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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
Governor

September 5, 2012

Dear Public Education Commissioners:

Enclosed is the Final 2012 Charter School Application Final Recommendation and Evaluation for *Health Sciences Academy* applying for a state charter in *Anthony, NM* to serve *grades 7-12* and represented by founders, *Brenda Avila, Nancy Duhigg, Dolly Juarez, PhD, Glenn Christo Kharkongor, Andrew Nevins, PhD, and Lorna Samraj*. 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 ensuring 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	4	4
• Education Plan/Academic Framework	74	114
• Organizational Plan and Governance/Organizational Framework	50.5	70
• Business Plan/ Financial Framework	12	18
• Evidence of Support	9	10
• Required Appendices	1.5	2
Capacity Interview	18.5	30
Overall Score	169.5	248

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	74	114
Evidence/Statements Supporting Score in this Section		
<p>The concept of incorporating health sciences in all classes so that students are prepared, upon graduation, for “challenging healthcare careers and college entrance” (10) is an innovative approach to educating children. In general, however, several components in the charter application and the applicants’ answers in the capacity interview regarding the educational plan demonstrated a lack of cohesion.</p> <p>The review team and the CSD agreed that the majority of the applicant’s goals “partially met” the evaluation criteria as often they were not measurable nor did they reflect high expectations. The applicant school explains in their executive summary that the Gadsden Independent School District (GISD) is “unable to raise achievement, meet AYP in math and reading proficiency assessments, year after year, at nearly every school”(9). However, many of HSA’s goals, as stated, will be measured based on GISD’s performance; in addition these goals are insufficiently rigorous (“10% higher...than their cohorts in the local GISD”). Further, the goals demonstrate a misunderstanding of student growth and student subgroups. The growth goal offers no solution for measuring student growth and the subgroup goal only talks of one subgroup—“students with IEPs” (11). Overall, the goals for each of these categories do not translate into measurable or rigorous objectives.</p> <p>The applicant school’s proposal regarding the section on curriculum contains some adequate components, however, the way in which all of these components fit together is often unexplained or missing; thus this section is incomplete. First, the applicant school claims that it will “offer an evening program for adult community members who have not completed a high school diploma, and who may also require remedial support in math and English”(14) yet there is little to no evidence or explanation regarding the curriculum, approach, or funding for this piece of the school’s endeavor.</p> <p>Second, the applicant often proposed the integration of online learning—“online materials, virtual medical experiences”(16) and in the capacity interview the applicants proposed the use of “E2020” — however, based on several statements made regarding online learning “blending of online tools”(14), “enroll in health related college courses online”(15) “virtual medical experiments and ‘journeys’, alongside guided lesson plans”(16), it is still not clear in the application or after the capacity interview how much of this online instruction makes up the curriculum.</p> <p>Third, the review team and CSD agreed that the applicant’s interest in, and plan to meet the needs of, English Language Learners (ELL) is thoughtful and appropriately supported and funded; nonetheless, the applicant’s plans regarding special education and ancillary services are inadequate.</p> <p>Fourth, the review team and CSD agreed that as presented, it appears that transportation is essential to the school’s vision and mission—“Internship opportunities with healthcare professionals benefit</p>		

students, employers, schools and the community...promotes the practice of positive work habits and attitudes”(22); regardless, the plan regarding transportation for these internships is inadequate as many of the tentative partnership possibilities are at least 30 minutes away—one is out of state—(e.g., La Clinica de Familia, El Paso Children’s Hospital, New Mexico State University) (9).

Finally, the applicant school’s approach to providing a plan to “communicate student progress to parents...and the broader community” raised concerns among the review team members and the CSD. The applicant proposes to use PowerSchool’s reporting features as well as the internet and websites. Considering the fact that the applicant themselves explain that “100%” of the community is economically disadvantaged”(8) the usability and accessibility of this tool is limited and questionable as many of the parents, community members etc. may not be able to easily access a computer. This concern was reiterated at the community input hearing when a community member brought up the fact that she did not know about this school’s proposal in the community. The community member said that while she heard it was “online” she and others did not have a computer. *For a more detailed explanation of this evaluation, please refer to the team application analysis.*

Application Section	Points Received	Applicant School’s Possible Points
Organizational Plan and Governance/Organizational Framework	50.5	70

Evidence/Statements Supporting Score in this Section

- The review team and the CSD agreed that the organizational plan is inadequate as presented. Most importantly, the review team and the CSD decided that the role between Healthy Futures Inc. and the Health Sciences Academy is inappropriate and unclear as presented in the application. Several conflicting or nebulous statements regarding the role of Healthy Futures Inc. make the lines between the roles of the governing body, the school’s head administrator, and the school’s financial benefactors unclear. In the organizational chart on page 43 of the application, the Healthy Futures Team is presented as a floating entity next to the HSA Governing Board, but in the narrative description following this chart the applicant states “Healthy Futures will interface with both the HSA Governing Body and the school Head Administrator to carry out the described tasks...Healthy Futures will continue to guide in the operation of Health Sciences Academy; however, it will have no special authority beyond that of an advisor”(43). Also, when the applicant is asked to provide a “conflict of interest policy” for the school, the applicant provides a policy for Healthy Futures, which is a 501C3. Finally, in the Business Plan, the applicant writes “in the event that the applicant, Healthy Futures, is made aware that HSA is experiencing a temporary cash shortfall, due to unanticipated costs, student enrollment that falls below projections, or results in changes in the state funding formula, Healthy Futures and/or Andele Tutors have agreed to donate sufficient funds to cover the

shortfall and/or defer billing the school for services rendered until such cash flow shortfalls are relieved”(64). This implies a relationship that may be more than "advisory."

In addition to concerns about the relationship between HSA and Healthy Futures Inc. the review team and CSD agreed that while what the founders’ and GB members’ presented “reflects a wide range of expertise, knowledge, and experience,” the physical location of these founders and GB members—many seem to reside outside Anthony, NM or even out of state—works in contrast to the school’s mission, which emphasizes a school-community model and could potentially violate the Open Meetings Act. As determined from the application, the GB members appear to be in KS, MD, Santa Fe, NM etc. (39-40).

Finally, while the review team and CSD agreed that aforementioned issues are the most concerning components in the organizational plan, there are other sections in this plan that are often inadequate or unclear. For example, the job descriptions provided do not completely cover the roles which make this school innovative and unique (i.e., the “parent engagement coordinator” and the “health instructor”). The applicant’s understanding of 504 plans and what falls into the responsibilities of the special education director is inadequate as written. In addition, no plan regarding Third-Party Relationships or Transportation is provided, yet, as mentioned earlier, internships appear to be essential to the mission of this school. Finally, the roles, job descriptions, and certification requirements of some staff demonstrates a lack of understanding from the applicant regarding what is legal or appropriate. For instance, the instructional assistant job description includes “non-licensed” and “supervise the classroom when the teacher is out” (appendix D). *To understand all other concerns, please see pp: 24-45 of the “Team Application Analysis.”*

Application Section	Points Received	Applicant School’s Possible Points
Business Plan/ Financial Framework	12	18
Evidence/Statements Supporting Score in this Section		
<p>The review team and the CSD agreed that while the applicant displays some knowledge of acceptable financial policies and procedures, they do not appear knowledgeable about all of the items and details necessary to run a financially sound and compliant school. Specifically, the review team noted that there are no funds dedicated to food services, ancillary services, costs for the adult classes, or for the internal controls procedures or business policies in place.</p>		
<p>In addition, the review team agreed that the job description for the business manager is not detailed, and the salaries for teachers appear low considering the high expectations of HSA’s instructors as proposed in the application—implementing a health sciences curriculum, utilizing virtual environments,</p>		

and training instructional assistants. In addition, several important teachers are underfunded; the physical education teacher is budgeted at 12,000 (62) and a .2FTE Special Education teacher is low number considering the potential number of students to be served (47). *For a more detailed explanation of this evaluation, please refer to the team application analysis.*

Application Section	Points Received	Applicant School's Possible Points
Executive Summary, Evidence of Support, Required Appendices	14.5	16
Evidence/Statements Supporting Score in this Section		
The review team found each of these sections to be adequate and complete.		

Section	Points Received	Applicant School's Possible Points
Capacity Interview	18.5	30
Evidence/Statements Supporting Score in this Section		
<p>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 decided 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. For instance, when answering questions regarding the delineation of roles and responsibilities (between the GB, Healthy Futures Inc., and the head administrator) in the functioning of the school and in the completion of items on the planning year checklist, the school representatives still did not present a specific description/distinction between the levels of influence and leadership in the school. The representatives mentioned several groups and entities involved in carrying out the tasks of opening a new school (Healthy Futures Inc., founders, parents, etc.), but did not describe the relationship</p>		

between, and processes for, distinguishing all of these entities.

Similarly, the review team's concerns about the physical location of GB members was simply affirmed by the school representatives' answers to questions regarding the governing body; moreover their answers to a question regarding the creation of policies and procedures demonstrated a lack of understanding regarding the important and continuous role of the governing body. All review team members heard the school representatives claim that policies and procedural creation and changes could be taken care of on a yearly basis.

In general, while the capacity interview revealed the dedication and expertise of the school representatives it did not affirm the capacity of the founders to adequately implement the proposal within their application. *For a more detailed explanation of this evaluation, please refer to the team capacity interview analysis.*

Other Pertinent Information