



## Part B—Progress Report

### 1. Innovative and Distinctive Education Program

Some of the purposes of the Charter Schools Act are to encourage different and innovating teaching and educational programs that improve student achievement, and encourage parental and community involvement. 1978 NMSA §22-8B-3.

#### a. School or Mission Specific Unique, Innovative, and Significant Contributions

The school shall provide a narrative on how the school has fulfilled its mission and how the equity council has influenced any decisions for the 2020-2021 SY. These contributions may include:

1. Teaching methods
2. Measures of student achievement
3. Professional development for teachers
4. Learning programs
5. Encouraging parental or community involvement
6. School's Equity Plan
7. Monitoring students' social emotional and behavioral development

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

The GREAT Academy's (TGA) mission is to ensure that students "Gain Real-World Experience through Active Transition". TGA embraces a unique, one-of-a-kind business-school model, which uses both virtual and face-to-face learning. TGA is centered on five basic components: virtual learning, academic improvement plans, service learning, leadership/character education and pathways to success.

TGA's teaching methods fall into two areas: support of students learning through the virtual/online Edgenuity program and face-to-face teaching. Edgenuity's online courses are built using an instructional model grounded in research and are aligned to state standards, the Common Core, and the NGSS (Next Generation Science Standards). Direct instruction videos are combined with expert, on-screen teachers with rigorous assignments, performance tasks, and assessments to engage students and to ensure subject-area mastery. Edgenuity's K-12 content, including all activities, assignments and assessments are current and accurate, balanced, free of bias and advertising, and designed to reflect multicultural education in the images and media, language and content, and selection of resources. Edgenuity's instructional designers make every effort to avoid bias, and developers receive regular training on how to make content accessible to, and reflective of, students from all backgrounds and to create equal educational opportunities for all students. All curriculum and assessment developers receive training on

Edgenuity's comprehensive Bias and Sensitivity Guidelines. The internal assessment team has deep experience ensuring that items are accessible to all students, regardless of gender, race, ethnicity or religion.

Both students and parents receive weekly Edgenuity progress reports. This helps students to be more aware of their current standing and more in control of their pacing in the class. The frequent notification also helps parents so that they are able to encourage the students to stay on pace and keep their grades within the range of passing. Edgenuity provides targeted, personalized instruction in all core areas and also provides a variety of elective courses.

Face-to-face classes at TGA are taught by certified, highly qualified teachers. TGA teachers utilize a number of teaching strategies that keep students motivated and engaged. In addition to utilizing technology in the classroom, such as technology rich lessons, teachers use resources like, but not limited to Nearpod, Kahoot!, Poll Everywhere, the use of video and other multimedia presentations and other tools. Teachers also utilize differentiated instruction, cooperative learning, inquiry-based instruction and graphic organizers.

TGA's small school environment allows the staff/teachers to build relationships with students that have a positive impact on learning, engagement and the overall morale and school culture at The GREAT Academy. Staff and teachers get to know students and their families well, which creates working relationships that benefit the students in the classroom. Each morning, the students and staff gather for a community meeting that is called "Morning Memo". This meeting gives all staff the opportunity to share pertinent information for the day, give reminders, and share important upcoming events. We make a point to showcase multiculturalism during this community meeting by sharing information based on the month: February is Black History Month, Women's History Month is in March, Native American Heritage Month is in November and so on. During these months, the achievements of various types of people are shared and highlighted to expand the students' mind on the possibilities for their own lives. In addition, students are recognized for achievements great and small during this time and are also able to ask questions if they need to. This meeting is also where students and staff do the chant of the school's motto: "Together we can! Whatever it takes! No excuses!"

TGA is an early college model that makes accessibility to dual credit courses available to all students. Since the 2016-2017 school year, TGA graduates have completed 1,182 dual credits with a grade of "C" or higher (an average of 295.5 completed credits each year by TGA graduates). TGA students begin taking dual credit courses in 10th grade. To increase accessibility to these courses, TGA has several introductory level dual credit courses that are taught on campus by TGA teachers. TGA believes it is important to provide students with guidance and support in applying for Dual Credit Student status at CNM or UNM and also with registering for classes. The courses that are offered on campus provide students with the support to transition to courses on campus in later semesters. This support gives students the confidence to branch out and take classes that they would not have otherwise taken. Many students report not even having been offered the opportunity to take dual credit courses at the other schools they have attended. These students state that they thought that dual credit courses were only for "smart" kids. We believe that it is this focus on providing students with support in these tasks along with preparing them for academic success in college level courses that results in this large number of successfully completed courses/credits even though TGA is a small school with a small number of graduates each year. TGA

students are able to explore college and careers through the dual credit offerings. Not only that, but they enter college with a semester or more (some with close to completed AA degrees) which helps to drive students toward success both during high school and post-graduation.

TGA provides its teachers/EAs with a very rigorous professional development program that consists of 75 or more hours each year of professional development. TGA has partnered with American Teacher Academy to provide a number of professional development opportunities. American Teacher Academy is run by Dr. Linda Gregg. Dr. Linda A. Gregg is the Chief Executive Officer of the American Teachers' Academy and a Distinguished Associate of Kamm Solutions. She is the author of *Response to Instructional Strategies and Interventions: Scenarios for K-12 Educators* and has contributed chapters in several published books. Dr. Gregg has also written professional development training manuals including *Response to Instruction* and *Data Teams*. She is very resourceful and helps teachers use a variety of powerful instructional practices to engage and motivate students all over the world. She holds credentials in general education, special education, school administration, and TESOL. Dr. Gregg and American Teacher Academy staff have presented a number of topics to the TGA staff to strengthen the instructional effectiveness of its teachers. These topics include, but are not limited to: Executive Functioning Skills, Trauma Informed Practices, Mindfulness Strategies, EL Best Practices, Growth Mindset, and Engagement Strategies. Dr. Gregg also provides one-on-one support to teachers in need of improvement. Another important aspect of TGA's professional development program is the integration of Data Days. This is a time when teachers collaborate to review data, to look at student performance and to dig into the data to determine how best to allow this data to drive their instruction and review areas for focus growth and skills readiness. In addition to the 75+ hours each year of professional development, the Master Teacher program is available to all staff working with students to provide instructional staff with individualized professional development. The Master Teacher program is online specialized training for teachers and Educational Assistants. It provides one-on-one, in-depth training on topics such as online teaching, using technology in the classroom, trauma, environment, behavior, instruction, engagement, English Language Learners, teaching students with exceptionalities and much more. This program helps to strengthen TGA's professional development offerings because of its individualized nature. It gives teachers the training they need to help them to be more effective in the classroom and in engaging with their students and families.

Until the 2019-2020 school year, TGA had a program called "The Bridge 2 Success" program (B2S) that served non-traditional high school students. These students were often ages 19 and up. Many of these non-traditional students had children, families and were working minimum wage jobs, but were in need of a high school diploma to be able to enter post-secondary, training programs and/or have access to higher levels of employment that would give them better opportunities and thereby provide them with the chance to better support their families financially. These are students who would not typically be served in the larger school district. They enrolled in the program for a second chance at a high school diploma. This program focused on students who were not successful in their initial high school experience. The online learning paired with the dual credit opportunities helped these students to reach not only their goals of completing their graduation requirements and earning their high school diplomas, it also put them on the path to post-secondary education and career training opportunities. Not to mention that these students, who were previously counted as dropouts, are now on the path to being citizens in our community who are able to better participate in and contribute to society. Research tells us that these graduates will earn \$200,000 more in their lifetime over their counterparts who did not earn a diploma

(Cheeseman & Newberger, 2014)<sup>1</sup>. In the 2016-2017 school year, 21% of the graduates were ages 19-21 (24 total graduates). In the 2017-2018 school year, 33% of the graduates were ages 19-25 (33 total graduates). In the 2018-2019 school year, 21% of the graduates were ages 19-22 (14 total graduates). In the 2019-2020 school year, 59% of the graduates were ages 19-48 (17 total graduates). TGA's goal in offering this program to non-traditional students was to give them the opportunity to earn their high school diploma in a way that fit better into their lives. Many of these students had been disconnected from academics for 3 or more years before coming to TGA with the hopes of increasing their earning possibilities by finishing their graduation requirements.

#### **b. Equity and Identity within the Culture of the School including Student Support**

This item of the renewal application allows schools the opportunity to include additional information that is not already collected, but that should be considered when making a determination about the renewal of its charter. The school will create a representation that highlights how their school environment is inclusive, reflective of the community, validates students' cultures and identities, and supports all students' sense of belonging.

Note: If your school wishes to display visual art or performance art (such as sculpture, painting, recorded performance or live performance by students), your school will be given no more than 15 minutes at its renewal hearing to present the representation. If a school wishes to submit a narrative, it shall be submitted along with the renewal application.

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

The GREAT Academy will present a video representation during the 15 minutes at its renewal hearing.

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<sup>1</sup> Cheeseman Day, Jennifer, and Eric C. Newburger. "The Big Payoff: Educational Attainment and Synthetic Estimates of Work-Life Earnings." United States Census Bureau. Accessed February 26, 2014, <https://www.census.gov/prod/2002pubs/p23-210.pdf>.

## 2. 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 student performance standards identified in the charter contract.

### a. School Support and Accountability

**Any school that has not maintained a “C” or better letter grade in SY2017 and SY2018 OR is not identified in the top 75% of all schools in SY2019 and SY2020 on the NM System of School Support and Accountability, must provide a narrative that describes the improvement actions targeted to improve the student outcomes (school/adult/leader/teacher actions) and the success of those actions (student academic successes/improved outcomes).**

Implementation of the described improvement actions should be verifiable through documented evidence at the site including renewal 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 renewal site visit or during the “desk audit” review of the application. If providing data, please attach in Appendix E and reference the appendix by name in this narrative. (Appendix E – Academic Data)

**Schools that have maintained a “C” or better letter grade in SY2017 and SY2018 and were identified in the top 75% of all schools in SY2019 and SY2020 in the NM System of School Support and Accountability AND have not received a “D” or “F” in any indicator of the state report card during SY2017 and SY2018 do NOT complete this Section.**

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

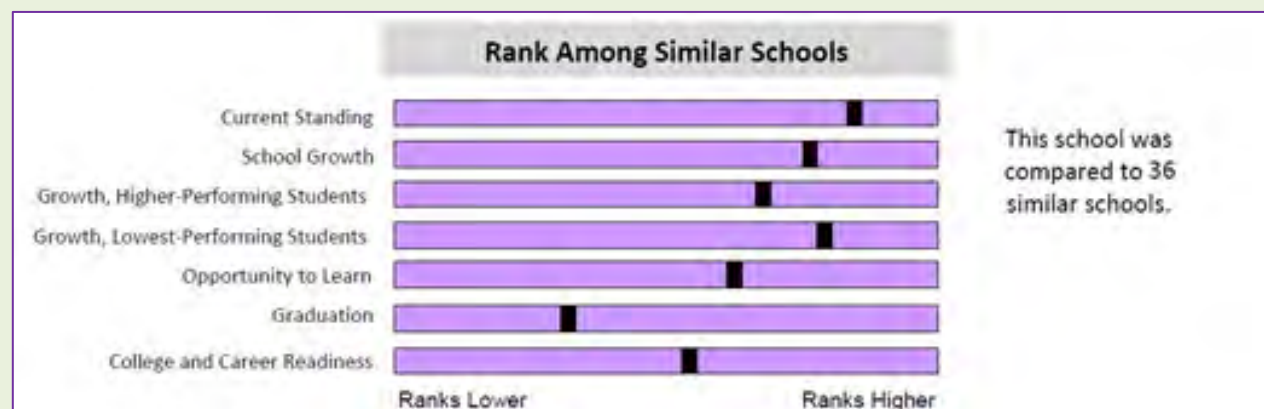
Over the current term of the charter contract, The Great Academy (TGA) received a Final School Grade of C in 2017, a Final School Grade of D in 2018 and an overall performance score of 40 out of 100 on the new NM System of School Support and Accountability. While operating within the A-F School Grade Report Accountability System, TGA was designated as a Supplemental Accountability Model (SAM).<sup>2</sup>

In the 2017 School Grade Report, TGA met the state standard with a grade of C and achieved a relatively high ranking when compared to 36 other high schools in the state that have similar student demographic

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<sup>2</sup> **SAM (Supplemental Accountability Model)** schools are a subset of graded schools that serve students at risk of academic failure. Schools qualify by having a high proportion of returning adults or a high proportion of students with disabilities and by publicly declaring the school mission and goals for these students.

characteristics. Following is the chart from the 2017 School Grade Report indicating TGA's ranking for each indicator:



In 2018, TGA's overall grade dropped from a C to a disappointing D and in 2019, New Mexico's Accountability System changed making it a challenge to show improvement using two different systems of accountability.

Similarly, TGA also experienced a challenge to its student academic support system in 2018 and a challenge to the nature of its program offerings in 2019 as noted in the root cause statements and actions taken as described below.

#### **Root Cause –**

- In the 2018 school year, TGA lost 2 vital staff members. One of these was a very experienced, Level 3 English teacher and the other was the Advisory/Business/Dual Credit Coordinator. These two key members of staff left for family health reasons and outside career opportunities respectively. Both of these staff members loved working at TGA and without the circumstances they were faced with, would not have left. Having to hire to replace these two staff members was a setback in the progress that had been made to that point.
- "Current Standing uses up to 3 years of data to provide a more accurate picture of the school's achievement" (New Mexico School Grading 2017, p. 2). Since TGA's night students often do not have previous years of achievement to be calculated, the lack of data points drags the current standing down. This analysis is based on the way we understand the calculation of Current Standing. In the 2018 school year, just 4.48 more points would have given TGA the final grade of a C.
- A part of TGA's academic program that is structured to transition students from school life to the "real-world" is that our school day begins at 9am and ends at 5pm. While this works out well for some students, other students prefer to end their school day around 3pm in the same fashion as their friends. This affects students' return rate, which affects TGA's ability to have an impact on student academic achievement.
- Between 2016-2017 through the 2019-2020 school years, a portion of TGA's student population consisted of non-traditional students (The Bridge to Success Program - B2S). These were students that would be considered as "At Risk". These students were those who had dropped out of school

the first time around and decided to re-engage to give a diploma another try. Oftentimes, these students were: 19 or older (the oldest student graduated at 48 in May of 2020), had children/families, had full-time employment, had been disconnected from academics for 2 or more years. Students taking part in this program often find themselves in the situation where they have to quit school to work or are just not able to balance all of the many responsibilities that adult learners face. Because many of the students in this program are non-traditional, they are students who would not be served in the larger school district.

*Note: HB5, passed in 2019, placed a cap on the maximum age of students that can be served by New Mexico high schools. That cap is now age 21. TGA will no longer be able to serve non-traditional students.*

#### **Actions Taken to Improve Outcomes –**

The following actions taken address both the 2018 Final Grade of D and the 2019 overall score of 40 out of 100 points.

- In addition to their grade-level English/ELA courses, middle school students take Double Dose Reading. Teachers use Discovery/NWEA data to drive instruction for these courses.
- High school students take Reading Intervention courses based on their scores on the Discovery/NWEA assessment to support their achievement.
- After the Fall and Winter testing cycles, students participate in a reflective activity that walks them through their most recent performance on the Discovery/NWEA assessment. Teachers lead students through activities that help them to look at their testing behaviors, like whether or not they took their time so that they can see the effect of their behaviors on their test scores. Teachers also lead them through developing and setting goals for the next testing cycle and list activities they can do to help them reach their goal. The students present their test reflections to their parents at the AIP (Academic Improvement Plan) meeting. These meetings are student led.
- TGA teachers serve as case managers for their students. Not only do they meet with the students on their caseloads on a weekly basis to discuss progress, course completion, grades, attendance and any other behaviors that encourage or impede successful acquisition of content area knowledge, they also inform parents of this information on a weekly basis. While the online curriculum is self-paced, students perform better on testing throughout the year when they are on pace with completing their courses. This process helps students to build relationships with staff that helps to support their social/emotional growth.
- TGA staff reviews credits with all students multiple times each year using the Credit Analysis form so that students are always aware of where they are with credit completion. This form is also used to map out completion of credits. This is done as a part of Next Step Plan meetings and meetings throughout the year.
- High school students in grades 10 and up are shown how taking dual credit courses can lead to faster elective credit completion.



- High school students in grades 10 and up are encouraged to take dual credit courses. We have found that when students, especially non-traditional students, are able to take college courses that are in the area of their career interest, they are more interested in not only finishing the dual credit courses successfully, but this drives them to also work on their high school courses and pushes them to put forth more effort and they see where the career focused courses can take them.

#### **Evidence of Actions Taken –**

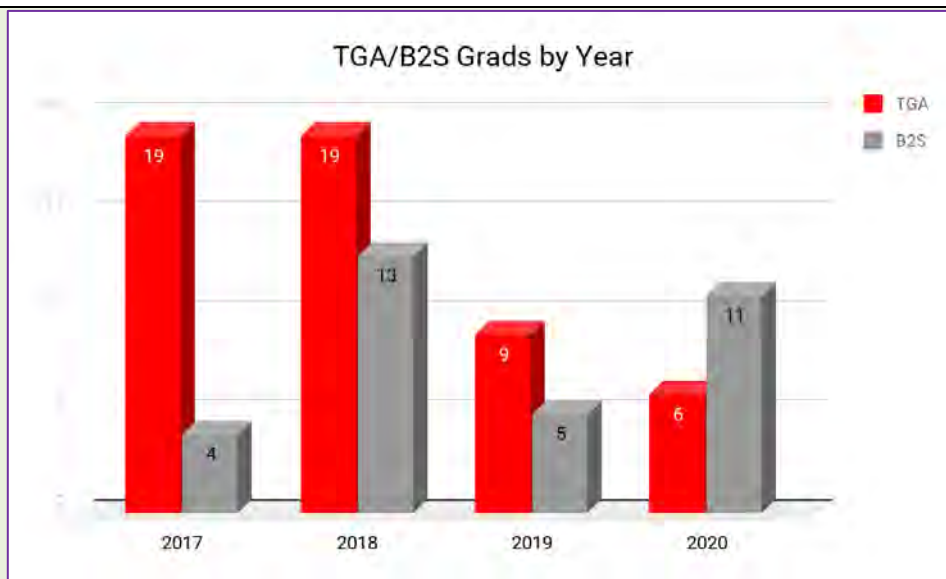
- Double Dose reading/math can be found on middle school student schedules.
- Evidence for Reading/Math Intervention can be found on high school student schedules.
- Evidence for testing reflection can be found in Academic Improvement Plan (AIP) documentation.
- Case management documentation: service/communication logs, progress reports, class schedules.
- Evidence for credit analysis review and steps for the Next Step Plan can be found in Next Step Plan documentation.
- The evidence of students taking dual credit courses can be found in the Dual Credit Enrollment Reports.

#### **Measurable Successes –**



While TGA's graduation rates are lower than we would like them to be, the 4-year graduation rates are on a steady incline. We believe that this incline will continue due to our efforts to support students.





This chart shows the number of students graduated from each program by year. Even though the B2S (Bridge to Success Program) was made up of mostly “At Risk” students, the number of students graduating from the B2S program is significant.

**Evidence of Measurable Successes -**

Evidence can be found through STARS and PowerSchool information on graduated students.

## b. School or Mission Specific Charter Goals

Pursuant to 1978 NMSA, §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 or mission 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 or mission 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 or mission 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 renewal 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 renewal site visit or during the "desk audit" review of the application. If providing data, please attach in Appendix A and reference the appendix by name in the narrative. (Appendix A – Mission Goal Data)

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

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

#### **Addressing Learning Loss Due to the Pandemic -**

The GREAT Academy utilizes a hybrid model. When schools were required to close, TGA students were able to continue working on their courses in the Edgenuity platform. In order to address learning loss, The GREAT Academy is requiring all students to participate in Reading and Math Intervention courses being offered through the Zoom platform. In addition, TGA is offering Winter and Summer Intercessions. Intercession is the school's internal extended learning time. Title I is being used to fund TGA's Winter and Summer Intercessions. Existing TGA instructional staff is used during this time to increase continuity. This extended learning time totals 7 additional weeks, outside of the school calendar, where the students have additional time to complete courses and to help with content mastery.

#### **2019-20 Short-Cycle Assessment Data -**

As requested by the Public Education Commission, The GREAT Academy has included 2019-20 NWEA Reading and Math assessment data available from cycles A and B (Fall and Winter). Available 2019-20 Dual Credit data is also included in this section.

### **Mission-Specific Indicator - Short Cycle Assessment – Reading**

Short Cycle Assessment data (Discovery) will be used to measure academic growth or proficiency in Reading of Full Academic Year (FAY) students. *Growth* - In order to show growth (the first phrase in each of the standards set forth below), FAY students will demonstrate academic growth in Reading as measured by three short cycle assessments using Discovery grade level assessments. The growth will be determined using Discovery projected growth targets for each student as set by the fall test as shown on the attached sample report. Students may show the growth on either of the winter or spring assessments. The school may establish the growth target in the fall for students with an identified disability in Special Education in an IEP (not including gifted). These students must then meet the individual growth target established in the fall in order to show growth. *Proficiency* - In order to show proficiency (the second phrase in each of the standards set forth below), a student scores at Achievement Level III or Achievement Level IV.

*Exceeds Standard:* The school surpasses the target indicator if - 76-100% or more of identified students made at least one full year's growth in reading short-cycle assessment scores when comparing beginning year results to later results OR The student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Meets Standard:* The school meets the target of this indicator if - 65-75% of identified students made at least one full year's growth in reading short-cycle assessment scores when comparing beginning year results to later results OR the student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Does Not Meet Standard:* The school meets the target of this indicator if - 50-64% of identified students made at least one full year's growth in reading short-cycle assessment scores when comparing beginning year results to later results OR the student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Falls Far Below Standard:* The school meets the target of this indicator if - Less than 49% of identified students made at least one full year's growth in reading short-cycle assessment scores when comparing beginning year results to later results OR the student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Note - when this goal was written during the previous renewal period, Discovery was the school's choice of test. In the 2017-2018 school year, Discovery was no longer available due to the company having discontinued its testing department. The NWEA MAP (Measured Academic Progress) assessment replaced the Discovery Assessment.*

### **Analysis –**

The following chart represents the percentage of students who either met their one year's growth target OR met the grade-level proficiency standards as outlined in the goal's criteria.

### NWEA Reading School Specific Goal



#### 2016-2017

In this school year, PED determined in their Final Site Visit Report that, “based on available data the indicator had a rate of 73.5%”. TGA “Meets Standard” for Reading in the 2016-2017 school year. The Discovery assessment was used this year.

#### 2017-2018

In this school year, “The PED team was able to validate that 59.1% of The GREAT Academy’s students either met their one year’s growth target OR met the grade-level proficiency standards, provided by the NWEA normative data table, as proficiency is also outlined in the goal’s criteria.” TGA “Does Not Meet Standard” for the 2017-2018 school year.

#### 2018-2019

In this school year, “The PED team was able to validate that 74.6% of The GREAT Academy’s students either met their one year’s growth target or met the grade-level proficiency standards, provided by the NWEA normative data table, as proficiency is also outlined in the goals’ criteria.” TGA “Meets Standard” for Reading in the 2018-2019 school year.

#### 2019-2020

In this year, the shutdown due to the COVID-19 pandemic resulted in TGA only completing cycles A and B (Fall and Winter) of the NWEA testing cycle. Based on the data from these two cycles, 65% of students performed “At Grade Level” or above grade level. Based on this information, TGA “Meets Standard” for Reading in the 2019-2020 school year.

### **Root Cause –**

In the 2017-2018 school year when TGA did not meet the standard, it had switched from the Discovery assessment to the NWEA MAP assessment. Although the content of the NWEA MAP assessment was similar to that of the Discovery assessment, the format was significantly different and unfamiliar to our students. Students also needed additional test-taking skills to be more successful with NWEA MAP. We focused more heavily on the reflective activity and case management support described below while continuing to support students with activities to increase their academic performance.

### **Actions Taken to Improve Outcomes –**

- In addition to their grade-level English/ELA courses, middle school students take Double Dose Reading. Teachers use Discovery/NWEA data to drive instruction for these courses.
- High school students take Reading Intervention courses based on their scores on the Discovery/NWEA assessment to support their achievement.
- After the Fall and Winter testing cycles, students participate in a reflective activity that walks them through their most recent performance on the Discovery/NWEA assessment. Teachers lead students through activities that help them to look at their testing behaviors, like whether or not they took their time so that they can see the effect of their behaviors on their test scores. Teachers also lead them through developing and setting goals for the next testing cycle and list activities they can do to help them reach their goal. For reading, this includes reading daily, taking their time to carefully read the questions/passages and using other reading comprehension strategies. The students present their test reflections to their parents at the AIP (Academic Improvement Plan) meeting. These meetings are student led.
- Each year, middle school students participate in a Literacy Fair. The students choose a book that falls within their lexile reading level. They read the book and complete tasks over time that lead to them being able to create a tri-fold representation of the important aspects of the book and give a presentation during Parent Information Night in a Gallery Walk style event.
- Each year, 10th/11th graders participate in NaNoWriMo. National Novel Writing Month is an annual creative writing project that takes place during the month of November. The students are challenged to write a novel of 10,000 or more words. They present their creations at the Parent Information Night.
- 11th and 12th grade high school students took part in a SAT writing workshop in January/February of 2020. Accuplacer Reading/Writing/Math workshops are also held to help students to prep for this placement test. These types of activities/events are in an effort to highlight and celebrate literacy. These celebrations encourage students and help to show them what can come of hard work and also to give them an opportunity to show off their creative abilities.
- TGA's instructional staff participates in 75+ hours each year of professional development that focuses on sharpening strategies that positively impact academic achievement.

- TGA teachers also serve as case managers for their students. Not only do they meet with the students on their caseloads on a weekly basis to discuss progress, course completion, grades, attendance and any other behaviors that encourage or impede successful acquisition of content area knowledge, they also inform parents of this information on a weekly basis. While the online curriculum is self-paced, students perform better on testing throughout the year when they are on pace with completing their courses.
- Each year during the month of June, TGA offers a free Summer Intercession that is open to all students. Summer Intercession provides an additional 3-weeks outside of the school year as extra time for students who need more time to process/master content and/or to complete their courses. (This program is funded with Title I funds.) During this time, students are supported in smaller groups by teachers and EAs. This 3-weeks is also available to students who want to begin their next courses over the summer to get ahead in those classes.
- In the 2018-2019 school year, TGA teachers collaborated to create a Summer Enrichment program that ran during the 3 weeks of Summer Intercession. The purpose of this enrichment program was to be able to work with students in small groups on basic skills in reading. The overall goal of the program was to shore up basic areas of deficiency to help students to perform better academically from day to day, with courses and on various assessments. These are skills that, oftentimes, were those that were addressed in earlier grades and sometimes so basic that the skills weren't addressed during the school year because of their very basic nature. For example, an 8th grader needing focused instruction on reading/comprehension concepts that are taught in 5th grade. TGA instructional staff utilized the Spring MAP scores to determine the areas of need and those areas were the main focus during the enrichment program. At the end of the 3 weeks, the students took the MAP test for a fourth time to determine the helpfulness of the program. While the program did not yield significant growth in these students, the staff believes that with some tweaks to the program and the ability to have it for multiple years in a row, we will see more improvement.
- The TGA Foundation donates gift cards for students who increase their score into the next highest category from where they performed in the previous testing cycle and/or those who score proficient or above.
- In the 2020-2021 school year, TGA was able to hire an additional English teacher. This will allow for a decrease in the student-teacher ratio in intervention courses. Smaller class sizes will allow the teacher the ability to focus on smaller groups of students and will give them the chance to do more focused activities based on the student areas of need.

#### **Evidence of Actions Taken –**

- Double Dose reading can be found on middle school student schedules.
- Reading Intervention can be found on high school student schedules.
- Evidence for the test reflection activities can be found in Academic Improvement Plan (AIP) documentation.

- Evidence for Literacy Fair and NaNoWriMo can be found in the Agendas for Parent Info Nights for previous years.
- The evidence for professional development can be found in the agendas and sign-in sheets for professional development days.
- Evidence for the SAT and Accuplacer workshops can be found in various caseload management documentation: service/communication logs, weekly progress reports, and AIP documentation.
- Evidence for Summer Intercession can be found in: service/communication logs, attendance records and the progress reports for the students who participated in that program.
- The evidence for the summer cycle of the NWEA administration can be found in NWEA and the data pulled and disaggregated for that program.
- The evidence for the additional English teacher can be found in the STARS staff reports.

#### **Measurable Successes –**

- TGA students met the standard for this goal in years 2016-2017, 2018-2019, and 2019-2020.

#### **Evidence of Measurable Successes –**

- The evidence can be found in the site visit reports for those years and in the NWEA data for Winter 2019.

#### **Mission-Specific Indicator - Short Cycle Assessment – Math**

Short Cycle Assessment data (Discovery) will be used to measure academic growth or proficiency in Math of Full Academic Year (FAY) students. *Growth* - In order to show growth (the first phrase in each of the standards set forth below), FAY students will demonstrate academic growth in Math as measured by three short cycle assessments using Discovery grade level assessments. The growth will be determined using Discovery projected growth targets for each student as set by the fall test as shown on the attached sample report. Students may show the growth on either of the winter or spring assessments. *Proficiency* - In order to show proficiency (the second phrase in each of the standards set forth below), a student scores at Achievement Level II or Achievement Level IV.

*Exceeds Standard:* The school surpasses the target indicator if - 75-100% or more of FAY students made at least one full year's growth in math short-cycle assessment scores when comparing beginning year results to later results OR The student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Meets Standard:* The school surpasses the target indicator if - 60-74% or more of FAY students made at least one full year's growth in math short-cycle assessment scores when comparing beginning year results to later results OR The student tests at "Achievement Level III or IV" on the winter or spring short-cycle assessment.

*Does Not Meet Standard:* The school surpasses the target indicator if - 40-59% or more of FAY students made at least one full year's growth in math short-cycle assessment scores when comparing beginning

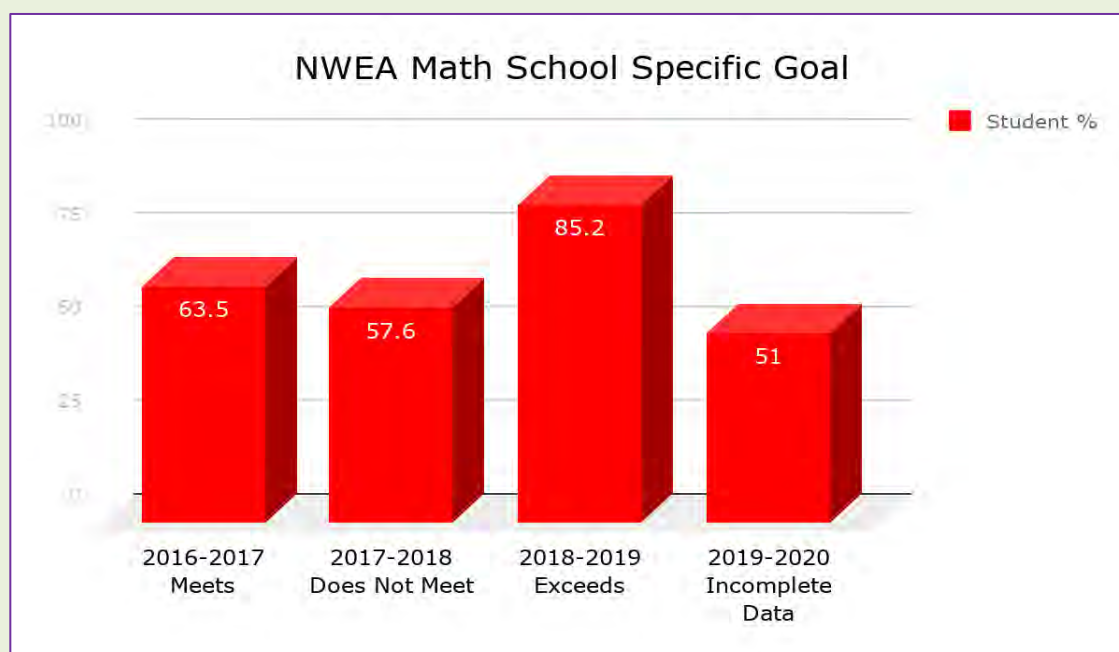


year results to later results OR The student tests at “Achievement Level III or IV” on the winter or spring short-cycle assessment.

*Falls Far Below Standard:* The school surpasses the target indicator if - Less than 35% of FAY students made at least one full year’s growth in math short-cycle assessment scores when comparing beginning year results to later results OR The student tests at “Achievement Level III or IV” on the winter or spring short-cycle assessment.

#### Analysis –

The following chart represents the percentage of students who either met their one year’s growth target OR met the grade-level proficiency standards as outlined in the goal’s criteria.



#### 2016-2017

In this school year, the PED team noted, “Based on available data the indicator had a rate of 63.5%.” In the 2016-2017 school year “Meets Standard”.

#### 2017-2018

In this school year, “The PED team was able to validate that 57.6% of The GREAT Academy’s students either met their one year’s growth target OR met the grade-level proficiency standards, provided by the NWEA normative data table, as proficiency is also outlined in the goal’s criteria.” In the 2017-2018 school year, TGA “Does Not Meet Standard”.

#### 2018-2019

In this school year, “The PED team was able to validate that 85.2% of The GREAT Academy’s students either met their one year’s growth target or met the grade-level proficiency standards provided by the

NWEA normative data table, as proficiency is also outlined in the goals' criteria." In the 2018-2019 school year, TGA "Exceeds Standard".

#### 2019-2020

In this year, the shutdown due to the COVID-19 pandemic resulted in incomplete data. Only Fall and Winter results are available. Based on the one semester of data, 51% of students performed "at grade level" or above grade level. The GREAT Academy is confident that if Spring data were available, TGA would have earned a "Meets" or "Exceeds" Standard rating in Math.

#### **Root Cause –**

- In the 2017-2018 school year when TGA did not meet the standard, it had switched from the Discovery assessment to the NWEA MAP assessment. Although the content of the NWEA MAP assessment was similar to that of the Discovery assessment, the format was significantly different and unfamiliar to our students. Students also needed additional test-taking skills to be more successful with NWEA MAP. We focused more heavily on the reflective activity and case management support described below while continuing to support students with activities to increase their academic performance.
- The goal in the 2019-2020 school year was also not met, but we believe that if the worldwide pandemic had not caused the school closure, TGA's students would have made this goal.

#### **Actions Taken to Improve Outcomes –**

- In addition to their grade-level math courses, middle school students take Double Dose Math. Teachers use Discovery/NWEA data to drive instruction for these courses.
- High school students take Math Intervention courses (Algebra 1, Geometry, and Algebra 2) based on their scores on the Discovery/NWEA assessment to support their achievement.
- After the Fall and Winter testing cycles, teachers lead students through reflective activities that walk them through their most recent performance on the Discovery/NWEA assessment. During this time, teachers also work with students on goal setting for the next testing cycle. The students present their test reflections to their parents at the AIP (Academic Improvement Plan) meeting. These meetings are student led.
- In the 2019-2020 school year, TGA was able to hire an additional math teacher to work with middle school. We believe this was beneficial because it gives more flexibility in the ability to provide more interventions. TGA is a small campus and tends to have singleton teachers (only one teacher for each content area), but having two math teachers allows them to collaborate and share ideas to develop instruction that is engaging and that helps to drive academic achievement in math.
- The TGA Foundation donates gift cards for students who increase their score into the next highest category from where they performed in the previous testing cycle and/or those who score proficient or above.

### **Evidence of Actions Taken –**

- The evidence for the Double Dose math courses can be found in the student schedules.
- The evidence for Math Intervention courses can be found in the student schedules.
- The evidence for the AIP can be found in the AIP documentation.
- The evidence for the additional math teacher can be found in STARS staff files.

### **Measurable Successes –**

- In 2 out of 3 measurable years (not including the 2019-2020 school year), TGA Met/Exceeded Standard for the math indicator.

### **Evidence of Measurable Successes –**

- This evidence can be found in the site visit reports from the applicable years.

### **Mission-Specific Indicator - Dual Credit Goal**

During the last renewal period, we worked hard to develop what is referred to as a “stretch goal”. The GREAT Academy’s dual credit goal is just that. We felt it important to challenge ourselves as a staff to create an environment that would provide each graduate the opportunity to not only take dual credit courses, but to graduate with a semester or more of college completed at the time that they graduate from high school. We know that students who have these opportunities are more successful after graduation than those who do not have these opportunities. The GREAT Academy’s mission specific goal is for students to graduate with 12 or more dual credits from classes passed with a “C” or higher.

The goal reads as follows:

The GREAT Academy High School graduates will have no less than 12 credits earned from taking dual credit courses completed with a “C” or better.

Cohort 1 will consist of students who started at TGA in the 9th or 10th grade.

Cohort 2 will consist of students who started at TGA as 11th graders. Students who begin TGA as 12th graders will be excluded from this goal.

#### *Exceeds Standard:*

Cohort 1 - 90%-100% of graduates meet this goal.

Cohort 2 - 85%-100% of graduates meet this goal.

#### *Meets Standard:*

Cohort 1 - 80%-89% of graduates meet this goal.

Cohort 2 - 75%-84% of graduates meet this goal.

***Does Not Meet Standard:***

Cohort 1 - 70%-79% of graduates meet this goal.

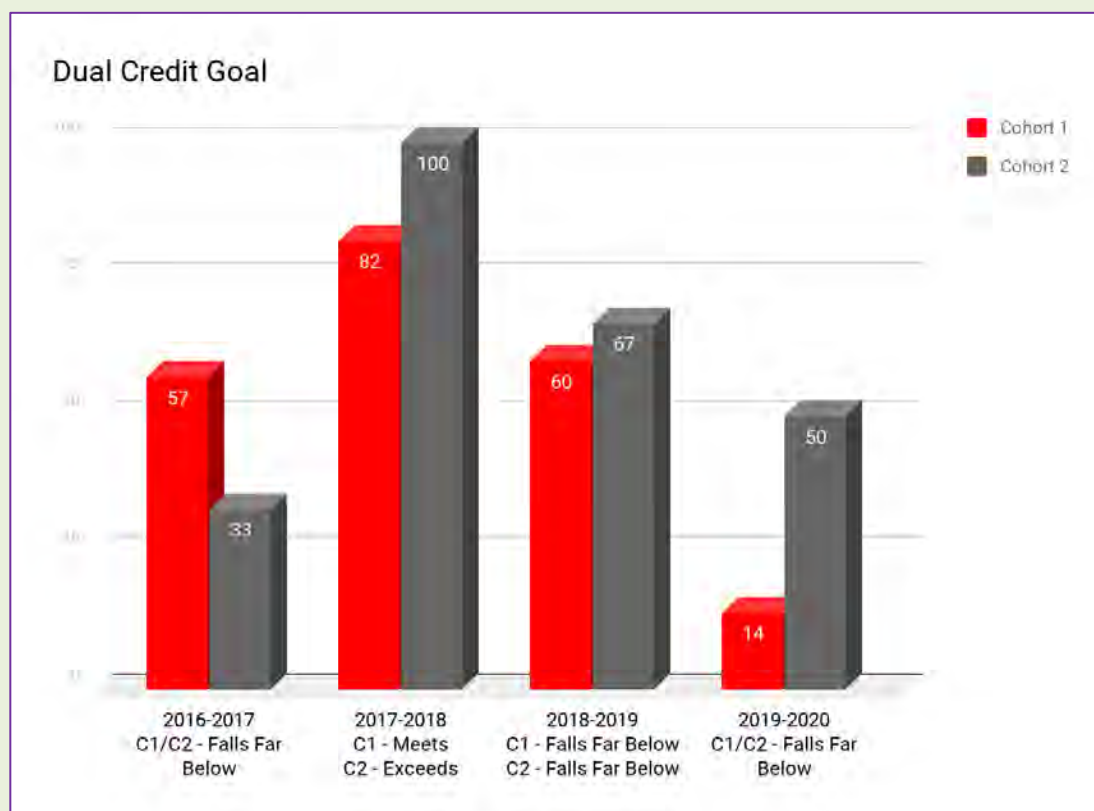
Cohort 2 - 56%-74% of graduates meet this goal.

***Falls Far Below Standard:***

Cohort 1 - 0%-69% of graduates meet this goal.

Cohort 2 - 0%-55% of graduates meet this goal.

**Analysis –**



In the 2016-2017 school year, 24 students met the Cohort 1/Cohort 2 criteria. 271 dual credits were earned in classes passed with a “C” or better by 24 students. Out of 21 Cohort 1 students, 12 of the graduates made the goal = 57%. Out of three Cohort 2 students, 1 made the goal = 33%. In the 2016-2017 school year, Cohort 1 and Cohort 2 fell far below the standard. This was the first year of the new charter contract. TGA was still in the process of ramping up the strategies that were being used to support and foster dual credit students’ successful completion of courses. In that school year, TGA offered several on-campus course options through CNM that were taught by TGA teachers: Financial Literacy, Intro to Business, College Success, English 1101/1102 and Physical Science. While neither cohort met the standard for the goal in this year, a wide range of on-campus options were available and the staff was continuing to build its capacity to prepare and support students in their efforts to take and successfully complete dual credit courses.

In the 2017-2018 school year, 28 students met the Cohort 1/Cohort 2 criteria. 522 dual credits were earned in classes passed with a “C” or better by these 28 students. Out of 22 Cohort 1 students, 18 made

the goal = 82%. Out of 4 Cohort 2 students, all 4 made the goal = 100%. In the 2017-2018 school year, Cohort 1 students met the standard and Cohort 2 students exceeded the standard. The 2017-2018 school year was the best of the four years. The continuous efforts to build the capacity to support students in the successful participation and completion of dual credit courses came to fruition. This was a record setting year for TGA's graduates.

In the 2018-2019 school year, 11 students met the Cohort 1/Cohort 2 criteria. 254 dual credits were earned in classes passed with a "C" or better by these 11 students. Out of the 5 Cohort 1 students, 3 made the goal = 60%. Out of 6 Cohort 2 students, 4 made the goal = 67%. In the 2018-2019 school year, Cohort 1 students fell far below the standard and Cohort 2 students did not meet the standard. In January of 2018, TGA's dual credit coordinator was recruited by a local private school to be their head administrator. In addition, the teacher who taught a few of the on-campus courses left to support her husband who had been fighting an unfortunate cancer diagnosis. The loss of these two very critical staff members rocked the TGA dual credit program. It took some time for the staff to readjust and rebound. We believe that the loss of these two staff members affected the school's ability to do what it was on the road to continuing from the prior year. It was also this year that the Accuplacer Score requirements for placement into courses increased. Not only did the scores increase, but more courses began to require an Accuplacer test for entry. In response to these changes, TGA began to structure a plan to provide Accuplacer prep for students. Not only this, but the Accuplacer scores were used to drive instruction and to focus on supporting students in the areas where the test displayed academic need.

In the 2019-2020 school year, 13 students met the Cohort 1/Cohort 2 criteria. 135 dual credits were earned in classes passed with a "C" or better by these 13 students. Out of the 7 cohort 1 students, 1 made the goal = 14%. Out of 6 Cohort 2 students, 3 made the goal = 50%. In the 2019-2020 school year, Cohort 1 and 2 students fell far below the standard. The first semester of this year was rather normal. Students, especially juniors and seniors tend to take only one (sometimes two) dual credit courses during the first semester so that they can focus on completing high school core courses. These students typically take more dual credit courses during the Spring semester. There were several students who were taking dual credit courses who dropped courses when COVID-19 caused statewide shutdowns. The uncertainty that the pandemic was causing made students unsure of the future, even though courses at CNM were transitioned to being fully online. There were several students during this year who would have made the goal had they not withdrawn from/dropped classes, or even failed classes due to the drastic changes and uncertainty that COVID-19 brought.

#### **Root Cause -**

- A barrier that has been identified is the level of maturity that it takes to not only take and be successful in dual credit classes, but exercise the daily time management, delayed gratification, and the ability to push through rigorous material without giving up. There are a number of students who took courses, but dropped them or got a grade less than a "C" because their maturity level was not at a place to help to drive them toward success. These students tend to be successful the second time around when they are a little older and have learned more life lessons. We have learned that this too is a part of the process for students. This goal is not just about graduating students with a semester or more of college credits under their proverbial belts, it is also about

them learning how to persevere when times are stressful. With some students, acquiring these skills takes a little longer.

- A consistent issue is ensuring that TGA's more non-traditional students take and successfully complete dual credit courses to make the goal. These students have some hurdles that more traditional students do not face, such as full time jobs, children and families. These more non-traditional students tend to be laser focused on completing high school credit requirements to get their diplomas and do not have time for much more than that. TGA encourages all students to take at least two dual credit courses, but when a student is in a position where they do not need more electives, but they have several high school core credits that need to be completed to meet graduation requirements, many students choose to focus on their goal of meeting those requirements in order to earn their diplomas. This difficult choice that non-traditional students have to make impacts the school's ability to make the goal.
- 2016-2017 was the first year of the new charter contract. TGA was still in the process of ramping up the strategies that were being used to support and foster dual credit students' successful completion of courses. In that school year, TGA offered several on-campus course options through CNM that were taught by TGA teachers: Financial Literacy, Intro to Business, College Success, English 1101/1102 and Physical Science. While neither cohort met the standard for the goal in this year, a wide range of on-campus options were available and the staff was continuing to build its capacity to prepare and support students in their efforts to take and successfully complete dual credit courses.
- TGA was making the adjustment to having lost its dual credit coordinator in January of 2018.

#### **Actions Taken to Improve Outcomes -**

- TGA has dedicated two teachers (these are also teachers who teach on campus courses at TGA) to help to case manage students taking dual credit courses to increase completion rates. One of these teachers serves as the dual credit coordinator who took over after the previous coordinator left in January of 2018.
- TGA staff uses the credit analysis form to help all students see the benefit of taking dual credit courses. The credit analysis is a form that displays all credits needed in a visual format rather than alpha-numeric. This form shows readily courses that have been completed and those that are still needed. This visual tool can also be used to show students the path to graduation by adding timelines to the completion of courses so that students can see how and when they should complete the classes. Since dual credit courses are worth one full high school credit, this form helps students see the impact that taking dual credit courses on their course completion. We have found that if we are able to help students (traditional and non-traditional alike) find courses that are in line with their career/life aspirations, it is easier to convince them that taking extra courses can really help to positively impact their post-graduate opportunities.

- Our staff is trained, ready and willing to support students on the journey to learn the various life lessons that will drive them towards completing high school credits, college credits, and help them successfully transition into adulthood.
- The dual credit program is statewide and available to all students. TGA strives to open these opportunities up to all students, not just the best and the brightest. We believe that all students should be able to be successfully transitioned into the world of college and/or careers.
- The students are taken to tour CNM's campus to make them aware of all of the resources available to them as students.

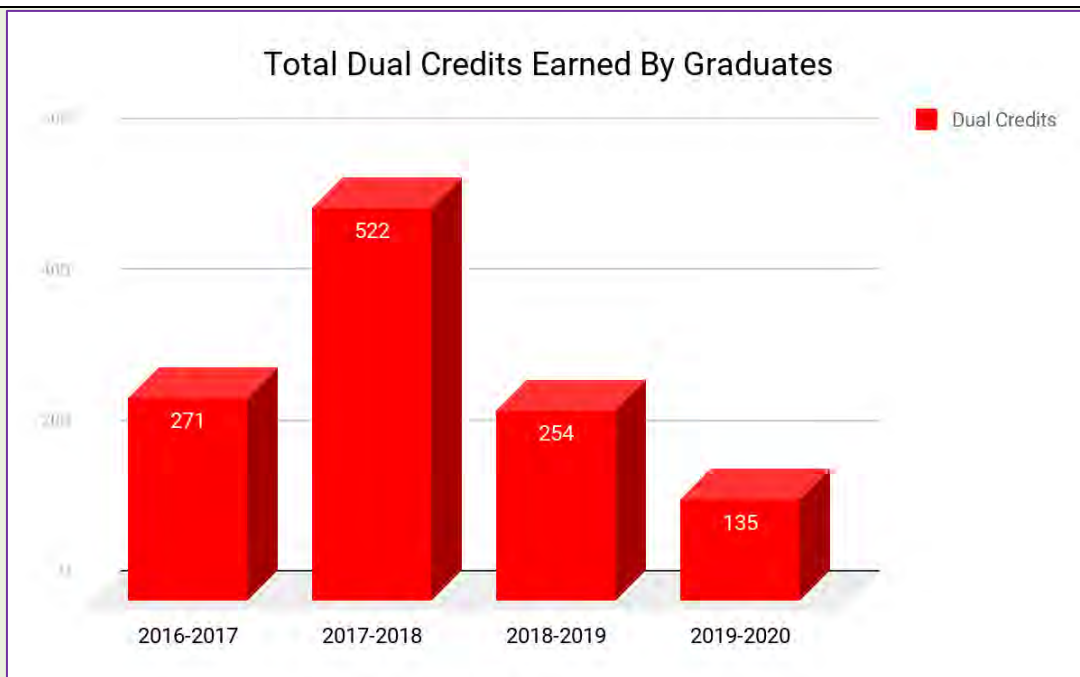
#### **Evidence of Actions Taken -**

- The TGA teachers who are certified to teach CNM courses can be found in TGA's SIS (Student Information System) and on CNM enrollment reports each term. The evidence of the case management of these students is found in the numerous email communications between TGA staff, students, and CNM course instructors and CNM dual credit staff. (Due to FERPA, TGA only communicates with parents when there is a signed release of information in place with CNM.)
- TGA credit analysis forms/Next Step Plan meetings on record.
- Evidence for TGA trained staff can be found in the certification of these teachers to teach CNM courses. They are required to do multiple yearly training through CNM on being dual credit teachers, promoting success among students, using the online platform and helping students to understand the various requirements and expectations of being a CNM student. Without these trainings, they are not allowed to teach classes.
- The evidence that TGA encourages all students to take courses can be found in the term enrollment reports from CNM. All types of students are found taking courses each term whether they are: "At Risk", students with disabilities or EL (students whose home language is other than English) students.
- Evidence is in previous class schedules and permission slips from students attending the tour.

#### **Measurable Successes**

- Since the 16-17 school year, TGA graduates have earned a total of 1,182 college credits.
- In the 2017-2018 school year, 28 students met the Cohort 1/Cohort 2 criteria. 522 dual credits were earned in classes passed with a "C" or better by these 28 students. Out of 22 Cohort 1 students, 18 made the goal = 82%. Out of 4 Cohort 2 students, all 4 made the goal = 100%. In the 2017-2018 school year, Cohort 1 students met the standard and Cohort 2 students exceeded the standard. The 2017-2018 school year was the best of the four years. The continuous efforts to build the capacity to support students in the successful participation and completion of dual credit courses came to fruition. This was a record setting year for TGA's graduates.





- Although the total number of credits earned by graduates is not specifically a measure in the goal, TGA is proud of the accomplishment shown in the chart above - a total of 1,182 credits were earned over the current charter term.

#### **Evidence of Measurable Successes**

- The evidence for completed college credits by TGA graduating seniors from the 16-17 school year to the 19-20 school year is student transcripts.

We understand the positive impact that access to the rigor of college courses has on high school students. It is important that students have the support necessary not just to take college courses, but in figuring out how to apply to college, sign up for and take entrance exams, register for classes, and navigate the work, time management and communication needed to be successful. TGA's mission is to ensure students Gain Real-world Experience through Active Transition. We believe that a large part of actively transitioning students is having them participate in activities that focus on college and career readiness.

It should be noted that, if a student, beginning in 10<sup>th</sup> grade, takes and completes just 3 college credits (one course) per semester through the end of his/her 12<sup>th</sup> grade year, he/she will have earned 18 college credits. If that student increases to taking 6 credits per term in the 11<sup>th</sup> grade through the end of his/her 12<sup>th</sup> grade year, he/she will have earned 30 credits. TGA understands that giving students this type of head start in understanding college rigor and academic expectations gives students more of a chance to complete college, whether it is a 2-/4-year program or a certification program that leads to a career. Not only that, but it helps to place an importance on the completion of high school requirements. These components are critical in our efforts to provide students with a transition that leads to future college and career success.

We believe that we as a staff, have the capacity to support students toward success in dual credit courses. We believe that we can say that just because of the sheer number of dual credits that TGA students earn,

even during a slow year with only 13 qualifying graduates, those students are still able to earn 135 credits. TGA staff has learned to be flexible and to make the appropriate adjustments when institutional changes occur that affect our efforts. We also believe that we have been successful despite having not met the standard 3 out of 4 years because of the fact that our dual credit program makes college courses available to students who are typically not offered these types of opportunities. ALL TGA students have the opportunity to take dual credit courses. We do not just encourage gifted, high performing students to take dual credit courses. All students are led to taking courses, whether they are at-risk, ELL students, or Students with Disabilities. TGA knows first hand the preparation and support that it takes to make these types of offerings available to those often overlooked populations and we will continue to offer the resources necessary to continue to provide this very viable program to all.

### 3. 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 Summary Report

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 FY16) within the current contract. Also, provide a summary of the nature of findings including category levels. Include and indicate any repeat audit findings involving a material weakness or significant deficiency.

##### *School response:*

Year	Total # of Findings	Nature of Findings including Rating (Compliance, Significant Deficiency, Material Weakness)	School's Corrective Action Plan
FY2017	1-TGA 1- TGAF	<b>TGA 2017-001 Procurement Code (Noncompliance)</b> <b>Condition/Context</b> During our test work of fifty disbursement transactions we noted the following: The School did not follow proper procurement procedures when it procured asphalt repair, striping and the installation of speed bumps in the amount of \$43,726. While the School utilized a vendor who is listed in the Cooperative Education Services (CES) "Blue Book," the procurement did not go through CES and the school paid this vendor directly and bids were not obtained.	<b>TGA 2017-001</b> <b>Management's Response:</b> The GREAT Academy's Segregation of Duties and Internal Controls Policy states: "All employees will abide by the State Procurement." Per the New Mexico Administrative Code (NMAC) under Title 1 General Government Administration, Chapter 4 State Procurement, 1.4.1 NMAC Procurement Code Regulations: Under 1.4.1.51 Administrative Code (NMAC) under Title 1 General Government Administration, Chapter 4 State Procurement, 1.4.1 NMAC Procurement Code Regulations: "...Quotation to be obtained. Insofar as it is practical for small purchases of nonprofessional services, construction or items of tangible personal property having a value exceeding twenty thousand dollars (\$20,000) but not exceeding sixty thousand dollars (\$60,000), and in accordance with any procedures or processes set forth by the state purchasing agent, no fewer than three businesses shall be solicited via written requests containing the specifications for the procurement to

			<p>submit written quotations that are recorded and placed in the procurement file. ..." This rule is requiring agencies to follow the "any procedures or processes set forth by the state purchasing agent," Upon review of 1.4.1.2 B (9) " General. Except as otherwise provided in this section, this rule applies to every agency and to every transaction to which the Procurement Code applies except the following:" " (9) procurement by charter schools;". This shows that Charter Schools are exempt from the requirements of NMAC 1.4.1. and exempt from the requirements of obtaining 3 quotes for project from \$20,000 to \$60,000. 13-1-129 Procurement under existing contracts. A. (2) " (2) with a business [ASPHALT COMPANY VENDOR] which has a current exclusive or nonexclusive price agreement with the state purchasing agent or a central purchasing office [CES] for the item, services or construction meeting the same standards and specifications as the items to be procured if the following conditions are met:</p> <p>(a) the quantity purchased does not exceed the quantity which may be purchased under the applicable price agreement; and</p> <p>b) the purchase order adequately identifies the price agreement relied upon. "</p> <p>Even though, the school feels they did comply with 1.4.1.51 Administrative Code (NMAC) under Title 1 General Government Administration, Chapter 4 State Procurement, 1.4.1 NMAC Procurement Code Regulations, by utilizing an approved CES vendor at rates lower than the state approved rates (providing the best obtainable price), the school will further revise its purchasing policies within 90 days.</p>
		<b>TGAF 2017-002 Segregation of Duties (Control Deficiency)</b>	<b>TGAF 2017-002 Management's Response:</b>

		<p><b>Condition/Context</b></p> <p>Condition: During our review of the School's internal control procedures over significant transaction cycles we noted the following issues regarding segregation of duties:</p> <ul style="list-style-type: none"> <li>• For travel expenditures paid for by the School's Foundation prior approval is required by a member of the Foundation's Board of Directors. While we noted that each request for travel was approved by the Foundation's Board Treasurer we also noted that this individual is also the business manager for the Great Academy, which on occasion results in him approving travel requests for individuals who are his superiors at the School, such as the School's Head Administrator/Executive Director and the Principal/Director of Academics for the School. It was also noted that the Treasurer and the School's Student and Community Outreach Coordinator are the only authorized Foundation check signers. The Student and Community Outreach Coordinator is the daughter of the Head Administrator/Executive Director and School Principal/Director of Academics.</li> <li>• It was noted that the Head Administrator/Executive Director processes wire transfers without authorization or the involvement of another appropriate individual.</li> </ul>	<p>Even though The GREAT Academy Foundation Treasurer did not violate the Foundation's travel policy and the travel was known and verbally approved in advance by the entire Board, The GREAT Academy Foundation's Board of Directors will revise, within 60 days, its procedures to only allow Foundation board members who are not employed by The GREAT Academy to approve the Executive Director or the Director of Academics' request for travel.</p> <p>There are strong existing controls in place over wire transfers. Wires are seen by the Business Manager daily in bank activity, in the monthly independent bank reconciliation process, and transactions are reviewed by the Board monthly (detective controls). Furthermore, The School has additional controls in place to mitigate risk of improper/overpayments including a pre-set ACH template that allows the School to pay authorized vendors accurately and timely (preventive control), approval of the vendor payment prior to the ACH transaction (preventive control) and timely bank reconciliations to ensure vendors are not improperly paid (detective and corrective control). Even though these very strong controls are in place, School does acknowledge this additional control procedure would improve the internal controls over bank wires. The GREAT Academy's Executive Director and Business Manager will work, within 60 days, with its bank to require the involvement of another individual in order for the Executive Director to make all of the required ACH payments including biweekly payroll and NMPISA insurance payments.</p>
FY2018	1-TGA 1- TGAF	<p><b>TGA 2018-001 Financial Close and Reporting (Significant Deficiency)</b></p> <p><b>Condition/Context</b></p>	<p><b>TGA 2018-001 Management's Response:</b></p> <p>The School changed Business Managers during the year under audit. During the</p>

		<p>During our testing of financial close and reporting, we noted the following issues:</p> <ul style="list-style-type: none"> <li>• The capital asset rollforward did not include the prior year capital asset additions. Beginning balances presented on the rollforward were misstated by \$44,527 to the fiscal year 2017 financial statements.</li> <li>• During our review of accounts payable, we noted management improperly excluded \$5,194 from the accounts payable listing. We also noted \$8,091 for accounts payable identified by management that did not represent a valid payable as of June 30, 2018.</li> <li>• We noted the student activity fund was omitted from the fiscal year 2017 financial statements, however cash balances of \$1,819 existed during fiscal year 2017 and 2018.</li> </ul>	<p>transition, more communication between the out-going and in-coming Business Manager was warranted. Moving forward, the School will enhance its financial close and reporting procedures to ensure that all rollforward schedules are properly updated and all necessary accrual items are included in the list provided to the auditors.</p>
		<p><b>TGAF 2018-001 School Support (Other Matters)</b></p> <p><b>Condition/Context</b></p> <p>During our audit we noted one individual who was employed by the GREAT Academy (School) as the Director of Academics/Principal. The same individual also contracted with the Foundation as an independent contractor in the amount of \$45,000. The individual's role as an independent contractor was to perform work solely for the School and the contract made no mention of any services rendered to the Foundation. Prior to the contract, the December 12, 2017 minutes indicated that the Foundation presented the matter to the</p>	<p><b>TGAF 2018-001</b></p> <p><b>Management's Response:</b></p> <p>As part of the process, the board and management did go through the IRS checklist for employee vs. independent contractor and determined that the evidence suggested that it was appropriate for the aforementioned individual to be classified as an independent contractor. However, the Foundation does understand the auditor's concerns and therefore, after the audit is published, TGAF will work with its attorney, external audit firm, and the board to come up with a path forward.</p>

		<p>Foundation's attorney for which the legal recommendation was to gift the money to the school or take the individual on as an employee of the Foundation. One board member indicated, "It would be cleaner to go the contract route," for which a motion was made and unanimously approved by the Board. The Foundation was unable to provide sufficient reasoning for why the departure from the legal recommendation.</p>	
<b>FY2019</b>	<b>3-TGA 4-TGAF</b>	<p><b>TGA 2019-001 Private Vehicles Used for School-Sponsored Activities and Unapproved Fringe Benefits (Other Noncompliance)</b>  <b>Condition/Context</b>  During our review of employment contracts, we noted the executive director received a vehicle allowance stipend of \$7,749.56, however there was no supporting documentation kept that indicated Board approval of the stipend for fiscal year 2019. We noted the vehicle driven/used by the Executive Director does not meet the requirements under NMAC 6.41.4.8.D(1)(b) to be used in school sponsored activities.  Furthermore, this matter was noted during our review of employee files on August 1, 2019. After we informed the school of the missing supporting documentation, the School determined the allowance was under paid during fiscal year 2019. During our review of the August 22, 2019 minutes, we noted the Board approved the retroactive car allowance of \$4,100 to the executive director.</p>	<p><b>TGA 2019-001</b>  <b>Management's Response:</b>  The school is not sure why the auditor is confusing a "car allowance" with "Private Vehicles Used for School-Sponsored Activities". The car allowance is defined as a fringe benefit. A Fringe benefit is any benefit in addition to the Director's wages. The car allowance was not issued to the Director to transport students to school-sponsored activities. When the auditor brought it to the school's attention the car allowance did not have supporting documentation for SY 18, the board immediately approved the director's car allowance retroactively for the stated period. This was an over-site by the Business Manager.</p>



		<p><b>TGA 2019-002 (Previously #2018-001) Financial Close and Reporting (Significant Deficiency)</b></p> <p><b>Condition/Context</b>  During or review of financial close and reporting, we noted the following matters:  When we reviewed beginning fund balances, we noted the school did not properly reverse the prior year payroll accrual, which resulted in variances to beginning fund balance of \$21,661.  During our review of rent expense, we noted the school made 13 rent payments to the Foundation during the year, however the 13th payment was not properly recorded as a prepaid expense.  During our review of capital assets, we noted the School paid \$19,066 for a partial roof replacement which was paid out of Fund 31600 HB-33. The School made improvements to a building that is not a public building. <i>Management's Progress for Repeat Findings: Management failed to implement adequate controls to resolve the finding and will work toward corrective action during FY2020.</i></p>	<p><b>TGA 2019-002</b></p> <p><b>Management's Response:</b>  The School had identified both these entries during its financial close and reporting process. The journal entry to roll forward trial balances was provided to properly roll-forward fund balance. Between the modified cash basis internal records, the modified accrual basis trial balances and related journal entries, and the full accrual basis trial balances and journal entries used in the audit software and related audited financial statements, the journal entry to rollforward fund balances was confused to be a variance. The amount was fully reconciled and identified in advance. The prepaid rent amount was identified in advance as something the auditors may want to record for the audit. Due to year-end summer vacation schedules and the school being closed during the last week of June and first week of July, the rent due to the Foundation for July was paid by the School prior to June 30th. Should the condition exist in the future where the School pays its July rent amount to the Foundation prior to June 30, the School will record prepaid rent and then reverse the prepaid rent account in July when it is due.</p>
		<p><b>TGA 2019-003 Advance Payments of Lease Payments (Material Weakness)</b></p> <p><b>Condition/Context</b>  During the year, the School remitted \$250,000 to the Foundation characterized as "prepaid rent," Per review of the November 14, 2018 minutes, it was documented the School would have saved \$9,390.96 per year related to the prepaid rent</p>	<p><b>TGA 2019-003</b></p> <p><b>Management's Response:</b>  In the last few years, the school has been experiencing drastic reductions in its Lease Assistance Grant from PSFA. In FY17, the school received \$158,767. But for FY18 it dropped to \$120,377, and now the school only receives \$97,947. The school viewed pre-paying its lease to reduce its annual lease liability as meeting the "necessity" requirement that the auditor referenced.</p>

		<p>payment and revised lease agreement, with a term of January 2019 to January 2039.. Per review of the updated lease agreement, the School's lease payments (including the maintenance component) increased approximately \$2,609 annually even when factoring in the increased amortization. The revised lease agreement included an increase in the maintenance component of the base lease payments by an additional \$12,000 a year, although there was no evidence in the minutes of either the School or the Foundation that this increase was approved. This \$250,000 "prepaid rent" amount is in addition to previous advance rent payments made prior to fiscal year 2018 of \$450,000 and \$300,000 by the School to the Foundation. These payments amount to a total \$1,000,000, including the \$250,000 payment in 2019, of which \$894,732 is reflected as prepaid rent as of June 30, 2019. This amount is expected to be amortized over a period of 20 years by the School. However, the foundation has \$15,586 in cash as of June 30, 2019 and has expended the remaining prepayments advanced by the school. Therefore, the Foundation lacks the ability to return the funds to the School if required. Based upon the circumstances and substance of the transactions, there appears to be no financial benefit to the School related to the prepaid rent paid of \$250,000 or previous payments made.</p>	
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		<p><b>TGAF 2019-001 (Previously 2018-001) – Expenditures in Excess of Available Resources (Material Weakness)</b></p> <p><b>Condition/Context</b>  On a modified accrual basis of accounting, the Foundation reports expenditures in excess of revenues by \$396,161, which has increased the deficit fund balance to \$865,622 as of June 30, 2019. As of June 30, 2019, the Foundation reports a cash balance of \$15,586, in addition, the Foundation reports a liability of \$894,732 as of June 30, 2019 classified as “unearned revenue”. The amount classified as “unearned revenue” represents payments from the School for rent paid in advance, which the Foundation is unable to repay to the School if required. During our audit as of and for the year ended of June 30, 2018, management communicated to us its plan to address the issue of a going concern involved a reduction of capital expenditures and a possible refinance of the building given the available equity in the building. During fiscal year 2019, capital expenditures increased compared to fiscal year 2018 and there was no evidence provided of a possible refinancing.</p> <p><b>Management’s Progress for Repeat Findings:</b> Management failed to implement adequate controls to resolve the finding and will work toward corrective action during FY2020.</p>	<p><b>TGAF 2019-001</b></p> <p><b>Management’s Response:</b>  The Foundation is aware of this liability and is working with the current lender and other possible lenders to reorganize its debts. Also, the Foundation will review all available options to its disposal to resolve the issue.</p>
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		<p><b>TGAF 2019-002 Debt Compliance (Material Weakness)</b>  <b>Condition/Context</b>  During our review of debt compliance, we noted the Foundation is subject to a Debt Service Coverage Ratio (DSCR) covenant of 1.20:1. We noted the Foundation did not meet this requirement in fiscal year 2018 and 2019. The Foundation indicated the lender had not requested calculation of this ratio. The Foundation did not obtain a waiver related to either fiscal year 2018 or 2019, thus is in default of the agreement.</p>	<p><b>TGAF 2019-002</b>  <b>Management's Response:</b>  The foundation is aware of the Debt Service Coverage Ratio covenant default and is currently working with the lender on options to resolve this issue.</p>
		<p><b>TGAF 2019-003 Financial Close and Reporting (Other Matters)</b>  <b>Condition/Context</b>  During our review of financial close and reporting, we noted the following matters. The escrow balance had not been reconciled to the June 30, 2019 statement, thus the balance was understated by \$10,603. The Foundation received 13 rent payments from the School in fiscal year 2019. The 13th rent payment of \$18,751 was not properly recorded a deferred rent as this payment was not earned by the Foundation as of June 30, 2019.</p>	<p><b>TGAF 2019-003</b>  <b>Management's Response:</b>  Escrow balances are immaterial and not typically adjusted during the year-end financial close and reporting process as the balances in escrow at each June 30 year-end stay approximately the same. The unearned rent was identified in advance, during the financial close and reporting process, as covered in Finding 2019-XXX of the School.</p>
		<p><b>TGAF 2019-004 Internal Control Over Cash Disbursements (Other Matters)</b>  <b>Condition/Context</b>  During review of expenses, we noted the treasurer's initials appeared to be digital or copied. We were informed by the TGAF</p>	<p><b>TGAF 2019-004</b>  <b>Management's Response:</b>  As per the foundation's Financial Procedures and Internal Control Policy, no physical or digital signature is required. Also, per the FPIC policy evidence of authorization is not required, only acknowledge. The</p>

		Liaison that the treasurer does not sign (either physically or digitally), but that the TGAF Liaison will get verbal approval over the phone. Thus, there is no evidence of authorization and the use of copied signatures poses significant fraud risk.	liaison's role is to conduct day-to-day business of the foundation. In addition, the foundation's board approves all check listings and bank reconciliations. Moving forward, the foundation will revise the FPIC policy to require a board member's signature on all Expense Acknowledgment forms.

## b. Board of Finance

Pursuant to 1978 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 1978 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 (Appendix B – Board of Finance) and verifiable through evidence at the renewal 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 GREAT Academy maintained all Board of Finance authority during the entire term of the contract.

4. 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... or...violated any provision of law from which the charter school was not specifically exempted.

a. Charter Material Terms of Comprehensive Educational Program

Pursuant to 1978 NMSA §22-8B-9, each charter contract must contain material terms of the charter application as determined by the parties to the contract. The PEC’s contract identifies all material terms, or in some contract versions, the components of the comprehensive educational program.

If a school received a rating of “working to meet standard” or “falls far below standard” for Indicator 1.a in its Web-EPSS annual report for any year within the contract term, the school must describe the improvement actions the school made to address the deficiencies.

*School response:*

The GREAT Academy received a rating of “Meets Standard” for Indicator 1.a in its Web-EPSS annual report for each year within the contract term.



## b. Organizational Performance Framework

Pursuant to NMSA §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 standard” rating or any “falls far below standard” 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 Office of Civil Rights complaints, formal special education complaints or NM Attorney General complaints or enforcement action, or**, the school must identify those, provide all communications (redacted to protect PII) related to those complaints in an appendix (Appendix C – Complaint Communications), 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 renewal site visit.

**Schools that do not have any repeated “working to meet standard” ratings or any “falls far below standard” ratings on the most recent organizational performance framework evaluation do NOT complete this Section.**  
CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns:

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

The CSD/PED’s March 4, 2020 Site Visit Evaluation Report for The GREAT Academy (TGA) was made available in the Web-EPSS Platform on September 10, 2020. We assume the delay was due to disruptions caused by the COVID-19 closures almost immediately following TGA’s March 4<sup>th</sup> site visit. Therefore, many responses are dated after receipt of the Preliminary Site Visit Evaluation Report on September 10<sup>th</sup> and the ratings for each indicator at the time of submitting the Renewal Application are noted in the first column of the table below. Most ratings are noted as “Pending”.

Organizational Performance Framework Indicator	Concern(s) Identified (Root Cause)	Improvement Actions and the Outcome of those Actions
III-A.03: 1d) Education Plan: students w/special needs	CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns:	<u>IEPs</u> <i>Improvement Action:</i>

<p>Rating: "Pending" as of the date of submission of this Renewal Application.</p>	<p>No later than 30 OCT, the school is to provide the following through this indicator:</p> <ul style="list-style-type: none"> <li>• An action plan, including steps, persons responsible and timelines, for how the school will separate IEPs from the student cum folders, add FERPA sign-in/out sheets, review all IEPs and adjust services and calculate hours appropriately;</li> <li>• School must provide evidence it is complying with NM PED Federal Programs requirement to document all direct service hours listed on the student IEP. Evidence may include but is not limited to a copy of the special education staff direct service logs and a detailed action plan on how the school will implement use of direct service logs.</li> </ul>	<p>Following the March 4<sup>th</sup> site visit, the school has separated all IEPs from the student cum folders.</p> <p><i>Evidence:</i> Internal cum file audit.</p> <p><i>Success/Outcome:</i> The IEPs will remain separated from the students cum file.</p> <p><i>Evidence:</i> Internal file audit.</p> <p><u>Sign-In/Out Sheets</u> <i>Improvement Action:</i> The school has added FERPA sign-in/out sheets.</p> <p><i>Evidence:</i> FERPA sign-in/out sheets that started after the site visit.</p> <p><i>Success/Outcome:</i> FERPA sign-in/out sheets to remain in the student special Education folder.</p> <p><u>Adjusting Services/Service Logs</u> <i>Improvement Action:</i> The school has started adjusting services and hours to reflect direct/indirect services.</p> <p><i>Evidence:</i> IEPs that were reviewed after the site visit.</p> <p><i>Success/Outcome Indicator:</i> All IEPs will reflect direct and indirect services.</p> <p><i>Evidence:</i> Service logs will show direct services provided to the student.</p> <p>The CAP has been uploaded to Web-EPSS.</p>
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<p><b>III-A.06: 1g) Education Plan: recurrent enrollment</b></p> <p>Rating: "Working to Meet Standard".</p>	<p>As stated by the PED Team in the Web-EPSS, the PED Team rated this indicator as, "Working To Meet Standard" because, according to STARS reporting, the school's recurrent enrollment for the present academic year (2019-20) was 71.54%. The goal set by the PEC in the Organizational Performance Framework for the school is 85% or above to meet the standard. The referenced report can be found in STARS at District and Location Reports; Options for Parents; Charter School Enrollment Report.</p>	<p><i>Improvement Action:</i> Rebranded the night school that used to target the overage / non-traditional student population to the Online Early College Program that targets more traditional aged high school students that are ready to transition to post-secondary / Dual Credit program.</p> <p><i>Evidence:</i> TV Commercials and thegreatacademy.org website.</p> <p><i>Success/Outcome:</i> Eventually, we expect our retention rate to increase as we continue to recruit more traditional school-aged students.</p> <p><i>Evidence:</i> Based on end of year STARS report for the 2020-2021 school year.</p>
<p><b>IV-A.00: 2a) Business Mgmt/Oversight: financial compliance</b></p> <p>Rating: "Pending" as of the date of submission of this Renewal Application.</p>	<p>CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns: No later than 30 OCT 2020, the school is asked to provide the following evidence through this Web-EPSS indicator:</p> <ul style="list-style-type: none"> <li>• Evidence the school's governing board has corrected the membership for the Audit Committee to include adding an additional governing board member to ensure membership compliance; AND</li> <li>• Evidence of implementation of the school's financial CAP that addresses all audit findings reported on the school's FY19 Audit Report.</li> </ul>	<p><u>Audit Committee</u></p> <p><i>Improvement Action:</i> Elected a second governing board member to the audit committee.</p> <p><i>Evidence:</i> Agenda and minutes of the governing board meeting that took place March 19, 2020.</p> <p><i>Success/Outcome:</i> The school is now in compliance with NMSA § 22-8.12.3 (C).</p> <p><i>Evidence:</i> The school continues to be in compliance for 2020-2021 school year.</p> <p><u>Corrective Action Plan (CAP)</u></p> <p><i>Improvement Action:</i> CAP was developed.</p>

		<p><i>Evidence:</i> The CAP that addresses all audit findings reported on the school's FY19 Audit Report was uploaded to Web-EPSS on 9/22/2020.</p> <p><i>Success/Outcome:</i> Prevent repeat findings for FY20 and beyond – in progress.</p> <p><i>Evidence:</i> Will be provided after the FY20 audit is published.</p>
<p><b>IV-A.01: 2b) Business Mgmt/Oversight: accounting principles</b></p> <p>Rating: “Falls Far Below Standard”.</p>	<p>As stated by the PED Team in the Web-EPSS, the PED team rated this indicator as Falls Far Below Standard because the school earned repeated Significant Deficiency and Material Weakness audit findings on the FY19 Audit Report. Noted below:</p> <p>2019-002 (Previously #2018-001) Financial Close and Reporting (Significant Deficiency)</p> <p>GREAT ACADEMY FOUNDATION-Component unit of The Great Academy – 2019-001 (Previously #2018-001) Expenditures in Excess of Available Resources (Material Weakness)</p> <p><i>Please refer to Audit Section for specific details.</i></p>	<p><i>Improvement Action:</i> Audited financials are closely reviewed at year end to ensure that they are recorded correctly. Financials are reviewed to insure rollforward is completed correctly. Purchase order for rent is set up for 12 months only.</p> <p><i>Evidence:</i> JE#15647 for Rollover Fund Balances.</p> <p><i>Success/Outcome:</i> Expected not to receive a repeat finding for FY20.</p> <p><i>Evidence:</i> Once FY20 audit is published.</p>
<p><b>VI-A.01: 4b) Employees: employee rights</b></p> <p>Rating: “Pending” as of the date of submission of this Renewal Application.</p>	<p>CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns: No later than 30 OCT 2020, the school is asked to provide the following evidence through this Web-EPSS indicator:</p> <ul style="list-style-type: none"> <li>• Detailed action plan (responsible parties, timelines, revised policies or procedures, etc.) detailed how the school will ensure all contractual personnel information aligns with STARS reporting.</li> </ul>	<p><i>Improvement Action:</i> The school developed a CAP (detailed action plan).</p> <p><i>Evidence:</i> CAP uploaded to Web-EPSS 9/22/2020</p> <p><i>Success/Outcome:</i> All job descriptions on MOE and Teacher Contracts are aligned with the STARS data.</p>

		<p><i>Evidence:</i> Internal personnel files audit.</p>
<p><b>VI-A.03: 4d) General Info: staff turnover, if applicable</b></p> <p>Rating: "Pending" as of the date of submission of this Renewal Application.</p>	<p>CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns: Requested Follow-Up: Since the turnover rate was higher than 20% in both years, please provide a narrative that includes the following:</p> <p>a) Please identify the reason for the turnover.</p> <p>b) What impact do you see this having on the school and what actions are you taking to reduce the impact on the school?</p> <p>c) What actions are you taking to retain staff?</p> <p>d) What actions are you taking to ensure that staff hired will work well at the school?</p>	<p><i>Improvement Action / Reason for Turnover:</i></p> <p>a) During the 2018-2019 school year, we only had 6 teachers. 2 of the 6 teachers were from an International Exchange Program. After the 2018-2019 school year, one of them decided that in order to improve his classroom management skills, he needed to find a more traditional / face to face teaching assignment. He found a job on a reservation. Because they shared a vehicle with the other teacher from the international exchange program, the other teacher also had to get a job closer to the reservation. Because the percentage is based on the previous year, this caused our SY 2019-2020 rating to be 33%. From the school year 2019-2020 to 2020-2021, we have 0% staff turnover. All the teachers were retained and returned.</p> <p>b) This has minimal impact because all of our core curriculum and may of our electives are taught through our online platform, Edgenuity.</p> <p>c) The school contracted with American Teachers Academy to provide new teacher mentorship.</p> <p>d) The school contracted with American Teachers Academy to provide new teacher mentorship.</p> <p><i>Evidence:</i> Contract with American Teachers Academy.</p> <p><i>Success/Outcome:</i> 100% retention from the school year 2019-2020 to 2020-2021.</p>

		<i>Evidence:</i> Based on the STARS report.
<b>VII-A.00: 5a) School Environment: facilities &amp; emergency drills</b>  Final Rating: "Meets or Exceeds the Standard".	CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns: At the time of the school site visit several drills had been completed; however, additional drills had to be completed by the end of the academic year. No follow-up was requested at the time. However, the school was alerted to the possibility that additional documentation may be requested throughout the 2019-20 academic year.	All required drills were completed.  No additional documentation was requested during the 2019-20 academic year.
<b>VII-A.02: 5c) School Environment: handling information appropriately</b>  Rating: "Pending" as of the date of submission of this Renewal Application.	CSD/PED Requested Follow-Up to 04 MAR 2020 Site Visit concerns: None present at this time. The rating for this indicator will reflect what is provided in III-A.03 and VI-A.01 indicators.	Please refer to III-A.03 and VI-A.01 indicators above for responses.
<b>Special Education Complaint</b>	On July 1, 2016, the Special Education Bureau of the New Mexico Public Education Department received a formal complaint against The GREAT Academy. In a letter dated July 6, 2016 from the New Mexico Public Education Department, the GREAT Academy was notified of the complaint and the actions required by the Charter School. A Corrective Action Plan (CAP) was issued on August 30, 2016, The GREAT Academy fulfilled all of the required actions and the complaint was closed on March 1, 2018. In an email responding to an inquiry from the Charter Schools Division regarding the complaint, the Public Education Dispute Resolution Coordinator stated the following: "Although this CAP was closed past the due date of 8/30/17, a good portion of the lag in completing this CAP was caused by delays in communication on the part of the family." Documentation regarding this complaint has been provided in Appendix C- Complaint Communications.	
<b>NMOAG complaint</b>	In a letter dated July 10, 2020 from the New Mexico Office of the Attorney General (OAG), the GREAT Academy was notified of a complaint. The notification letter was signed by Jennifer Saavedra, Director of the Advocacy and Intervention Division. Ensuing correspondence included a letter of response from Attorney Susan B. Fox dated August 13, 2020 with an attachment addressing the allegations. No further correspondence has been received from the OAG as of the date of submission of the renewal application. Documentation regarding this complaint has been provided in Appendix C- Complaint Communications.	

### c. Governance Responsibilities\*

Pursuant to 1978 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 requirements.

Further, pursuant to NMAC 6.80.5.8, and 6.80.5.9, each charter school governing body member must annually complete certain 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 renewal site visit.

#### **School response:**

The GREAT Academy Board of Trustees membership during the term of the current charter contract is identified in the chart below.

Members 2020-2021	Role(s)	Service Term Begin Date	Service Term End Date	Committee Membership
Anthony Fairley	President	2017	2021	Audit
Michael Pitts	Vice President	2017	2021	Finance
Chenyu Liu	Secretary	2019	2023	Finance; Audit
Stacey Boyd	Member	2020	2024	N/A
Antonio Harper	Member	2019	2023	N/A
Member 2019-2020	Role(s)	Service Term Begin Date	Service Term End Date	Committee Membership



Anthony Fairley	President	2017	2021	Audit
Michael Pitts	Vice President	2017	2021	Finance
Chenyu Liu	Member/Secretary (March 2020)	2019	2023	Audit; Finance
Stacey Boyd *Started January 2020*	Member	2020	2024	N/A
Antonio Harper	Member	2019	2023	N/A
Jade Rogers *Resigned January 2020*	Member	2018	2022	N/A
<b>Member 2018-2019</b>	<b>Role(s)</b>	<b>Service Term Begin Date</b>	<b>Service Term End Date</b>	<b>Committee Membership</b>
Anthony Fairley	President	2017	2021	Audit
Michael Pitts	Vice President	2017	2021	Audit; Finance
Ronald Shorter *Resigned June 2019*	Secretary	2014 / 2019	2018 / 2023	N/A
Jade Rogers	Member	2018	2022	N/A
Ronnie Wallace *Resigned May 2019*	Member	2016	2020	N/A
Antonio Harper *Started May 2019*	Member	2019	2023	N/A
Chenyu Liu *Started June 2019*	Member	2019	2023	N/A
<b>Member 2017-2018</b>	<b>Role(s)</b>	<b>Service Term Begin Date</b>	<b>Service Term End Date</b>	<b>Committee Membership</b>
Anthony Fairley	President	2017	2021	Audit
Michael Pitts	Vice President	2017	2021	Audit; Finance
Ronald Shorter	Secretary	2014	2018	N/A
Jade Rogers	Member	2014	2018	N/A
Ronnie Wallace	Member	2016	2020	N/A
<b>Member 2016-2017</b>	<b>Role(s)</b>	<b>Service Term Begin Date</b>	<b>Service Term End Date</b>	<b>Committee Membership</b>
Penny Edwards	President	2015	2019	Audit
Michael Pitts	Vice President	2013	2017	Audit; Finance
Ronald Shorter	Member	2014	2018	N/A
Jade Rogers	Member	2014	2018	N/A
Ronnie Wallace	Member	2016	2020	N/A

- The Board of Trustees membership met the requirements of their by-laws and the statutory minimum of 5 members at all times during the term of the current charter contract.
- The required committee membership was maintained at all times during the term of the current charter contract with the following exception: In 2018-19 the Audit Committee required one additional member of the Board of Trustees; Anthony Fairley was approved for membership on April 17, 2019.
- There were no open vacancies on the Board of Trustees during the term of the current charter contract.
- All members of the Board of Trustees completed the required training hours during the term of the current charter contract with one exception: In 2017-18, one member did not complete all hours of the required training.



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HANNA SKANDERA  
SECRETARY OF EDUCATION

SUSANA MARTINEZ  
GOVERNOR

July 6, 2016

**VIA FAX AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Jasper Matthews  
Executive Director  
The Great Academy  
6601 San Mateo Blvd. NE  
Albuquerque, NM 87109

[REDACTED]  
[REDACTED]  
Albuquerque, NM 87109

Ms. Ronalda Tome  
Advocate  
[REDACTED]

**Re:** [REDACTED]  
Complaint No. C1617-01  
**Student:** [REDACTED]  
**Charter:** The Great Academy

Dear Mr. Matthews, [REDACTED] and Ms. Tome:

On July 1, 2016, the Special Education Bureau (SEB) of the New Mexico Public Education Department (NMPED) received a formal complaint against The Great Academy (charter) filed by [REDACTED] (parent) on behalf of her son, [REDACTED] (student). The purpose of this letter is to:

- acknowledge receipt of the complaint;
- provide contact information for the assigned complaint investigator;
- set forth the complaint timeline, including a date by which the written investigation report must be issued; and
- provide information on the options for Alternative Dispute Resolution (ADR) in the attachments to this letter.

**The Complaint Investigator**

Marsha Zenderman has been assigned to conduct the state-level complaint investigation and prepare the written decision, which will be reviewed and issued by the NMPED. Ms. Zenderman will be the contact on this case for both parties from this date forward. Her contact information is as follows:

Marsha Zenderman  
Assistant General Counsel  
New Mexico Public Education Department  
Special Education Bureau  
120 So. Federal Place, Room 206  
Santa Fe, NM 87501  
(505) 827-1812  
(505) 954-0001 (fax)  
[marsha.zenderman@state.nm.us](mailto:marsha.zenderman@state.nm.us)

### **Alternative Dispute Resolution**

The parties are encouraged to resolve all disputes as informally as possible. The attachment to this letter provides a description of ADR options as well as important deadlines and forms that must be completed by the parties. The NMPED offers these ADR options at no cost to the parties. If the parties are interested in mediating this dispute or using another method of ADR, the ADR Coordinator, Joanie Roybal, must be notified **within five days of the date of this letter** at (505) 827-3506. The parties' agreement to engage in ADR may result in an extension of the complaint timeline sufficient to complete the mediation or other form of ADR. Please review the attachments to this letter carefully, as they describe the ADR options available to the parties as well as deadlines applicable to the process. Please note the following:

- If the parties have not fully resolved the issues and the complainant has not withdrawn the complaint, the requested documents are still due on the date stated in the "Actions Required by the Charter School" section, below.
- If the NMPED imposes a Corrective Action Plan (CAP) on the charter while the parties are engaged in mediation, the CAP takes priority over any mediation agreement that is ultimately signed.

### **Limits to the Investigation**

Federal regulations and state rules limit the investigation of state special education complaints to violations that occurred not more than one year prior to the date the complaint is received. (34 CFR 300.153(c) and 6.31.2.13(H)(2)(d) NMAC).

Discrimination on the basis of disability is prohibited by Section 504 of the *Rehabilitation Act of 1973* and Title II of the *Americans with Disabilities Act of 1990*. The NMPED does not accept, investigate or resolve Section 504 complaints. If a person believes that the charter, or any of its staff or charters, has inadequately applied the regulations of Section 504 of the *Rehabilitation Act of 1973*, he/she may initiate a grievance with the charter's/charter's Section 504 Coordinator. Further, a complaint can be made to the regional office of the U.S. Department of Education's Office for Civil Rights (OCR) at the following address without going through the grievance procedures at the charter or charter level:

Office for Civil Rights  
Federal Office Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582.  
(303) 844-5695 TTY (303) 844-3417



The general website for the OCR is <http://www.ed.gov/ocr>. The website for the Denver regional office is [www.ed.gov/about/offices/list/OCR/index.html](http://www.ed.gov/about/offices/list/OCR/index.html). Additional information is included in the NMPED's *Guidelines for Educators and Administrators for Implementing Section 504 of the Rehabilitation Act of 1973* (March 2010), which may be accessed at the NMPED's website <http://www.ped.state.nm>.

Complaints with respect to educator ethics must be directed to the licensure investigations manager:

Mr. Christopher Conlee  
Investigations Manager, Licensure Bureau  
New Mexico Public Education Department  
300 Don Gaspar  
Santa Fe, NM 87501-2786  
(505) 827-6542  
[christopher.conlee@state.nm.us](mailto:christopher.conlee@state.nm.us)

This information may also be accessed at <http://www.ped.state.nm.us/ethics/index.html>. The NMPED's Licensure Complaint form may be accessed at <http://ped.state.nm.us/ped/OGC/html>.

### **The Complaint Timeline**

Under federal and state regulations, a written decision must be issued within 60 days of receipt of the complaint, unless exceptional circumstances exist or the parties agree to use mediation or other forms of ADR and request an extension of timelines. Since the complaint was received by the NMPED on July 1, 2016, the due date for the NMPED to render a decision in this matter is **August 30, 2016**.

### **Issues for Investigation**

1. Whether the charter failed to develop, implement, review and revise an Individualized Education Plan (IEP) for student that allowed student to be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities, consistent with the requirements of 20 USC Sec. 1414(d)(1)(A), 34 CFR Secs. 300.112 and 300.320 through 300.324, and 6.31.2.11(B) NMAC, including, in particular, the failure to provide related services as required in student's IEP;
2. Whether the charter failed to (i) ensure that a continuum of alternative placements was available to meet student's needs and to (ii) consider any potential harmful effect of the placement on the student and, to the maximum extent appropriate, (iii) ensure that the student would be educated with children who are nondisabled, as required in 34 CFR Secs. 300.114 through 300.115 and 6.31.2.11(C) NMAC;
3. Whether, in the case of a student whose behavior impedes student's learning and that of others, the charter failed to consider the use of positive behavioral interventions and supports and other strategies, including failure to conduct a functional behavior assessment (FBA) and, if appropriate, develop a behavior intervention Plan (BIP) for student, as required by 34 CFR Sec. 300.324(a)(2) and 6.31.2.11(F)(1) NMAC;
4. Whether the charter failed to adhere to IDEA requirements with respect to suspensions, expulsions and disciplinary changes of placement, including failure to conduct a manifestation

determination meeting when the student was removed from the charter for more than 10 days for violation of the charter's disciplinary code, as required in 34 CFR Secs. 300.530 through 300.536 and 6.31.2.11(F)(2) NMAC;

5. Whether the charter failed to provide prior notice to parent when the charter proposed or refused to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education (FAPE) to student, in violation of 34 CFR Sec. 300.503 and 6.31.2.13(D) NMAC;
6. Whether the charter failed to follow federal and state IDEA requirements applicable to charter schools serving students with disabilities, in violation of 22-8B-4(M), NMSA 1978; 34 CFR Sec. 300.209; and 6.80.4.12(H) NMAC; and
7. Whether the charter's actions and/or omissions resulted in the denial of a free appropriate public education (FAPE) to student, in violation of 34 CFR Secs. 300.17 and 300.101, and 6.31.2.8 NMAC.

**Actions Required by the Charter School**

In preparation for the investigation, the charter school must provide copies of the following documents to the complaint investigator and to parent prior to 5:00 p.m. on July 27, 2016, if the chosen method of ADR does not resolve or only partially resolves the issues presented in the complaint.

**DO NOT SEND DOCUMENTS BY CERTIFIED MAIL.** Documents must be sent to the complaint investigator by a method that does not require signature upon receipt. Documents may not be faxed to the investigator. Please provide the following documents in numerical order, organized, tabbed and separated by dividers in response to the items outlined below. Requests for extensions of time to submit documents in the required format are strongly discouraged and will not be routinely granted. If specific documentation is not available, the charter must produce a statement signed by its special education director with respect to the documents requested. Conclusory statements that the charter met the requirements of applicable statutes, regulations and state rules are not sufficient.

1. Name, position and contact information for the individual who will be the primary contact for the charter during this investigation;
2. Copies of all current evaluations of student conducted by the charter and/or used to develop student's current IEP, including any evaluations or reports provided by parent;
3. Copies of any determinations made by a multidisciplinary team and/or other evaluation team regarding student's eligibility as a special education student during the SY 2014-2015 and SY 2015-2016, including all documents on which such determinations were based;
4. Copies of all IEPs, addenda, and amendments in effect for student during SY 2014-2015 and SY 2015-2016, as well as all related prior written notices (PWNs);
5. Copies of any other prior written notices sent to parent, other than those referred to in Request No. 4, above, when the charter proposed or refused to initiate or change the identification, evaluation or educational placement of the student or the provision of a free appropriate public education to student, during the SY 2015-2016;

6. Copies of all communications between the charter and parent regarding student, including all letters, emails, reports, notices, meeting notes and telephone messages during the SY 2015-2016;
7. Copies of all functional behavior assessments (FBAs) conducted and behavioral intervention plans (BIPs) developed for student, if any, during the SY 2015-2016;
8. Copies of the providers' billing statements, notes and logs for all related services provided to student during the SY 2015-2016;
9. A signed statement, in their own words, from each teacher and aide who worked with student during the SY 2015-2016 describing: (a) student's behavior in the classroom, and (b) how the accommodations and modifications required in student's IEP were applied in their classrooms;
10. Copies of all documents relating to all behavioral and/or disciplinary incidents involving student during the SY 2015-2016, including incident reports, meeting notes, referrals, and notices to parent, as well as a list of disciplinary removals for in-school and out-of-school suspensions and lunchtime detentions;
11. Copies of all documents evidencing that a manifestation determination meeting was held after student was suspended from the charter for more than 10 days, including notice(s) to parent, sign-in sheets, outcome of the meeting and all documents relied on as a basis for any decisions made at the meeting;
12. Documentation verifying the special education instruction and related services provided to student, if any, during student's in-school and out-of-school suspensions during the SY 2015-2016;
13. A copy of the charter school's disciplinary policies and procedures and a narrative description of how those policies were applied to student herein during the SY 2015-2016;
14. Copies of report cards, progress reports, and teachers' notes provided to parent during the SY 2015-2016, together with an explanation of, or guide to, any coding used;
15. A signed statement from the charter's executive director responding to the issues raised in this complaint. Conclusory statements that the charter complied with federal and state statutes and regulations are not sufficient:
  - a. Whether the charter failed to develop, implement, review and revise an Individualized Education Plan (IEP) for student that allowed student to be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities, consistent with the requirements of 20 USC Sec. 1414(d)(1)(A), 34 CFR Secs. 300.112 and 300.320 through 300.324, and 6.31.2.11(B) NMAC, including, in particular, failure to provide related services as required in student's IEP;
  - b. Whether the charter failed to (i) ensure that a continuum of alternative placements was available to meet student's needs and to (ii) consider any potential harmful effect of the placement on the student and, to the maximum extent appropriate, (iii) ensure that student

would be educated with children who are nondisabled, as required by 34 CFR Secs. 300.114 through 300.115 and 6.31.2.11(C) NMAC;

- c. Whether, in the case of a student whose behavior impedes student's learning and that of others, the charter failed to consider the use of positive behavioral interventions and supports and other strategies, including the failure to conduct a functional behavior assessment (FBA) and, if appropriate, develop a behavior intervention plan (BIP) for student, as required in 34 CFR Sec. 300.324(a)(2) and 6.31.2.11(F)(1) NMAC;
  - d. Whether the charter failed to follow IDEA requirements with respect to suspensions, expulsions and disciplinary changes of placement, including the failure to conduct a manifestation determination meeting when student was removed from the charter for more than 10 days for violation of the charter's disciplinary code, as required in 34 CFR Secs. 300.530 through 300.536 and 6.31.2.11(F)(2) NMAC;
  - e. Whether the charter failed to provide prior notice to parent when the charter proposed or refused to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education (FAPE) to student, in violation of 34 CFR Sec. 300.503 and 6.31.2.13(D) NMAC;
  - f. Whether the charter failed to adhere to federal and state IDEA requirements for charter schools serving students with disabilities, in violation of 22-8B-4(M), NMSA 1978; 34 CFR 300.209; and 6.80.4.12(H) NMAC; and
  - g. Whether the charter's actions and/or omissions resulted in the denial of a free appropriate public education (FAPE) to student in violation of 34 CFR Secs. 300.17 and 300.101, and 6.31.2.8 NMAC.
16. A signed statement from the charter's executive director stating whether any issues raised in this complaint have been resolved or acted upon since the complaint was filed;
  17. The results of the charter's internal investigation into this matter, if any, and a proposed corrective action plan for any deficiencies that were identified; and
  18. Any other information that the charter believes is relevant to a proper understanding of this complaint.

**Documents Requested of Complainants**

Parent is asked to provide the following documents to the complaint investigator and to the charter school prior to 5:00 p.m. on July 27, 2016, if the chosen method of ADR does not resolve or only partially resolves the issues presented in the complaint:

1. Any additional information that parent believes is relevant to a proper understanding of this complaint; and
2. Copies of all evaluations, diagnostic reports and medical reports parent provided to the charter during the SY 2015-2016.

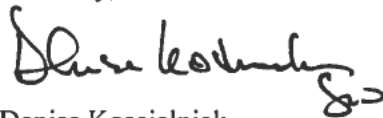
Federal regulations require that the NMPED's complaint procedures give the complaining party the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. The procedures must further provide the charter with the opportunity to respond to the complaint. 34 CFR Sec. 300.152(a) and 6.31.2.13(H)(5)(a) NMAC. Accordingly, additional information submitted by or on behalf of the parent, as well as documentation submitted by the charter, must be about the allegations in the complaint and must be submitted by the deadline indicated. The NMPED may request additional documentation for purposes of clarification.

**The parent and the charter school are required to provide each other with courtesy copies of all documents submitted to the complaint investigator.**

Parent is encouraged to review the enclosed *Parent and Child Rights in Special Education* brochure for information regarding parent's procedural safeguards.

Thank you for your anticipated cooperation in this investigation.

Sincerely,



Denise Koscielniak  
Director, Federal Programs

dk/mz

Enclosures: For charter: copy of the complaint  
For parent: *Parent and Child Rights in Special Education* brochure and NMPED ADR attachments



## **Complaint Procedures**

### **Definitions**

A **Facilitated IEP (FIEP) meeting** means an IEP meeting that utilizes an independent, state-approved, state-funded, trained mediator as an IEP facilitator to assist the IEP team to communicate openly and effectively, in order to resolve conflicts related to a student's IEP. It is intended to result in the development of a revised IEP for the student which resolves the parties' concerns. As with any IEP meeting, discussion between IEP team members at a FIEP meeting may be used as evidence in any subsequent due process hearing or civil proceeding.

**Mediation** means a meeting that utilizes an independent, state-approved, state-funded, trained mediator to assist parties to reconcile any matters related to the dispute. It is intended to result in the development of a legally binding written agreement (not an IEP) that describes the settlement reached by the parties. Please note that if the parents and the charter reach agreement on any IEP-related matters through mediation, it will then be necessary to subsequently convene an IEP meeting to inform the student's service providers of their responsibilities under that agreement, and revise the student's IEP accordingly or develop an IEP addendum. Discussion that occurs during mediation must be kept confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.

### **Requirements**

If the parties agree to convene a mediation session, they must each fax to 505-954-0001 and mail a completed, signed consent form to the ADR Coordinator, Joanie Roybal, at the Special Education Bureau within one business day of jointly reaching that decision so that a mediator or facilitator may be assigned. Copies of the required consent forms are enclosed with this letter. In addition, the complaint investigator must be notified of the parties' decision within one business day of faxing the consent forms to Ms. Roybal. The parents may accept or decline this offer, or the parties may agree in writing instead to convene mediation. The public agency must notify the ADR Coordinator within one business day of their agreement to convene (or not convene) a mediation.

If the parties agree to use mediation, it shall be completed no later than 14 days from the date of the SEB's written acknowledgement of the complaint, unless a brief extension is granted by the SEB based on exceptional circumstances.

### **Actions Required by the Charter under NM Special Education Rules for Alternative Dispute Resolution (ADR)**

#### **Step 1**

Within five (5) days of the date of the Acknowledgement Letter, the charter must notify the NMPED ADR Coordinator of the parties' joint decision to mediate.

#### **Step 2**

Within 20 days of the date of the Acknowledgment Letter, the charter must provide the Complaint Investigator with written documentation regarding the outcome of the mediation.

### **Investigation Procedures**

Please be advised that the NMPED's complaint investigator may conduct individual telephone interviews, on-site investigations at the charter (announced or unannounced), or have other, separate communications with either party during the pendency of the investigation, as deemed appropriate by the complaint investigator. The NMPED may address other issues of noncompliance identified in the course of a complaint investigation and require corrective action to achieve compliance. If violations are identified, the NMPED will require corrective action, including, but not limited to, compensatory education or monetary reimbursement, if appropriate. The department may also require the charter to engage in technical assistance activities as part of a corrective action plan.

**From:** [Lusk-Claiborne, William, PED](#)  
**To:** [Marcotte, Charlene, PED](#); [Woerner, Karen, PED](#)  
**Cc:** [Shannon, Megan, PED](#); [DelRosario, Baylor, PED](#); [Pelayo, Icela, PED](#)  
**Subject:** RE: Question about The GREAT Academy  
**Date:** Friday, May 18, 2018 1:01:27 PM

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Hello,

The Corrective Action Plan (CAP) for Complaint No. C1617-01 with The GREAT Academy was closed on March 1, 2018. The charter school fulfilled all of the required actions. Although this CAP was closed past the due date of 8/30/17, a good portion of the lag in completing this CAP was caused by delays in communication on the part of the family.

There are currently no corrective action plans resulting from parental complaints open for this LEA.

Let me know if you have any questions.

Thanks,

**WILL LUSK-CLAIBORNE**  
**DISPUTE RESOLUTION COORDINATOR**  
**SPECIAL EDUCATION BUREAU**  
**NEW MEXICO PUBLIC EDUCATION DEPARTMENT**  
**(505) 827-3542**

"This is not intended as legal advice, should not serve as the basis for decision making in specific situations, and does not create an attorney-client relationship."



Please consider the environment before printing this e-mail

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**From:** Marcotte, Charlene, PED  
**Sent:** Friday, May 18, 2018 12:44 PM  
**To:** Woerner, Karen, PED  
**Cc:** Shannon, Megan, PED; DelRosario, Baylor, PED; Pelayo, Icela, PED; Lusk-Claiborne, William, PED  
**Subject:** RE: Question about The GREAT Academy

Hello,

I am referring your question over to Will Lusk-Claiborne who oversees corrective action plans from parental complaints. I have "cc'd" Will on this email.

Charlene

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**From:** Woerner, Karen, PED  
**Sent:** Friday, May 18, 2018 11:56 AM  
**To:** Marcotte, Charlene, PED  
**Cc:** Shannon, Megan, PED; DelRosario, Baylor, PED; Pelayo, Icela, PED  
**Subject:** Question about The GREAT Academy

Dear Charlotte,

I am working on entering/reviewing data for The GREAT Academy in the Web-EPSS PEC Authorized Annual Monitoring Tool. I noticed the following comment entered in October:

**10/11/2017:** GREAT Academy is currently past due in completing a corrective action plan resulting from a parental complaint (complaint No. C1617-01). The CAP was issued on 8/30/16 and all corrective action was to be completed by 8/30/17. The school has received communications from the Special Education Bureau regarding its having missed this deadline. The remaining item pending for completing this CAP is for The GREAT academy to deliver the remaining balance of 11.5 hours of compensatory occupational therapy to the child of the complainant.

Do you know if the school has completed the CAP and provided any evidence of delivering the OT services?

Thank you!

*Karen*

**Karen L. Woerner**

Charter School Authorizing Administrator  
Options for Parents and Families Division  
New Mexico Public Education Department  
300 Don Gaspar Avenue Room 301-B  
Santa Fe, New Mexico 87501-2786  
505-827-6643

[karen.woerner@state.nm.us](mailto:karen.woerner@state.nm.us)

<http://ped.state.nm.us/ped/CharterSchoolsIndex.html>

*Driving student success in New Mexico by supporting excellent authorizing practices and charter schools that provide innovative, quality education.*

STATE OF NEW MEXICO  
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS  
ATTORNEY GENERAL

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July 10, 2020

*Sent via Electronic Mail Only*

Mr. Jasper Matthews, M.Ed.

Executive Director

The Great Academy

6001-A San Mateo Blvd NE

Albuquerque, NM 87109

Email(s): [info@thegreatacademy.org](mailto:info@thegreatacademy.org); [matthewsnet6@aol.com](mailto:matthewsnet6@aol.com)

RE: NMOAG-ECS-20200428-ca50

Dear Director Matthews,

The New Mexico Office of the Attorney General is in receipt of a complaint concerning The Great Academy. The complaint contains allegations that require our review to evaluate whether New Mexico law has been violated.

The first allegation is [REDACTED] double billed for time. According to the complaint, [REDACTED] for time as the [REDACTED] billed for that same time as [REDACTED]. The second allegation alleges that SUVs purchased by The Great Academy for school use are being utilized for personal use. The Governmental Conduct Act, NMSA 1978 §§ 10-16-1 to -18 (1967, as amended through 2020), prohibits a public employee from using their powers and resources to pursue private interests or for personal benefit.

The New Mexico Office of the Attorney General is requesting that you provide a detailed written response to each allegation specified in this correspondence on or before Thursday, July 23, 2020. Please include any other documentary evidence, or materials you think may be of assistance in our review of this complaint. Your response shall be sent to:

Director Jennifer Saavedra

Advocacy and Intervention Division

P.O. Drawer 1508

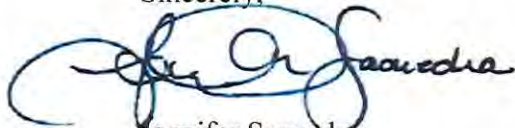
Santa Fe, New Mexico 87504-1508

[jsaavedra@nmag.gov](mailto:jsaavedra@nmag.gov)

Mr. Jasper Matthews, M.Ed.  
Executive Director  
The Great Academy  
July 10, 2020  
Page -2-

We look forward to your prompt response. Please contact me if you have any questions regarding this inquiry.

Sincerely,



Jennifer Saavedra  
Director  
Advocacy and Intervention Division

cc: File# NMOAG-ECS-20200428-ca50





*Attorneys and Counselors at Law*

Patricia Matthews  
pmatthews@matthewsfox.com

office: (505) 473-3020  
fax: (505) 474-3727

Susan Barger Fox  
sfox@matthewsfox.com

August 13, 2020

Director Jennifer Saavedra  
Advocacy and Intervention Division  
P.O. Drawer 1508  
Santa Fe, NM 87504-1508  
[jsaavedra@nmag.gov](mailto:jsaavedra@nmag.gov)

Via Electronic Mail

Re: NMOAG-ECS-20200428-ca50/The GREAT Academy

Dear Director Saavedra:

This Firm represents The GREAT Academy, a New Mexico public charter school. My client forwarded me a letter from your office dated July 10, 2020 indicating that your office was in receipt of "a complaint concerning the Great Academy", and indicating that the complaint (a copy of which has not been provided) contains allegations that require the Attorney General's review. The letter indicates that the complaint contains an allegation that [REDACTED] double billed for time, and that SUVs purchased by the school for school use are being utilized for personal use. Your letter cites the New Mexico Governmental Conduct Act generally as potentially being violated, without alluding to any specific provision thereof. Your letter asks that my client provide a detailed written response to these allegations.

In the interest of transparency and cooperation, my client has provided the enclosed statement and certain materials supporting his statement, responding as best as he can to the extremely vague description of the alleged violations. Having reviewed the Governmental Conduct Act's provisions (to the extent they even apply to charter schools, who do not seem to come within the definition of a "local government agency"), however, I am able to discern no violation of any of its provisions by my client, based on the very limited descriptions provided by your office.

I am further perplexed as to how this alleged complaint has been directed to your office pursuant to the Governmental Conduct Act, inasmuch as we have received no communication from the State Ethics Commission either that a complaint had been filed against my client pursuant to the State Ethics Commission Act, or that the matter had been forwarded to your office pursuant to NMSA 1978 Section 10-16-14(A) or NMSA 1978 Section 10-16G-9(A)(6); I am therefore uncertain as to the basis for the Attorney General's involvement. If indeed a complaint has been filed pursuant to the State Ethics Commission Act, my client is entitled to proper notice and the process due under that Act. See NMSA 1978 §10-16G-10.

Director Jennifer Saavedra

August 13, 2020

Page 2 of 2

My client has responded to your letter in good faith and in the spirit of cooperation. If further information or a more detailed response is sought from my client regarding these matters, we respectfully request a more detailed statement of the allegations against my client, the evidence provided in support thereof, and the laws under which your office is proceeding, so that we may respond accordingly and with more precision.

Please let me know if you have any questions or wish to discuss these matters further.

Respectfully,

MATTHEWS FOX, P.C.

By:

  
Susan B. Fox

Cc: Client



#### Allegation #1: Double Billed For Time

[REDACTED] double billed The GREAT Academy for my time. The school's audits [REDACTED] never assigned the school with findings of "double-billing", or any findings relating to this arrangement. In addition, each year, the Public Education Department's Charter School Division performs Annual Site Visits to the School. During all site visits during the years that [REDACTED] PED's Charter School Staff was aware [REDACTED], and did not communicate any concerns or allege any violations of law. [REDACTED] To my understanding, this 'split' between duties is a fairly common practice in charter schools, where employees [REDACTED] often wear more than one 'hat' in order to cover required and necessary positions and duties.

#### Allegation #2: Personal Use – School SUVs

I also reject the second allegation that the school's SUVs are being used for personal use. I have not used, nor have I authorized any other school personnel to use, the School-owned SUVs for personal use(s) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] To my understanding, each year, the School's independent state contracted auditors have inspected the School's vehicle logs and the School's gas card monthly statements that include the school-owned vehicles' odometer readings, and have conducted a physical inspection of the odometers in the SUVs.

[REDACTED]

8/13/2020  
Date