



**STATE OF NEW MEXICO  
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HANNA SKANDERA  
SECRETARY OF EDUCATION

SUSANA MARTINEZ  
GOVERNOR

December 5, 2014

Dear Public Education Commissioners:

Enclosed is the Final Recommendation for the Southwest Intermediate Learning Center 2014 renewal application. Charter Schools Division (CSD) staff at the Public Education Department analyzed the renewal applications, reviewed past performance of the school, conducted site visits and gave full consideration to the information gathered in this process.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Pahl".

Matthew Pahl  
Interim Director  
Charter Schools Division

## I. Recommendation

APPROVE

APPROVE WITH CONDITIONS

The Charter Schools Division at the PED recommends a 3 year renewal term for Southwest Intermediate Learning Center. Financial difficulties at the school are the primary reason for a 3 year term. The Federal Bureau of Investigation recently began an investigation into the school, and the PED has taken over the school's board of finance and is conducting a forensic audit. Results from the investigation and the PED's forensic audit are not yet known. These recent events present considerable risk to the appropriate use of public school funding, and any conditions of the three year term should focus on the school's financial difficulties.

### PROPOSED CONDITIONS

The Applicant will negotiate a contract with the Public Education Commission pursuant to 22-8B-9.1: to include:

1. A shortened contract term of two or three years
2. Completion of an improvement plan specific to the school
3. Two annual monitoring visits by CSD

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.

**CHARTER SCHOOLS DIVISION**

By: 

Matthew Pahl, Interim Director of Charter Schools Division, or Designee

### CSD Summary and Preliminary Recommendation

The Southwest Intermediate Learning Center serves grades 7-8 through a blended learning model. The school is housed alongside Southwest Primary and Southwest Secondary allowing students to move seamlessly through their curricular model. The mission of SW Learning Center is to utilize blended learning, traditional and community-based instruction in an accelerated academic curriculum to sustain a high-performing learning community.

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The school results are a three year average of "B". The school maintained an A for the first two years and received a C last school year. The school continues to maintain high levels of student proficiency and recognizes that in certain report card measures they are penalized because of their 90<sup>th</sup> percentile ranking. Jackson Middle School and Kennedy Middle school are both school options in the same community as Southwest Intermediate Learning Center. Jackson has a similar grade as Southwest Intermediate while Kennedy ranks below Southwest Intermediate. Neither of these options allows for blended learning or SMART lab opportunities that Southwest Intermediate Learning Center provides.

The Southwest Intermediate Learning Center proposed 7 goals in its most recent charter. The school met or exceeded 5 of these goals and provided sufficient trend data to inform the progress towards those goals. The two goals that CSD noted as not being met were accompanied by an insufficient amount of trend data to support the goal success. The goals proposed in Section "C" are in SMART format and will serve as an adequate foundation for Contract Negotiations with the PEC should the school be approved for renewal.

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The school has not violated any provision of the law related to organizational measures. The Governing Council and school faculty are in alignment around school mission and goals. The CSD school administration and faculty are stable and in a position to continue to push students towards high student performance goals.

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