

## 2010 CHARTER SCHOOL APPLICATION PRELIMINARY ANALYSIS

**School Name: Uplift: School of Expeditionary Learning**  
**Total Projected Enrollment: 252**

**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><b><u>Mission Statement</u></b>            The mission statement for the School of Expeditionary Learning (USEL) does not indicate who the school seeks to serve including student grade levels.</p> <p><b><u>Achievement of Mission/Goals</u></b>            The mission statement uses educational terms that are not defined here or in other parts of the application (e.g., nurturing environment, individual voice, etc.) and does not explain how these aspects of the mission will be fulfilled.</p> <p>In regard to the second goal, the application does not give details about the Implementation Review process of the Expeditionary Learning Core Practices, or identify the criteria in the assessments.</p> <p>In the third goal, the application does not state how the school will measure parent involvement in the “<i>Student-led Conferences</i>” and “<i>Celebrations of Life</i>.”</p> <p><b><u>Explanation of Need</u></b>            The explanation of how the proposed charter school is in the best interest of the community lacks information that would provide a comprehensive picture of the educational experiences of the mostly Native American students it anticipates serving. While information on Gallup-McKinley County Schools is clearly presented, the application does not mention educational options provided by—nor does it address the results of—the BIA schools that serve those grade levels in the Gallup area.</p>	<p>P 14</p> <p>P 14</p> <p>P 14</p> <p>P 14</p> <p>Pp. 14-17</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.

<p><b><u>Summary Analysis</u></b>            The mission statement for USEL is clearly focused on the expeditionary learning, with elaboration on what the school seeks to accomplish. USEL does not specify the grade levels the school seeks to serve in its mission statement: K-8.</p>
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The application does not explain how the school will know if it is achieving its mission, however, it does contain three organizational goals that are aligned to the mission, specific and with a target date of accomplishment by the final year of the charter's operational term.

Applicants provide an in depth description of the community demographics and student performance results at Gallup-McKinley County Public Schools (GMCS). USEL makes a strong argument for the need for improved educational alternatives in the community. More information on the results of BIA schools would have been helpful in providing a comprehensive picture of educational options in this community.

## 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><b><u>Philosophy and Approach to Instruction</u></b> While this section suggests that research supports the educational model, the specific conclusions stated are not all clearly tied to a particular study and/or these studies are not consistently cited in this section.</p>	P 20-22
<p><b><u>Description of the Curriculum</u></b> Applicants provide reasonable detail on how the curriculum for the four annual learning expeditions will be developed, but do not clarify the</p>	P 23

<p>duration of the expeditions.</p> <p>On page 40, it states that the school will provide an “<i>integrated and comprehensive math curriculum and language arts (reading) program.</i>” Page 46 indicates that along with homeroom, Reading and Math will be implemented as separate from the learning expeditions. However, the application provides very little information regarding the curriculum, the curricular approach and how these programs fit into the overall framework.</p> <p>While the school day schedule includes time specifically dedicated to Art/Music/PE, the application does not provide a plan for development or purchase of the Art/Music/PE curriculum.</p> <p><b><u>Alignment with NM Standards</u></b>  The application is incomplete in describing the process of curriculum alignment—as defined in the 2010 NM Charter School Application glossary. It does not elaborate on who will be responsible for what action steps or suggest what the final alignment document will contain.</p> <p>It is unclear what “<i>analysis</i>” has occurred in the “<i>example standards analysis</i>” on pages 29-39 as these appear to be the list of standards by subject and grade level.</p> <p><b><u>Strategies and Methods</u></b>  The application makes reference to some strategies and methods that are not clearly defined. For example, the distinction and specific use for “<i>investigations, learning experiences and daily lesson plans</i>” on page 41 is not provided.</p> <p>The list of “<i>active pedagogy strategies</i>” on page 42 (Science Talks, Gallery Walks, Tableaus, etc.) are not defined.</p>	<p>Pp. 40 &amp; 46</p> <p>schedule on P 46</p> <p>Pp. 29-39</p> <p>P 41</p> <p>P 42</p>
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**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:**



**ANALYSIS: STUDENT PERFORMANCE EXPECTATIONS**

Criteria Not Sufficiently Addressed, Concerns & Additional Questions	Reference
<p><b><u>Student-centered SMART Goals</u></b>                      The instrument(s), defined as “<i>a variety of formative and summative, standards-based assessment tools</i>” used to measure Goal #1 accomplishment is non-specific.</p> <p>The “<i>Habits of Work</i>” in goal #3 is not clearly defined.</p> <p><b><u>Alignment</u></b></p>	<p>P 47</p> <p>P 47</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><b><u>Types of Assessments</u></b>                      The application does not explain how Measure of Academic Progress (MAP)—the selected short-cycle assessments—fit into the over-all assessment plan.</p> <p><b><u>Timeline for Achievement</u></b>                      No timeline for achievement of NM Standards or the school’s performance expectations is presented here.</p> <p><b><u>Corrective Action</u></b></p>	<p>P 50</p>

<p><b><u>Remediation</u></b>  Much of the response to this prompt is a direct quote from a PED publication that defines the SAT process. The application fails to describe how this process would be managed at this particular school.</p> <p><b><u>Additional Assessments</u></b></p> <p><b><u>Documentation and Reporting</u></b>  The application does not elaborate on how the student led conferences will be structured, how this aligns with the mission goal, what the expectation for parent involvement entails (are they just an audience?).</p> <p>Meaningful detail on the “<i>Celebrations of Learning</i>,” “<i>passage process</i>” and “<i>Habits of Work</i>” (all mentioned in this section) is not provided.</p>	<p>Pp. 49-50</p> <p>P 51</p> <p>P 51</p>
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**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><b><u>Modifications to meet Individual Student Needs</u></b>                      The types of modifications that would be employed to meet individual student’s needs are underdeveloped.</p> <p><b><u>Outline of Special Education Plan</u></b>                      The outline of the plan for special education lacks significant detail to understand how the plan will be implemented at the school.</p> <p>Though it lists state and federal requirements, the application does not present information to demonstrate an understanding that it must comply with them.</p> <p>Plans to have the Curriculum and Special Education Team Leader as the SAT coordinator is in conflict with PED’s SAT Guide which clearly states that the SAT is not part of the school’s special education process, but rather part of the responsibility of regular education. Page 54 of the Guide also states that “A special education professional may serve on the SAT, but must not serve as the SAT Chairperson or Supervisor.</p> <p>A suggestion of a potential relationship with Gallup-McKinley Schools to “carry out a plan for special education” is made, but the application does not provide evidence that the school understands its responsibility as an LEA for delivering services to special education students.</p> <p><b><u>Access to Ancillary Services</u></b>                      While the application states that the school “may” contract with providers of ESL services, counseling services and health services, it does not elaborate on this plan nor does it address contracting with ancillary service providers that special education students may need (Occupational Therapist, Physical Therapist, Speech...etc.).</p>	<p>Pp. 53-54</p> <p>P 54</p> <p>Pp. 53-54</p> <p>P 54</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.

<b>Summary Analysis</b>
<p>The application describes the philosophical framework and core components of the Expeditionary Learning model and though research is not consistently cited, it makes a reasonable case for why this approach was selected. USEL provides a well-conceived approach to instruction, with teachers developing learning expeditions with support through professional development and web-based tools.</p> <p>USEL provides learning expedition themes for its which align to NM standards, but does not explain the over-all plan for curriculum alignment and some of the curriculum itself. The application mentions that, in addition to the learning expeditions, the curriculum will be supplemented with a comprehensive math and language arts program, but does not elaborate on those programs, nor does it identify or clearly plan</p>

for the curriculum development for music, art, and P.E. Though some strategies and methods in the application are not well-defined, it provides a solid plan for building multi-year connections between students, families and teachers with a plan for grade-level team planning and implementation of learning expeditions to support the curricular approach.

A clearly defined calendar with the proposed length of the school year, and day—distinguished between the students and teachers—along with the total number of instructional days and hours is presented. Applicants provide a well-considered rationale for phasing in grades.

USEL has three meaningful, student-centered goal areas. They are aligned to the mission and the educational plan, though some terms contained in the goals lack a clear definition.

The application provides for the use of both formative and summative assessments “for” learning and “of” learning. Multiple examples of both are listed. However, the plan for evaluating student performance does not explain how it all fits together and does not present an assessment timeline.

The plan for assessing the need to make corrective action seems realistic and represents an understanding of the 3-tiered model of student intervention, though the remediation plan does not address how the SAT process would be managed at this particular school. Applicants also do not provide a clear picture of how the documentation and reporting of student data will occur, again with some terms undefined.

The applicants provide an assurance of compliance with applicable state and federal law governing education for special populations. It suggests modifications for how the needs of English Language Learners might be met. However, the special education outline is missing key information that would render it reasonably comprehensive. It does not provide adequate detail on the modifications, ancillary services, and how the school will comply with state and federal requirements.

## **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
<p><b><u>Revenue Projection Form 910B5</u></b></p> <p><b><u>5-Year Budget Plan</u></b></p> <p><b><u>Revenue and Expenditure Assumptions</u></b>            The operating budget narrative does not mention special education and ancillary service providers that special education students may need (Occupational Therapist, Physical Therapist, Speech...etc.).</p> <p>The amounts budgeted for related contract services, legal services, and employee travel seems low.</p> <p>The application does not describe how staff will receive training or present a plan to purchase the programs for student discipline.</p> <p><b><u>Revenue Sources Other Than SEG Funds</u></b></p> <p>Applicants do not explain why it might be reasonable for the school to receive a <i>Navajo Coordinated School Health</i> grant of \$40,000 or for the Advisory Council to raise at least \$10,000/year.</p> <p><b><u>Expenditure Assumptions for Other Than SEG Funds</u></b></p>	<p>Pp. 55-57 and Appendix C</p>

**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><b><u>Fiscal Management Plan</u></b>            The plan to contract with the NM Coalition for Charter Schools does not address how the school itself will manage the fiscal responsibilities to which they are accountable.</p> <p><b><u>Internal Control Procedures</u></b>            Internal control procedures name the following staff positions: Business Manager, Business Office Bookkeeper, Assistant Business Office Bookkeeper (page 65), Assistant Business Manager, Accounting Specialist (page 70), Director and School Administrative Assistant. Other than the Director and School Administrative Assistant all the positions appear to be <b>staff of the identified contractor</b>. Therefore, the school has provided a plan that is dependent upon this contractor’s organizational business office structure and the internal controls of the contractor’s business office. This lack of information regarding what will occur at the school site, does not ensure the school will have the necessary internal control procedures to safeguard the funds for which they are responsible.</p> <p><b><u>Annual Audit of Financial Operations</u></b>            The application states that the Audit committee will make a recommendation on the selection of the auditors, however, in actuality, the PED, not the school, selects the auditor for State-chartered schools.</p>	<p>P 61</p> <p>Pp. 61-80</p> <p>P 80</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**

USEL presents completed 910B5 forms and a balanced operating budget for all five years of the initial charter term. It provides a narrative description of the expenditure assumptions that seem reasonable. The proposed operating budget prioritizes funding to support most of the educational plan, applicants do not explain how special education services including the ancillary providers that students are likely to need (speech, OT, PT, diagnostician, etc.) is addressed.

USEL plans to contract with the New Mexico Coalition of Charter Schools for fiscal management, Business Office services, and the services of a Business Manager. An assurance is made that the school will “work hard” to maintain internal control structure and develop policies and procedures that comply with applicable laws and regulations.

A very detailed description of the internal control structure illustrates how the school will create a control environment, operate an accounting system, control procedures, and organizational system of checks and balances. Further detail is provided on how the school’s budget will be developed, and how adjustments, modifications and purchases will be made. Plans for adherence to the procurement code are evident. Detailed steps are provided for how the accounts payable process, travel, payroll, bank reconciliation, capital asset management, cash controls, student activity fund management, journal entries, general ledger maintenance, reconciliations, and financial reporting will occur.

Applicant also provides plans for forming a Finance Committee and an Audit Committee.

The school’s reliance on contracted business management services without a clear indication of how the school site will maintain necessary controls and appropriate fiscal management procedures does not provide the necessary detail that demonstrate sound fiscal management practices and the appropriate safeguarding of public funds.

## **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:
  - 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;
  - 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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>Governance and site-based management structure</u></b>            The statement about the over-all governance management reads that the Governing Council (GC) and Director are “<i>expected to engage and sustain active participation in <b>decision-making</b> by staff, students, families and community members</i>” but does not elaborate on what types of decisions it means. [Emphasis added]</p>	P 81
<p><b><u>Organizational chart and narrative description</u></b>            The narrative does not explain why there is a solid line between Teaching Staff and the Advisory School Council.</p>	P 81

**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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>Governing Body policies and procedures</u></b></p> <p>The number of members that can sit on the USEL Governing Council is not specified.</p> <p>The powers and duties of GC officer positions are not described.</p> <p>Selection of the GC chair is unclear. The application states that the GC chair shall be “appointed” by GC members.</p> <p>The job description for the school director states that s/he would act “<i>as the chief operating officer of the Governing Council</i>” but does not elaborate on what that means.</p> <p><b><u>List of governing body members and qualifications</u></b></p> <p><b><u>Staff, families, and community involvement in governance</u></b></p>	<p>P 86</p> <p>P 92</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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>Partner organization and contact information</u></b></p> <p>The application states that no partnerships are essential to the existence of the school.</p> <p><b><u>Nature and purpose of partnership</u></b></p> <p>N/A</p> <p><b><u>Partner organization involvement with school governance</u></b></p>	<p>P 91</p>

N/A	
<b><u>Evidence of formal partnership agreement</u></b>	
N/A	

#### 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

<b><u>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</u></b>	<b>Reference</b>
<b><u>Job descriptions for all organizational chart positions</u></b> It is unclear what it means for the Business Manager to “ <i>oversee health and safety</i> ” requirements.	P 92
The Instructional Assistants’ responsibility for “ <i>providing scheduled and unscheduled supervision in classrooms during a teacher’s non-contact time</i> ” is not fully explained.	P 95
<b><u>Years 1-5 staffing plan with pupil-teacher ratio supporting educational plan</u></b> The applicant does not explain how the pupil-teacher ratio presented in this chart will support the educational plan for the full-inclusion model proposed.	P 96

#### 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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>School’s personnel policies and procedures</u></b> Personnel policies do not mention beginning teacher mentorship program, absence/leave, and other policies to make this section comprehensive.</p> <p><b><u>Proposed salary schedules for all employees</u></b></p> <p><b><u>Evaluation process for staff</u></b> Though the application contains a list of evidence that may be used as part of the evaluation, the description of the evaluation process is vague. Though it makes reference to the PDP this section does not demonstrate an understanding of how it relates to the evaluation process.</p> <p><b><u>Staff discipline process</u></b></p>	<p>P 97-99</p> <p>P 101</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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>School enrollment policies and procedures</u></b> This section lacks meaningful detail about the “<i>application form</i>” it references which is a key part of the enrollment procedures.</p>	<p>P 102-103</p>

<p><b><u>Description of lottery process</u></b> The application indicates that students need to submit “<i>a completed application</i>” and “<i>attend an in-person meeting</i>” prior to being included in the lottery drawing. This practice does not conform to federal and state guidance.</p>	P 102-103
<p><b><u>Description of proposed student discipline policy</u></b> The student discipline policy may include the various strategies listed in this section, however, because the application does not clearly state what strategies will be used, this section is underdeveloped and not comprehensive.</p>	P 104-105
<p><b><u>Proposed student discipline procedures (appendix)</u></b> The discipline procedures in Appendix B do not align with the Student Rights and Responsibilities Act.</p>	Appendix B

**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 “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”**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<p><b><u>Explanation of needs of a facility that will support educational plan</u></b></p> <p><b><u>Reasonable plan to identify and secure an adequate facility</u></b> The plan for securing a facility mentions that the school will hire a “<i>start-up year Coordinator.</i>” Details about this position are lacking.</p> <p><b><u>Proposed capital outlay needs</u></b></p>	P 106



process. However, plans for the GC lack detail in regard to the number and composition of the board and the powers and duties of the officer positions. A description of how the GC will comply with The Open Meetings Act is articulated. Plans for GC member recruitment, selection, and orientation and plans to undergo annual training and professional development to foster a shared vision for USEL are reasonable. The application includes the names of GC members, their positions, and brief bios for each.

A description of site-based management structure is straightforward with job descriptions for all staff in the organizational chart, including Business Manager, Director, Administrative Assistant, Custodian, Teachers, Team Leader Teachers, and Instructional Assistants, though a few job descriptions could be more specific. A licensure requirement for each position is delineated. The narrative description of the reporting structure for each position mirrors what is depicted in the organizational chart.

A staffing plan chart includes the total number of students, the number of teachers and the pupil teacher ratio for each operational year of the school. This plan aligns with the operational budget and with the description in the educational plan for student phase-in; however it does not explain how it supports special education service provision.

The staff evaluation process is not clearly defined, however they do not mention beginning teacher mentorship program, and absence/leave policies. Instructional Assistant and Teacher salary schedules delineated by licensure level, years of service and education level are provided. The salary for the Director, Administrative Assistant and Custodian are included.

Though the application contains a list of evidence that may be used as part of the staff evaluation process, the description of the evaluation process is vague.

The lottery process raises concern for compliance with state and federal lottery enrollment guidance. It describes the need for students to complete an application form and attend an in-person meeting prior to being included in the lottery drawing.

An assurance is made to be in compliance with the NM Student Rights and Responsibilities Act. Habits of Work, Principles of the Student Discipline Policy, and Positive Behavior Support are stated to support the policy. The student discipline policies and procedures lack details and alignment with other aspects of the application. The strategies and programs mentioned in this section are not supported by the school's professional development plan and the operating budget.

Applicants provide a good description of the needs for a facility including desired location and size. A detailed plan for plan for securing a facility is included, however, it makes reference to a "start-up year coordinator" whose role is not fully explained. USEL clearly describes how it plans to provide transportation services, and apply to become a School Food Authority in order to provide food services. It mentions the provision of counseling and health services, etc. though some details for the plans to contract for student access to other services are missing.

## 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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<b><u>Statement of public school insurance authority coverage participation</u></b>	

**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**

<b>Criteria Not Sufficiently Addressed, Concerns &amp; Additional Questions</b>	<b>Reference</b>
<b><u>List of waivers that will be requested from PED</u></b> The applicant has listed waivers that do not align with the educational plan provided. For example, the application indicated that it would seek a waiver for driver’s education, however, since the school is only serving students up to the 8 <sup>th</sup> grade, this waiver would not be necessary.	P 110-111
<b><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></b> While the applicants do not identify other waivers, they include a	P 111

section entitled “ <i>Other Requirements.</i> ” These paragraphs are inappropriate and seem to be based on the assumption that the school can determine what is considered a <b>material term</b> of the charter and what is not. Defining the charter’s material terms is not is not a decision of the school but rather the authorizer and these statements are contrary to NMSA 1978 22-8B-9E.	
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## 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.

<b>Summary Analysis</b>
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<p>The application does not demonstrate a clear understanding of the need for potential waivers of law or regulation. While the applicants do not identify other waivers not pertaining to PED regulations, they include a section entitled “<i>Other Requirements.</i>” These paragraphs are inappropriate and seem to be based on the assumption that the school can determine what is considered a <b>material term</b> of the charter and what is not. Defining the charter’s material terms is not is not a decision of the school and these statements are contrary to NMSA 1978 22-8B-9E.</p>
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