arise if student recommendations are used as a basis for qualification or selection.</p> <p>Although there is much discussion regarding student choice, this section lacks meaningful detail as to how the philosophy and approach to instruction will result in improved educational student performance and how it will address student needs.</p> <p>There is no explanation of the diagram titled “Aspen Grove Academy Model for Instruction” that would relate the diagram to the subsequent text or the school program.</p> <p>The application refers to assessments that “track a student’s growth without unnecessary comparison” but does not indicate what comparisons are being made or what comparisons are considered to be unnecessary. Consequently, it is not known if student growth is compared to state standards or to some other measure.</p> <p>The application states that the museum supports the constructivist</p> | <p>p. 39-47</p> <p>p. 39</p> <p>p. 46</p> <p>p. 54-62</p> <p>p. 55</p> <p>p. 58</p> <p>p. 60</p> |

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| <p>model by “providing real-world, case-based learning environments, rather than pre-determined instructional sequences and enabling context-and content dependent knowledge construction.” There is no information to show that the museum program “supports the constructivist model” given in previous references other than the assertion given here. No information or argument is given to show that “pre-determined instructional sequences and enabling context-and content dependent knowledge construction” are necessarily detrimental to a student’s learning or achievement.</p> | |
| <p>The purpose and goals of the “museum forum” are not adequately explained or linked to student achievement. A strong relationship between the museum forum and the other elements of the school program is not demonstrated.</p> | p. 59-60 |
| <p><u>Description of the Curriculum</u></p> | |
| <p>The description of the curriculum committee process does not explain how the time and effort required by this process provides a greater benefit to students as compared to the savings in effort and funds if a curriculum was set by experts without this process. The review process information refers only to “how it serves the needs of the student population” without specification of those needs and there is no mention of academic considerations in this review process. It was not demonstrated how the collaborative, student-selected approach described here will meet state standards.</p> | p. 63-64 |
| <p>The curriculum development plan that indicates “Our curricula will be developed and approved in much the style of a college course catalog,” lacks significant detail that explains how this approach would meet the needs of an elementary curriculum that is not divided into specific courses.</p> | p. 63 |
| <p>The application introduces the notion of “structured, collaborative, or self-directed learning” without previous explanation of their differences or how these types of learning fit into the curricular structure. It is not demonstrated that the collaborative, student-selected approach will meet state standards.</p> | p. 65 |
| <p>The application states “At the curriculum level, teachers and students will be expected to assess the effectiveness of a given course, to determine whether or how often it should be offered again.” No criteria to evaluate “effectiveness” are provided.</p> | p. 66 |
| <p>It is not stated if the evaluation of a course will be based on individual student success and response or group success and response; i.e., will there be any consideration given to the types of students who did well, versus those that did not?</p> | p. 66 |
| <p>The curriculum development component described in the application</p> | |

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| <p>lacks significant detail regarding the timeline and structure that such development will occur. Although time is set aside for periodic review, the application does not elaborate on how this time will be utilized, or how the ultimate decisions will be made with regard to curriculum development and revision.</p> | <p>Pp. 66-68</p> |
| <p>Overall, there is not a clear connection articulated between how the school will provide an instructional program that meets state standards and how it will adhere to its student-centered curricular process. That is, how much weight will student interest be given when determining the content of a specific course?</p> | <p>Pp. 66-68</p> |
| <p>The statement, “Besides the Curriculum Committee meeting time, which will be built into the school day as needed, teachers will have one week on campus without students preceding every nine-week quarter,” raises concerns as to the applicant understanding that adding four additional weeks to teacher contracts will result in substantial increases in teacher salary due to increased contract days.</p> | <p>p. 68</p> |
| <p><u>Alignment with NM Standards</u></p> | |
| <p>It is not shown how the design principle of “Instructional goals and objectives should be negotiated and not imposed;” will align with NM standards considering that meeting these goals and objectives is key to student academic progression.</p> | <p>P .57</p> |
| <p>The application states “In the cases where a course is delivering content to students in multiple grade levels, the proposing committee will have to show how the course curriculum is meeting state standards at all grade levels to be considered for approval and admittance to the school’s course catalog.” The information given is not adequate to explain how or why courses through the K-8 grades would have multiple grade levels or how it would be feasible to include in any single course curriculum the state standards for this wide range (or even a smaller range) of grades.</p> | <p>p. 69</p> |
| <p>The discussion provided focuses solely on the requirement for future alignment and methods of course development but do not describe the process and a specific timeline to be used for aligning the curriculum with the New Mexico Standards.</p> | <p>p. 69-70</p> |
| <p><u>Strategies and Methods</u></p> | |
| <p>The application states “students are able to request courses with teacher and/or administrator partnership as well as choose their courses and students are full partners in their learning experience. They will always participate in the review and assessment of not only their achievement but the courses themselves.” It was not possible to discern a clear or consistent pattern or policy by which student decisions are given substance in some cases, or less importance in others.</p> | <p>p. 71</p> |

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| <p>The section on Mentorship contains no process or measurable result. Relationship of the mentorship program to achievement of standards and/or application of curriculum is not explained.</p> | <p>p. 71-72</p> |
| <p>It seems that all courses are designed to lead to successful museum presentations. Throughout, there are no examples of what, exactly, is going to be exhibited. There is no evidence to show how the “museum-quality standards” will exceed state standards as claimed.</p> | <p>p. 72-73</p> |
| <p>The terms “Curriculum that reflects student interests” and “will have access” are never reconciled with the requirements of state standards and expectations of high student achievement. It is not shown how the curriculum will insure or even result in student achievement other than the preceding assumption that these forms of “engagement” are expected to result in improved student academic success.</p> | <p>p. 73</p> |
| <p>The description of the K-2 grade curriculum raises a considerable concern in the areas of student choice in the afternoon of the school day. The application states, “Students will then, with teacher guidance, be able to choose afternoon courses that focus on enrichment and remediation while giving them access to the standards in subjects such as music, art, and physical education.” It is not clear how remediation will be provided for those students who need it in grades K-2 if they do not choose it.</p> | <p>p. 73</p> |
| <p>Although it is stated that “The commitment students must make to enjoy this freedom of choice upon enrollment with the school is to always be enrolled in enough courses to complete a school day, and to meet core standards in the areas of language arts, math, science, and social studies,” no procedure for course assignment when students fail to enroll in enough courses or meet core standards is indicated.</p> | <p>p. 74</p> |
| <p>The discussion dealing with the opportunity for students to ‘access’ above-grade-level standards and additional multilevel classes does not appear to take into consideration the limited staffing plan of 13 teachers for 13 grade levels as given in that section of the application. It is not shown how there will be sufficient staff to teach the many curricular options indicated. Also, no convincing explanation is offered to show how students will have the knowledge and judgment needed to outline a curriculum plan for their school year that addresses all required grade-level state standards.</p> | <p>p. 75</p> |
| <p>It was not shown how the “mentorship program and processes of democracy that build self-esteem and encourage student voices in constructive ways” will achieve the goal of creating “a culture where multiple grade levels can be housed in the same class.” The need to create a “culture” in order to have multiple grade levels in the same class was not explained.</p> | <p>p. 75</p> |
| <p>The Independent Study option allows “Students who for whatever</p> | |

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| <p>reason choose not to participate in their class on a given day have the option to continue their coursework in an alternative, teacher-supervised setting such as the library, computer lab, writing lab, or outdoor classroom” which may eventually develop into a permanent individualized “open course.” Although a defined process for student reflection is provided, the lack of a well-defined structure to accommodate the “independent study” option (the independent study option relies on “one or more teachers and/or administrators and/or substitute teachers available during each block session to provide such supervision and guidance”) demonstrates a lack of understanding of the resources necessary to make such an option successful.</p> | <p>p. 79-81</p> |
| <p>The value of allowing students to exempt themselves from classes more or less at will in order to pursue independent studies was not well established. The practice as described casts significant doubt on the ability of those students to pursue and complete the state’s educational standards. The several assurances that selected and/or self-directed programs would adhere to state standards did not alleviate this concern as, again, there was no systematic methodology to coordinate or reconcile those types of programs with the required content of scheduled classes.</p> | <p>p. 80-81</p> |

B. EDUCATIONAL PROGRAM

The educational program should support the school’s educational plan. A description of the educational program will be complete if it has addressed the following components:

1. Length of School Day and School Year:

- The proposed length of the school day, including the number of instructional hours;
- The proposed length of the school year, including number of days and total number of instructional hours;
- A description of how the proposed length of the school day and school year support the Educational Plan.

2. Grade Levels, Class Size and Projected Enrollment:

- The grade levels the charter school proposes to serve;
- If a phase-in of grade levels is proposed, a plan for the phase-in by year and grade levels and a rationale for the phase-in plan;
- The total projected student enrollment (at full enrollment for the school).
- Projected class size.

3. Graduation Requirements (if applicable):

- The school’s proposed credits and requirements for graduation.

- A description of how any proposed requirements that differ from the New Mexico Graduation Requirements [22-13-1.1.] support the school’s educational plan.

ANALYSIS: EDUCATIONAL PROGRAM

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <p><u>Length of School Day and School Year</u></p> <p>It is stated that Intersession funding may include parent fees and some programs may count towards graduation requirements. Fees may not be charged for any course that is required for graduation.</p> <p><u>Grade Levels, Class Size and Projected Enrollment</u></p> <p>Earlier in the charter application, the applicant points out that the parents of Kindergarteners can choose either half day or full day Kindergarten. If this is the case, the capacity of the school will have an additional 20 students in order for there to be two Kindergarten classrooms, one full day classroom and one classroom that has two half day classes. Otherwise, the single Kindergarten classroom will be impossible to fill based on some students coming in to the class on a half time basis and others coming in on a full time basis.</p> <p><u>Graduation Requirements (if applicable)</u></p> <p>The eleventh and twelfth grades projects are included with “Alternative Pathways to Graduation” but it is also stated that these projects are required of all students. Consequently, it is not known why these are referred to as “Alternative Pathways.”</p> | <p>p. 92</p> <p>p. 94</p> <p>p. 94-95</p> |

C. STUDENT PERFORMANCE EXPECTATIONS

Student academic performance is central to a school’s existence. Student performance expectations must be aligned with the mission and the educational plan.

The Student Performance Expectations subsection will be complete if it has provided the following:

- Student-centered goals that are SMART:
 - Specific;
 - Measurable;
 - Ambitious and Attainable
 - Reflective of the school’s mission;
 - Time-Specific with Target Dates
- Student-centered goals that are aligned with the school’s mission and the educational plan

ANALYSIS: STUDENT PERFORMANCE EXPECTATIONS

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <p><u>Student-centered SMART Goals</u></p> <p>Goal #1 does not indicate a baseline indicator from which student progress will be measured. If the goal is to be measured after the first year of operation (2011-2012), a baseline measure would be needed in order to determine if the increased proficiency goal has been met. The subsequent discussion on p. 96 also provides no indication as to how a baseline measure will be determined.</p> <p>The application does not explain how a minimum gain of 3 percent per year averaged across all annual tests in a content area can be considered an ambitious goal.</p> <p>The application also states that proficiency will be assessed based on “all test scores averaged together in each content area to yield an average minimum gain of 3 percent per year separately in each content area.” This methodology will allow sporadic higher and lower scores from year to year to result in a computed average of 3% growth even if student proficiency levels were actually declining over time. The stated method of measuring student performance is inadequate to accurately assess consistent academic improvement, would not provide the necessary information for determining remediation needs, and would present an inaccurate picture of student progress.</p> <p>Goal #2 does not indicate what kind of data will be used to determine a student’s placement on the scale of “Beginning, Approaching, Meets, Exceeds” or the measurable definitions of the steps.</p> <p><u>Alignment</u></p> <p>The required information on the alignment of student performance goals with the school mission and educational plan was not provided.</p> | <p>p. 96; p. 99</p> <p>p. 96</p> <p>p. 96</p> <p>p. 96</p> |

D. PLAN FOR EVALUATING STUDENT PERFORMANCE

A Plan for Evaluating Student Performance will be complete if it addresses the following components:

- the types of assessments that will be used to measure student progress toward achievement of the NM Standards and the school’s student performance expectations;
- the timeline for achievement of the NM Standards and/or the school’s student performance expectations;

- the procedures for taking corrective action in the event that student performance falls below the NM Standards and/or the school’s student performance expectations;
- remediation for students not achieving standards, including a timeline for implementation of the remediation plan;
- assessments that might be considered in addition to the statewide-mandated testing;
- documentation and reporting of student data to students and parents.

ANALYSIS: PLAN FOR EVALUATING STUDENT PERFORMANCE

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <p><u>Types of Assessments</u></p> <p>It is not clear as to whether the described portfolio assessment will satisfy the state requirement for a short-cycle assessment.</p> <p>In its discussion of annual baseline and goal assessment, the application states “Parents may be invited to this meeting if the student, who leads these meetings, wants to include their parents in this aspect of their assessment conversations.” There is no provision to allow parent attendance or participation if so desired by the parent and, as such, this practice may exclude the parent from important educational decisions involving his or her child.</p> <p><u>Timeline for Achievement</u></p> <p>The application states “It is our expectation that Aspen Grove students will make <u>sufficient progress toward proficiency</u> in all subject areas in the New Mexico and national standards and benchmarks in first through twelfth grades <u>throughout the first five years of our charter</u>. [Emphasis added]” This statement does not define how “sufficient progress” will be determined and therefore it must be assumed that the aforementioned “average minimum gain of 3 percent per year separately in each content area” is the school’s measure of sufficient progress. [See discussion above] The application offers no actual timeline for achievement other than a general reference to “the first five years of operation”.</p> <p>Furthermore, the statement that “This expectation has been met by the alignment with the New Mexico standards ... etc.” implies that curricular alignment is equivalent to actual achievement and that no further attention need be given to address student progress over time. However, no such curricular alignment has yet taken place according to the stated future requirement on p. 69. As such, this section is inadequate and incomplete due to the lack of any measurable expectations or timeline for student achievement.</p> <p><u>Corrective Action</u></p> <p><u>Remediation</u></p> | <p>p. 97-98</p> <p>p. 99</p> <p>p. 108</p> |

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| <p>The Remediation plan includes the option of tutoring during the afternoon elective periods but does not indicate how the student would be able to complete the elective courses, particularly in cases where the elective course is offered for credit towards graduation.</p> <p><u>Additional Assessments</u></p> <p><u>Documentation and Reporting</u></p> <p>No information on documentation and reporting was provided.</p> | <p>p. 109</p> |
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E. SPECIAL POPULATIONS

A Special Populations subsection will be complete if it has addressed the following components:

- Suggested modifications to the proposed educational program to meet individual student needs, such as bilingual, limited English proficient, and special education;
- An outline of a special education plan (*the final plan of which must be completed and submitted to the charter authorizer by the end of the planning year*) that demonstrates understanding of state and federal special education requirements including the fundamental obligation to provide a free, appropriate education to students identified with disabilities;
- How the charter school will provide access to ancillary services for these special populations, when necessary.

ANALYSIS: SPECIAL POPULATIONS

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|------------------|
| <p><u>Modifications to meet Individual Student Needs</u></p> <p><u>Special Education Plan</u></p> <p><u>Access to Ancillary Services</u></p> | |

EDUCATIONAL PLAN SUMMARY

Please summarize your analysis of the Educational Plan section of the school's application. Your summary should reflect your overall impression of the section as presented and discuss the most significant weaknesses of the section.

Summary Analysis

The educational plan proposed does not provide the necessary supporting research that would indicate that this innovative plan increases student achievement. While the ideas presented demonstrate a substantial change in the way schools are currently providing instruction, the application fails to provide an effective and well-defined system for producing student academic achievement.

The Educational Plan for Aspen Grove Academy proposes a significant shift in the basis for school program and operation by incorporating a wide range of student preferences and decisions as the foundation for instructional and curricular organization. The overriding focus on this "democratic" approach was not adequate to connect the theoretical concept with the practical aspects of school operation and raised more questions about the viability of such a system than it provided answers as there was no clear explanation regarding the extent to which student decision-making would actually affect school operation and academic instruction.

The description of the curriculum committee and the curriculum application process was inadequate to explain how this complicated method of arriving at curricular offerings would serve the academic needs of students and assure that the state's Standards With Benchmarks are achieved. Student interest, participation, negotiation, and approval seem to be the more critical factors in curriculum design. Given the limited staffing plan of 13 teachers to teach 13 grades, including "multilevel classes" and high school courses, the application did not sufficiently establish a structure within the school to provide the wide range of curriculum modifications suggested or to provide students with the critical review and personal academic assessment services that are features of the "immersion democracy" method.

The value of allowing students to exempt themselves from classes more or less at will in order to pursue independent studies was not established and, as the practice was described, casts doubt on the opportunity for those students to complete the state's educational standards. There was no systematic methodology to coordinate or reconcile independent studies with the required content of scheduled classes. Again, the limited staffing plan calls into question whether sufficient staff will be available to monitor and supervise the "independent" learners.

The "SMART" goals and Student Performance Expectations were inadequate to demonstrate a rigorous method of assessing student performance, relying on an "average" over time rather than a clear, ambitious, and attainable set of expectations for student achievement. "Sufficient progress toward proficiency in all subjects" is not adequately identified and a true timeline for achievement other than merely "throughout the first five years of our charter" was not provided.

The required sections on alignment of student performance goals with the school mission and educational plan and on documentation and reporting of student progress were missing.

Although the applicant is applying for a K-12 grade school, much, if not most, of the focus seems to be on the high school portion with many details about the elementary program left out.

In summary, the primary focus of this application is to apply a particular but inadequately substantiated conceptual approach to school operation and instruction through practices that fail to establish a climate

of high academic expectations and rigor, choosing instead to apply an ambiguous and often inconsistent set of “democratic” principles that assign greater importance to the level of student “engagement” elicited than to the level of student achievement attained.

VI. FINANCIAL PLAN

The Financial Plan should provide a description of how the school leadership intends to manage the school’s finances, including assurances that public funds will be used appropriately and in compliance with all applicable federal and state requirements and laws. It should present a clear picture of the school’s financial viability including the soundness of revenue projections; expenditure requirements; and how well the school’s budget aligns with and supports implementation of the mission and educational plan.

A. BUDGET

A Budget subsection will be complete if it has addressed the following components:

- A completed revenue projection form 910B5 (included in the application appendices).
- A proposed operating budget covering each year of the charter term based on current unit value using the **5-Year Budget Plan** (included in the application appendices).
- A detailed narrative description of the revenue and expenditure assumptions on which the operating budget is based. The budget narrative should provide sufficient information to fully understand how budgetary figures were determined. The following should be addressed:
 - major start-up expenses, including staffing and benefits; special education services; facility costs; materials and services; and contracted services; and
 - spending priorities that align with the school’s mission, educational program, management structure, professional development needs, and growth plan.
- A detailed narrative description, including the projected amounts, of all revenue sources other than SEG funding, to include any federal, state, or private funds and/or grants.
- A detailed narrative description of the expenditure assumptions for these other revenue sources.

ANALYSIS: BUDGET

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
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| <u>Revenue Projection Form 910B5</u> | |
| <u>Operating Budget</u> | |

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| <u>Revenue and Expenditure Assumptions</u> | |
| <u>Revenue Sources Other Than SEG Funds</u> | |
| <u>Expenditure Assumptions for Other Than SEG Funds</u> | |

B. FISCAL MANAGEMENT

A plan for fiscal management subsection will be complete if it has addressed the following components:

- A detailed plan indicating how the charter school will manage its fiscal responsibilities.
- A description of the school’s internal control procedures that it will utilize to safeguard assets, segregate its payroll and other check disbursement duties, provide reliable financial information, promote operational efficiency, and ensure compliance with all applicable federal statutes and regulations and state statutes and rules relative to fiscal procedures.
- A description of the manner in which the annual audit of the financial operations of the charter school is to be conducted.

ANALYSIS: FISCAL MANAGMENT

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|------------------|
| <p><u>Fiscal Management Plan</u></p> <p>The fiscal management plan provided in the application represents a lack of understanding as to how the assurances provided will be met at the school site. The plan provides statements that demonstrate an understanding of the responsibility that the school must have, however, a description of how the structure that will be necessary to appropriately safeguard public funds is missing.</p> | p. 125-127 |
| <p><u>Internal Control Procedures</u></p> <p>The description of internal control procedures is limited to the following paragraph in the application: “All checks require at least two authorized signatures; all expenditures are reviewed and approved by the principal before payment by the business manager. All bank statements are reconciled by the business manager, and submitted to the</p> | p. 127 |

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| <p>principal for review prior to submission to the Governance Council.” This brief description does not demonstrate the applicant’s understanding of how these processes will occur, nor does it provide a clear indication of how the positions identified will ensure that fiscal accountability will be maintained.</p> <p><u>Annual Audit of Financial Operations</u></p> <p>It is stated that the school will contract an independent auditor to perform an annual audit; however, the auditing firm for state –chartered school is selected by the PED.</p> | <p>p. 127</p> |
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FINANCIAL PLAN SUMMARY

Please summarize your analysis of the Financial Plan section of the school’s application. Your summary should reflect your overall impression of the section as presented and discuss the most significant weaknesses of the section.

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| <p><u>Summary Analysis</u></p> <p>Although the application provides a balanced 5-year budget that supports the educational plan for the school, the lack of detail provided for the management of this budget demonstrates a significant lack of understanding of the day-to-day processes, the internal structure, and the overall accountability of the public funds to which this school will be entrusted. The internal control procedures provided in the application are limited to assurances and vague statements about general accounting practices.</p> <p>The audit requirements section was incorrect as to the selection of auditing services.</p> |
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VII. GOVERNANCE /MANAGEMENT PLAN

The Governance/Management Plan should provide an understanding of how the school will be governed and managed. It should present a clear picture of the school’s governance and management practices, what roles and responsibilities various groups and individuals will have, and how those groups will relate to one another. The Plan should outline how decisions are made at the school site, and provide a convincing picture of the school leadership’s capacity to successfully operate the school. In addition, the governing body of a charter school is, first and foremost, publicly accountable for student academic performance and the expenditure of public funds.

A. GOVERNANCE /MANAGEMENT STRUCTURE

The Governance Structure subsection will be complete if it has addressed the following components:

- A description of the over-all school governance and site-based management structure.
- An organizational chart for the school that:
 - illustrates the proposed school site-based personnel reporting structure to the governing body and the relationship of the governing body to the school’s leader and administration;
 - Includes on the chart all proposed administrative/staff positions, parent councils, advisory committees and community groups (if any).
- A narrative description of the chart.

ANALYSIS: GOVERNANCE /MANAGEMENT STRUCTURE

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|---------------|
| <p><u>Governance and site-based management structure</u></p> <p>The application refers to the wrong citation of law as the basis for charter school governing board authority. The cited sections 22.5.1 to 17 refer only to local district school boards. Charter school rights and responsibilities are set forth in 22-8b-4.</p> <p><u>Organizational chart and narrative description</u></p> | <p>p. 130</p> |

B. DESCRIPTION OF THE GOVERNING BODY

The Governing Body subsection will be complete if it has addressed the following components:

- Policies and procedures by which the governing body will operate in compliance with all applicable statutes and regulations, including the Open Meetings Act, and that address:
 - board powers and duties as a whole, individual members, and officers of the governing body;
 - governing body member recruitment and selection, including the orientation process for new members and ongoing professional development;
 - the criteria and the process that will be used to select the school’s head administrator;
 - budgeting and operation of the school; and
 - how decisions will be made.
- A list of each of the members of the school’s governing body;
- A brief description of the qualifications of each governing body member.
- An explanation of the nature and extent of staff, families, and the community involvement in the governance of the school, and how they will be notified of the opportunity to participate in the school governance.

ANALYSIS: DESCRIPTION OF THE GOVERNING BODY

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|---|
| <p><u>Governing Body policies and procedures</u></p> <p>An erroneous citation -“NMSA 25.5.4”- is given to establish the powers and responsibilities of the governing board. (NMSA 25-5-4 deals with the enforcement of the Flour and Bread Act.) If the intended citation was NMSA 22-5-4 (as erroneously cited above), that statute applies only to district school boards, not to charter school governing boards. The text given in this section, however, does not appear to match either the language in NMSA 22-5-4 or NMSA 22-8B-4 (the applicable statute).</p> <p>The application states: “The Governance Council is composed of members at large who take on the role of school board members in a typical public school district.” This statement illustrates a lack of capacity on the part of the applicant to comprehend the scope and limitations of the governing body of a charter school.</p> <p>“The principal teacher will serve as the leader of the School Assembly which is made up of parents and members of the School Congress ... this community body will be responsible for recruiting and electing Governance Council members.” This practice places the principal and possibly other school employees in the position of selecting and approving the governing board members to whom they will be held accountable and creates an unallowable conflict of interest in the board member selection process. Also, on p. 143 the application refers to voting by “appropriate school stakeholders” and “members of the School Assembly who can vote” without identifying those persons.</p> <p><u>List of governing body members and qualifications</u></p> <p><u>Staff, families, and community involvement in governance</u></p> | <p>p. 137</p> <p>p. 142</p> <p>p. 134</p> |

C. PARTNERSHIPS: *This section is optional and should be completed if the school has identified a partner organization that is essential to the existence of the charter school, its governance, key instructional, and/or management functions.*

The Partnership subsection will be complete if the following components are included:

- Name of the partner organization.

- Name of the contact person at the partner organization and that person’s full contact information.
- A description of the nature and purpose of the school’s partnership with the organization.
- If applicable, an explanation of how the partner organization will be involved in the governance of the school.
- Evidence (in the form of a letter of support or intent to partner) that the school has a formal partnership agreement with the partner organization.

ANALYSIS: PARTNERSHIPS

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|------------------|
| <p><u>Partner organization and contact information</u></p> <p><u>Nature and purpose of partnership</u></p> <p><u>Partner organization involvement with school governance</u></p> <p><u>Evidence of formal partnership agreement</u></p> | |

D. SCHOOL ORGANIZATIONAL STRUCTURE

A School Organizational Structure subsection will be complete if the following components are included:

- Based on the organizational chart provided under subsection A. *GOVERNANCE/MANAGEMENT STRUCTURE* above, job descriptions that identify key roles, responsibilities and accountability for each staff position listed on the organizational chart.
- A staffing plan for each year of the first charter term, including the proposed pupil-teacher ratio to support the educational plan.

ANALYSIS: SCHOOL ORGANIZATIONAL STRUCTURE

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|------------------|
| <p><u>Description of site-based management structure and job descriptions for all organizational chart positions</u></p> <p>There is no job description for the principal, called the principal teacher within the job descriptions.</p> | pp. 156-159 |

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|--|---------------|
| <p><u>Years 1-5 staffing plan with pupil-teacher ratio supporting educational plan</u></p> <p>The staffing plan consists of a brief chart that lists only the grade levels and FTE numbers associated with the grade level configurations. No information is given as to how this plan supports the educational plan in the middle and high school years; there is no indication of teacher subject assignments, e.g., the number of Math teachers needed, etc. Given the addition of grades 9 and 10 in the third year and grades 11 and 12 in the fourth year as indicated on p. 92, the information given is not adequate to explain how a total of only 4 new teachers in those years will enable students to receive instruction in the full range of required high school subjects. Also, see the concerns mentioned above regarding the inadequacy of the staffing plan for executing the curricular plan and other aspects of school operation.</p> | <p>p. 159</p> |
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E. EMPLOYEE RELATIONS

An Employee Relations subsection will be complete if the following components are addressed:

- A description of the school’s personnel policies and procedures that comply with all applicable federal statutes and regulations, including the School Personnel Act.
- The proposed salary schedules that comply with the minimum salary requirements as identified in the School Personnel Act for all employees.
- A description of the evaluation process for staff that will include evaluation of teachers by a licensed school administrator.
- An explanation of the school’s staff discipline process that provides for due process.

ANALYSIS: EMPLOYEE RELATIONS

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|------------------|
| <u>School’s personnel policies and procedures</u> | |
| <u>Proposed salary schedules for all employees</u> | |
| <u>Evaluation process for staff</u> | |
| <u>Staff discipline process</u> | |

F. STUDENT ENROLLMENT PROCEDURES AND DISCIPLINE POLICY

A student enrollment procedures and discipline policy section will be complete if the following components are addressed:

- A description of the school’s admissions policies and procedures, including an explanation of the timeline for admission.
- A description of the school’s lottery process that is in accordance with applicable law.
- A brief description of the proposed student discipline policy that complies with the Student Rights and Responsibilities set forth in the Public Education Department rules and regulations [6.11.2 NMAC] (Note: proposed student discipline procedures are to be included in the Appendices.)

ANALYSIS: STUDENT ENROLLMENT PROCEDURES AND DISCIPLINE POLICY

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|-----------------------------|
| <p><u>School enrollment policies and procedures</u></p> <p>It is stated that “Aspen Grove Academy will accept all students that come to the school in “good standing” and with all proper records.” The term “good standing” is not defined.</p> <p><u>Lottery process</u></p> <p>When a lottery is required, “The applications will transferred to an electronic format and will be randomly sorted. The students randomly selected to attend will be informed of their selection within a week of the lottery selection.” This automated process, if not conducted with public scrutiny raises concerns about the transparency of the lottery process. A charter school is expected to be able to assure a random and unbiased result.</p> <p><u>Description of proposed student discipline policy</u></p> <p><u>Proposed student discipline procedures (appendix)</u></p> | <p>p. 168</p> <p>p. 168</p> |

G. FACILITIES:

The facilities plan should demonstrate that the applicant group has carefully considered the school’s facilities needs and understands its options for meeting those needs.

Has the applicant group selected or secured a facility? Yes No

NOTE: Based upon “YES” or “NO”, complete the appropriate analysis below.

If “YES” a Facilities section will be complete if the following components are addressed:

- A description of the proposed facility, including location, size, and layout of space. An explanation of how the facility will support the implementation of the school’s educational plan.
- An explanation of the proposed capital outlay needs for the facility, including projected requests for capital outlay assistance for the school.

ANALYSIS: FACILITIES – IF “YES”

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|-----------|
| <u>Description of proposed facility and how facility will support school’s educational plan</u> N/A | |
| <u>Proposed capital outlay needs</u> N/A | |

If “NO” a Facilities section will be complete if the following components are addressed:

- An explanation of the needs of a facility that will support the implementation of the school’s educational plan, including desired location, size, and layout of space.
- A description of a reasonable plan to identify and secure an adequate facility.
- The proposed capital outlay needs for the facility, including projected requests for capital outlay assistance for the school.

ANALYSIS: FACILITIES – IF “NO”

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|---|------------|
| <u>Explanation of school’s facility needs to support educational plan</u> In describing the facility to be sought, the application refers to “an open-concept model” and “open-concept teaching methods” which are not described or related to the educational plan. | p. 176-177 |
| <u>Reasonable plan for identifying and securing adequate facility</u> | |
| <u>Proposed capital outlay needs</u> | |

H. OTHER STUDENT SERVICES

This section will be complete if the following components are addressed:

- A description of the school’s plans for meeting the transportation needs of its students and plans for contracting services for transportation, if applicable.
- A description of the school’s plans for meeting the food services needs of its students and plans for contracting services for food services, if applicable.
- A description of the school’s plans for providing student access to other services, including but not limited to counseling and health services and plans for contracting services, if applicable.

ANALYSIS: Other Student Services

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|-----------|
| <u>Transportation</u> | |
| <u>Food Service</u> | |
| <u>Student access to other services</u> | |

GOVERNANCE / MANAGEMENT PLAN SUMMARY

Please summarize your analysis of the Governance/Management section of the school’s application. Your summary should reflect your overall impression of the section as presented and discuss the most significant weaknesses of the section.

| Summary Analysis |
|---|
| By relying on incorrect legal citations and inappropriate analogies of principal and governing board roles to describe the governance and management structures, these portions of the application are inadequate to establish that the school would operate within the allowable and required provisions of law that are applicable to charter schools. In responding to the question regarding the powers and responsibilities of the charter school’s governing board, the applicant provided a statutory citation to the powers and duties of local school boards which was incorrect. Merely restating what is required by law is an incomplete answer since it provides CSD with no information about the proposed school’s governing body. Such an answer illustrates a lack of capacity on the part of the applicant to comprehend the scope and limitations of the governing body of a charter school. |

Also, the inclusion of the principal as leader or member of the body that will be recruiting and electing governing board members establishes a clear conflict of interest in that an employee of the school is involved in selecting the officials who will conduct future evaluations of his/her performance and approve or disapprove his/her future employment contracts.

The five-year staffing plan is inadequate to provide the many types of curricular offerings and other services to be provided under the “democratic” process of curriculum development, assessment practices and independent study.

As described, the lottery process lacks transparency and public accountability.

VIII. REQUIREMENTS

The Requirements section of the application addresses the necessary arrangements that school leaders must make to define the respective legal liability and responsibility of the governing body and the Public Education Department. These requirements include, but are not limited to, securing appropriate insurance coverage and identifying waivers that will be sought by the school from the Public Education Department.

A. LEGAL LIABILITY AND INSURANCE COVERAGE:

The legal liability and insurance coverage section will be complete if contains:

- A statement that the charter school will participate in coverage by the public school insurance authority and will comply with all applicable rules of that authority.

ANALYSIS: LEGAL LIABILITY AND INSURANCE COVERAGE

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|-----------|
| <u>Statement of public school insurance participation</u> | |

B. WAIVERS

The waivers section will be complete if the following components are addressed:

- A list of the specific waivers that will be requested from the department’s requirements, rules, and provisions of the Public School Code pertaining to individual class load, teaching load, length of the school day, staffing patterns, subject areas, purchase of

instructional material, evaluation standards for school personnel, school principal duties, driver education and graduation requirements.

- If any waivers will be requested that are not pertaining to those listed above, the applicable statute and/or state rule that the school will request to be waived is cited.

ANALYSIS: WAIVERS

| Criteria Not Sufficiently Addressed, Concerns & Additional Questions | Reference |
|--|------------------|
| <u>List of waivers to be requested from PED</u> | |
| <u>Other waivers not pertaining to PED waivers to be requested from PED; must include applicable statute and/or state rule to be waived</u> | |

REQUIREMENTS SUMMARY

Please summarize your analysis of the Requirements section of the school’s application. Your summary should reflect your overall impression of the section as presented and discuss the most significant weaknesses of the section.

| Summary Analysis |
|---|
| The application addressed all of the required components in this section. |