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HANNA SKANDERA  
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ  
Governor

August 31, 2012

Dear Public Education Commissioners:

Enclosed is the 2012 Charter School Application Final Recommendation and Evaluation for Electus Academy applying for a state charter in Albuquerque to serve grades 9 - 12 and represented by founder, Justin Baiardo. 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

### **Areas of concern to be addressed during the Planning Year:**

Electus Academy will...

1. Select a short cycle assessment and reference the assessment in revised, related performance goals;
2. Revise Personnel Policies, specifically in the following areas: Discipline (ensure that the discipline policy provides due process), and paid military leave (ensure that it does not violate the state's anti-donation law);
3. Revise performance and organizational goals to ensure that they are specific, measurable, ambitious, and time-bound;
4. Provide a plan describing the school's implementation of Student Assistance Teams and Response to Intervention;
5. Adjust the school's teacher salary schedule so that it complies with state expectations;
6. Ensure that the school's governing council committees include two committees, Finance Committee and Audit Committee, that comply with state guidelines;
7. Revise the school's sustainability plan to address building the school's capacity in the following areas: finance, governance, facilities, community relationships, student enrollment, and charter compliance.

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	2.66	4
• Education Plan/Academic Framework	95.76	112
• Organizational Plan and Governance/Organizational Framework	57.44	68
• Business Plan/ Financial Framework	15.33	18
• Evidence of Support	7	10
• Required Appendices	2	2
Capacity Interview	28	30
<b>Overall Score</b>	<b>208.19</b>	<b>244</b>

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## 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	95.76	112

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

The mission and vision statements are provided. Although the vision statement lacks concision, the text provides a vision in the form of a “tour” of the school-in-action as a means of demonstrating the overall aspirations of the proposed school. Similarly, the mission statement also lacks concision, but contains the essential elements of the proposed school’s mission.

The student performance goals are generally adequate, though the school has not identified a formative or short cycle assessment that is external to the school, opting instead for school-developed end-of-seminar exams. During the Planning Year, the school will need to select a short cycle assessment external to the school and reference it in the relevant goals. The state has named three short cycle assessments for which it will provide financial subvention should a school select one of them: *Albuquerque Public Schools District Benchmark Assessment*; *Discovery Education Assessment*; and *Riverside Interim Assessment*. In addition, during the Planning Year the school would need to revise both its Addressing Achievement Gap goal and Growth for the lowest 25% goal, providing greater specificity. While the application did describe goal monitoring, it did not address how the proposed school planned to manage the goals, i.e., what the school would do in the event that students are unable to meet the goals.

Research is provided on the Sudbury (Massachusetts) School model, from which Electus Academy will develop a variation, as well as on the guiding principles and objectives that give shape to the Electus school program. Scope and Sequence is provided for Physics, Chemistry, Biology, History/Social Studies, English, and Mathematics, along with aligned graduation requirements under the proposed school’s seminars system. A standards alignment sample is provided for the sciences, as “Appendix N”. Plans for developing the seminars and areas of concentration (“majors”) are consistent with the school’s implementation strategy. Upon approval of the charter, volunteers will begin designing the school’s curriculum, and the actual curriculum development will officially commence on May 1, 2013 by the then hired teachers.

Differentiated curriculum (the Electus Academy model) is identified in the application as a variation of differentiated instruction, and therefore the learning needs of all students are accounted for in the seminars’ approaches. The application demonstrates that the proposed school has the understanding and capacity to serve the needs of special education students, including those with IEP’s and 504 plans. A plan is in place to provide ancillary services. The needs of English Language Learners (ELL) will be assessed using ACCESS, and assurances are provided that the school will provide both instructional support and appropriate seminars for ELL. (Examples are provided in the application.) A plan is in place to monitor and evaluate the progress of ELL. The budget, however, did not appear to anticipate ELL students. This would need to be clarified during the Planning Year.

An adequate list of assessments is provided, paired with plans for their use. The assessments include inventories to discover student learning styles and career interests, PSAT, SAT and ACT, seminar exit exams, and New Mexico SBA. However, as noted above, the school has not identified an external formative or short cycle assessment that it plans to use. This could be addressed in the Planning Year.

The school developer has built into the school schedule formal time for remediation, as well as providing additional support for all students: remedial, developmental, and enrichment. The application speaks to the school’s intended proactive approach to addressing student learning challenges, but it does not describe plans for the required Student Assistance Teams and Response to Intervention strategies. This missing piece would need to be developed during the Planning Year.

The school has plans in place for regular reporting of student progress; however, the Review Team was concerned that the plan relies heavily on online access, which could put some families at a disadvantage.

Application Section	Points Received	Applicant School’s Possible Points
Organizational Plan and Governance/Organizational Framework	57.44	68

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

The school developer has an adequate understanding of the role and responsibilities of the school’s governing body, exercising its authority through developing policy, monitoring student academic and school financial performance, ensuring charter compliance, and hiring /evaluating the head administrator. The application includes adequate descriptions of the governing body, terms of office, officers, meetings, etc., as well as a clear plan for selecting new members. Prospective governing body members have strong professional experience as educators, community activists, non-profit organization leaders, and at least one with a described background in business. The Review Team noted that there is no one on the potential governing body with a background in school finance. Plans are in place for the regular training of governing body members and for the evaluation of the body as a whole.

The founder is a teacher with strong educational credentials in the classroom as well as in curriculum development. He also has public school administrative experience. While the Review Team noted that he has not previously opened or administered a charter school, it also recognized that the developer’s long-term intent is to return to the classroom and perhaps help direct the curriculum development at Electus Academy.

Clear plans are in place for the head administrator to provide the governing body with financial reports at monthly governance meetings. A job description and professional qualifications are provided for the head administrator, accompanied by a plan to identify and hire that position. There is also a plan described for professionally evaluating the holder of that post.

The application includes an organization chart, itself innovative in that daily operations of the school will be managed by a leadership council that includes the principal, academic director, and the dean of students. As an accessible body, the council will make itself available to all community stakeholders, including teachers, students, parents, and others. Job descriptions are adequate, though not all job descriptions include reporting lines, as well as education and licensure requirements. The staffing plan is adequate, as is the plans for evaluating staff performance.

Additional attention needs to be paid to personnel policies, as the Review Team noted some provisions that raised concerns. These included a discipline process that did not appear to provide for due process,

and a provision for paid military leave, (double pay might violate the state’s anti-donation law). These would need to be addressed during the Planning Year.

The application does not provide for a formal parent advisory body, though the text insists that one would be welcome. However, provision is in place for parental input into the leadership council (erroneously identified in the text as one of “two levels of governance” operating at Electus Academy) and the school’s governing body. The proposed school has provided a pro-student and pro-academics student suspension plan.

The proposed school’s plans for student recruitment, lottery, and enrollment are adequate and comply with state law. However, there is no description of conditions for student disenrollment. Also, the Review Team expressed concern about the proposed school’s reliance on online social media for recruiting students, in that it may provide unequal access to the school.

Plans to comply with the Open Meetings Act, the Inspection of Public Records Act, and the Conflict of Interest law are adequate. The application indicates that the proposed school is considering providing limited transportation to and from the school. The facilities plans are adequate to the educational program’s needs, though some concern has been noted about the anticipated costs associated with building renovations required to bring any building up to supporting the requirements of the school program (lecture halls and multiple seminar rooms, etc).

Application Section	Points Received	Applicant School’s Possible Points
Business Plan/ Financial Framework	15.33	18

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

The five-year budget (910B5) plan is provided and with a few exceptions is adequate, including projecting and supporting growth. The budget narrative is clear and the proposed school has provided adequate strategies for adjusting the budget to meet challenges that might arise unexpectedly. The Review Team noted some concerns, such as the high cost of curriculum and materials, and a proposed a salary schedule that appears inconsistent with state guidelines, especially in terms of licensure requirements. If approved, the school would need to bring the salary schedule into compliance. The curriculum and materials costs were explained by the applicant as necessary due to the nature of the curriculum, i.e., multiple cross-disciplinary seminars scheduled every 4.5 weeks. The school would need to develop its own resources rather than rely upon the purchase of standard textbooks.

The proposed school has not included provision for required Governance-level Finance and Audit committees. This could be corrected during the planning year.

The application contemplates two types of school expenditures, academic and administrative, requiring approval of the Administrative Executive, as distinct from the school’s head administrator. Because this position does not appear in the proposed school’s organization chart and the job description does not include licensure requirements, it is unclear if this responsibility is appropriate to the position. This could be clarified during the Planning Year.

The proposed school’s sustainability plan is partially adequate in that the stated strategies address only



adjustments to the budget should enrollment levels not meet targets. The plan does not address building school capacity in all identified areas (e.g., governance, facilities, community relationships, student enrollment, charter compliance, etc.). During the Planning Year, the school could revise the school's long-term sustainability.

Application Section	Points Received	Applicant School's Possible Points
Executive Summary, Evidence of Support, Required Appendices	11.66	16

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

The Executive Summary provides a concise, comprehensive, and clear picture of the Electus Academy model and how it will be implemented. Guided student-choice theory in the form of varied seminars that are tiered to ensure that state standards, concepts and skills are sequentially developed and subject area concentrations (similar to college "majors") are innovative, student-centered, and compelling. The Executive Summary also includes a broadly written description of the general student population of the greater Albuquerque area, as well as a statement of need for effective college/university preparation, if not for the proposed school itself. The application states that the school will serve students who are or might be college-bound, though the school will accept all students. The school developer also appears to have reviewed the college preparatory curricula of both public and private secondary schools throughout the area to determine the uniqueness of the Electus Academy model.

The school developer and project partners are from the greater Albuquerque area. While assertions are made in the application that broad community support and relationships are being built to assist the proposed school "build" capacity to offer viable "majors", no evidence is provided. The Review Team was concerned with the proposed school's intended reliance on social media and other online outlets to recruit students and communicate with parents on a regular basis. This strategy could create unequal access to the school in favor of those families who have ready access to online services and may inhibit some families from being able to respond to important school communications in a timely way. This was addressed during the capacity interview, and the school developer stated that he would employ multiple, more accessible methods for communicating.

All required appendices were included with the application.

Section	Points Received	Applicant School's Possible Points
Capacity Interview	28	30

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

The school developer demonstrated a solid and clear grasp of the school's program and how it provides a comprehensible daily / annual organizational structure for both students' and teachers' schedules.

Additionally, the school will welcome all students with the intent of guiding them towards post-secondary educational opportunities. Both the application and the capacity interview revealed the school developer's commitment and passion for providing students with engaging, challenging, meaningful seminars that support a variety of learning needs and interests. As such, it was clear during the capacity interview that the founder's personal vision is to support this school in the context of the classroom rather than as head of school or a member of the governing body. The founder described plans for the founding of a governing body with relevant experience and capable of providing required oversight.

The founder described the support team's activities in identifying an appropriate facility. He demonstrated understanding of the challenges the team faces in actually securing and renovating a facility. The founder stated that they will develop a "Next Steps" or contingency plan.

The founder recognizes the hurdles in place due to a lack of available federal start-up money. Nevertheless, the team has a broad organizational base with assigned responsibilities and clear targets. The founder blends idealism with pragmatism: he is a mission-driven public school educator, who knows how to make necessary adjustments to implement his vision. This was demonstrated by his having formulated strategies for modifying the plan in appropriate ways in order to ensure financial stability.

The founder demonstrated commitment to his core vision, while easily communicating the need for the model to work within a variety of constraints and to evolve over time. He emphasized the importance of broad community input at all levels, while insisting that it is the governing body that must ultimately exercise its authority through the development of policies, review of reports, and evaluation of the head administrator.

The founder described an impressive support organization behind him providing volunteer work and accomplishing needed tasks. He did identify the major challenges the school would face during the Planning Year, but was optimistic given the support structure already in place.

The founder demonstrated that he and his team have given extensive thought about and planning for ways to make its non-traditional model work within a more traditional state-wide educational system, especially for the placement of students who transfer into and out of Electus Academy, as well as for reporting required data into STARS, the creation of student transcripts, etc.

Finally, the founder has developed a practicable, innovative model of guided student-choice theory for public school students in New Mexico, backed with reasonable evidence that this model will work. When pressed, the founder acknowledged that the model may well require adjustments as it is brought to life. Although, he insisted, the model may require some adjustments over time, the core of the model will remain the same, i.e., providing students with meaningful, engaging, and challenging choices in how to approach their education while preparing them for post-secondary education.

**Other Pertinent Information**

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