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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
Governor

September 6, 2012

Dear Public Education Commissioners:

Enclosed is the Final 2012 Charter School Application Final Recommendation and Evaluation for *Academic Opportunities Academy (AOA)* applying for a state charter in *Deming, New Mexico* to serve *grades 1-12* and represented by founders, *Mark Casavantes and Wesley P. Clarkson*. Please know that the staff at the Charter Schools Division and four teams of independent reviewers gave full consideration to the information gathered in this process.

The review teams and the Charter Schools Division (CSD) have provided evidence and rationale gathered in the team analyses and in this evaluation to fully understand the 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,

Kelly Callahan
Interim Director
Options for Parents: 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 preliminary contract.

PROPOSED CONDITIONS

The Applicant will negotiate a preliminary 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.

OPTIONS FOR PARENTS – CHARTER SCHOOLS DIVISION



By: _____

Interim Director of Options for Parents, or Designee

I. Overall Score Sheet

Section	Points Received	Applicant School's Possible Points
Application		
• Executive Summary	2	4
• Education Plan/Academic Framework	49.91	94
• Organizational Plan and Governance/Organizational Framework	48.5	72
• Business Plan/ Financial Framework	9.5	18
• Evidence of Support	2	10
• Required Appendices	2	2
Capacity Interview	22	50
Overall Score	135.91	250

II. Explanation Regarding Score Sheet

In the final recommendation and analysis the review team and the CSD considers the overall score as well as the score in each individual section. For example, while the total possible points in the Business Plan only equals 18 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 review team carefully considers that in their final analysis. Also please note that while the review team did not score the community input hearing, the review team and the CSD may reference it in the final recommendation and evaluation if pertinent information was offered that contradicts or affirms what was found in the application or the capacity interview. Second, if the applicant school's proposal did not answer any prompt as a result of applicability (e.g., the applicant school will be an elementary school and so did not provide responses to graduation-related prompts) then the review team and CSD will adjust the total possible points in the application section where the non-applicable item(s) is found as well as in the final score.

III. Final Analysis

Application Section	Points Received	Applicant School's Possible Points
Education Plan/Academic Framework	49.91	94
Evidence/Statements Supporting Score in this Section		
<p>The review team and the CSD agreed that the educational plan for this charter application is inadequate and incomplete. The educational endeavors that the applicants list in this section reflect high expectations and rigor; however, the applicants do not formulate a clear plan for executing this work nor do they demonstrate a good grasp of education in the state of New Mexico.</p> <p>First, the review team and the CSD agreed that the goals are unclear, unattainable, or demonstrate a lack of understanding regarding subgroups. At other times the goals appear inappropriate. For instance in the attendance goal the applicant states that they will “return students [with excessive absences] to the public schools” (15). Similarly, the applicants imply that they may exclude “students with disabilities” (15) from their graduation cohort.</p> <p>Second, the curriculum is disjointed and the research provided to support it is often inadequate or not included. Again, in this section the review team and CSD agreed that there was a lack of understanding regarding education in New Mexico. The applicants mention that they “plan to follow state curriculum” which does not exist in New Mexico. As the applicants are proposing a school grades 1-12, the review team and CSD noted that: no curriculum scope and sequence is provided, the applicants fail to address the elementary component of this school, and they fail to provide an adequate plan to ensure that they meet their extremely ambitious plan for graduating secondary students in four years with 34 credits at a 90% mastery rate.</p> <p>Third, regarding Instruction the review team and the CSD noted that the applicants provide only limited and inadequate research.</p> <p>Fourth, regarding Special Populations, the review team and CSD agreed that the applicants’ plans were insufficiently developed and insufficiently resourced.</p> <p>Finally, regarding Assessment and Accountability, the review team and the CSD agreed that the information provided was inadequate.</p> <p>Overall, the review team and the CSD determined that the information presented in the educational plan may reflect high expectations and rigor, but the applicants’ plan is neither convincing nor complete. The review team is still unsure as to how all of the proposed endeavors will be executed or supported financially. Similarly, there is often a lack of evidence and research as to how the various components presented in this application—fine arts, two musical instruments, singing, multimedia presentations and movies, participating in dramas, learning languages and cultures of countries like China, the Middle East and Brazil, yoga, martial arts, health sciences and computer technology (18-20) will all fit together to improve student achievement in the Deming community. <i>For a more detailed explanation of this</i></p>		

evaluation, please refer to the team application analysis.

Application Section	Points Received	Applicant School's Possible Points
Organizational Plan and Governance/Organizational Framework	48.5	72

Evidence/Statements Supporting Score in this Section

The review team and CSD agreed that in regards to the Organizational Plan and Governance, the applicants' proposal is inadequate. The review team and CSD question the founders' understanding of the New Mexico Charter School Act or of New Mexico Law in general. From the application, the review team discovered that the founders started a private school in EL Paso, Texas. This school served 9-14 students. The founders confirmed the existence of this school during the capacity interview; however, they also suggested that it would simply be shut down if their charters were approved in New Mexico.

The founders have not only proposed to open a charter school in Deming, NM but they have also proposed the same plan for Anthony. In review of the "founders' expertise" the team agreed that while the founders reveal broad and varied professional experiences, no evidence was provided that they have successfully undertaken such a large-scale project as contemplated in the AOA applications. (Please note that the applicants originally submitted the same charter application for five cities in NM, but withdrew three after the community input hearings.)

In regards to the structure of governance, the founders have proposed a close, working relationship between the school's governing body and the community—they propose to form a "Community Advisory Group (CAG)", however the review team and the CSD are concerned about the delineation of roles and responsibilities between these leadership groups.

In regards to a staffing plan, the review team and the CSD agreed that the proposal is inadequate. Within the application and during the capacity interview, the founders revealed a lack of understanding regarding the role and licensure requirements for instructional assistants. In addition, the review team and CSD questioned the applicants' ability to recruit teachers (especially teachers certified to teach the variety of and specialized courses proposed) when the salaries offered are the state minimum salaries and this school proposes a 227-day contract as opposed to the traditional 180 day.

In general, the organizational plan and governance section reveals a significant lack of understanding of the role of the governing body in a New Mexico charter school. *For a more detailed explanation of this evaluation, please refer to the team application analysis.*

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Application Section	Points Received	Applicant School's Possible Points
Business Plan/ Financial Framework	9.5	18
Evidence/Statements Supporting Score in this Section		
<p>In general, the review team and the CSD agreed that the Business Plan presented is inadequate. The financial proposals presented do not demonstrate capacity or an understanding of how charter school funding in New Mexico works. <i>For a more detailed explanation of this evaluation, please refer to the team application analysis.</i></p>		

Application Section	Points Received	Applicant School's Possible Points
Executive Summary, Evidence of Support, Required Appendices	6	16
Evidence/Statements Supporting Score in this Section		
<p>The review team and the CSD agreed that the Executive Summary and the Evidence of Support were inadequate. The Required Appendices were all included and thus this section was complete. Regarding support, little to no evidence of support from the Deming community is provided. Specifically, the applicants used five identical applications for five cities in New Mexico. Nothing in the Evidence of Support Section changed from one application to the next. <i>For a more detailed explanation of this evaluation, please refer to the team application analysis.</i></p>		

Section	Points Received	Applicant School's Possible Points

Capacity Interview	22	50
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Evidence/Statements Supporting Score in this Section

The capacity interview was designed to “determine the capacity of the founding group to implement the school plan described” in the application and to clarify points in the application that were not clear after the review team’s discussions. Overall, the review team determined that the applicant’s answers to the capacity interview questions did not demonstrate the necessary capacity to implement the plan proposed in the application; more importantly, concerns that the review team had after reviewing the application were not mitigated by the answers provided during the interview. Those main concerns include the following points.

First, the founders lack of knowledge of law and education initiatives within the state of New Mexico was concerning. The review team questioned whether or not, even after training, the founders would have a solid enough foundation of the rules and regulations in this state in order to effectively open and run a charter school. On that same note, the capacity interview did not illuminate the founders’ role in the running of the school, if granted a charter. The answers given in the capacity interview in regards to this question were nebulous.

Second, the review team would like to note that in many of the answers to questions, there seemed to be a discrepancy between the two founders regarding fundamental approaches and plans.

Third, the issue of governance was never adequately addressed in the founders’ answers to many of the capacity interview questions. The review team noted that it appeared that the founders were not aware that they needed to have separate governing bodies in each city, if approved, and that the governing body was distinctly different from their proposal of a community advisory group.

Finally, the review team dedicated a question to each of the originally proposed five cities so that the founders would have the opportunity to demonstrate support in each of these unique places. In their answer for each city, it was clear that they did not have adequate, if any, community support from any of the suggested locations.

For a more detailed explanation of this evaluation, please refer to the team capacity interview analysis.

Other Pertinent Information

The CSD would like to note that several ideas brought up by the founder, Mark Casavantes at the five community input hearings held from August 22-24 for the Academic Opportunities Academy did not align with what was presented in the charter application (e.g., drug testing for students and teachers, emphasis on only computer programming and nursing, robotics, etc.). In addition, one of the founders, Wesley P. Clarkson was not able to make the hearings; Mark Casavantes informed the commission that Mr. Clarkson had accepted a teaching position at McCurdy Charter School.

Finally, at the beginning of the last hearing in Carlsbad, Mark Casavantes stated that he would be withdrawing three of his applications: Alamogordo, Las Cruces, and Carlsbad.