

2010 CHARTER SCHOOL APPLICATION PRELIMINARY ANALYSIS

School Name: KIDS' COLLEGE ACADEMY
Total Projected Enrollment: 320 or 360

Proposed Grades: K-8
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
<p><u>Mission Statement</u></p> <p>The mission statement is broad and lacks a focus that defines the essence of the school.</p> <p><u>Achievement of Mission/Goals</u></p> <p>The two “Organizational Framework” goals do not meet SMART Goal criteria. The first goal is unclear as to what “school-wide systems” will be measured and what metric defines being “in alignment and working as an integrated system”. The second goal lacks a specific metric to define “consistently”.</p> <p>Two of the three Student Achievement organizational goals lack a specific measurable target. “More” is not a clearly defined level of achievement.</p> <p><u>Explanation of Need</u></p>	<p>page 14</p> <p>page 18</p> <p>page 18</p>

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
<p>The mission statement lacks a specific, compelling focus that defines the essence of the proposed charter school. In addition, four of the six goals presented do not meet the requirements of the SMART Goal format.</p>

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
<p><u>Philosophy and Approach to Instruction</u></p> <p>“Rigor, relevancy and relationship” (W.R. Daggett Ed. D.) is described as the focus for delivery of instruction through a collection of differentiated research-based programs. However, the application lacks meaningful detail in describing the essence of “rigor, relevancy and relationships” and how, as a philosophy, it will provide the required focus for delivery of the many approaches to instruction. Numerous programs and strategies are identified, including Multiple Intelligences, differentiated instruction, cooperative learning, small groups, hands-on inquiry based learning, workshop model teaching, learning in all content areas within heterogeneous, homogeneous flexible grouping, best practices for English Language Learners (ELL) instruction, Guided Language Acquisition Design (G.L.A.D.), extended learning time, an alternative calendar, and a K-8 seamless configuration. A clear description, however, of how all of these educational approaches will combine to support the educational plan is not provided.</p> <p><u>Description of the Curriculum</u></p> <p>Some programs have tentatively been identified for instruction in Language Arts, Math and Science, but not at all grade levels. Programs or curriculum needed to complete a vertical K-8 alignment have been neither selected nor developed.</p>	<p>pages 25-26</p> <p>pages 26-28</p>

<p>The description of the curriculum for Social Studies, Technology, Visual and Performing Arts, and Physical Education lacks sufficient information and detail to determine whether or not it has been developed or will be selected/purchased. No plan is provided for development and/or selection/purchase of the curriculum for these areas.</p>	<p>pages 26-28</p>
<p>The applicants indicate that the full scope and sequence is to be developed by members of the Governing Council by December 1, 2010; however, details such as the process to be used, which content areas will be addressed, and resources to be utilized in the development are not provided.</p>	<p>page 28</p>
<p>The Mission Statement and supporting core values presented on pages 14-17 include references to career goals, career paths and a career development component; however, the description of the curriculum fails to provide a clear plan or enough details to understand how career development will be a curricular focus in alignment with the mission.</p>	<p>pages 14-17</p>
<p><u>Alignment with NM Standards</u></p>	
<p>Although an assurance is provided that KCAC will implement a curriculum aligned to New Mexico Standards, the alignment process and specific timeline to be used is not provided.</p>	<p>pages 28-29</p>
<p><u>Strategies and Methods</u></p>	
<p>The application lists seven topics for professional development. The topics include Marzano strategies which have been unmentioned to this point in the application. No explanation or rationale is provided as to why these topics were selected from among the many strategies and methods listed for possible implementation. Insufficient information is provided to ensure that all teachers will be trained for implementation of all the methods and programs outlined in the application.</p>	<p>pages 31 and 25-26</p>
<p>The Mission Statement includes reference to students becoming bilingual. The 910B5 projects that all students will be counted for bilingual funding and receive 3 hours of bilingual instruction. This funding is dependent on approval of an application. However, the educational plan does not clearly provide information in regard to a specific Bilingual Model as identified by the NM Public Education Department and required for the application process.</p>	<p>910B5 Provided in Appendix</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
<p><u>Length of School Day and School Year</u></p> <p>Because the application does not identify what is incorporated in the school day (i.e., whether lunch is included in the 7.5 hours Monday through Thursday and the 3.5 hours on Friday) it is not possible to correctly calculate the total number of instructional hours.</p> <p><u>Grade Levels, Class Size and Projected Enrollment</u></p> <p>The total projected full enrollment stated on page 33 does not agree with the full enrollment stated on the Application Cover Sheet, page 5. On page 33, Maximum enrollment is stated as 320 K-8 students with an indication that there will be an additional 30 preschool students. On the Application Cover Sheet, page 5, full enrollment is stated as 360 plus 30 preschool students.</p> <p><u>Graduation Requirements (if applicable)</u></p> <p>Not Applicable.</p>	<p>page 32</p> <p>pages 5 and 33</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
<p><u>Student-centered SMART Goals</u></p> <p>The three annual student-centered performance goals (Reading, Math and Written Language) lack a specific measurable target. “Better than average” is not a clearly defined level of achievement.</p> <p><u>Alignment</u></p>	<p>page 34</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
<p><u>Types of Assessments</u></p> <p>The listing of the assessments to be used fails to provide the proposed school’s overall assessment plan specific to grade levels, what is being measured, and when. For example, the DIBELS is not available through the 8th grade level; the NM Standards-Based Assessment is not administered until the 3rd grade level. DBAs are defined in this application’s Acronyms List (Appendix F) as Data Based Assessments, but referred to in the narrative as District Benchmark Assessments. A specific comprehensible description of the assessment plan is lacking.</p> <p><u>Timeline for Achievement</u></p> <p><u>Corrective Action</u></p> <p>Based on the definitions provided in the Application glossary, “corrective action” is not addressed and is confused with “Remediation for students not achieving standards”.</p> <p><u>Remediation</u></p> <p>Remediation is addressed under “corrective action” indicating confusion.</p> <p><u>Additional Assessments</u></p> <p><u>Documentation and Reporting</u></p>	<p>pages 35-36</p> <p>pages 36-37</p> <p>pages 36-37</p>

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>Outline of Special Education Plan</u></p> <p>A brief outline of a special education plan is included; however it is written primarily in the form of assurances and includes insufficient detail to provide a clear picture of how special education will be managed in the proposed school. The plan does not address specifics or examples of the continuum of services to be offered, examples of modifications and accommodations, documentation, professional development for staff, or other similar details.</p> <p><u>Access to Ancillary Services</u></p>	<p>Pages 40-41</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
<p>Although the proposed Educational Plan demonstrates knowledge of and experience with many educational programs, strategies and assessments, it fails to provide focus, clarity and consistency of information included in the narrative.</p> <p>A plethora of instructional strategies and methods are described; however, insufficient detail is provided to clearly understand the unifying philosophy aligning these strategies and methods, and why it was selected. Although a list of some topics for professional development is presented, the professional development topics do not align with all of the methods and programs outlined in the application.</p> <p>Some programs have been tentatively identified for instruction in Language Arts, Math and Science, but</p>

not at all grade levels. The application fails to provide a plan of development for the curriculum for other content areas. It also does not identify what content areas will be addressed by the scope and sequence that the Governing Council will develop. Additionally, a description of the process and a specific timeline for alignment of the curriculum with New Mexico Standards are not included.

Conflicting information is presented with regard to full or maximum enrollment. In addition, the phase-in plan presented in the narrative conflicts with the phase-in plan reflected by the 910B5 revenue projection.

Types of assessments are identified, yet a clear assessment plan for the school does not emerge from the narrative provided.

Overall, the Educational Plan lacks sufficient detail, clarity and information to provide a clear picture of what students will experience in grades K through 8 to prepare to develop career paths, become bilingual, multicultural, autonomous, life-long learners who will positively impact their community with their high performing skills, achievement and career goals as a result of strategic, data-driven instruction.

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																																										
<u>Revenue Projection Form 910B5</u>																																																
<p>The Form 910B5 SEG Revenue Projection figures and the proposed phase-in plan provided in the application <u>do not match</u>.</p> <p>The first year SEG Revenue is based on 200 K-4 students; the first year phase-in plan indicates 160 K-3 students. This inconsistency continues throughout the 5-year plan.</p> <p>The inconsistencies in the application phase-in plan (p. 6 and 32-33) and the SEG Revenue Plan (Form 910B5) are shown below:</p>						Pages 6 and 32-33, Form 910B5																																										
<table border="1"> <thead> <tr> <th colspan="3">PHASE IN PLAN</th> <th colspan="3">SEG REVENUE PLAN</th> </tr> <tr> <th>Year</th> <th>Grade Levels</th> <th>Projected enrollment</th> <th>Year</th> <th>Grade Levels</th> <th>Projected enrollment</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>K-3</td> <td>160</td> <td>1</td> <td>K-4</td> <td>200</td> </tr> <tr> <td>2</td> <td>K-4</td> <td>200</td> <td>2</td> <td>K-5</td> <td>240</td> </tr> <tr> <td>3</td> <td>K-5</td> <td>240</td> <td>3</td> <td>K-6</td> <td>280</td> </tr> <tr> <td>4</td> <td>K-6</td> <td>280</td> <td>4</td> <td>K-7</td> <td>320</td> </tr> <tr> <td>5</td> <td>K-8</td> <td>320</td> <td>5</td> <td>K-8</td> <td>360</td> </tr> </tbody> </table>						PHASE IN PLAN			SEG REVENUE PLAN			Year	Grade Levels	Projected enrollment	Year	Grade Levels	Projected enrollment	1	K-3	160	1	K-4	200	2	K-4	200	2	K-5	240	3	K-5	240	3	K-6	280	4	K-6	280	4	K-7	320	5	K-8	320	5	K-8	360	
PHASE IN PLAN			SEG REVENUE PLAN																																													
Year	Grade Levels	Projected enrollment	Year	Grade Levels	Projected enrollment																																											
1	K-3	160	1	K-4	200																																											
2	K-4	200	2	K-5	240																																											
3	K-5	240	3	K-6	280																																											
4	K-6	280	4	K-7	320																																											
5	K-8	320	5	K-8	360																																											
<u>5-Year Budget Plan</u>																																																
<p>Inconsistencies continue between the application narrative and the 5-Year Budget Plan:</p> <ul style="list-style-type: none"> • For example, on page 41 the application uses the \$1,247,250.24 SEG figure which is based on 200 projected students and indicates that 10 certified teachers will be hired. In the same paragraph, the proposed plan is based on 160 projected students and the illustration addresses 8 teachers to be hired. • On page 47 under “Instructional Assistants”: The application states that there will be 2.0 FTE Instructional Assistants in year one, increasing to 3.0 FTE in Years four and five. The budget plan for year one includes 2.5 FTE instructional assistants then drops to 2.0 FTE for years two and three, then increases to 3.0 FTE in years four and five. • On page 69-70 under Projected Staffing: The 8 classroom teachers at a 20:1 ratio would be based on the proposed 160 students in year one. The 5-year budget plan indicates 10 classroom teachers, which would be correct based on the 200 students reflected in the Form 910B5 SEG revenue projection. 						<p>(page 41 under VI.A. BUDGET)</p> <p>page 47</p> <p>pages 69-70</p>																																										

<ul style="list-style-type: none"> • The Instructional Coach Position cited on page 56 as a member of the Academic Leadership Team and described on page 68 as responsible for the duties of Curriculum Specialist, Professional Development Coordinator and Assessment coordinator is not included in the SEG budget plan and no other source of funding is indicated. • The Designated Nurse or trained Nurse Assistant position(s) described on page 69 as a member of the school’s crisis team is not included in the SEG budget plan and no other source of funding is indicated. • The Technology Teacher is not included in the SEG budget plan and no other source of funding is indicated. • The Special Education Teacher is not included in the SEG budget plan and no other source of funding is indicated. • The Internal Control Procedures refer to responsibilities of the bookkeeper, pages 52-53. A bookkeeper is not identified in the SEG budget, no other source of funding is indicated, and there is no indication that this duty will be assigned to a position that is included in the budget. 	<p>page 68</p> <p>page 69</p> <p>page 69</p> <p>page 69</p> <p>pages 52-53</p>
<p>The following statement on page 42 implies that the staffing for this charter school, if approved, has already been determined: “The professional development we have outlined will be provided by our own staff that are certified in ESL, GLAD strategies, Baldrige (or other continuous improvement model). In addition, we have three staff members who are national Baldrige presenters on data driven instruction, school-wide systems and classroom systems. All staff development training will be provided in-house with no cost to the charter.” This statement identifies a lack of understanding of the hiring authority provided in law for charter schools. A charter school’s head administrator is hired by the governing body of a charter school and that administrator is responsible for hiring all other staff. It is not possible for the governing body to have entered into any employee/employer relationship at the time of submission of the application.</p>	<p>page 42</p>
<p><u>Revenue and Expenditure Assumptions</u></p> <p>The salary of the Vice Principal increases approximately 37% from \$over the 5-year period, the Director’s salary increases approximately 13%, and classified staff salaries increase from 20-30% over the 5-year period. Over the same time period, teacher salaries remain constant and demonstrate a 0% increase throughout the 5-year period. A rationale for the variances in salary increases is not provided.</p> <p>Required salary schedules for all staff are also not provided.</p> <p>The narrative description of the revenue and expenditure assumptions does not provide sufficient detailed information to fully understand how budgetary figures were determined. Some examples from pages 46-49 follow:</p>	<p>5-Year Budget Plan</p> <p>pages 46-49</p>

- No rationale is provided to understand why 18 teachers will be hired for years 4 and 5 when based on the 910B5 student projections of 320 for year 4 and 360 for year 5, 18 teachers would not be required until year 5 when grade 8 would be phased in.
- No rationale is provided to understand why legal services for the first and second year of operation are budgeted at \$2,000 and significantly increases to \$20,000 in years three and four.
- No rationale is provided to understand why the amount budgeted for Natural Gas/Propane drops from \$10,000 in the 2nd year of operation to \$8,000 in the 3rd, 4th and 5th year of operation when the additional classrooms will be phased in.
- Communication Services lacks detailed information to comprehend why year 3 is budgeted at \$40,000 when years 1 and 2 are at \$5,000 and years 4 and 5 are at \$8,000.
- No rationale is provided to understand why “Other Contact Services” is budgeted at \$2,000 in year one, \$40,000 in year 2, \$35,400 in year 3, \$37,567.96 in year 4 and \$5,000 in year 5.
- No rationale is provided to understand why food for student nutrition purposes is budgeted at \$0 for year 1, \$10,000 for years 2 and 3, \$8,108.01 for year 4 and \$0 for year 5.

Revenue Sources Other Than SEG Funds

Revenue sources other than SEG funding are listed (e.g., Lease Assistance, Instructional Materials, IDEA A and B, Title I, E-rate grants, federal start-up funding, private sector grant opportunities); however, projected amounts are not provided.

Expenditure Assumptions for Other Than SEG Funds

The narrative for expenditure assumptions for other than SEG funds lacks significant detail by merely mentioning the types of revenues that may be applied for and requested and not what these funds will be use for.

page 50, top

page 50

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 contains a reference and blank spaces that indicate it was not for KCAC:</p> <ul style="list-style-type: none"> • Page 44 indicates that the district will estimate anticipated special education enrollment for the charter school based on the district's special education average enrollment and fund the charter school based on that number is incorrect. As a state-chartered school, Special Education funding is received directly from the state. The district is not involved in allocating the special education funding. • Several blank spaces exist on pages 43, 47 and 52 in the Fiscal Management Plan narrative that were not filled in with the school's name (or other information). <p><u>Internal Control Procedures</u></p> <p><u>Annual Audit of Financial Operations</u></p> <p>The descriptions provided regarding the annual audit are inconsistent. On page 43 under Financial Plan and on page 61 under Audit, the application states that KCAC agrees to contract with an independent, outside auditor, pay for it and provide the audit results to PED. On page 55 under Annual Audits, the application correctly states that the school will be audited as a component unit of the Public Education Department and will be responsible for paying its proportionate share.</p>	<p>page 44</p> <p>pages 43, 47, 52</p> <p>pages 43, 61 and 55</p>

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.

Summary Analysis
The Financial Plan narrative fails to align with the 5-Year Budget Plan. Information provided in the

narrative regarding student projections, the grade-level phase-in plan, and proposed staffing over the 5-year period is inconsistent with and often conflicts with the SEG revenue projections and the Operating Budget. The application’s phase in plan is also described differently in different sections of the application. Funding sources have not been identified for some positions for which job descriptions exist. The narrative description of the revenue and expenditure assumptions does not provide sufficient detailed information to fully understand how longitudinal budgetary figures were determined. Funds budgeted for specific line items appear to increase and decrease over the 5-year period with no clear rationale provided. The 5-year budget plan does not align with or clearly support implementation of the mission and educational plan.

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:
 - o 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;
 - o 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
<u>Governance and site-based management structure</u>	
<u>Organizational chart and narrative description</u>	

<p>In the narrative addressing how the school will be governed, the Academic Leadership Team is identified as consisting of the Director, Vice Principal and the Instructional Coach. The Instructional Coach position is not included in the organizational chart, not included in the SEG operating budget, and no information is provided in regard to sources of funding other than SEG for the position.</p>	<p>pages 57-58 and 68</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>On page 61 the application states that “The Governing Council’s major duties, responsibilities will include: . . . Approving all major educational and operational policies. . . . Approving all major contracts.” The Governing Council should approve all educational and operational policies and all contracts.</p> <p><u>List of governing body members and qualifications</u></p> <p><u>Staff, families, and community involvement in governance</u></p>	<p>page 61, bottom</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>No partnership organizations are identified.</p>	
<p><u>Nature and purpose of partnership</u></p> <p>N/A</p>	
<p><u>Partner organization involvement with school governance</u></p> <p>N/A</p>	
<p><u>Evidence of formal partnership agreement</u></p> <p>N/A</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>Job descriptions for all organizational chart positions</u></p> <p>A job description is provided for the Instructional Coach position; however it is not included on the organizational chart, is not included in the SEG operating budget, and no information is provided in regard to other sources of funding for this key position of the Academic Leadership Team.</p> <p><u>Years 1-5 staffing plan with pupil-teacher ratio supporting educational plan</u></p> <p>The staffing plan for each year of the first charter term presented on page 69 does not match the 5-year budget plan. (See notes in Budget section above.)</p>	<p>pages 57-58 and 68</p> <p>Page 69 and Budget</p>

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
<p><u>School’s personnel policies and procedures</u></p> <p>The Reference to the Nepotism Policy in Charter Schools Act [22-8B-10] is outdated; Statute has been updated to include “brother, brother-in-law, sister or sister-in-law”.</p>	<p>page 73 top</p>

<p>Certified teachers and Educational Assistants will operate under a 182-day contract; in addition, they will have an additional 20 professional development days. No information is provided in the narrative or the budget to indicate how the 20 additional days will be funded.</p>	<p>page 74</p>
<p>“The Director will be a member of the Governing Council without voting privileges. The Governing Council may choose to vote the authorized agent (which may be NMPED as an ex-officio member of the Governing council with no voting privileges).” Section 22-21-1 NMSA 1978 prohibits such individuals from serving on the board as ex-officio members.</p>	<p>page 73</p>
<p>The following sentence under “Proposed Employee Contracts” on page 74 is incomplete and does not sufficiently explain how a contract with employees will be executed: “Written employment contracts between KCAC and the governing council.”</p>	<p>page 74</p>
<p>Insufficient information is provided to clearly understand the meaning of the following paragraph: “The Governing council will be consistent with the best practices of the Non-Profit Corporation Act, 1995, in developing the responsibility of running the charter school to the charter school Administrator.” No documentation or citation is provided for the Non-Profit Corporation Act, 1995. Additionally, the statement: “. . . developing the responsibility of running the charter school to the charter school Administrator” is not understandable.</p>	<p>page 75</p>
<p>The following provisions included in the Employee Relations subsection incorrectly identify the Governing Council as having ultimate firing authority for the school:</p>	<p>page 75</p>
<ul style="list-style-type: none"> • On page 75 under “Contracted Staff”: “Dismissals from the school faculty and/or staff must be reviewed and approved by the Governing Council.” • “The Governing council will not be involved in the day to day details of running the school, dealing with specific personnel issues (unless a conflict arises with the Director’s hiring, or addressing individual student needs).” 	<p>page 75</p>
<p><u>Proposed salary schedules for all employees</u></p>	
<p>Proposed salary schedules are not provided.</p>	
<p><u>Evaluation process for staff</u></p>	
<p>The following provision in the “Proposed Formal Staff Evaluation Process” presented on pages 79-80 incorrectly identify the Governing Council as having ultimate firing authority for the school:</p>	<p>pages 79-80</p>
<p style="padding-left: 40px;">“In the event of an evaluation rebuttal, the teacher reserves the right to address the Governing Council. The Governing</p>	

<p>Council will than make a decision based on information presented in a closed-session which the director will not attend. The decision made by the Governing council will follow with an open meeting with said employee.”</p> <p><u>Staff discipline process</u></p> <p>The proposed staff discipline process presented on pages 81-82 incorrectly provides the Governing Council with a role in disciplining the employees. Discipline is entirely under the control of the administrator. For example, on page 81 under Step 2, the employee does not have the right to a hearing as stated:</p> <p>“The employee may make a written request within ten days of presentation of the complaint/grievance to the Director for a hearing. If a written request is not timely submitted, the grievance shall be considered resolved. If submitted in a timely fashion, the Governing Council President/designee will schedule a closed hearing within ten days of the request, before a committee composed of staff, parent and community representatives.”</p>	<p>pages 81-82</p> <p>page 81</p>
---	-----------------------------------

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>The following statement is with information provided for the first year projected enrollment and grade-level phase-in plan presented in the application: “KCAC will open its doors to students in Kindergarten through 6th grades in July, 2011.” The phase-in plan indicates that in July, 2011, KCAC will open with K-3. The budget, however, indicates K-4. This statement indicates that KCAC will open with K-6.</p>	<p>page 83</p>

<p><u>Description of lottery process</u></p> <p>On page 84, the application states: “Special consideration for enrollment acceptance will be given if a sibling is already enrolled in KCAC.” This is permitted only after the first year of operation.</p> <p><u>Description of proposed student discipline policy</u></p> <p><u>Proposed student discipline procedures (appendix)</u></p>	<p>page 84</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
<p><u>Description of proposed facility and how facility will support school’s educational plan</u></p> <p>N/A</p>	
<p><u>Proposed capital outlay needs</u></p> <p>N/A</p>	

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
<p><u>Explanation of needs of a facility that will support educational plan</u></p> <p><u>Reasonable plan to identify and secure an adequate facility</u></p> <p><u>Proposed capital outlay needs</u></p> <p>Projected requests for capital outlay assistance for the school are not provided.</p>	<p>page 90</p>

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
<p><u>Transportation</u></p> <p><u>Food Services</u></p> <p><u>Student access to other services</u></p>	

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

The Governance/Management plan raises some question as to the understanding of the role of the Governing Council of a charter school in relation to the legal authority and responsibilities of the school's Head Administrator. Provisions included in policy and procedural statements may undermine the authority of the Head Administrator who is legally responsible for all hiring, supervision, evaluation, discipline and firing of the school's employees.

This section's narrative is incomplete and lacks alignment. The position of Instructional Coach, a key position that is included as a member of the Academic Leadership Team, is omitted from the Organizational Chart and the budget. The staffing plan does not match the staffing presented in the 5-year budget plan. An outdated statute is referenced for the nepotism policy. The position of "Director" is sometimes referred to as Principal. Incomplete and incomprehensible statements are found in the narrative. Required salary schedules are not included. The school's stated intention regarding provision of food services is confusing.

The Governance/Management plan as presented does not provide the clarity that would be required for a well-governed and well-managed school.

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

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
<p><u>List of waivers that will be requested from PED</u></p> <p><u>Other waivers not pertaining to PED waivers that will be requested from PED; must include applicable statute and/or state rule to be waived</u></p>	

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.