

Permanent Change to Overall Instructional Hours Amendment Request (Only for Schools under Pre-2018 Charter Contract)

Purpose

The *Permanent Change to Overall Instructional Hours Amendment Request* is used by schools under the pre-2018 charter contract to increase or decrease the number of overall annual instructional hours for one or more educational programs provided by the Charter School. This is only used for a permanent change to the charter contract; a notification is used to identify when the contracted instructional hours will not be met in a specific fiscal year due to unforeseen circumstances (e.g. snow, power outage, roof collapse).

Determining Eligibility

Any Charter School with a pre-2018 charter contract may submit a *Permanent Change to Overall Instructional Hours Amendment Request*. However, the request will not be approved to decrease contractual hours for any educational program offered by the school below the overall minimum annual instructional hours required in NMSA § 22-2-8.1

Submission Window

Permanent Change to Overall Instructional Hours Amendment Requests may only be submitted for consideration at the January through June PEC meetings to go into effect in the *subsequent* fiscal year.

PEC Consideration

An administratively complete amendment request to permanently change the overall instructional hours submitted by a charter school that meets the eligibility criteria shall be placed on the agenda of the next regular PEC meeting if the complete request was received at least 28 days prior to the meeting, or at the subsequent meeting, or at the subsequent meeting if the complete request was not received at least 28 days prior to the next regularly scheduled meeting.

- A finding that the Charter School is not in compliance with governance reporting and training requirements **will result in a delay** in consideration of the request until the school comes into compliance, or if the school does not come into compliance, until the last meeting within the contractual timeline for a decision from the PEC.
- All performance data (academic, organizational, and financial) for the last three years including any outstanding complaints or investigations will be provided to the PEC for its consideration of the amendment request.

Requests to increase the overall instructional hours will be placed on the consent agenda of a regular PEC meeting. Any request may be removed from the consent agenda either before the scheduled PEC meeting or during the scheduled PEC meeting. If an item is removed from the consent agenda and school representatives are not available, the item will be added for consideration at the next scheduled PEC meeting.

A recommendation for approval from the CSD does not guarantee the request will be approved by the PEC. The PEC is the final decision maker and is not obligated to accept the recommendations of the CSD.

Recommendation and Approval Factors

The recommendation from the PEC’s authorized representatives and the PEC’s decision to approve or deny a *Permanent Change to Overall Instructional Hours Amendment Request* will be based on the following considerations.

The proposed instructional hours meet the overall minimum instructional hours required in Section 22-2-8.1 NMSA.
The Amendment Request proposes an increase in instructional hours or the change (decrease) does not change the essence of the school’s program.
The applicant demonstrated capacity to successfully implement the requested change.

Instructions for the Request

If you have questions about completing the form or uploading documents, contact charter.schools@state.nm.us. Complete all required fields and attachments (denoted by "*").

Form Fields

Field	Instructions
From*	Identify in <i>From</i> the number of overall annual instructional hours approved for each educational program offered by the school in the charter contract.
To*	Enter the number of overall annual instructional hours that will be provided for each educational program offered by the school. Please note, these numbers must conform to the overall minimum annual instructional hours required in NMSA § 22-2-8.1
Fiscal Year Effective Date*	Enter the proposed fiscal year in which the instructional days change will occur.

Attachments

Approved Board Minutes*

Attach evidence that the proposed change has been approved by the Charter school board.

School Calendar*

Provide the school calendar for the fiscal year the request will become effective, clearly indicating any days using alternate daily schedules (e.g. early release days). If the school offers multiple educational programs, the school must provide a calendar for each program. If this is different from the calendar that was submitted to the PED School Budget and Financial Analysis Bureau, please provide documentation to demonstrate that the charter school has submitted the change to the Secretary and received approval of the change.

Daily Instructional Schedule(s)*

Provide daily instructional schedule(s) clearly identifying instructional and non-instructional periods, for each grade served. Include any alternate schedules (e.g. early release days) identified in the school calendar. If the school offers multiple educational programs, the school must provide daily scheduled for each program.

Narrative*

Upload a narrative that responds to the following prompts:

- Describe the rationale for this request.
- If the school has earned a Tier 1 or Tier 2 rating (or C or better if there is no Tier rating available), the school must describe why the change will not adversely affect school performance.
- If the school has earned a Tier 3 or Tier 4 rating (or D or F if there is no Tier rating available), the school must describe how the proposed change to instructional days will improve pupil achievement in the target population served by the charter.
- Describe how the school calendar(s) and daily instructional schedule(s) submitted demonstrate compliance with NMSA § 22-2-8.1 regarding annual instructional hours for each grade served.
- Describe the budget impact of the change and explain how the change results in that impact.

Administrative Completeness Review

An administratively complete request includes:

- Fully completed form
- Approved Board Minutes
 - Comply with Open Meeting Law
 - Board aligns with what is currently on file with PEC
- School Calendar(s)
- Daily Instructional Schedule(s)
- Narrative, addressing all prompts

Permanent Change to Overall Instructional Hours Amendment Request Form (Schools operating under Pre-2018 Contract only)

The Charter Contract, was entered into by and between the New Mexico Public Education Commission, and [SCHOOL NAME], effective [DAY] of [MONTH], [YEAR]. [SCHOOL NAME] was approved for a [YEAR TERM] Charter Contract.

[SCHOOL NAME] Charter Contract currently states:

LENGTH OF SCHOOL DAY:

LENGTH OF SCHOOL YEAR:

[SCHOOL NAME] requests consideration from the Public Education Commission (PEC) to change the terms of its Charter Contract, Section _____, as follows:

OVERALL ANNUAL INSTRUCTIONAL HOURS:

FISCAL YEAR EFFECTIVE DATE:

CHANGE IN INSTRUCTIONAL HOURS: INCREASE DECREASE

[SCHOOL NAME] Permanent Change to Overall Instructional Hours amendment request is hereby submitted by, [CHARTER SCHOOL REPRESENTATIVE], on [DATE], and affirms the school meets the following eligibility criteria:

- The school's governing board is in compliance with all reporting requirements.

Charter School Representative Signature

Date

[SCHOOL NAME'S] Enrollment Cap amendment request was reviewed and voted upon by the Public Education Commission and is hereby:

APPROVED

DENIED

Chair, Public Education Commission

Date