

**New Mexico Public Education Commission
and
Public Education Department
Options for Parents: Charter Schools Division
2019-2020 State Charter Renewal Application Kit**

Updated November 2018



Effective Options
for New Mexico's
Families
Charter Schools





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Through charter schools, the Public Education Commission (PEC) as Authorizer, and the Charter Schools Division (CSD) in the New Mexico Public Education Department (PED) seek to provide families with effective, quality educational options. The CSD provides staff support to the PEC and will review your renewal application, conduct the renewal site visits, and make a recommendation for renewal, non-renewal, or a conditional renewal on behalf of the Public Education Department. The PEC makes the final decision regarding the renewal application after reading it, reading the CSD preliminary analysis and school's response, and, finally, considering the information provided by the CSD in their final recommendation to renew, renew with conditions, or deny a school's renewal application.

Renewing charter schools have the option to seek renewal from either their local chartering authority (district) or the PEC as the state chartering authority. All renewal applications must be submitted ~~by October 1, 2018, to the charter school's selected chartering authority~~ **no later than October 1 of the fiscal year prior to the expiration of the school's charter.** In accordance with Subsection A of 6.80.4.13 NMAC, the chartering authority must then rule in a public meeting on the renewal of the application ~~no later than January 1, 2018~~ **no later than January 1 of the fiscal year in which the charter expires.**

The PEC developed this state charter renewal application kit to assist charter schools in the development of their renewal applications to the PEC. The template for the state renewal charter application kit will be posted on the PEC website at <https://webnew.ped.state.nm.us/bureaus/public-education-commission/applications-and-requests/renewal-application/>. CSD will provide technical assistance training that focuses on the state-authorization charter school renewal process. If you are intending to renew with a district authorizer, you should check with the district on the forms and process that they require.

The enclosed renewal application is divided into six parts: **Part A: Your School’s Summary Data Report and Current Charter Contract; Part B: Progress Report, Part C: Financial Statement; Part D: Petitions of Support; Part E: Description of the Charter School Facilities; and Part F: Amendment Requests.** These sections address the requirements of NMSA 1978 § 22-8B-12(J) and are intended to provide the PEC the information necessary to determine if the school’s past performance supports renewal of the charter. NMSA 1978 § 22-8B-12(K) provides that a charter may be not renewed if the chartering authority determined the school (1) committed a material violation of any of the conditions, standards or procedures set forth in the charter contract; (2) failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract; (3) failed to meet generally accepted standards of fiscal management; or (4) violated any provision of law from which the charter school was not specifically exempted.

Part A is provided by the CSD and PED for the school in the summer before Renewal, updated after the newest data is released, and then is provided as Part A to the School’s Renewal Application when the PEC receives it in October. The School is asked to verify the information in Part A. The school should also use the information in the contract to report on academic performance goals and other contractual requirements.

Part B offers a School the opportunity to provide information regarding their academic performance, financial compliance, and organizational, contractual and governance responsibilities and improvement actions over the term of their most current charter. This Part of the Application is divided into three sections: Section 1 – Academic Performance, Section 2 – Financial Compliance, and Section 3 – Organizational, Contractual and Governance Responsibilities.

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In **Section 1 – Academic Performance**, the school reports on its academic performance during the term of the contract, including achieving the goals, student performance outcomes, state standards of excellence and accountability requirements set forth in the Assessment and Accountability Act.

Subsection a - A school that has not maintained a C or better letter grade in each of the last four years (or for the contract term, if shorter than four years) should provide a narrative that addresses the improvement actions and the success of those actions. The purpose of the narrative is to demonstrate substantial progress toward maintaining a C or higher letter grade. Implementation of the described improvement actions should be verifiable through evidence at the site visit. Schools that have maintained a C or better letter grade in each of the last four years (or for the contract term, if shorter than four years) will not complete this Section.

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Subsection b - All schools will report on their performance in relation to school specific charter goals found in the negotiated Performance Eframework. Performance reports related to school specific goals should be supported by raw data (masked to protect PII), provided in an appendix. The school should report on the performance in each of the last four years (or for the contract term, if shorter than four years). Schools that have **not** met their school specific goals in each of the four years (or for the contract term, if shorter than four years) should

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provide a narrative that addresses the improvement actions and the success of those actions. The purpose of the narrative is to demonstrate substantial progress toward meeting the school specific goals and maintaining that performance level. Implementation of the described improvement actions should be verifiable through evidence at the site visit. Schools that have met their goals in each of the years of the contract term **will not** provide a narrative.

In **Section 2 – Financial Compliance**, each school reports on its financial compliance during the term of the contract, including all findings identified in external audits completed and released during the term of the contract, and the requirements of the Financial Performance Framework.

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Subsection a – For each year in which the school had significant deficiency, material weakness, or repeat findings identified in the external audit, the school **must** provide a narrative explaining the improvement actions made to meet financial compliance requirements and the effectiveness of those actions in improving financial compliance. Success should be identified by specific changes in practice and changes in the audit findings in subsequent years. The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining financial compliance. Implementation of the described improvement actions should be verifiable through evidence at the site visit.

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Subsection b - If the school's **Board of Finance was suspended** at any time during the term of the contract, the school must provide a narrative explaining the actions taken on the school's own initiative to correct financial compliance and ~~regain~~requalify the Board of Finance Authority and the success of those actions. The school must also describe the current status of the Board of Finance and continuing actions to ensure the same financial challenges do not reoccur. Success should be identified by specific changes in practice. The narrative must be supported by evidence provided in an appendix.

In **Section 3 – Contractual, Organizational and Governance Responsibilities**, the school reports on its organizational, contractual and governance responsibilities during the term of the contract, including achieving the objectives, state standards of excellence, ~~and a~~ and other terms of the charter contract.

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Subsection a - **Each school** will provide a brief narrative describing how they have implemented the Material Terms of the Charter including the operational structure, the mission of the school, and the educational program of the school (including student-focused terms, teacher-focused terms, and parent-focused terms). The narrative will be verified during the site visit. If the school has made substantial changes or has not met any of the material terms of the contract during the term of the contract, the school must provide a narrative to explain the improvement actions the school made during the term of the contract in order to meet those charter objectives. All schools must provide a narrative for this section of the application.

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Subsection b – Each school will identify any organizational compliance findings from the Organizational Performance Framework over the term of the contract and provide a narrative to address improvement actions it has made to correct those findings. The purpose of the narrative is to demonstrate substantial progress toward meeting organizational performance expectations. Implementation of the described improvement actions should be verifiable through evidence at the site visit. If the school has received any Office of Civil Rights CR complaints or formal special education complaints, the school should identify those, provide all communications (redacted to protect PII) related to those complaints in an appendix, and describe the current status of the complaint process. If any of those complaints have been resolved and resulted in a finding that the school violated any law, the school must provide a narrative describing the required compensatory and corrective actions required and their status in implementing those actions. The implementation of such actions must be verifiable through evidence during the site visit.

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Subsection c – Each school will identify how they have met governance responsibilities during the term of the contract. Specifically, the school will identify any time when membership on the governing body fell below the requirements in their by-laws or the statutory minimum of 5 members. The school will identify the amount of time any vacancies were open. The school will also identify any board members that did not complete required training hours in any of the years of the contract term. If the school identified any governance requirements they were unable to meet, the school must provide a narrative describing the improvement actions the school implemented to move toward full compliance with governance responsibilities. The purpose of the narrative is to demonstrate substantial progress toward meeting all governance requirements. The implementation of such actions must be verifiable through evidence during the site visit. All schools must provide a narrative for this section of the application.

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Part C offers a school the opportunity to demonstrate the financial stewardship it has implemented over the term of the contract. The school must provide a financial statement that discloses the costs of administration, instruction and other spending categories for the charter school. The financial statement must be understandable to the general public and must allow comparison of costs to other schools or comparable organizations. **For schools that have earned a D or lower letter grade, the report should specifically address how the school has prioritized resources toward proven programs and methods linked to improved student achievement until the public-school earns a grade of C or better for two consecutive years. All schools must provide a response for this section of the application.**

Part D offers a school the opportunity to demonstrate ~~the~~ community support for the continuation of the school. NMSA 1978 § 22-8B-12 requires the school provide two petitions: (1) a petition in support of the charter school renewing its charter status, signed by not less than sixty-five percent of the employees in the charter school during the year prior to the least year of the contract; and (2) a petition in support of the charter school renewing its charter status, signed by at least seventy-five percent of the households whose

children are enrolled in the charter school on the 120th day of the year prior to the least year of the contract. These petitions must be completed in the school year in which the applicant is applying for renewal. Original signatures must be provided in the application. **All schools must provide a response for this section of the application.**

Part E requires the school to provide a description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 NMSA 1978. The school must provide supporting documentation to demonstrate the assurances are correct in an appendix. The required documentation includes the E-Occupancy Certificate, a letter regarding the NMCI from PSFA, and a copy of any lease documents. **All schools must provide a response for this section of the application.**

Part F allows the school to identify any amendments it would like to have considered as part of the renewal process. These amendments may include changes in facility location, enrollment cap increases, changes in grade levels served, changes in the educational program, and other standard amendment requests.

Upon receipt of the completed application, the CSD will review the application, verify data, and conduct a site visit to verify information provided in the application. Afterwards, the CSD will write a preliminary analysis of the school's Renewal Application and send a copy to the school as well as to the PEC. The school will have a chance to respond to the analysis provided. After CSD receives the school's response, it will evaluate all information available and make a recommendation for a renewal, conditional renewal, or non-renewal.

New Mexico law, in subsection K of Section 22-8B-12 NMSA 1978, includes the four reasons for non-renewal of a school's charter. It provides that a charter may be not renewed by the chartering authority if the chartering authority determines that the charter school:

- committed a material violation of any of the conditions, standards, or procedures set forth in the charter;
- failed to meet or make substantial progress toward achievement of the department's minimum educational standards or student performance standards identified in the charter application;
- failed to meet generally accepted standards of fiscal management;
- violated any provision of law from which the charter school was not specifically exempted.

Please contact charter.schools@state.nm.us, with any questions regarding the state charter renewal application kit.

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Instructions: 2019 State Charter Renewal Application Process and Review Stages

Form and Point of Contact	All submissions should be prepared utilizing the 2019 State Charter Renewal Application Kit. Brevity, specificity, and clarity are strongly encouraged. Any questions regarding the application and the review process must be directed to: charter.schools@state.nm.us .
Deadlines and Manner of Submission	<p>2019 State Charter Renewal Application Kits must be submitted using your charter school account through Web EPSS Website.- You will learn more about using the Web EPSS monitoring platform site at one of the Technical Assistance Workshops mentioned below. If you have any questions or feedback after reviewing the guide, please contact charter.schools@state.nm.us</p> <p>Files must be submitted via your account on the WEB EPSS no later than 11:59 p.m. (Mountain Time) Wednesday, October 1, 2019.</p> <p>Note: Submission prior to October 1st, 2018 of the current year will not change the deadlines for review. Early submissions are welcomed; however, they do not put applicants at an advantage. All applications are treated equally and fairly, <u>but must be as long as they are</u> submitted by the deadline above.</p>
Technical Assistance Workshops (March – May 2019)	The CSD will provide <u>facilitate</u> technical assistance workshops for the charter renewal application process between March and May 2019. The first training will take place March 2, 2019 and which will be an all day session. Details regarding this training and future trainings are available at: https://webnew.ped.state.nm.us/bureaus/charter-schools/training-opportunities/
Renewal Application Review Period (October 1–31)	A CSD review team will analyze your Renewal Application Kit. The CSD staff will schedule your Renewal Site Visit prior to the completion of the CSD Renewal Analysis. This site visit is designed to verify the evidence and documentation supporting the renewal application kit and evaluate compliance with academic, organizational, contractual, financial, and governance requirements. PEC receives Part A and renewal applications by October 8.
CSD Preliminary Renewal Analysis (November 11)	The CSD will send each renewal applicant and the PEC a Preliminary Renewal Analysis. This analysis will synthesize the strengths and weaknesses of the charter school as found by the CSD Review Team <u>in relation as they relate</u> to the statutory reasons for non-renewal.
Response to Preliminary Renewal Analysis (November 23)	Renewal applicants may respond in writing to the information contained in the Renewal Analysis. These responses must be submitted using the Web EPSS.

<p>CSD Recommendation (December 3) to PEC (December 1)</p>	<p>The CSD will send a recommendation <u>with the final renewal analysis</u> to the PEC to approve, approve with conditions, or deny the renewal application on Monday, December 3, 2019 <u>not later than December 1st of the year the renewal application is submitted</u>. Renewal applicants will receive a copy of the recommendation prior to the PEC acting on the application.</p>
<p>Final Authorization Meeting of PEC (Within the first three weeks Beginning the week of December 9)</p>	<p>The PEC will hold a public decision-making meeting to approve, approve with conditions, or deny the renewal application <u>not later than during beginning the week of December 9, 2019</u> by January 1st of the following year.</p>

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State Charter Renewal Application Evaluation Standards

Based on the completed Renewal Application Kit, the charter school Renewal Site Visit(s), the Renewal Analysis from the PEP_CSD staff, status reports provided by the PED's divisions and bureaus, and, if applicable, the local school district, the PEP_CSD will make a recommendation to the PEC regarding renewal of a school's charter. The following questions guide the PEP_CSD's recommendation regarding renewal and are based upon the four reasons that a chartering authority must determine a charter school has violated in order to refuse to renew a charter pursuant to Subsection K of Section 22-8B-12 NMSA 1978.

Has the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter?

The school's performance contract defines the terms under which it proposes to operate, and the Performance Framework defines the measurable goals that the school agreed to meet. The PEP_CSD will analyze the evidence presented in the application from the school, during the renewal site visit, and from the monitoring conducteding during the term of the contract, to determine if the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter. ~~For applicants that were previously authorized by the district. [Fragment sentence]~~

Has the school failed to meet or make substantial progress toward achievement of the PED's minimum educational standards or student performance standards identified in the charter application?

The PEP_CSD will analyze and evaluate student achievement data on required state tests and on other measures set forth in the contract. The school must report data for school-specific goals both throughout the term of the contract and as part of the renewal application. The school's own analysis and supporting data will both be considered.

Has the school failed to meet generally accepted standards of fiscal management?

The PEP_CSD will rely on documentary evidence based on the annual independent financial audits and reports from the School Budget and Finance Analysis Bureau and the Audit and Accounting Bureau with regard to whether the school has met generally-accepted standards of fiscal management.

Has the school violated any provision of law from which the state-chartered charter school was not specifically exempted?

The PEP_CSD will rely on documentary evidence gathered by the PEP_CSD or, if applicable, local district authorizer staff, during the term of the school's charter to determine if the school has compiled a record of substantial compliance with applicable state and federal laws and regulations. Evidence will also be evaluated during the site visit and from monitoring reports throughout the term of the contract.

Glossary of Terms

Amended Charter School Act: In 2011, the New Mexico Legislature amended the Charter School Act (Act) in several ways. The purpose of the amended Act is to increase accountability of charter schools and authorizers. The primary changes to the Act were the addition of a separate “Performance Contract” (*§22-8B-9 NMSA 1978*) between the authorizer and the charter school and “Performance Frameworks” (*§22-8B-9.1 NMSA 1978*).

Assessment: A method, tool, or system used to evaluate and demonstrate student progress toward—or mastery of—a particular learning standard or goal (e.g., a standardized test, short-cycle tests, teacher-developed tests, a portfolio-judging system, etc.).

Current Charter: The current charter is the approved charter (or charter contract) with any amendments and/or changes that have been authorized for the current operational term.

Material Term: The PEC/PED will use the following definition used by the National Association of Charter School Authorizers (NACSA) for **Material Terms**:

The term *material* means that the authorizer deems the matter relevant to

1. The authorizer’s accountability decisions including but not limited to decisions about whether to renew or non-renew or revoke a charter; or
2. Information that a family would consider relevant to a decision to attend the charter school.

The material terms will be the provisions that the charter school will need to amend in order for the school to modify any of the terms of the contract. **Please note:** The material terms are those essential elements with which the charter school agrees to comply. These are **not** the only terms that could be breached in the contract and do not identify the only terms that could be subject to “material violations.” There could be a material violation of any term in the Performance Contract or as demonstrated by the results of the Performance Framework.

Material Violation: A material violation occurs when one party fails to perform their duties as specified in a contract. A contract may be violated by one or both parties. A material violation may result in the need for corrective action or other action as allowed by law to be taken by the Authorizer. There could be a material violation of any term in the Performance Contract or as demonstrated by the results of the Performance Framework.

New Mexico Condition Index (NMCI): The PSFA ranks every school facility condition in the state based upon relative need from the greatest to the least. This metric is used to compare and prioritize schools for capital outlay funding.

Performance Contract: (*§22-8B-9 NMSA*) The charter authorizer shall enter into a contract with the governing body of the applicant charter school within 30 days of approval of the charter application. The charter contract shall be the final authorization for the charter school and shall be part of the charter. If the chartering authority and the applicant charter school fail to agree upon the terms of or enter into a contract within 30 days of the approval of the charter application, either party may appeal to the secretary to finalize the terms of the contract, provided that such appeal must be provided in writing to the secretary within 45 days of the approval of the charter application. Please note: the charter school and PEC may agree to an extension of the 30-day deadline.

Performance Frameworks:— [§22-8B-9.1 NMSA] The charter contract will also include a performance framework tied to annual metrics and measures for:

- (1) Student academic performance
- (2) Student academic growth
- (3) Achievement gaps in proficiency and growth between student subgroups
- (4) Attendance
- (5) Recurrent enrollment from year to year
- (6) If the charter school is a high school, post-secondary readiness
- (7) If the charter school is a high school, graduation rate
- (8) Financial performance and sustainability
- (9) Governing body performance

PSFA: Public Schools Facilities Authority. The PSFA serves as the staff to the Public School Capital Outlay Council (PSCOC) to implement the New Mexico Condition Index (NMCI) as well as to approve and monitor lease assistance applications.

2019 State Charter Renewal Application Process

The Charter Renewal Application Process includes the following:

Part A—School’s Summary Data Report and Current Charter Contract (provided by the CSD)

Part B—Progress Report

Part C—Financial Statement*

Part D—Petitions of Support*

Part E—Description of the Charter School Facilities*

Part F—Amendment Requests

*All schools must provide a response for this section of the application.

Please Note

- Read the entire Renewal Application before you begin to prepare your written documents. Please complete the application thoroughly. In an effort to help you understand the requirements included in the Renewal Application, the CSD will hold a minimum of two technical assistance workshops (March - May). You will be notified of the dates, times, and locations of the workshops.
- Review your current charter, including any approved amendments, prior to completing the Renewal Application Kit.



Part A—School’s Summary Data Report and Current Charter Contract

(CSD will provide this pulling from information provided during the charter term.)



Part B—Progress Report

(A report on the progress of meeting the academic performance, financial compliance, and governance responsibilities of the charter school, including achieving the goals, objectives, student performance outcomes, state standards of excellence, and other terms of the charter contract, including the accountability requirements set forth in the Assessment and Accountability Act during the Current Charter Term.)

The following rubric will be used to evaluate the narratives in Part B:

Meets the Standards	<ul style="list-style-type: none"> In each year of the contract term, the school has a demonstrated record of meeting all standards, which is supported by evidence. 	
Demonstrates Substantial Progress	Demonstration Through Data	Demonstration Through Systemic Improvement Plan
	<ul style="list-style-type: none"> The school does not have a demonstrated record of meeting all standards in each of the years in the contract term, <i>however...</i> An evaluation of <i>all</i> data and evidence (for academic narrative this includes all available academic performance data, including state assessment data) demonstrates at least two years of sustained improvement toward meeting the standard. 	<ul style="list-style-type: none"> The school does not have a demonstrated record of meeting all standards in each of the years in the contract term, <i>however...</i> The narrative describes specific adult (teacher, leader, board) actions taken to improve performance and outcomes by addressing the root cause of the inadequate performance; AND The site visit team can verify the implementation of reported improvement actions by evaluating specific evidence at the school site that is observable, verifiable, and readily available; AND The narrative identifies measurable successes during the most recent year resulting from the improvement actions taken; AND An evaluation of the data and evidence supports the observable and reported successes.
Failing to Demonstrate Progress	<ul style="list-style-type: none"> The school does not have a demonstrated record of meeting all standards in each of the years of the contract term. An evaluation of data and evidence (for academic narrative this includes all available academic performance data, including state assessment data) does not demonstrate at least two years of sustained improvement toward meeting the standard. AND ONE OR MORE OF THE FOLLOWING: The narrative is focused on describing circumstances- connected to the poor performance and/or excuses for the poor performance (e.g. serving a disproportionately high rate of students with disabilities, serving a disproportionately high rate of “at-risk” students, a lack of funding, teacher/administrator turnover, etc.), and/or either does not describe specific adult improvement actions taken or describes minimal adult improvement 	

	<p>actions taken;</p> <p>or</p> <ul style="list-style-type: none">• The site visit team is not able to verify implementation of the reported adult improvement actions because there is no observable, verifiable evidence presented during the site visit; <p>or</p> <ul style="list-style-type: none">• The narrative fails to identify any measurable successes during the most recent year, or evaluation of the data and evidence directly contradicts reported successes.
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1. Innovative and Distinctive Education Program

The school ~~may~~ shall provide a brief description of ~~what it feels are~~ some of its unique, ~~and~~ innovative, and significant contributions to public education within the same grade level and geographic area in which it is located. These contributions may include:

1. Teaching methods
2. Measures of student achievement
3. Professional development for teachers
4. Learning programs, or
5. Encouraging parental or community involvement

Schools are encouraged, but are NOT required to complete this Section.

School response:

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21. Academic Performance

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school... failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract.

a. Department's Standards of Excellence – A-F Letter Grades

The Public Education Department, pursuant to NMSA 22-2E-1, et seq., annually assigns a letter grade of A, B, C, D or F to each public school pursuant to criteria established by department rules. In addition, pursuant to NMSA 22-2E-4(D) and (F), it has been established that a letter grade of D or F does not meet the standards of excellence. To meet an acceptable level of performance, a school must earn a grade of C or better for two consecutive years. NMSA 22-2E-45(E).

For any school that has not maintained a C or better letter grade in each year of the term of the contract, or that has received a D or F in any indicator of the letter grade in the past two years, provide a narrative that describes the improvement actions targeted to improve the school's letter grade (school/adult/leader/teacher actions) and the success of those actions (student academic successes/improved outcomes). The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining a C or higher letter grade.

Implementation of the described improvement actions should be verifiable through documented evidence at the site visit. **Please identify specific evidence of both the school/adult/leader/teacher actions and the student academic successes/improved outcomes in the narrative.**

The narrative should reference performance data that can be reviewed and verified either during the site visit or during the "desk audit" review of the application. If providing data, please attach in an appendix and reference the appendix by name in the narrative.

Schools that have maintained a C or better letter grade over the term of the contract AND have not received a D or F in any indicator of the letter grade in the past two years do NOT complete this Section.

School response:

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b. School-Specific Charter Goals

Pursuant to NMCA 22-8B-9.1, each charter school authorizer must allow for the inclusion of additional rigorous, valid and reliable indicators proposed by a charter school in each school's performance framework to augment external evaluations of its performance, provided that the chartering authority approves the quality and rigor of the indicators and the indicators are consistent with the purposes of the Charter Schools Act.

All applicants must report on each school-specific charter goal that is included in the school's performance framework. Applicants must provide a summary analysis of their performance on each goal over the term of the contract. This analysis must state, for each year of the contract, whether the goal was met and must include longitudinal data that can show the progress of the school over the contract term. For each goal, the applicant should provide a visual representation of the longitudinal data.

For any applicant that did not meet all of their goals in each year of the contract term, provide a narrative that addresses the improvement actions (school/adult/leader/teacher actions) targeted to improve the school's performance on that school-specific goal and the success of those actions (student academic successes/improved outcomes). The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining sufficient performance on the school-specific goal. The narrative should only address a goal that was not met in each year of the contract term.

Implementation of the described improvement actions should be verifiable through documented evidence at the site visit. **Please identify specific evidence of both the school/adult/leader/teacher actions and the student academic successes/improved outcomes in the narrative.**

The narrative should reference performance data that can be reviewed and verified either during the site visit or during the "desk audit" review of the application. If providing data, please attach in an appendix and reference the appendix by name in the narrative.

Schools that have met all of their school-specific goals in each year of the contract term do NOT provide a narrative.

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School response:

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32. Financial Compliance

The Charter School Act provides as follows:
A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...failed to meet generally accepted standards of fiscal management.

a. Audit Report Summary

Every charter school is subject to the Audit Act. NMSA22-8B-4(C). The Public School Finance Act requires the audit committee of each charter school governing body to track and report progress on the status of the most recent audit findings and advise the local school board on policy changes needed to address audit findings (see next page).

Please edit the actual year you are referring to in the table. For example, Year 1 should be changed to the audited year (such as FY17) within the current contract. Also, provide a summary of the nature of findings including category levels. Include any repeat audit findings involving a material issue.

Year	Total # of Findings	Nature of Findings including Rating (Compliance, Significant Deficiency, Material Weakness)	School's Corrective Action Plan
Year 1			
Year 2			
Year 3			

b. Board of Finance

Pursuant to NMSA 22-8-38, failure of the governing body of a state-chartered charter school to qualify for designation as a board of finance constitutes good and just grounds for nonrenewal or revocation of its charter.

Further, pursuant to NMSA 22-8-39, the department may at any time suspend a local school board or governing body of a state-chartered charter school from acting as a board of finance if the department reasonably believes there is mismanagement, improper recording or improper reporting of public school funds under the local school board's or governing body of a state-chartered charter school's control.

When the governing body of a state-chartered charter school is suspended from acting as a board of finance, the department is required to consider commencing proceedings before the commission to revoke or refuse to renew the charter of the state-chartered charter school.

If the school's **Board of Finance was suspended** at any time during the term of the contract, the school must provide a narrative explaining the actions taken (school/adult/leader/board actions) on the school's own initiative to correct financial compliance and regain the Board of Finance Authority and the success of those actions (improved practices and outcomes).

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The school must also describe the current status of the Board of Finance and continuing actions to ensure the same financial challenges do not reoccur. Success should be identified by specific changes in practice.

The narrative must be supported by evidence provided in an appendix and verifiable through evidence at the site visit. **Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative.**

Schools that have maintained all Board of Finance authority during the entire term of the contract do NOT complete this Section.

School response:

Click here to enter text.

43. Contractual, Organizational, and Governance Responsibilities

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...committed a material violation of any of the conditions, standards, or procedures set forth in the charter...*and/or*...violated any provision of law from which the charter school was not specifically exempted.

a. Charter Material Terms*

Pursuant to NMSA 22-8B-9, each charter contract ~~must~~ contains material term of the charter application or renewal information as well as additional criteria as determined by law and regulation, and agreed to by the school and CSD parties to the contract. The PEC's contract identifies all material terms in Article VII., Section 8.01(a)(i)-(xvii) of the Performance Contract.

Each school must provide a brief narrative describing how they have implemented the Material Terms of the Charter including the operational structure, the mission of the school, and the educational program of the school (including student focused terms, teacher focused terms, and parent focused terms).

The narrative will be verified during the site visit.

If the school has ~~requested, made~~ substantial changes or has not met any of the material terms of the contract during the term of the contract, the school **must** provide a narrative to why the substantial changes were requested, and explain the improvement actions (school/adult/leader/board actions) the school made during the term of the contract in order to meet those charter objectives and contract terms.

Success should be identified by specific changes in practice and demonstrated achievement of contract ~~the~~ terms in later years of the charter. The purpose of the narrative is to demonstrate substantial progress toward achieving the material terms of the charter so that the school is in compliance with materials terms of the contract.

Implementation of the described improvement actions should be verifiable through evidence at the site visit. **Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative and has met all the material terms.**

School response:

Click here to enter text.

* All schools must provide a response for this section of the application.

b. Organizational Performance Framework

Pursuant to NMCA 22-8B-9.1, the performance framework for each charter school must include performance indicators and performance targets for governing body performance, including compliance with all applicable laws, rules and terms of the charter contract.

For any school that has received a repeated “working to meet” rating or a first time or repeat “falls far below rating” for one or more of the organizational performance framework indicators on the most recently completed organizational performance framework evaluation provide a narrative explaining the improvement actions made (school/adult/leader/board actions) to meet all legal compliance requirements and the effectiveness of those actions (improved practices and outcomes) in improving organizational performance and compliance.

The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining organizational performance and compliance.

Implementation of the described improvement actions should be verifiable through evidence at the site visit. **Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative.**

If the school has received any OCR complaints or formal special education complaints, the school must identify those, provide all communications (redacted to protect PII) related to those complaints in an appendix, and describe the current status of the complaint. **If any of those complaints have been resolved and resulted in a finding that the school violated any law**, the school must provide a narrative describing the required compensatory and corrective actions required and their status in implementing those actions. The implementation of such actions must be verifiable through evidence during the site visit.

Schools that do not have any repeated “working to meet” ratings or any “falls far below” ratings on the most recent organizational performance framework evaluation do NOT complete this Section.

School response:

Click here to enter text.

c. Governance Responsibilities*

Pursuant to NMSA 22-8B-4, each charter school must, at all times, have at least five members and no members may serve on any other charter school governing body. Further, the governing bodies must operate in accordance with their charter contract and bylaws. The PEC’s performance contract requires that the PEC is notified of board vacancies within 30 days, and that vacancies are filled within 45 days.

Additionally, pursuant to NMSA 22-8-12.3, Boards must maintain audit and finance committees that meet statutory makeup requirements.

Further, pursuant to NMAC 6.80.4.20, each charter school governing body member must annually complete five hours of approved training.

Finally, governing body members are held to the conflict of interest requirements laid out in NMSA 22-8B-5.2.

Each school must identify how they have met governance responsibilities during the term of the contract. Specifically, the school must identify:

- the membership of their boards at all times during the term of the contract (with roles and service terms for all members); this should also include membership of the required committees;
- any time when membership on the governing body fell below the requirements in their by-laws or the statutory minimum of 5 members;
- any time when the governing body did not maintain the required committee membership;
- the amount of time any vacancies were open;
- any board members that did not complete required training hours in any of the years of the contract term.

If the school identified any governance requirements they were unable to meet, the school must provide a narrative describing the improvement actions the school implemented to move toward full compliance with governance responsibilities.

The purpose of the narrative is to demonstrate substantial progress toward meeting all governance requirements.

The implementation of such actions must be verifiable through evidence during the site visit.

School response:

Click here to enter text.

* All schools must provide a response for this section of the application.



Part C—Financial Statement*

(A financial statement that discloses the costs of administration, instruction, and other spending categories for the charter school that is 1) understandable to the general public, 2) ~~that~~ allows comparison of costs to other schools or comparable organizations, and ~~that~~ 3) is in a format required by the department.)

Instructions:

- a. Complete the table specific to your operational budget for each fiscal year within the school’s current charter contract (Year 1 through 4). **Please edit the actual year you are referring to in each table (such as FY17 and so forth).*
- b. Input totals for functions 1100 and 2300/2400/2500 (combined) for each year into chart at the end of this section.

Year 1

Fund	Fund Name	Example of Expenditures by Fund	Percentage (%)	Amount
1100	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	Social Workers, Counseling, Ancillary Services, etc.		

2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
	Other	Miscellaneous (Community Services)		
Grand Total				
Total Amount of Operational Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)				

Year 2

Fund	Fund Name	Example of Expenditures by Fund	Percentage (%)	Amount
1100	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
	Other	Miscellaneous (Community Services)		
Grand Total				
Total Amount of Operational Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support,				

<i>and School Administration)</i>		
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Year 3

Fund	Fund Name	Example of Expenditures by Fund	Percentage (%)	Amount
1100	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
	Other	Miscellaneous (Community Services)		
Grand Total				
Total Amount of Operational Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)				

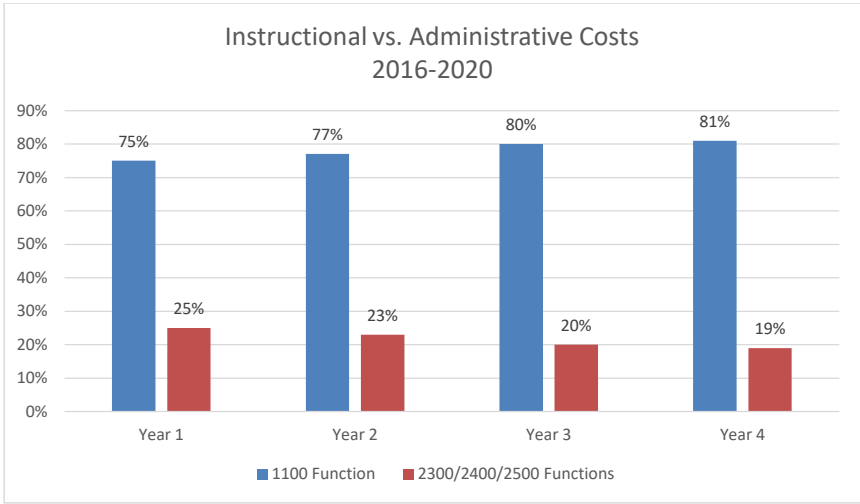
Year 4

Fund	Fund Name	Example of Expenditures by Fund	Percentage (%)	Amount
1100	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		

2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
	Other	Miscellaneous (Community Services)		
Grand Total				
Total Amount of Operational Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)				

Operational Budget in Bar Graph (right click on chart and input % for each field):

**Please edit the actual year you are referring to in the graph below*



Other Information

Only schools that are transferring authorizers (from a district to the Public Education Commission) must provide the following information:

- ✓ Copies of all financial statements and audit findings for any audits performed within the current charter contract.

- ✓ Membership figures for 80 day and 120 day reporting periods from STARS within the current charter contract.
- ✓ Copies of 910-B5's within the current charter contract.
- ✓ Copies of PEB_CSD Site Visit Documents from within the current charter contract.
- ✓ Copies of any Corrective Action Plans or Other Actions taken by the district or the Public Education Department.
- ✓ Special Education Maintenance of Effort (MoE) Reports from within the current charter contract.
- ✓ A Recent Cash Report submitted to the New Mexico Public Education Department.
- ✓ Have you had the school's Board of Finance removed during the current charter term? Is so, please provide an explanation, including the time frame of the removal.

***All schools must provide a response for this section of the application.**



Part D—Petitions of Support*

1. A petition in support of the charter school renewing its charter status signed by not less than sixty-five percent of the employees in the charter school.
2. A petition in support of the charter school renewing its charter status signed by at least seventy-five percent of the households whose children are enrolled in the charter school. Provide only household names and not the students' names, in order to protect PII and be compliant with FERPA.

*All schools must provide a response for this section of the application.

1. Petition of Support from Employees

Instructions:

- Signatures must be collected during the year prior to the least year of the contract, using the school's employee information on the 120th day.

A certified petition in support of the charter school renewing its charter status signed by not less than 65 percent of the employees in the charter school at Subsection J of 22-8B-12 NMSA 1978.

Include, as **Appendix B**, a certified affidavit of the Employees' Support Petition from not less than 65 percent of the employees of the charter school that indicates their support of the renewal of the charter.

Following is a suggested form to certify the petition. This form may be attached to the petition. You MUST have signatures.

I am the head administrator of the _____ Charter School and hereby certify that: the attached petition in support of the _____ Charter School renewing its charter was circulated to all employees of the _____ Charter School. There are _____ persons employed by the _____ Charter School. The petition contains the signatures of _____ employees which represents _____ percent of the employees employed by the _____ Charter School.

STATE OF NEW MEXICO)

ss.

COUNTY OF (_____)

I, _____, being first duly sworn, upon oath state:

That I have read the contents of the attached Petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 20__~~18~~¹⁹.

Notary Public

My Commission Expires:

2. Petition of Support from Households

Instructions:

- Signatures must be collected during the year prior to the least year of the contract, using the school's enrollment information on the 120th day.
- Students over the age of 18 and students acting as a head of household may provide the signature for the household. For students under the age of 18 living with a parent or guardian, the signature shall be the parent or guardian's signature.

A certified petition in support of the charter school renewing its charter status signed by not less than 75 percent of the households whose children were enrolled in the charter school at Subsection J of 22-8B-12 NMSA 1978.

Include, as **Appendix C**, a certified affidavit of the household support petition of the charter school renewing its charter status from not less than 75 percent of the households whose children were enrolled in the charter school.

Following is a suggested form to certify the petition. This form may be attached to the petition. You **MUST** have signatures.

I am the head administrator of the [_____] Charter School and certify that: the attached petition in support of the [_____] Charter School renewing its charter was circulated to households whose children were enrolled in our charter school. It contains the signatures of [_____] households which represents [_____] percent of the households whose children were enrolled in the [_____] Charter School.

STATE OF NEW MEXICO)

ss.

COUNTY OF [_____])

I, [_____] being first duly sworn, upon oath state:

That I have read the contents of the attached petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this [_____] day of [_____] 2019.

Notary Public

My Commission Expires:



Part E—Description of the Charter School Facilities and Assurances*
(A description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 NMSA 1978)

* All schools must provide a response for this section of the application.

F. Facility

A description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 NMSA 1978.

The school must provide a narrative description of its facilities. The school should attach any facility plans or the school's Facility Master Plan in **Appendix D**.

In addition, attach a copy of the building E Occupancy certificate and a letter from the PSFA with the facility NMCI Score as **Appendix D**, indicating that the school facility meets the requirements at Subsection C of 22-8B-4.2 NMSA 1978. (If the charter school is relocating or expanding to accommodate more students.)

The school must also provide assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 NMSA 1978, including subsections A, C, and D. A template is available from the PEC's website.

School response:

[Click here to enter text.](#)



Part F—Amendment Requests

(Submissions that meet amendment request requirements to support PEC consideration of any requested changes to the material terms of the school contract that would become effective as part of the new contract)