May 2, 2019

Patricia Gipson, Chair Public Education Commission 300 Don Gaspar Santa Fe, NM 87501

Dear Chairperson Gipson,

The purpose of this letter is to request a change of School Location Within District for New Mexico School for the Arts and to provide the necessary assurances. Presently, the new campus of New Mexico School for the Arts, while near completion, remains under construction, and so certain documents cannot yet be secured. In lieu of those occupancy documents, I am providing assurances until such time as we have all documentation to provide to the commission.

- 1. NMSA intends to move from 275 East Alameda Street, Santa Fe 87501, to our new campus at 500 Montezuma Avenue, Santa Fe, NM 87501. Our telephone number will remain: 505-310-4194.
- 2. NMSA will receive a temporary certificate of occupancy for a portion (Building B) of the building in early June 2019. At that time, we will move contents from the old location for staging. We will also in June receive delivery of new furniture.
- 3. By July 15, 2019, we expect to have the entire campus (Buildings A, B, and C) completed and to receive a certificate of occupancy. At this time, contents will be distributed from the staging area in Building B into their intended destinations throughout the new campus.
- 4. On August 5, new teachers will start; on August 6, returning teachers will start; and on August 12, students will start the 2019-2020 school year at the new campus.
- 5. The governing council of New Mexico School for the Arts will approve the School Location Within District Notification at its May 8, 2019, meeting. A certification signed by an authorized member of the board will be provided to the PEC immediately thereafter.
- 6. A Certificate of Occupancy will be provided as soon as we are able to secure one. In the meantime, I provide assurance that the school will not occupy any



School Location Within District Notification Form

The Charter Contract, was entered into by and between the New Mexico Public Education Commission, and New Mexico School for the Arts, effective the first of July, 2019. New Mexico School for the Arts was approved for a five-year Charter Contract.

New Mexico School for the Arts requests consideration from the Public Education Commission (PEC) to change the terms of its Contract as follows:
Charter Contract currently states:
SCHOOL NAME: New Mexico School for the Arts
ORIGINAL ADDRESS: 275 East Alameda Street, Santa Fe, NM 87501
Phone: 505-310-4194; Fax: 505-820-3529
AUTHORIZED GRADE LEVELS: 9-12
Notifies the Public Education Commission, Section of the school's contract shall state beginning on:
EFFECTIVE DATE OF CHANGE: July 1, 2019
SCHOOL NAME: New Mexico School for the Arts
NEW PHYSICAL ADDRESS: 500 Montezuma Avenue, Santa Fe, NM 87501
Phone: 505-310-4194; Fax: 505-820-3529
AUTHORIZED GRADE LEVELS: 9-12
dentify the new address at which the school will be operating, including the street address, city, state, and zip code.
New Mexico School for the Arts's School Location within District Notification is hereby submitted by, Eric Crites, on May 9, 2019, and affirms the school meets the following eligibility criteria:
☑ Notification must be submitted and approved by the PEC <u>prior</u> to the physical move; and
oximes The school's governing board is in compliance with all reporting requirements (board will approve the School Location Within District Notification request at its May 8, 2019, meeting).
Euc Uttly 5-3-2019
Charter School Representative Signature Date
New Mexico School for the Arts's School Location within District Notification was:
☐ Approved ☐ Denied
Chair, Public Education Commission Date

- space until the school possesses a Certificate of Occupancy, which we will provide immediately to the PEC.
- 7. An NMCI letter from PSFA will be provided as soon as we are able to secure one. In the meantime, I provide assurance that the school will not occupy the new campus, except for staging boxes/new furniture in Building B, until the school possesses an NMCI letter from PSFA, which we will provide immediately to the PEC.
- 8. Documentation of the capacity load is attached.
- 9. An executed lease will be provided to the PEC by May 15, 2019. In the meantime, I provide assurance that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978 and the school will not occupy the facility until a copy of the fully executed lease has been provided to the PEC.
- 10. The school's current evidence of liability insurance is attached. The school will provide evidence of liability at the new campus as soon as it is available and before the school occupies the new building.
- 11. Rationale for moving the school to a new location: The current location at 275 E. Alameda Street does not serve the school's needs in providing mastery arts education. The new campus will have purpose-built spaces for visual arts, dance, theatre, music, and creative writing instruction, along with appropriate facilities for a rigorous academic program leading to a New Mexico Diploma of Excellence. Additionally, we are currently unable to meet the maximum enrollment allowed by our charter contract, 300 students, because the old facility can only accommodate 220 students. In the future, we intend to request an amendment to our charter enrollment cap to allow us to enroll students beyond 300. The new campus has been constructed by the non-profit New Mexico School for the Arts-Art Institute. New Mexico School for the Arts (charter school) intends to lease the new campus from the Art Institute, with the intent of moving into a lease-purchase agreement as soon as possible.
- 12. Number of students displaced by the move: No students will be displaced by the move; therefore, no support in identifying other educational options or enrolling in other schools is necessary. In fact, our new location is closer than our old location to the transportation hubs (RailRunner, regional commuter bus stops) that allow us to serve commuting students from throughout the region.
- 13. There has been extensive communication about the planned move within the school community, including with students, families, and staff. A web site exists to update members of the community: https://www.buildnmsa.org/. Additionally, there have been articles written in the Santa Fe New Mexican and the Albuquerque Journal about the new campus:

https://www.abajournal.com/1147023/nm-school-for-the-arts-breaks-ground-on-new-campus.html

https://www.santafenewmexican.com/pasatiempo/columns/art_of_space/sanbusco-goes-to-art-school-a-year-old-building/article_979f7fe1-1e57-5625-9b4b-d8d7a8e6f9f0.html

Please do not hesitate to contact me with any questions: ecrites@nmschoolforthearts.org; 505-310-4194 x108.

Sincerely,

Eric Crites, Head of School



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/01/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in liqu of such endorsement(s)

	SUBROGATION IS WAIVED, Subject to his certificate does not confer rights to						may require	an endorsement. A stat	ement	on	
PRODUCER						CONTACT Risk Services					
Poms & Associates Insurance Brokers						PHONE (800) 578-8802 FAX (A/C, No): (818) 449-9449					
CA License #0814733						E-MAIL rservices@pomsassoc.com ADDRESS:					
5700 Canoga Ave. #400						INSURER(S) AFFORDING COVERAGE					
Woodland Hills CA 91367						INSURER A: New Mexico Public Schools Insurance Authority					
INSURED						INSURER B:					
New Mexico Public Schools Insurance Authority						INSURER C:					
Member: NM School for the Arts						INSURER D:					
	410 Old Taos Highway				INSURER E :						
	Santa Fe	NM 87501			INSURER F:						
COVERAGES CERTIFICATE NUMBER: NM School for						Arts REVISION NUMBER:					
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.											
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s		
	COMMERCIAL GENERAL LIABILITY							EACH OCCURRENCE	\$ Tort	Limit	
	CLAIMS-MADE X OCCUR							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ Tort	Limit	
	➤ Owners Contractors							MED EXP (Any one person)	\$ Tort	Limit	
Α	Protective Liability			MOC NO. L0021		07/01/2018	07/01/2019	PERSONAL & ADV INJURY	\$ Tort	Limit	
	GEN'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE	\$ Tort	Limit	
	POLICY PRO- JECT LOC							PRODUCTS - COMP/OP AGG	_{\$} Tort	Limit	
	OTHER:							MAXIMUM LIABILITY	\$ 1,05	50,000	
	AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident)	\$		
	ANY AUTO							BODILY INJURY (Per person)	\$		
	OWNED SCHEDULED AUTOS							BODILY INJURY (Per accident)	\$		
	HIRED NON-OWNED AUTOS ONLY							PROPERTY DAMAGE (Per accident)	\$		
									\$		
	UMBRELLA LIAB OCCUR							EACH OCCURRENCE	\$		
	EXCESS LIAB CLAIMS-MADE							AGGREGATE	\$		
	DED RETENTION \$							DEB LOTH	\$		
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N							PER OTH- STATUTE ER	<u> </u>		
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under								E.L. EACH ACCIDENT	\$		
								E.L. DISEASE - EA EMPLOYEE	\$		
	DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT	\$		
DEC	CRIPTION OF OPERATIONS / LOCATIONS / VEHICLE	S (AC	OBD 4	04 Additional Remarks Sahadula	may be at	toohod if more or	ago io roquirod\				
	-Insured Retention for Liability is \$750,000.	-			-	-	Jace is required)				
	4-19: Maximum Liability Summary.	0 00 a	itaoric	or now moxico for Glaimo A	. 000110						
Evid	dence of Coverage										
_ • • • •	Evidence of Coverage.										
CERTIFICATE HOLDER CANCELLATION											
City of Santa Fe						SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
	200 Lincoln Ave			AUTHORIZED REPRESENTATIVE							
						L					
	Santa Fe	NM 87501				\mathcal{A}					

COMMENTS/REMARKS

Summary of New Mexico Tort Claims Act Section 41-4-19: Maximum Liability
Governmental entities and agencies, including public schools, public charter schools and
community colleges and universities are granted immunity from liability.
Commercial General Liability
Products and Completed Operations
Professional Liability
Contractual Liability
Imposed by New Mexico Tort Claims Act [NMSA 1975 §41-4-1 through 41-4-29]
\$400,000 Bodily Injury Per Person
\$200,000 Property Damage Per Property Address
\$300,000 Medical
\$750,000 Per Occurrence
\$1,050,000 Combined Limit/Maximum Liability

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