



## New Mexico Public Education Commission

School Year 2021-2022

### IMPLEMENTATION YEAR CHECKLIST

Requirement for authorization to commence full operations

For Charter Schools

Authorized by the Public Education Commission



## Part I. Introduction

Through charter schools, the Public Education Commission (“PEC”) as Authorizer and the Charter Schools Division (“CSD”) in the New Mexico Public Education Department (“PED”) seek to provide families with effective, quality educational options.

Throughout this document, “Approved Applicant Charter School” shall be referred to as “Charter School” or “School”.

## PART II. NAME OF CHARTER SCHOOL & CONTACT INFORMATION

### School Information:

Name Charter School:

School Address (if known):

School Location (City/Town):

School District Within Which School Will Be Located:

Contract Grades To Be Served:

Contract Enrollment Cap:

### Founder Contact Information:

Primary Contact Person:

Address:

City:  State:  Zip:

Daytime Tel:

Alternate Tel:  E-Mail:

**Secondary Contact Person:**

Address:

City:  State:  Zip:

Daytime Tel:

Alternate Tel:  E-Mail:

### Foundation Information:

Foundation Name (if applicable):

Principal Officer:

Mailing Address:

City:  State:  Zip:

Daytime Tel:

Alternate Tel:  E-Mail:

## Part III. Implementation Year Checklist Authority and Purpose

The *Public Education Commission Implementation Year Checklist* serves as a guide and tool for a charter school to develop and produce all necessary materials to demonstrate compliance with all applicable laws, rules, and charter provisions as readiness to operate a public school in New Mexico.

The *Public Education Commission Implementation Year Checklist* also provides an opportunity for a charter school to demonstrate it has the capacity to both operate and function as a place of education and learning. The legal, regulatory, and policy requirements of an authorized charter school are significant. Successful school operators need to both demonstrate an understanding and a capability to institute and implement a program consistent with the requirements presented within this document.

The PEC holds charter schools accountable to all applicable laws, rules, and charter provisions, making the *Public Education Commission Implementation Year Checklist* a requirement for authorization to commence full operations. Prior to the end of the implementation year, a school must apply to the PEC for authorization to commence full operations (NMAC § 6.80.4.11[E]). Successful completion of the Implementation Year Checklist *is required for approval of commencement of operation*.

The PEC makes the final determination regarding commencement of operations, and any conditions of charter approval, after considering the review and recommendations made by the CSD in completing the *Public Education Commission Implementation Year Checklist*. The PEC is not limited by these reviews and recommendations and may request any additional documentation, information, or input that the PEC deems appropriate.

### A. Development of the Implementation Year Checklist

The items identified in the *Public Education Commission Implementation Year Checklist* template are those designed to address local, state, and federal, laws, rules and regulations, charter contract provisions, charter best practices, and PEC directives. Each year, the CSD reviews any changes to the aforementioned laws, rules and regulations, charter contract provisions, charter best practices, and PEC directives and prepares a revised draft *Public Education Commission Implementation Year Checklist* template for review and approval by the PEC. The proposed revised template along with any CSD recommendations is presented to the PEC at a regularly scheduled meeting. The PEC reviews and makes the final determination regarding the draft template and these CSD recommendations. The PEC is not limited by these recommendations and may add, remove, or revise any language presented in the draft template.

On the PEC's webpage, within the PED's website, the most recently approved *Public Education Commission Implementation Year Checklist* template is made available.

### B. Directions

1. Any PEC conditions must be completed by the PEC deadlines identified in the approval with conditions of the charter application, and items on the *Public Education Commission Implementation Year Checklist* **MUST** be completed on or before May 15th, 2022 to receive a CSD recommendation regarding commencement of operations.
2. The school must attend all implementation year training and technical assistance sessions hosted by the CSD.
3. All submissions and all documentation must be submitted to the CSD for review **on or before** the deadlines indicated within each submission window. Documentation should be submitted electronically via method provided by the CSD.
4. The CSD staff will review all submissions. This review will provide the basis for any recommendation to the PEC. All documentation re-submitted by schools for additional review and/or revision shall be saved in Word or PDF format with the track changes function enabled, to maintain all changes made to the document until the final draft is reviewed and approved by the CSD.
5. The CSD will provide three summary reports to the school which will detail a summary of all findings, issues, and concerns identified by CSD. The school is required to arrange a phone, zoom or in-person conference with CSD within 10 days of receipt of these summary reports. The purpose of this conference will be to discuss the issues and concerns identified by CSD and action steps necessary to resubmit documentation for review.
6. Following receipt of a summary report, the school is required to address and resolve all findings, issues, and concerns 14 days from the date of the conference.
7. Key Terms:
  - a. An **“Indicator”** is a stated compliance objective that **must** be addressed and completed by the school. These objectives may be legal, regulatory, charter contract provisions, charter school best practices, or PEC directives.
  - b. **“Documentation”** requires a school to submit copies of all policies, procedures, forms, protocols, spreadsheets, documents, or any other material that will provide evidence that the school has addressed or completed the relevant indicator and compliance objective.
  - c. **“Date of Completion”** is the date that CSD certifies that documentation addressed or completed the relevant indicator. This field will be left blank until such time as CSD has received sufficient documentation to certify that a relevant indicator was completed.
  - d. **“Findings”** are those CSD comments and notes which identify deficiencies in the “documentation” provided by the school and which details the reasons why CSD was unable to certify documentation as having addressed or completed the relevant indicator.
  - e. **“Condition”** means the PEC’s approval of the charter school application with conditions as provided in NMSA §22-8B-6(M).

8. When an “Indicator” or “Documentation” names a statute, rule, or regulation, this is an indication that specific materials are required by statute, rule, or regulation. The school **must** address each element or provision that is required in the statute, rule, or regulation.
9. Some “Indicators” may require the school to consult, update, and receive approval from different agencies, departments, or divisions within the PED. The school must provide evidence of these consultations where indicated and provide copies to CSD of any materials provided to these different agencies, departments, or divisions.
10. Additional elements may be added to the *Public Education Commission Implementation Year Checklist* based on changes to legislation, statute, regulation, or due to PEC direction or condition.
11. The PEC makes the final determination regarding the *Public Education Commission Implementation Year Checklist* for commencement of operations, after considering the review and recommendations provided by the CSD. The PEC is not limited by these reviews and recommendations and may request any additional documentation, information, or input that the PEC deems appropriate.

#### D. Review Process

Acting as staff support to the PEC, the CSD will review all school submissions and provide a summary report and any findings **within 30 days of each submission** deadline.

Generally, the CSD review process is as follows:

- 1) The school sends all policies, procedures, and documents related to an indicator or documentation requirement on or prior to the indicated submission date.
- 2) CSD consults any applicable laws, regulations, charter contract provisions, written PEC policies, or written guidance manuals applicable to the indicator or documentation required.
- 3) CSD analyzes the school’s documentation to determine whether all required elements of the applicable laws, regulations, contract provisions, written PEC policies, or written guidance manuals were addressed and satisfied.
- 4) Should all elements be addressed and satisfied, CSD then reviews the school’s documentation for completeness. CSD also considers implementation of the documentation to determine the feasibility of the documentation, and whether the described program is possible, consistent, and reasonable.
- 5) Finally, CSD reviews implementation and consistency in relationship to all other policies and procedures provided by the school.
- 6) In the case of PEC imposed condition(s), the CSD reviews documentation provided that addresses and satisfies the specific condition(s) imposed by the PEC.

- 7) All documentation re-submitted for additional review and/or revision shall be saved in Word or PDF format with the track changes function enabled, to maintain all changes made to the document until the final draft is reviewed and approved by the CSD. All submitted documents must be submitted electronically via the method provided by CSD.
- 8) Two Weeks Prior to Opening Review – The CSD will review for completeness all required indicators. If the school fails to submit and/or provide any items due two weeks prior to opening date, the CSD will inform the PEC.

**Part IV. Implementation Year Checklist**

| INDICATORS   | DOCUMENTATION   | Date Complete | FINDINGS/COMMENTS |
|--|---|---------------|-------------------|
| <b>ITEMS DUE BY NOVEMBER 15<sup>th</sup></b>   |   |               |                   |
| <p>11-15.1. Governing Board established, has completed the New Member Training and remaining three (3) hours of required training, and is operating according to bylaws and in accordance with the Open Meetings Act.</p> <p><i>NMSA § 22-8b-4;</i><br/> <i>NMSA § 22-8-12.3;</i><br/> <i>NMSA § 10-15-1;</i><br/> <i>NMSA § 14-2-1, et seq.</i><br/>                     Charter Contract Section 4</p> | <input type="checkbox"/> Provide list of governing body members. Include the governing body positions to be held, either a place of residence or work, and contact information. |               |                   |
|  | <input type="checkbox"/> Provide evidence each Board member has completed the 7-hour New Member Training and the additional 3 required hours with the Charter Schools Division. |               |                   |
|  | <input type="checkbox"/> Name of the foundation, name of the principal officers, and their contact information.   |               |                   |
|  | <input type="checkbox"/> School's bylaws.   |               |                   |
|  | <input type="checkbox"/> Bylaws include provision for replacing and removing members.   |               |                   |
|  | <input type="checkbox"/> Bylaws include provision for creating audit and finance committees.<br><i>NMSA § 22-8-12.3</i>   |               |                   |
|  | <input type="checkbox"/> Audit and Finance Committee – Provide evidence that the sub-committees have been formed, have scheduled meetings, and list of committee membership.    |               |                   |

|  |  |  |  |
|--|--|--|--|
|  | <i>NMSA § 22-8-12.3</i>  |  |  |
|  | <input type="checkbox"/> Provide evidence that public notice of Governing Body meetings is being posted on the school's website.<br><i>NMSA § 10-15-1F</i>   |  |  |
|  | <input type="checkbox"/> Provide evidence the Governing Board has drafted an annual calendar of meetings and key Governing Board tasks.  |  |  |
|  | <input type="checkbox"/> Develop and provide a transparent, annual process for selecting and appointing Equity Council members that reflect the school's student demographics.   |  |  |
|  | <input type="checkbox"/> Develop and provide how the schools board will ensure that the Equity Council will fulfill their role as advisors ensuring equity including completing readiness assessments, advisement, strategic planning, and CLR inventory and framework responsibilities. |  |  |
|  | <input type="checkbox"/> Provide meeting agendas that comply with state law.<br><br><i>NMSA § 10-15-1, et seq.</i>   |  |  |



|  |  |  |  |
|--|--|--|--|
|  | <input type="checkbox"/> IPRA policy and procedures that comply with state law.<br><br><i>NMSA § 14-2-1, et seq.</i>   |  |  |
| <p>11-15.2.Initial Basic Operating Policies and Procedures have been developed and approved by Governing Body.</p> | <input type="checkbox"/> Conflict of interest policy and procedures, for the Governing Board and School Personnel<br><br><i>NMSA § 22-8B-5.2.</i>  |  |  |
|  | <input type="checkbox"/> Anti-nepotism policy and procedures.<br><br><i>NMSA § 22-8B-10B.</i>  |  |  |
|  | <input type="checkbox"/> Background check policy and procedures. Evidence the school has begun the process in securing individual ORI Number for obtaining background checks.<br><br><i>NMSA § 22-10A-5.</i> |  |  |
|  | <input type="checkbox"/> School's FERPA policy and procedures.<br><br><i>20 U.S.C. § 1232g.</i>  |  |  |
|  | <input type="checkbox"/> School's Complaint and Grievance Policy including a process for receiving, tracking, and resolving community, parental, and other public complaints.<br><br><i>NMAC § 6.10.3</i>    |  |  |
|  | <input type="checkbox"/> Volunteer policies and procedures. To include provisions for background check   |  |  |

|  |   |  |  |
|--|---|--|--|
|  | requirements.<br><i>NMAC § 6.50.18.8.</i>   |  |  |
| 11-15. 3. School is established as a formal public school entity in the state of New Mexico with all necessary tax identification numbers, bank accounts, etc. | <input type="checkbox"/> Bank records or other evidence that shows a public entity account has been established at a NM banking institution.  |  |  |
| NMAC 6.20.2.14   | <input type="checkbox"/> Tax ID numbers (Federal and State).<br><br><input type="checkbox"/> NTTC: Nontaxable Transaction Certificates<br><a href="http://tax.newmexico.gov/Businesses/nontaxable-transaction-certificates.aspx">http://tax.newmexico.gov/Businesses/nontaxable-transaction-certificates.aspx</a><br><br><input type="checkbox"/> DUNS number registration required to receive federal funding<br><a href="http://www.dnb.com/duns-number/what-is-duns.html">http://www.dnb.com/duns-number/what-is-duns.html</a> |  |  |
|  | <input type="checkbox"/> W-9 Substitute Form (submitted to DFA through PED).  |  |  |
| 11-15.4 School's Development Plans.<br><br><i>NMAC § 6.29.1.9B(8)</i>  | <input type="checkbox"/> Written curriculum development plan.<br><br>Includes 1) timeline, 2) success benchmarks, and 3) responsible parties, including an Equity Council, to ensure development of entire curriculum that was identified in the application and aligned to the school's mission and goals, NMCCSS, and NM Content Standards prior to May 15 <sup>th</sup> .  |  |  |

|   |  |  |  |
|---|--|--|--|
|   | <input type="checkbox"/> Written Special Population Services development plan, to ensure development of plans, policies, and procedures to serve special education, ELL, and 504 Plans.  |  |  |
|   | <input type="checkbox"/> Indian Education – Provide an assurance the school has consulted with the Indian Education Division to develop any needed Native American policies, procedures, and memorandums.<br>NMSA § 22-23A (Indian Education Act)<br>NMAC § 6.35.2 |  |  |
|   | <input type="checkbox"/> Hispanic Education Act Provide an assurance the school has consulted with the Language and Culture Division to determine to develop any needed policies, procedures, and memorandums.<br><br>NMSA § 22-23B (Hispanic Education Act).      |  |  |
| 11-15.5 Detailed Staffing Plan.<br><br><i>NMAC § 6.29.1.9(A2)</i> | <input type="checkbox"/> Written process and plan that details how the governing body will identify, recruit, and hire a prospective head administrator.<br><br>(Includes responsible parties, timelines, and action steps.)                                       |  |  |

|  |   |  |  |
|--|---|--|--|
|  | <input type="checkbox"/> The school's administration, mission, and legal criteria that will be used to evaluate candidates for head administrator position.   |  |  |
|  | <input type="checkbox"/> A detailed timeline for recruiting, interviewing, selection, conducting background checks, and signing of a contract for the head administrator that must be completed prior to May 15 <sup>th</sup> . |  |  |
|  | <input type="checkbox"/> Develop a Head Administrator(s) evaluation process with timeline, responsible parties, forms and outcomes (evidenced in annual calendar)   |  |  |
|  | <input type="checkbox"/> A list of all prospective staff positions and a description of the required licensure for each position.   |  |  |
| 11-15.6 Enrollment processes and policies that comply with state and federal requirements. | <input type="checkbox"/> Detailed and separate lottery and enrollment policies.<br><br>See CSD FAQ: Lottery   |  |  |
| <i>NMSA § 22-8B-4.1;</i><br><i>NMAC § 6.80.4.19;</i><br><i>NMAC § 6.80.4.13;</i>           | <input type="checkbox"/> All necessary forms that will be used for lottery admissions and enrollment processes.   |  |  |
|  | <input type="checkbox"/> Evidence that the school is advertising. Methods of advertisement to recruit diverse student populations.  |  |  |

**SUMMARY REPORT - ITEMS DUE BY NOVEMBER 15<sup>TH</sup>**

11-15.7 Attend all planning year conferences to discuss issues, concerns, and findings identified in the Implementation Year Checklist.

The School scheduled with CSD within 10 days of receiving the November 15<sup>th</sup> Summary Report.

| INDICATORS  | DOCUMENTATION   | Date Complete | FINDINGS/COMMENTS |
|---|---|---------------|-------------------|
| <b>ITEMS DUE BY MARCH 1<sup>st</sup></b>  |   |               |                   |
| 3-1.1. Resolve all findings with the Implementation Year Checklist.   | <input type="checkbox"/> Revise policies and provide additional documentation to address and resolve all findings, issues, and concerns identified in the November 15 <sup>th</sup> review or discussed during the November 15 <sup>th</sup> conference.              |               |                   |
| 3-1.2. Governing Board established and complying with PEC notification requirements.<br><br><i>PEC Policy, Charter School Governing Body Changes.</i> | <input type="checkbox"/> Review the PEC Policy, and Charter School Governing Body Changes document. Provide notice regarding any changes to the Governing Body which have occurred since November 15 <sup>th</sup> And status of all board members training, to date. |               |                   |
| 3-1.3. Student Membership<br><br><i>NMSA § 22-8-12.1.</i>   | <input type="checkbox"/> Provide student membership for the upcoming school year to the CSD. Indicate number of students by grade level. Membership numbers <b>must</b> detail evidence.  |               |                   |
| 3-1.4. Budget Approval.<br>NMAC § 6.20.2.9  | <input type="checkbox"/> Governing Body Meeting date to review and approve the school budget at an open meeting.<br><br><i>(Should be after the May 15<sup>th</sup> final enrollment adjustments, but must be before the regulatory deadline.).</i>                   |               |                   |

|   |   |  |  |
|---|---|--|--|
| <p>3-1.5<br/>Status report on the development and acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements.</p> <p><i>NMSA § 22-8B-4.2.</i></p> | <p><input type="checkbox"/> Status report of all actions the school has taken to acquire a facility or a letter of commitment for an appropriate facility.</p> <p>If the school has not identified an appropriate facility, please submit a detailed action plan, with steps, responsible parties and timelines.</p> <p>If the school has identified such a facility, please provide the following details as evidenced by timely contact with PSFA regarding facility plans:</p> <ol style="list-style-type: none"> <li>1) Expected date of receiving E-Occupancy certificate or actual certificate.</li> <li>2) Any current outstanding construction items that must be completed before E-Occupancy can occur.</li> <li>3) NMCI score OR expected date of receiving NMCI score.</li> <li>4) Approval from PSFA regarding ownership/lease requirements OR identify outstanding items that must be completed before PSFA approval can be secured.</li> </ol> |  |  |
|---|---|--|--|

|   |  |  |  |
|---|--|--|--|
| <p>3-1.6<br/>Financial Control.</p>   | <p><input type="checkbox"/> Acquire fully integrated accounting system to record and report all financial transactions; meeting the requirements stipulated per NMAC 6.20.2, the Public School Code, Chapter 22, NMSA, 1978 Compilation and Generally Accepted Accounting Principles (GAAP), and federal laws and regulations.</p> |  |  |
|   | <p><input type="checkbox"/> Provide Internal Control Procedures</p> <p><i>NMAC § 6.20.2.11 – 6.20.2.18.</i></p>  |  |  |
|   | <p><input type="checkbox"/> Identify the schools Chief Procurement Officer.</p> <p><i>NMSA § 13.1-95.2</i></p>   |  |  |
|   | <p><input type="checkbox"/> Establish and implement written procurement procedures consistent with state and federal law and regulations.</p> <p><i>NMAC § 6.20.2.17;<br/>34 CFR 74.44.</i></p>  |  |  |
| <p>3-1.7<br/>Mandatory operational policies and procedures have been developed.</p> | <p><input type="checkbox"/> Provide Attendance policies and procedures that align with and include all requirements of the Attendance for Success Act to include progressive and tiered interventions and communication methods with parent(s).</p>  |  |  |



|  |  |  |  |
|--|--|--|--|
|  | <i>NMSA § 22-12A-6 et seq.</i>   |  |  |
|  | <input type="checkbox"/> Tobacco, alcohol, and drug-free policies and procedures.<br><br><i>NMAC § 6.12.4.</i>   |  |  |
|  | <input type="checkbox"/> Medical Cannabis policies and procedures.<br><br><i>NMAC § 6.12.9.10.</i>   |  |  |
|  | <input type="checkbox"/> Bullying prevention policies and procedures.<br><br><i>NMAC § 6.12.7.</i>   |  |  |
|  | <input type="checkbox"/> Dual credit policies and procedures.<br><br><i>NMAC § 6.30.7.8.</i>   |  |  |
|  | <input type="checkbox"/> Distance and Hybrid learning policies and procedures.<br><br><i>NMAC § 6.30.8.</i>  |  |  |
|  | <input type="checkbox"/> Grade change policies and procedures.<br><br><i>NMAC § 6.30.10</i>  |  |  |
|  | <input type="checkbox"/> Policies, procedures, and any forms for ensuring parental access to information regarding professional qualifications of teachers, instructional support providers, and principals.<br><br><i>NMSA § 22-10A-16.</i> |  |  |
|  | <input type="checkbox"/> Student information system security policies  |  |  |

|                        |   |  |  |
|------------------------|---|--|--|
|                        | and procedures.<br><i>NMAC § 6.19.5.8.</i>  |  |  |
|                        | <input type="checkbox"/> Staff discipline policies and procedures.<br><i>NMAC § 6.69.2.8.</i>   |  |  |
|                        | <input type="checkbox"/> Policy, process, or plan to disseminate <i>Code of Ethics and Standards of Professional Conduct</i> to all licensed employees.<br><i>NMAC § 6.60.9.81., 6.60.9.9.</i>                          |  |  |
|                        | <input type="checkbox"/> Policies and procedures for detention, suspension, or expulsion.<br><i>NMAC § 6.11.2.12.</i>   |  |  |
|                        | <input type="checkbox"/> Student discipline policies and procedures.<br><i>NMSA § 22-5-4.3.</i><br><i>NMAC § 6.11.2.1, et seq.</i>  |  |  |
|                        | <input type="checkbox"/> Student and/or Parent Handbook.  |  |  |
|                        | <input type="checkbox"/> Staff Handbook.  |  |  |
| 3-1.8 Curriculum plan. | <input type="checkbox"/> Status report on implementation of Special Population Development Plans.<br><br><input type="checkbox"/> Status report on implementation of curriculum development plan. <i>NMAC 6.29.1.9.</i> |  |  |
| 3-1.9                  | <input type="checkbox"/> Multi-Layered System of Supports (MLSS) &  |  |  |

|  |   |  |  |
|--|---|--|--|
| <p>Protocols and Policies for Implementation of MLSS and SAT processes.</p> <p><i>NMAC § 6.29.1.9;</i><br/><a href="#">State Guidance.</a></p>   | <p>Student Assistance Team (SAT) policies, procedures</p>   |  |  |
| <p>3-1.10. Serving Special Populations <i>IDEA 2004; 29 U.S.C. § 701 (otherwise known as Section 504 of the Rehabilitation Act of 1973); NMSA § 22-13-5 -- 22-13-8; NMSA 22-13-5 -- 22-13-8); NMAC 6.29.1.9; NMAC § 6.29.5.1, et seq.; NMAC § 6.31.2, et seq; NMAC § 6.10.8.9;</i></p> | <p><input type="checkbox"/> EL services. --Provide evidence the school has consulted with the Language and Culture Bureau to develop procedures for identifying and serving ELs.</p> <p><input type="checkbox"/> Plan to identify and serve English Learners, including forms and letters to parents.</p> <p><input type="checkbox"/> Special Education and 504 Services. --Provide evidence the school has consulted with the Special Education Division to review plan for IDEA and 504 requirements.</p> |  |  |
| <p>3-1.11 Governing Board Annual Calendar</p>  | <p><input type="checkbox"/> Provide a status update on the Governing Board’s Annual Calendar.</p>   |  |  |
| <p>3-1.12 <a href="#">Framework for Family-School Partnerships in New Mexico</a></p>   | <p><input type="checkbox"/> Develop a Family Engagement Plan.</p>   |  |  |
| <p><b>SUMMARY REPORT - ITEMS DUE BY MARCH 1<sup>st</sup></b></p>   |   |  |  |
|  |   |  |  |

|   |   |  |  |
|---|---|--|--|
| Attend all implementation year conferences to discuss issues, concerns, and findings identified in the Implementation Year Checklist. | <input type="checkbox"/> School scheduled a conference with CSD within 10 days of receiving the March 1st Summary Report. |  |  |
|---|---|--|--|

| INDICATORS  | DOCUMENTATION  | Date Complete | FINDINGS/COMMENTS |
|---|--|---------------|-------------------|
| <b>ITEMS DUE BY MAY 15<sup>th</sup></b>   |  |               |                   |
| 5-15.1.Resolve all findings with the Implementation Year Checklist.                     | <input type="checkbox"/> Revised policies and additional documentation to address and resolve all findings, issues, and concerns identified in the March 1 <sup>st</sup> review or discussed during the March 1 <sup>st</sup> conference.                  |               |                   |
| 5-15.2. Director / Principal / Administrator in place and holds administrative license. | <input type="checkbox"/> Copy of administrator's license(s) or plan for obtaining licensure within 90 days of contract effective date.   |               |                   |
| <i>NMSA § 22-10A-3; NMSA § 22-8B-10.</i>  | <input type="checkbox"/> Signed contract with position description.  |               |                   |
| 5-15.3. Membership Projections & Enrollment.<br><br><i>NMSA § 22-8-12.1.</i>            | <input type="checkbox"/> Provide evidence of current enrollment by grade level and as a percentage of the March 1 <sup>st</sup> projected enrollment.<br><br>(Please be aware, if insufficient evidence or basis is provided then the School Budget Bureau |               |                   |

|  |  |  |  |
|--|--|--|--|
|  | may elect to adjust the projected enrollment and determine the SEG funding accordingly.)   |  |  |
| 5-15.4.First Year Operating Budget in place.<br><i>NMSA § 22-8-11.</i>   | <input type="checkbox"/> A Charter School Operating Budget and 901BCS-10 signed form that aligns with current enrollment and that has been submitted to the CSD. |  |  |
| 5-15.5. Access to OBMS.<br><i>NMAC § 6.20.2.10.</i>  | <input type="checkbox"/> OBMS User Form on file to allow access to OBMS (BAR submissions, approvals, etc.). Evidence must be provided to CSD.                    |  |  |
| 5-15.6.An electronic system for management of financial data has been implemented and meets all requirements stipulated in NMAC 6.20.2, the Public School Code, Chapter 22, NMSA 1978 Compilation, and Generally Accepted Accounting Principles (GAAP) and federal laws and regulations. | <input type="checkbox"/> Provide name of software the school plans on using and name of entity that publishes, manages, or operates the software.                |  |  |
|  | <input type="checkbox"/> Provide evidence software includes encumbrance tracking.<br><br>NMAC 6.20.2.9 (F)   |  |  |
| 5-15.7.An electronic system for management of student data has been implemented and is compatible with STARS.<br><br><i>NMSA § 22-10A-19.2.</i>  | <input type="checkbox"/> Provide name of software the school plans on using and name of entity that publishes, manages, or operates the software.                |  |  |
|  | <input type="checkbox"/> Provide evidence software is compatible with STARS.   |  |  |

|   |  |  |  |
|---|--|--|--|
| <p>5-15.8.Assessment Plan Developed.<br/><i>NMAC § 6.80.4.9(E).</i></p> | <input type="checkbox"/> Should the school wish to provide Interim assessments the school must provide evidence that interim assessments have been identified and budgeted, and that there has been contact with an identified assessment company. |  |  |
|   | <input type="checkbox"/> Provide plan and schedule for administration of interim assessment(s) and for administration of all state-mandated assessments, or any other planned assessments.   |  |  |
| <p>5-15.9.Staffing Plan.</p>  | <input type="checkbox"/> Status report on recruitment and hiring to meet staffing plan provided in application.  |  |  |
|   | <input type="checkbox"/> Timelines to secure licensing and backgrounds for each prospective staff member.  |  |  |
|   | <input type="checkbox"/> Special education staffing plan / contracts.  |  |  |
| <p>5-15.10.Professional development plan.</p>                           | <input type="checkbox"/> Plan and forms to implement professional development plans (PDPs) for individual teachers.<br><br>NMAC § 6.60.10;<br>NMAC § 6.65.2.8;<br>NMAC § 6.30.5.13;<br>NMAC § 6.30.12.11.  |  |  |
|   | <input type="checkbox"/> Evidence the school has communicated with   |  |  |

|  |   |  |  |
|--|---|--|--|
|  | <p>the Educator Growth and Development Bureau for required PDP management systems.</p>  |  |  |
| <p>5-15.11.Employee benefits and Risk Insurance coverage through the New Mexico Public Schools Insurance Authority (NMPSIA).<br/><br/><i>NMSA § 22-8B-9; NMAC § 6.50.1 et. seq; New Charter Contract Section 6.(3)</i></p> | <p><input type="checkbox"/>Employee benefits coverage (may include basic life and accidental death &amp; dismemberment, voluntary life, long-term disability, two medical plans, a dental plan with basic and comprehensive coverage, and a vision plan).</p>           |  |  |
|  | <p><input type="checkbox"/>Risk coverage policy (may include property insurance, liability insurance, workers' compensation, student catastrophic insurance, student accident insurance, boiler &amp; machinery insurance, and underground storage tanks coverage).</p> |  |  |
| <p>5-15.12.Health, Safety, and Wellness Policy Requirements<br/><br/><i>NMAC 6.29.1.9(O)(6) NMAC § 6.12.1, et seq. NMSA § 30-7-2.1 NMSA § 32A-2-33</i></p>   | <p><input type="checkbox"/>Health services policies and procedures.<br/><br/><i>NMAC § 6.12.2; Wellness Policy Guidance Document.</i></p>   |  |  |
| <p><i>Wellness Policy Guidance Document; Safe Schools Policy Guidance Document; Health Education Guidance Document; Homeless Policy Guidance Document; Charter Contract</i></p>  | <p><input type="checkbox"/> The school has provided evidence that it has developed wellness policies and procedures pursuant to NMAC § 6.12.6 and submitted these to the Safe and Healthy Schools Wellness Bureau for review.<br/><br/><i>NMAC § 6.12.6;</i></p>        |  |  |

|  |  |  |  |
|--|--|--|--|
|  | <i>Wellness Policy Guidance Document.</i>  |  |  |
|  | <input type="checkbox"/> The School has provided evidence that it has developed an initial Safe School Plan pursuant to NMAC § 6.12.6 and submitted it to the Coordinated School Health and Wellness Bureau for review.<br><br><i>NMAC § 6.12.6; Safe Schools Guidance Document.</i> |  |  |
|  | <input type="checkbox"/> Plan for implementation of required emergency drills, including dates and types of drills for the school year.<br><br><i>NMSA §22-13-14</i>   |  |  |
|  | <input type="checkbox"/> Gun free schools policy.<br><br><i>NMSA § 30-7-2.1; NMSA § 32A-2-33.</i>  |  |  |
|  | <input type="checkbox"/> Health and wellness curriculum, scope and sequence that aligns to the NM content standards for all grades served.<br><br><i>NMAC § 6.29.6.1 et. seq.; Health Education Guidance Document.</i>   |  |  |
|  | <input type="checkbox"/> Physical education curriculum, scope and sequence, that aligns to   |  |  |



|   |   |  |  |
|---|---|--|--|
|   | <p>the NM content standards for the grades served.</p> <p><i>NMAC § 6.29.9.1 et. seq.</i></p>   |  |  |
|   | <p><input type="checkbox"/> Homeless education and assistance policies and procedures, to include the McKinney Vento Dispute Resolution.</p> <p>Homeless youth compliant policy and Notice of Educational Rights.</p> <p><i>NMAC § 6.10.3.9(D)</i><br/><i>Homeless Policy Guidance Document, NM Educational Stability Guidelines.</i></p> |  |  |
|   | <p><input type="checkbox"/> Immunizations policies and procedures.</p> <p><i>NMAC § 6.12.2.8.</i></p>   |  |  |
|   | <p><input type="checkbox"/> Pest Control policies &amp; procedures.</p> <p><i>NMAC 6.29.1.9(P) (6).</i></p>   |  |  |
| <p>5-15.13. Serving Special Populations</p> <p>IDEA 2004;<br/>29 U.S.C. § 701 (otherwise known as Section 504 of the Rehabilitation Act of 1973);<br/>NMSA § 22-13-5;<br/>NMSA § 22-13-8);<br/>NMAC 6.29.1.9;</p> | <p><input type="checkbox"/> The school's special education &amp; 504 policies and procedures.</p>   |  |  |
|   | <p><input type="checkbox"/> Completed special education templates.</p> <p><i>Memorandum from Director Baca, NM Special Education Bureau to Charter School Administrators (June 2, 2014).</i></p>  |  |  |

|  |  |  |  |
|--|--|--|--|
| <p>NMAC § 6.29.5.1, et seq.;<br/>NMAC § 6.31.2, et seq.</p>  | <input type="checkbox"/> Procedures and all necessary forms for tracking special education direct student services.  |  |  |
|  | <input type="checkbox"/> School's English Learner policies and procedures, that align with federal and state guidance.   |  |  |
|  | <input type="checkbox"/> Copies of all forms and surveys to be used in the implementation of ELL policies and procedures.  |  |  |
| <p>5-15.14. School's Directed Program Time Requirements.</p> <p>NMSA § 22-8-9;<br/>NMSA § 22-2-8.1;<br/>NMAC 6.29.1.9(J);<br/>Instructional Hour Worksheet.</p>                            | <input type="checkbox"/> Provide a school schedule, calendar, and any other necessary documentation that ensures minimum school directed program time is provided for the grades served and adequate instructional time is provided to support the school program. |  |  |
| <p>5-15.15. High school and middle school requirements.</p> <p>(This indicator is applicable only to schools that serve grades 6-12.)</p> <p><i>New Charter Contract Section 5.(3)</i></p> | <input type="checkbox"/> Graduation requirements. (Only applicable for schools that serve grade 12)<br><br><i>NMSA § 22-13-1.1</i>   |  |  |
|  | <input type="checkbox"/> Next Step Plan forms, policies and procedures. (Only applicable for schools that serve grades 8-12).  |  |  |

|  |   |  |  |
|--|---|--|--|
|  | <i>NMSA § 22-13-1.1</i>   |  |  |
|  | <input type="checkbox"/> School Athletic Equity policies and procedures (Only applicable for schools that serve grades 7-12).<br><br><i>NMAC § 6.13.4</i>   |  |  |
|  | <input type="checkbox"/> Provide evidence the school shall offer at least one honors or similar academically rigorous class each in mathematics and language arts (Only applicable for schools that serve grades 9-12).<br><br><i>NMSA § 22-13-1.4.</i> |  |  |
|  | <input type="checkbox"/> Provide evidence the school has a signed Dual Credit Master Agreement with an institution of higher education (Only applicable for schools that serve grades 9-12).<br><br><i>NMSA § 22-13-1.4.</i>                            |  |  |
|  | <input type="checkbox"/> Provide evidence the school has a program of distance learning courses in place (Only applicable for schools that serve grades 9-12).<br><br><i>NMSA § 22-13-1.4.</i>  |  |  |
|  | <input type="checkbox"/> Provide evidence the school is prepared to offer at least two years of a language other than English (Only applicable  |  |  |

|  |  |  |  |
|--|--|--|--|
|  | for schools that serve grades 9-12).<br><i>NMSA § 22-13-1.4.</i> |  |  |
|--|--|--|--|

**SUMMARY REPORT - ITEMS DUE BY MAY 15<sup>th</sup>**

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
| 5-15.16. Attend all implementation year conferences to discuss issues, concerns, and findings identified in the Implementation Year Checklist. | <input type="checkbox"/> School scheduled a conference with CSD within 10 days of receiving the May 15 <sup>th</sup> Summary Report. |  |  |

**COMMENCEMENT OF OPERATIONS CHECKLIST**  
**PEC Meeting**

| INDICATORS  | DOCUMENTATION  | DATE OF COMPLETION | FINDINGS |
|---|--|--------------------|----------|
| <p>C.1. Timely obtain standing as an approved Board of Finance <b>no more than 90 days</b> from the date of the vote for approval of the new application.</p> <p><i>NMSA § 22-8-38[B];<br/>NMAC § 6.80.4.16[A];<br/>PEC Policy, Board of Finance Application.</i></p> | <p><input type="checkbox"/> Condition Met.</p> <p><i>PEC Policy, Board of Finance Application.</i></p>   |                    |          |
| <p>C.2. Evidence of meeting ownership or leasing requirements no less than two weeks prior to the scheduled first day of school.</p> <p><i>NMSA § 22-8B-4.2</i></p>   | <p><input type="checkbox"/> School provides assurances to demonstrate the lease, lease purchase, or ownership arrangement complies with 22-8B-4.2.</p> <p>If applicable, the school provides evidence it has timely submitted all required application materials to PSFA for lease reimbursement payments by its deadlines.</p> <p><input type="checkbox"/> Condition Met.</p> |                    |          |
| <p>C.3. Attend all implementation year training and technical assistance sessions hosted by CSD.</p>  | <p><input type="checkbox"/> Condition Met.</p>   |                    |          |
| <p>C.4. Attend all implementation year conferences to discuss with</p>  | <p><input type="checkbox"/> Condition Met.</p>   |                    |          |

|   |   |  |  |
|---|---|--|--|
| CSD any issues, concerns, and findings identified in the Implementation Year Checklist.   |   |  |  |
| C.5. Correct all issues concerns, and findings identified in the Implementation Year Checklist.   | <input type="checkbox"/> Condition Met. |  |  |
| C.6.As part of the contract and framework negotiation and approval process, obtain the PEC approval of any substantial changes to the educational model, staffing, organizational, and governance plan, or finance plan that were presented in the application. | <input type="checkbox"/> Condition Met. |  |  |
| C.7 Evidence that employment of head administrator and licensed school employees are in compliance with nepotism rule as defined in NMSA § 22-8B-10.  | <input type="checkbox"/> Condition Met. |  |  |
| C.8 Evidence the Governing Board, school employees, and Foundation (if any) comply with the conflict of interest rules and policy.  | <input type="checkbox"/> Condition Met. |  |  |

**SCHOOL SPECIFIC CONDITIONS FROM PEC MOTION**

| CONDITION | DOCUMENTATION | DATE OF COMPLETION | FINDINGS |
|-----------|---------------|--------------------|----------|
|           |               |                    |          |
|           |               |                    |          |

**SUMMARY REPORT - CONDITIONS**

**ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE**

If the school fails to meet any of the following indicators, the CSD will inform the PEC.  
At that time, the PEC will take appropriate action.

| INDICATORS  | DOCUMENTATION   | Date of Completion | FINDINGS |
|---|---|--------------------|----------|
| P-O.1.Resolve all findings with the Implementation Year Checklist.  | <input type="checkbox"/> Revised policies and additional documentation to address and resolve all findings, issues, and concerns identified in the May 15th review or discussed during the May 15th conference. |                    |          |
| P-O.2. Curriculum framework is articulated in writing and matches school mission and goals. (Framework aligned to NM content standards, benchmarks and performance standards by end of first year.) | <input type="checkbox"/> Resources necessary for the implementation of the curriculum as articulated are available.   |                    |          |
|   | <input type="checkbox"/> Curriculum identifies resources, knowledge and skills students are expected to learn (NMCCSS/NMCS).  |                    |          |
|   | <input type="checkbox"/> The curriculum identifies the learning standards or learning objectives students are expected to meet for each course.   |                    |          |
|   | <input type="checkbox"/> The curriculum identifies the units and lessons that teachers will teach.  |                    |          |
|   | <input type="checkbox"/> The curriculum identifies example assignments and projects that will be given to students.   |                    |          |



|   |   |  |  |
|---|---|--|--|
|   | <input type="checkbox"/> The curriculum identifies example books, materials, videos, presentations, and readings used in a course.  |  |  |
|   | <input type="checkbox"/> The curriculum identifies example tests, assessments, and other methods used to evaluate student learning  |  |  |
| P-O.3.School has implemented and adopted a budget and all mandatory policies.   | <input type="checkbox"/> Signed statement from the governing body that the final budget, the final operating budget, and any revised policies were adopted and implemented by the governing body. |  |  |
|   | <input type="checkbox"/> If the school is at less than 95% of budgeted enrollment, the school provides a plan to adjust spending/budget to account for lower enrollment.                          |  |  |
| P-O.4.Development / acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements (22-8B-4.2 NMSA) | <input type="checkbox"/> School has secured a facility that meets educational occupancy standards (E-Occupancy) and School has provided evidence of an E-Occupancy certificate.                   |  |  |
|   | <input type="checkbox"/> Evidence of sufficient New Mexico Condition Index (per a letter from Public Schools Facilities Association, "PSFA")  |  |  |
|   | <input type="checkbox"/> Copy of lease or approved lease purchase   |  |  |

|  |   |  |  |
|--|---|--|--|
|  | <p>agreement. If the lease is with a private lessor or foundation, the school provides assurances that the lease meets maintenance requirements.</p> <p>NMSA §22-8B-4</p>   |  |  |
| <p>P-O.5. Recruitment and hiring of adequate number of teachers and support personnel to match assignments and staffing plan, as adapted for actual enrollment</p> | <p><input type="checkbox"/> Copies of licenses and credentials, or a plan for obtaining required licensure 90 days within the contract, are within the staff files.</p>   |  |  |
|  | <p><input type="checkbox"/> School has necessary licensure to teach curriculum, identified classes, and grade levels or a plan for obtaining required licensure 90 days within the contract effective.</p>  |  |  |
|  | <p><input type="checkbox"/> Signed contract(s) supporting minimum salaries and detailed position descriptions are within each staff file.</p>   |  |  |
|  | <p><input type="checkbox"/> Criminal background checks and fingerprinting documentation are within each staff file</p>  |  |  |
|  | <p><input type="checkbox"/> School has evidence of a licensed special education provider and a licensed gifted provider either on staff or on contract. If School has no identified special education or gifted students, then School must have evidence of a</p> |  |  |

|   |  |  |  |
|---|--|--|--|
|   | <p>process or plan to provide these services should School received identified students.</p>   |  |  |
|   | <p><input type="checkbox"/> School has evidence of a licensed diagnostician available for special education evaluation referrals.</p>                              |  |  |
| <p>P-O.6.Relevant and necessary students forms completed and on file.</p> | <p><input type="checkbox"/> Completed student enrollment forms. Forms must indicate there is enrollment for a minimum of 8 students with New Mexico Residency.</p> |  |  |
|   | <p><input type="checkbox"/> For any students new to the NM Public School Education system, a Language Usage Survey has been completed.</p>                         |  |  |
|   | <p><input type="checkbox"/> School has developed an IEP for all identified students or has evidence that an IEP meeting has been requested.</p>                    |  |  |

**SUMMARY REPORT - ITEMS DUE TWO WEEKS PRIOR TO OPENING DATE**