



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

Identify 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 prior to the physical move; and
- 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).

Eric Crites

Charter School Representative Signature

Date

5-3-2019

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.abqjournal.com/1147023/nm-school-for-the-arts-breaks-ground-on-new-campus.html>

https://www.santafenewmexican.com/pasatiempo/columns/art_of_space/san-busco-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

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