**Public Education Commission**

Enrollment Cap Amendment Instructions



**Purpose:**

This amendment is to request a change in the number of students served as described in the charter contract from the Public Education Commission (PEC). An enrollment cap is not effective until approved by the PEC.

**Submission Deadline:**

The amendmentmust besubmitted in time to appear on the PEC’s agenda prior to the change being communicated or utilized. The amendment may be placed on the agenda of the next regular PEC meeting if the complete request was received at least 28 days prior to the meeting.

**PEC Consideration:**

Before the amendment will be approved, the school must provide

1. data demonstrating that the school’s educational model is working and is effective in the school and/or in schools throughout the state and
2. data demonstrating a need for expanded grades in the community.

All performance data (academic, organizational, and financial) for the last three years, including any outstanding compliance or investigations will be provided to the PEC for consideration of the amendment request. In exceptional circumstances, a school may request an enrollment cap change prior to being in operation for three years but must provide sufficient data demonstrating effectiveness and need as set forth in 1 and 2 above.

**Amendment Checklist:**

□ Fully completed form

□ Approved board minutes or certification of the vote taken by the board

□ Rationale for the change.

□ Provide a short narrative, addressing how the proposed changes may affect: (1) staffing; (2) enrollment targets; (3) advertising and marketing; (4) the curriculum, assessment and instruction; (5) resources and budget; and (6) the capacity of the facility.

□ If an additional facility will be utilized attach a(n):

* Certificate of Occupancy, approved for educational use; OR an assurance that the school will not occupy any space until the school possesses a Certificate of Occupancy and provides to PEC;
* NMCI letter from the PSFA; OR an assurance that the school will not occupy any space until the school possesses a NMCI letter from the PSFA and provides the same to the PEC;
* Documentation of the capacity load of the facility to document capacity that can sustained;
* An assurance that the school will not occupy any space that does not have a sufficient capacity load to sustain the enrollment requested and provides documentation of the capacity load to the PEC; and
* Proposed lease or lease purchase agreement or purchase contract and an affidavit verifying compliance with legal requirements; OR an assurance that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978.

Contact [charter.schools@state.nm.us](about:blank) if you have questions about completing or submitting documents.

Enrollment Cap Amendment Request FORM

Submit this form and all supporting documents to[**charter.schools@state.nm.us**](mailto:charter.schools@state.nm.us)

The Charter Contract was entered into by and between the New Mexico Public Education Commission (PEC) and Click or tap here to enter text.  **(name of charter school)**, hereafter "the School," effective on Click or tap to enter a date.

The School requests consideration from the PEC to change the terms of its Contract as follows:

The Charter School Contract Enrollment Cap currently reads:

Click or tap here to enter text.

The amendment requests that the PEC approve Section Click or tap here to enter text. Of the School’s contract so that the Enrollment Cap reads:

Click or tap here to enter text.

Data demonstrating that the school’s educational model is working and is effective in the school and/or in schools throughout the state:

Click or tap here to enter text.

Data demonstrating a need for the enrollment cap increase in the community:

Click or tap here to enter text.

Please include a rationale for the requested amendment/change:

Click or tap here to enter text.

Please describe how the proposed change will affect key aspects of the School (see instructions on “narrative”).

Click or tap here to enter text.

The School’s Enrollment Cap amendment is hereby submitted by:

|  |  |
| --- | --- |
| Click or tap here to enter text. | Click or tap to enter a date. |
| ***Charter School Representative*** | ***Date*** |

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_For PEC/CSD use only\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

☐ *Regular Agenda required*

The School's Enrollment Cap amendment was:

☐ Approved ☐ Denied

|  |  |
| --- | --- |
| Click or tap here to enter text. | Click or tap to enter a date. |
| ***Public Education Commission*** | ***Date*** |