



## **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)

## 1. 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 assign 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:***

Southwest Preparatory Learning Center (SPLC) has maintained a C or better during its renewal period and all the years of its existence. In FY18 there were two indicators where the school received a D, Current Standing and Improvement of Lowest-Performing Students. These same indicators were C's on the FY17 report card. This year, the student population changed due to a consolidation of Southwest Primary Learning Center and Southwest Intermediate Learning Center (SILC). SPLC added the 7<sup>th</sup> and 8<sup>th</sup> grade students, staff and programs to its existing 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> grade. Because of this change – there is no history of 4<sup>th</sup> through 8<sup>th</sup> grade to review, it was like starting all over again.

In September of 2017, we trained in the Early Warning System (EWS). The process helped us identify our areas of need and prioritize their importance using school data. The determination was that our 7<sup>th</sup> and 8<sup>th</sup> grade math programs needed to define our schedule. The EWS proved to be a very useful tool and the results in 7<sup>th</sup> and 8<sup>th</sup> grade mathematics showed improvement.

Based on our 90 Day Plan from 2017-2018 and the FY18 School report card, Current Standing and Lowest Performing Students are areas in need of improvement. It is our hope and intention that implementation of the following changes will positively affect our students proficiencies in mathematics and reading and their overall academic achievement.

In 2016-2017 SPLC added a full special education (SpEd) teacher and an ELL Coordinator to the staff. Last year, 2017-2018 we added a half-time special education teacher to the mix. This year, partially resulting from our 90 day plan from last year and partially in response to demand, we changed the half-time SpEd teacher to full-time and added a full-time SpEd educational assistant. So, our SpEd Department now consists of one and one half full classroom teachers, a one half SpEd Coordinator and a full SpEd educational assistant. Between inclusive classroom instruction and individual supports all students with IEPs, including gifted, are receiving services.

In October of 2017 our 6<sup>th</sup> grade mathematics teacher was diagnosed with lung cancer. She was on medical leave from November 6, 2017 through April 2, 2018. This was very difficult for everyone, students, staff, parents and families. The options for mathematics substitutes are limited and we did the best we could with our resources. There is no doubt the negative impact that experience had on our 6<sup>th</sup> grade mathematics students and their test scores. There was little we could do to limit the impact of these circumstances. This year, our teacher has been declared "cancer free." She is back and we are back on track as a full staff.

Two years ago we started using UNM work study students in our after school program. Realizing the potential, this year we have 10 UNM work study students that come and go from different classrooms, at different times of the day, employed as classroom tutors. The work study students are active during the day and not just for after school. Their job is to help the teachers provide supports for struggling students not specifically identified as special needs but just students in need of support.

## 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 in 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.**

### ***School response:***

**There are no school specific goals for this renewal period.**

## 2. 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

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.

**For any school that has received material weakness, significant deficiency, or repeat audit findings in any annual audit during the term of the contract** provide a narrative explaining the improvement actions made (school/adult/leader/board actions) to meet financial compliance requirements and the effectiveness of those actions (improved practices and outcomes) in improving financial compliance. The school should use the work of the audit committee in “tracking and reporting progress on the status of audit findings” to develop this narrative.

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. **Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative.**

**Schools that have received no material weakness, significant deficiency, or repeat audit findings in each of the annual audits during the term of the contract do NOT complete this Section.**

#### *School response:*

In FY 17, the school received one significant deficiency finding on issues related to payroll and one finding on another matter regarding internal controls for cash receipts. The school drafted new policies at the end of FY17 and revises them continually to improve procedures. On January 1, 2018 the school was given back its Board of Finance. Since that time, bank account authority, money transfer procedures, check signing procedure and authority, have all been established. Please see appendices document, Part C SPLC Financial-Report FY17&18.

## 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).

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:*

The school had been in financial corrective action, August 28, 2014 through January 1, 2018. The school's Board of Finance was returned on January 1, 2018 (see letter in appendices). On July 1, 2017 the school hired its own on-site business manager. Today she is in her second year as a level 1 business manager and works closely with the still contracted, Vigil Group. Our off-site business manager employed at the Vigil Group is a level 2 business manager. Please see appendices document, Part C SPLC Financial-Report FY17&18.

### 3. 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 contain material term of the charter application as determined by the 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 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 (school/adult/leader/board actions) the school made during the term of the contract in order to meet those charter objectives and terms.

Success should be identified by specific changes in practice and achievement of 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.

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.**

***School response:***

***School response:***

Southwest Preparatory Learning Center's current two-year contract became effective July 1, 2017. The reference above to Article VII., Section 8.01(a)(i)-(xvii) is not relevant to Southwest Preparatory Learning Center's current contract. The material terms of the current contract are contained within Section 4: Representations, Covenants, and Warranties. Southwest Preparatory Learning Center responds to each item as stated in Section 4, please see the material terms document in the appendices, Part B.3.a Material Terms.

**\* 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:***

Southwest Preparatory Learning Center (SPLC) was granted a two year renewal on December 11, 2016 for the 2017-2018 and 2018-2019 school years. There can be no repeat findings during the renewal period because the renewal period is only an observation of one year, 2017-2018.

Special Education (Working to Meet) – see page 9 of 2017-2018 Monitoring Instrument Item Report in appendix. On July 12, 2018 NMPED reported that the special education complaint filed with the Special Education Bureau was closed. It should be noted that the complaint was filed by a parent regarding a student that does not have an IEP, a 504 or a disability of any kind.

English Language Learners (Working to Meet) – see page 10 of 2017-2018 Monitoring Instrument Item Report in appendix. On August 10, 2018 NMPED reported that the school provided documents “not previously provided.” This is untrue and we provided original emails to the Language and Culture Bureau from the spring of 2018. The problem was an unwillingness of the Charter School Division (CSD) to agree with the Language and Culture Bureau that the EL requirements were being met and that EL students were being served. There were people in positions of leadership in CSD that told us that the Language and Culture Bureau was wrong. It was not until August that someone else in CSD was willing to see things differently. They came to us as we did not even know we could change the determination.

Business Management and Oversight Audit and Corrective Action Plan (CAP) – (Falls Far Below) – see page 13 of Monitoring Instrument Item Report in appendix. SPLC finance was in corrective action beginning August 28, 2014 through December 31, 2017. Every single financial transaction required NMPED approval. Every single contract to do business with a vendor was signed by NMPED finance. Every payroll was approved (sometimes not on time) by NMPED finance. We basically had no control over our finances for 3 and ½ years. On January 1, 2018 the Board of Finance was returned to the school. See the SPLC Return of Fin Authority Letter in the appendix.

School Environment – Safe School Plan (Working to Meet) – see page 20 of Monitoring Instrument Item Report in appendix. On May 17, 2018 NMPED reported that SPLC’s Safe School Plan was approved and the school had provided evidence that the mandatory training on reporting child abuse or neglect was completed after the first site visit on September 27, 2017.

### 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:***

**The Southwest Preparatory Learning Center Governing Council has maintained membership of five (5) throughout the renewal period. All members completed their annual training in 2017-2018.**

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