

**AGENDA ITEM EXECUTIVE SUMMARY**

**I. Public Education Commission Meeting Date: June 15, 2018**

**II. Item Title:**

**Discussion and Possible Action on Site Visit Protocols**

**III. Proposed Motion:**

- Move to approve the Site Visit Protocols for both the old Performance Framework and New Performance Framework.
- Move to deny the Site Visit Protocols because [PEC to provide rationale].

**IV. Executive Summary:**

Please see attached documents.



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**Site Visit ~~Guidance Document~~ Protocol for the Old Performance Framework**

**PURPOSE OF THE VISIT**

The Charter Schools Division (CSD) shall conduct Annual Site Visits (December 2017 – May 2018) to charter schools that are authorized by the Public Education Commission. The purpose of each site visit is to determine whether the school has met the conditions, standards and procedures set forth in the charter contract; met or made substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract, including implementation of its Improvement Plan, if required; met generally accepted standards of fiscal management; and complied with all provisions of law from which the charter school was not specifically exempted. The site visit also provides CSD the opportunity to provide technical assistance to the charter school.

The site visit provides the Charter School and the CSD opportunities to clarify and verify information provided by the school in its Web EPSS account as well as information provided by the Public Education Department's divisions and bureaus.

**GUIDANCE FOR CSD SITE VISIT**

Each site visit team is comprised of CSD/PED staff and shall follow the guidance below:

- The site visit will be conducted over a one-day period and follow the schedule and agenda provided to the school administration no less than 30 days in advance of the site visit.
- CSD/PED staff will review documentation (see example list below) and other forms of evidence that the school makes available to demonstrate their fidelity to their charter and compliance with legal requirements.
- CSD/PED staff will review evidence of implementation of required PEC Improvement Plans (or NMDASH plan) for schools that have earned a D or F on the latest school grade reporting.
- CSD/PED staff will review evidence of implementation of required Audit Corrective Action Plans within the last 12 months and/or Financial Corrective Action Plans required by the PEC.

- CSD/PED staff may facilitate conversations with the school administration, teachers, and staff to understand the school's progress in implementing its mission and compliance with legal requirements.
- The CSD/PED staff will tour the school and visit classrooms to understand the school's success toward meeting the statutory performance expectations and progress in implementing its material terms and mission.
- Before leaving the school at the conclusion of the site visit, the team will meet and debrief with the school administration to review preliminary findings.
- After the visit, the team will prepare and send to the school a written report within 45 days of the site visit.
- Within 30 days of the release of the written report, the school has the opportunity to address and respond to the findings of the report.

### EXPECTATIONS OF THE SCHOOL

The school is responsible for ensuring that the purpose of the site visit, meeting schedules and appointments, and all other site visit expectations made clear to the members of the school community and its stakeholders.

The site visit team will visit classrooms during the course of the site visit. The purpose of these classroom visits is to observe the ways in which the school's mission is being communicated on a daily basis throughout the school (school purpose, climate and teacher and student engagement), observe the implementation of the school's Improvement Plan (or NMDASH plan) if one is required, and to verify implementation of NM Common Core and State Standard aligned curriculum, as required by the PEC performance frameworks and NM state law. Team members will not interrupt instruction, but may briefly talk to students or teachers at opportune moments.

### Please use this checklist to ensure your school is prepared for the site visit.

- I. Provide information for PED team to plan for site visit:
  - a. Current school year daily schedule, if not on website.
  - b. Current school year school map with teacher names/grade levels.
  - c. Any information you would like CSD to review offsite, prior to site visit.
- II. Optional School Presentation (30 minutes): The school, if it wishes, will be given 30 minutes to present an overview of their school to the CSD/PED team. The school should determine use of school directed time and prepare accordingly.
- III. On day of visit, ensure availability and access to all necessary documents, including but not limited to:
  - a. Documentation to support the school's progress:
    - **Academic Performance:** Short-cycle assessment data (from the assessment program) or other data used to supply information in the school's performance

framework, academic performance framework, Mission Specific and/or Student Academic Performance Standards/Goals;

- a. Note: For schools that have earned a D or F on the latest school grade reporting, evidence of the school's implementation of its Improvement Plan (or NMDASH plan).
  - o **Financial Performance:** Supporting documentation data used to supply information in the school's performance framework, financial framework;
    - a. For schools who have submitted an Audit Corrective Action Plan within the last 12 months, provide evidence of the school's implementation;
    - b. For schools required to implement a Financial Corrective Action Plan by the PEC, provide evidence of the school's implementation.
  - o **Organizational Performance:** Supporting documentation used as the basis for the assurances provided in the performance framework, organizational *framework*, *Organizational Performance*.
  - o **Material Terms of Charter:** (educational plan, teacher focused terms, student focused terms, and parent focused terms); evidence of documentation of implementation of the school's state mission and contract material terms.
  - o **School Specific Terms:** Evidence of implementation of the school's renewal conditions, school specific terms, and/or other additional or supplemental indicators according PEC policy and/or the Performance Framework.
- b. ~~School Calendar and daily schedules (include both full-day and half-day schedules)~~
- c. Daily Student Attendance: Please provide documentation of attendance for the date of the site visit -Sheet for day of visit that shows all students who are enrolled, present and absent (by grade level and classroom)
  - o If the school has students who attend/complete work in a non-traditional manner, please ensure the school provides documentation of how the school monitors and tracks students' attendance and work completion.
  - o Additionally, please identify the number of students in each track/program.
- d. Emergency Drills: Evidence of all emergency drills and practiced evacuations conducted this school year and in the prior year
- e. ~~Governing Board Members:~~ A current list of Governing Board members and Governing Body meeting notices, agendas,  
f.e. ~~and minutes (if not available on website)~~ for past 12 months
- f. Open and Transparent Governance: Evidence of timely notice of meetings and availability of meeting minutes according to the Open Meetings Act ~~posting of meeting notices~~
- g. ~~Staff Files:~~ Employee files including background checks, licensure, ~~contracts~~,  
professional development plans (-PDPs), and evidence of mentorship policy/handbook and

~~evidence of its implementation, as applicable mentoring documentation, as relevant~~

h. **School employee salary schedule(s)**

i. **RTI and SAT:** ~~Evidence of documentation to demonstrate~~ implementation of the school's RTI and SAT processes

j. ~~\_\_\_\_\_~~ **English Learners and Students with Disabilities:** Evidence of implementation of ~~programs and documentation of required services~~ ~~Documentation to demonstrate services provided~~ to special populations including, but not limited to, ELLs and students with disabilities ~~on IEPs~~

~~a) \_\_\_\_\_~~ ~~k. \_\_\_\_\_~~ ~~j. \_\_\_\_\_~~ ~~Documentation to demonstrate implementation of your school's stated mission and contract material terms~~

~~k. \_\_\_\_\_~~ **Student Files:** ~~including:~~ Student files should include (whether hard-copy or electronic, in separate files or aggregated):

- Documentation to demonstrates implementation of the school's ELL, RTI, SAT, and Special Education processes
- Enrollment and withdrawal forms
- Registration documents such as:
  - Documentation of proof of state residency, for schools near the state border and online programs
  - Evidence of immunization records and/or approved Department of Health Waiver
- Documentation regarding enforcement of compulsory attendance law, and notification regarding habitual truants
- Language Usage Survey for all new students to New Mexico and/or evidence that the school determine accurate student language classification (STARS reporting, request for documents from others schools, etc.)
- Student assessment results, including English language proficiency screener (WAPT/WIDA Screener) or annual assessment (WIDA ACCESS for ELLs)  
~~Documentation of proof of state residency, for schools near the state border and online programs~~

l. **Next-Step Plans** (for secondary students if applicable)

m. **Safe Schools Plan:** ~~Echool's Safety Plan and~~ evidence of an approved safe schools plan and evidence of implementation to demonstrate implementation of the plan

n. **McKinney Vento/Homelessness:** Evidence that the school is in compliance with The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act).





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**2018-2019 State Charter School Annual Site Visit**  
**SCHOOL and DATE**

**8:00 – 8:15 am**      **Introductions and Expectations**

**8:15 –8:45 am**      **Optional School-Directed Time** (*Presentation, Facility Tour, etc.*)

**8:45 – 9:30 am**      **Interview with School Leader\***

The following topics will be discussed:

- a) Academic performance including mission-specific indicators and implementation of Improvement Plan, if required
- b) Organizational performance including all indicators in the framework
- c) Financial performance including any Audit Corrective Action Plans within the last 12 months and/or PEC-required Financial Corrective Action Plans
- d) Compliance concerns from the 2016-2017 performance framework evaluation in WebEPSS

**9:30 – 4:00 pm**      PED site team will work in the following areas:

<b>Staff Files</b>	Review for compliance
<b>Student Cumulative Files</b>	Review for compliance - specifically identifying ELs; parent notification
<b>Student IEPs</b>	Review for compliance
<b>Program Files</b>	Review for implementation and compliance: RtI/SAT processes; instructional hours; school safety and emergency drills; parent notifications; implementation of Audit CAP, PEC Financial CAP, and/or Improvement Plan, if required
<b>Classroom Observations</b>	Observe level of differentiated student support(s); and implementation of material terms and school mission; implementation of Improvement Plan, if required

**12:00 – 1:00 pm**      **Lunch Break**

**4:00 – 5:00 pm**      **Exit Interview\***

Discuss observations and/or concerns from the site visit

*\*Head administrator may ask members of leadership team to be present during the interview.*



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**Site Visit Protocol for the 2018 Performance Framework**

**PURPOSE OF THE VISIT**

The Charter Schools Division (CSD) shall conduct Annual Site Visits (September 2018 – May 2019) to charter schools that are authorized by the Public Education Commission (PEC).

**Evaluative Feedback.** The purpose of each site visit is to determine whether the school has met the conditions, standards and procedures set forth in the Charter Contract; met or made substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract, including implementation of any PEC Corrective Action Plan or its NMDASH Plan, if required; met generally accepted standards of fiscal management; and complied with provisions of law from which the charter school was not specifically exempted. The site visit provides the Charter School and the CSD opportunities to clarify and verify information provided by the school in its Web-EPSS account as well as information provided by the Public Education Department's divisions and bureaus. The site visit provides CSD the opportunity to provide the school evaluative feedback.

**Formative Technical Assistance.** The site visit also provides CSD the opportunity to provide targeted technical assistance (on the items in the Organizational Performance Framework that are not identified as components of the site visit but may be of concern). Therefore, the PED site visit team may also observe, review evidence and documentation, and/or interview school personnel for components in the Organization Performance Framework that are not identified as components that are evaluated in order to provide targeted technical assistance to support the school's continuous improvement. Some topics/indicators may include:

**Educational Program Requirements**

- Compliance with state and contractual assessment requirements
- Compliance with federal and state obligations to protect the rights of students with disabilities
- Compliance with federal and state obligations to protect the rights of English Learners
- Compliance with federal and state grant program requirements

**Financial Management and Oversight**

- Evidence/documentation that the school meets reporting and compliance requirements
- Evidence/documentation that the school follows Generally Accepted Accounting Principles



- Evidence/documentation that school manages grant funds responsibly
- Evidence/documentation that school is adequately staffed to ensure proper fiscal management

### **Governance and Reporting**

- Evidence/documentation that school complies with governance requirements
- Evidence/documentation that school meets reporting requirements

### **Students and Employees**

- Evidence/documentation that the school protects the rights of all students

### **School Environment**

- Evidence/documentation that the school complies with transportation requirements
- Evidence/documentation that the school handles information appropriately

### **GUIDANCE FOR CSD SITE VISIT**

Each site visit team is comprised of CSD/PED staff and shall follow the guidance below:

- The site visit will be conducted over a one-day period and follow the schedule and agenda provided to the school administration no less than 30 days in advance of the site visit.
- CSD/PED staff will review documentation (see example list below) and other forms of evidence that the school makes available to demonstrate their fidelity to their charter and compliance with legal requirements.
- CSD/PED staff will review evidence of implementation of NMDASH Plans for schools that are:
  - Rated as Tier 3 or Tier 4 on the Academic Performance Framework;
  - Earning an “F” letter grade, or meeting criteria to be identified as TSI, CSI, or MRI; or
  - Schools that are required to implement an NMDASH plan by a PEC Corrective Action Plan.
- CSD/PED staff will review evidence of implementation of required Audit Corrective Action Plans within the last 12 months and/or Financial Corrective Action Plans required by the PEC.
- CSD/PED staff may facilitate conversations with the school administration, teachers, and staff to understand the school’s progress in implementing its mission and compliance with legal requirements.
- The CSD/PED staff will tour the school and visit classrooms to understand the school’s success toward meeting the statutory performance expectations and progress in implementing its material terms and mission.
- Before leaving the school at the conclusion of the site visit, the team will meet and debrief with the school administration to review preliminary findings.
- After the visit, the team will prepare and send to the school a written report within 45 days of the site visit.
- Within 30 days of the release of the written report, the school has the opportunity to address and respond to the findings of the report.

### **EXPECTATIONS OF THE SCHOOL**

The school is responsible for ensuring that the purpose of the site visit, meeting schedules and appointments, and all other site visit expectations are made clear to the members of the school community and its stakeholders.

The PED site visit team will visit classrooms during the course of the site visit. The purpose of these classroom visits is to: observe the ways in which the school's mission is being implemented and communicated on a daily basis throughout the school (school purpose, climate and teacher and student engagement); verify implementation of observable teacher-, student- and parent-focused terms; and observe the school stays within its enrollment cap and serves only the approved grade levels, and observe the implementation of the school's NMDASH plan if one is required. Team members will not interrupt instruction, *but may briefly talk to students or teachers at opportune moments.*

**The following Checklist is provided to help your school prepare for the site visit.**

- I. **Pre-Visit Preparation:** Provide the following information **one week before** the PED team to plan for site visit:
  1. Current school year daily schedule, if not on website.
  2. Current school year school map with teacher names/grade levels.
  3. Any information you would like CSD to review offsite, prior to site visit.
  
- II. **Optional School Presentation:** The school, if it wishes, will be given 30 minutes to present an overview of their school to the CSD/PED team. The school should determine use of school directed time and prepare accordingly.
  
- III. **Day of the Visit:** On the day of visit, please ensure the site visit team has **access to** and that the **necessary evidence/documentation is readily available** for review. This list may include, but is not limited to the following indicators/topics that have been **identified as components of the site visit evaluation**, per the New Performance Framework, as approved by the PEC in April 2018:
  1. **EDUCATIONAL PROGRAM REQUIREMENTS**
    - i. ***1.a. Is the school implementing the material terms of the approved charter application as the defined in the Charter Contract?***
      1. Evidence/documentation that the school's mission is being implemented.
      2. Evidence/documentation that the school is implementing its educational programs as stated in its contract terms and performance framework.
      3. Evidence/documentation that the school is implementing its parent-, teacher-, and student-focused terms.
      4. Evidence/documentation that the school stays within its enrollment cap at all times and serves only the approved grade levels.
  
    - ii. ***1.f. Does the school implement an Education Plan for Student Success (NMDASH)?***  
*(Only applicable for school rated as Tier 3 or Tier 4 on the Academic Performance Framework Evaluation, earning an "F" letter grade, or meeting criteria to be identified as TSI, CSI, or MRI or schools that are required to implement an NMDASH plan by a PEC Corrective Action Plan.)*

1. Evidence/documentation that the school has an active core team engaged in the DASH process.
2. Evidence/documentation that the school is implementing its annual and 90-day plans as evaluated through evidence of documented school/adult actions during the site visit.

## **2. FINANCIAL MANAGEMENT AND OVERSIGHT**

### ***i. 2.c. Is the school responsive to audit findings?***

1. Evidence/documentation that the school is implementing its Audit CAP as submitted, as evaluated through review of evidence and school/adult actions during the site visit.

## **3. GOVERNANCE AND REPORTING**

### ***i. 3.b. Is the school complying with nepotism and conflict of interest requirements?***

1. Evidence/documentation that the school is free of nepotism concerns regarding the governing board and demonstrates compliance with nepotism statute and the school's own nepotism policy, as verified through file reviews on the site visit or when otherwise necessary.
2. Evidence/documentation that the school is free of conflict of interest concerns regarding the governing board and demonstrates compliance with conflict of interest statute and the school's own conflict of interest policy, as verified through file reviews on the site visit or when otherwise necessary.

## **4. STUDENT AND EMPLOYEES**

### ***i. 4.b. Does the school meet attendance, retention, and recurrent enrollment goals for students?***

1. Evidence that the school meets the 95% average attendance goal, or is able to demonstrate successful efforts to improve attendance among the student body.
2. Evidence the school maintains at least 80% retention of enrolled students from date of enrollment until the end of the school year, or students who leave prior to the end of the year as classified as graduates, completers, or have earned a GED.
3. Evidence the school retains at least 70% of students eligible to enroll between school years.

### ***ii. 4.c. Is the school meeting teacher and other staff credentialing requirements?***

1. Through a review of staff files during the site visit, the school demonstrates that all employees are appropriately licensed as required by law.
  - a. Evidence that all employees hold licensure or have submitted licensure application with 30 days of beginning employment with the school.
  - b. Evidence that the school employs a licensed administrator at all times.
  - c. Evidence that the school does not have any licensure discrepancies that are repeated from one reporting period to any subsequent reporting period.
  - d. Evidence that discrepancies from the first reporting period are cleared by submitting all required licensure waivers within the first 40 days of the school year, or from beginning of employment.
2. Evidence that the school meets the requirements of all licensure waiver plans and alternative licensure plan requirements.
3. Evidence that the school has not employed, with pay, any teacher without licensure beyond 90 days.

4. Evidence that the school accurately reports all staff to the PED, as verified through site visit reviews.

**iii. 4.d. Is the school respecting employee rights?**

1. Evidence that the school completes and submits all NMTEACH evaluations and observations annually in accordance with deadlines.
2. Evidence that teachers are provided comprehensive NMTEACH reports and that these are maintained in personnel files. Signed NMTEACH reports (all pages) are available in staff files from the prior year.
3. Evidence that the school maintains teacher contracts in all staff files.
4. Evidence that the school complies with minimum teacher salaries.
5. If a school has verified complaints regarding teacher rights under the personnel act, FMLA, or ADA, evidence/documentation of the school/adult actions taken to remedy the concerns.
6. If the school has verified complaints regarding the lack of adequate mentorship for novice teachers, evidence/documentation of the school/adult actions taken to remedy the concerns.

**iv. 4.e. Is the school completing required background checks and reporting ethical violations?**

1. Evidence that the school maintains legally compliant background checks in all staff files including evidence of background checks for substitutes, all contracted service providers, and anyone with unsupervised access to students.
2. Evidence/documentation that the school reports incidents of violations of teacher/licensed staff ethical rules or criminal convictions to the PED pursuant to the School Personnel Act.

**5. SCHOOL ENVIRONMENT**

**i. 5.a. Is the school complying with facilities requirements?**

1. Current evidence/documentation that all school facilities meet PSFA occupancy, NMCI, and ownership requirements.
2. Current evidence/documentation that all school facilities have E-Occupancy certificate(s).
3. Current evidence/documentation that all school facilities have a PSFA letter verifying condition index.
4. Evidence/documentation the school is in a building that is:
  - a. a publically owned building;
  - b. is leased to the school by a foundation formed for the purpose of providing a facility to the school, the foundation maintains the building at no cost to the school; or
  - c. is leased by a private owner that there is no acceptable public facility available, the owner maintains the building at no cost to the school.
5. Evidence that school has notified the PEC prior to any change in facilities.
6. There are no verified complaints that demonstrate the buildings, grounds, or facilities do not provide a safe and orderly environment for public use. The school has evidence/documentation, as verified through the site visit reviews that the school
  - a. is safe, healthy, orderly, clean and in good repair;
  - b. in compliance with the American with Disabilities Act – Part III and state fire marshal regulations; and

- c. written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers, and staff.

**ii. 5.a. Is the school complying with health and safety requirements?**

1. Evidence/documentation that the school conducts all required emergency drills and practiced evacuations.
2. Evidence that the school submits school wellness and safety plans, and all required revisions, in accordance with the deadlines to the PED.
3. Evidence that the school complies with 24-5-2 NMSA 1978 and provides satisfactory evidence of immunization, is actively in the immunization process, or properly exempted from immunization for all students.
4. Evidence that the school is compliant with all facility corrective requirements from the recent inspection from any other state entity (e.g. NMPSIA, DOH, PSFA, Fire Marshal, POSHA, etc.)

DRAFT



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**2018-2019 State Charter School Annual Site Visit**  
**SCHOOL and DATE**

**8:00 – 8:15 am**  
**8:15 – 8:45 am**  
**8:45 – 9:30 am**

**Introductions and Expectations**  
**Optional School-Directed Time** (*Presentation, Facility Tour, etc.*)  
**Entrance Interview with School Leader\***

The following topics will be discussed:

- a) *Academic performance framework* including: components from the NM A-F School Grade; subgroup performance; and school-specific goals; and implementation of NMDASH, if required.
- b) *Organizational performance framework* including all indicators in the New Performance Framework
- c) *Financial performance framework* including any Audit Corrective Action Plans within the last 12 months and/or PEC-required Financial Corrective Action Plans

**9:30 – 4:00 pm** The PED site team will work in the following areas:

<b>Staff Files</b>	Review for compliance with all applicable laws related to licensure and background checks; licensure waiver plans, alternative licensure plan requirements; staff reporting to PED; NMTEACH evaluations, staff contracts, etc.
<b>School/Program Files</b>	Review for implementation and compliance: school mission and contract terms, implementation of NMDASH, if required; implementation of Audit CAP, PEC Financial CAP; nepotism and conflict of interest policies; attendance, retention, and recurrent enrollment goals; school facilities requirements; school safety and emergency drills; school safe plans; immunization documentation, etc.
<b>Classroom Observations</b>	Observe implementation of material terms and school mission; implementation of NMDASH, if required
<b>Targeted Technical Assistance</b>	Items on the Performance Framework not identified as components of the site visit evaluation ( <i>e.g. English Learners, Students with Disabilities, etc., see Site Visit Protocol</i> )

**12:00 – 1:00 pm** **PED Site Visit Team Lunch Break**

**4:00 – 5:00 pm** **Exit Interview\***

Discuss observations and/or compliance concerns from the site visit, provide evaluative feedback, and technical assistance

\*Head administrator may ask members of leadership team to be present during the interview.