

## Charter School Governing Body Training Areas and Recommended Standards

New Mexico Administrative Code § 6.80.5.9 requires charter school governing body members receive training in the following areas:

- 1) public official/charter school governing body ethics and responsibilities,
- 2) charter school fiscal requirements pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.,
- 3) understanding and evaluating academic data, including state assessment data school and interim and summative academic assessment data
- 4) open government and requirements regarding free public school education, and
- 5) understanding and overseeing the organizational performance of a charter school.

In order to support course provider applicants in developing their applications, the Public Education Department has developed this guidance, which identifies specific standards within each training area. Please note, applicants are not limited to these standards, and may identify additional standards within each area to address the needs of individual governing bodies and governing body members.

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## Charter School Governing Body Training Areas and Recommended Standards

### Public Official and Charter School Governing Body Ethics and Responsibilities

- Governing body members understand that they are public officials and their responsibility to guard the public trust.
- Governing body members understand the Governmental Conduct Act and are able to apply the requirements of the Act to their circumstances.
- Governing body members understand the conflict of interest requirements found in NMSA § 22-8B-5.2 and their own board's conflict of interest policies and procedures.
- Governing body members understand the nepotism requirements found in NMSA § 22-8B-10 and their own board's nepotism policies and procedures.
- Governing body members understand the duties and powers of the governing body of a charter school as laid out in NMAC 6.29.1.9 (A) and know to the apply and implement those duties and powers.
- Governing body members understand the roles and responsibilities of the officers of the board as established in law, best practice, and the board's by-laws. Board members know how to fulfill their roles.
- Governing body members understand the "autonomy for accountability bargain", including the limitations of autonomy in New Mexico law, and how that bargain impacts their school.

## Charter School Governing Body Training Areas and Recommended Standards

### Public Official and Charter School Governing Body Ethics and Responsibilities

- Governing body members are able to apply the Government Conduct Act, Nepotism Requirements, Conflict of Interest Requirements, the board's Bylaws, and ethical principles and decision making processes to specific case studies and circumstances in order to make the best decision for students, the school, and the State of New Mexico.
- Governing body members understand their role in supporting, promotion, and protecting the charter school movement as a whole and how that responsibility plays out in the actions they take in relation to their specific school.
- Governing body members know which documents exist that are essential to the operation and governance of their school, know how to obtain those documents, and know how to utilize the documents appropriately. These documents include the contract, performance framework, and charter application.
- Governing body members understand the purpose of the Charter Schools Act and how that purpose plays out in their school; governing body members are able to identify the inputs and the outputs that are identified in the "purpose" from the Charter Schools Act and understand the difference between inputs and outputs.
- Governing body members understand the structure of charter school governance in New Mexico including the specific roles of the Public Education Department, the Public Education Commission, and local school boards.

## Charter School Governing Body Training Areas and Recommended Standards

### Public Official and Charter School Governing Body Ethics and Responsibilities

- Governing body members understand fiduciary duties including the duty of care and duty of loyalty and are able to apply those duties to their actions and responsibilities. Governing body members understand their responsibility to prepare for meetings in advance and make reasoned decisions based on facts and evidence.
- Governing body members understand the purpose of public education and charter schools' place in public education and education reform. Governing body members understand their particular role in ensuring the purposes of public education are met through their particular charter school.
- Governing body members understand their responsibility to protect the school and the state from waste, fraud, and abuse. Governing body members understand their role in developing policies and internal controls, and evaluating and ensuring proper implementation of these policies and internal controls.
- Governing body members understand the personal liability that may exist if they fail to fulfill their responsibilities. Governing body members understand the potential results for the school if they fail to fulfill their responsibilities.
- Governing body members understand the responsibility to recruit, select and ensure proper onboarding of new governing council members. Governing body members are able to evaluate how well their school fulfills this responsibility and plan for how they will more effectively fulfill this responsibility.

## Charter School Governing Body Training Areas and Recommended Standards

### Public Official and Charter School Governing Body Ethics and Responsibilities

- Governing body members understand their responsibility to recruit, select, ensure proper onboarding, supervise, evaluate, provide professional development opportunities and support for, and, if appropriate, terminate the head administrator of the school. Governing body members are able to evaluate how well their school fulfills this responsibility and plan for how they will more effectively fulfill this responsibility.
- Governing body members understand their duty not to administrate and are able to apply that duty to their circumstances, distinguishing between oversight of the administrator and actual administration.
- Governing body members understand the duty to devote their time and have good comprehension of the amount of time required to effectively fulfill their responsibilities.
- Governing body members understand their responsibilities under their authorizers' contracts, which may include the responsibility to develop, approve, and oversee the implementation of corrective actions and improvement plans. Governing body members are able to evaluate how well their school fulfills this responsibility and plan for how they will more effectively fulfill this responsibility.
- Governing body members understand their responsibility to develop and implement a grievance process and policy at their school and their role as final arbiter in any grievances that do not have additional legal remedies and requirements of law. Governing body members are able to evaluate how well their school fulfills this responsibility and plan for how they will more effectively fulfill this responsibility.

## Charter School Governing Body Training Areas and Recommended Standards

### Public Official and Charter School Governing Body Ethics and Responsibilities

- Governing body members understand the responsibility to regularly evaluate their effectiveness as a governing body, proactively implement actions, policies, and practices to improve their effectiveness, and seek out meaningful development opportunities to address areas of growth.
- Governing body members understand the annual training requirements and the consequences for not meeting those requirements.
- Governing body members understand the requirements to have an appropriately composed audit committee and finance committee, as laid out in NMSA § 22-8-12.3. Governing body members understand the responsibilities of these two committees. Governing body members are able to identify how their governing body meets these requirements and if it needs to improve.
- Governing body members understand the governing body's role as a board of finance, the requirements for maintaining authority as a board of finance, and the consequences for losing board of finance authority.
- Governing body members understand the requirements in statute (NMSA § 22-8B-4(B)), contract, by-laws, and authorizer policies regarding governing body membership, notifications regarding changes in membership, and deadlines for filling vacancies.
- Governing body members understand the body's responsibility to oversee school funds and budgeting.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the governing body's role as a board of finance, the requirements for maintaining authority as a board of finance, and the consequences for losing board of finance authority.
- Governing body members understand the body's responsibility to oversee school funds and budgeting.
- Governing body members understand the requirement to have a licensed school business manager who is responsible for the daily management of the school's finances. Governing body members understand the licensed school business manager's quarterly financial reporting requirements to the Public Education Department and the charter school governing body, which are found in NMSA § 22-8-13.2.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the school's responsibility to post all quarterly financial reports on the school's website (NMSA § 22-8-13.2 (B)).
- Governing body members understand the internal financial contract that must be implemented at each charter school, and understand the importance of regularly evaluating the effectiveness of the implementation of the controls.
- Governing body members understand Generally Accepted Accounting Procedures and are able to evaluate the school's effectiveness in implementing these procedures.
- Governing body members understand and are able to apply the budgeting and accounting requirements found in NMAC 6.20.2.7 et seq., which include budget preparation standards, budget maintenance standards, internal control structure standards, organizational structure, financial standards, cash control standards, investments, warehouse/supply inventory, purchasing, payroll, travel and training, insurance, debt service and bonds, fixed assets, other services, and other administrative standards.
- Governing body members understand and are able to apply the procedures for the payment of settlement agreements, which are found at NMAC 6.20.3.8 et seq.
- Governing body members understand how the school makes membership projections.



## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the authorizer’s financial performance framework, know how their school is performing on the framework, and are able to plan to improve financial performance under the framework.
- Governing body members understand the requirements of NMSA § 22-8-13.1 and § 12-6-1 et seq. as these statutes relate to the annual external financial audit that must be completed for each charter school. Governing body members understand the responsibility of the audit committee to attend audit conferences, meet with external auditors, track and report progress on audit findings, and advise the entire governing body on policy changes needed to address audit findings.
- Governing body members understand the manner in which staff training and experience is calculated, and how TCI audits are conducted. Governing board members will be able to apply these processes to ensure their school HR policies support a successful and effective TCI auditing process.
- Governing body members understand how charter school budgets are established. Specifically, governing body members understand how program units are generated, including how budgets are impacted by the average of the MEM on the second and third reporting dates of the prior year; the instructional staff teacher cost index; the at-risk index; program growth units; special education units; bilingual, fine arts, and physical education units; national board certification; and home school program units. Governing body members are able to explain if each of these elements has impacted their particular school’s budget over time.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the requirements of NMSA § 22-8-12 regarding amendments to operating budgets and are able to apply that to their school's budget processes. Governing body members understand when the school must make a budget adjustment/amendment requests, how budget adjustment/amendment requests are made, and the appropriate level of scrutiny to apply to budget adjustment/amendment requests submitted to them.
- Governing body members understand their discretionary authority to use operational funds generated under the state equalization guarantee as they see fit to meet the needs of the community served by that board. Governing body members are able to describe and develop plans that enable them to develop a budget that specifically addresses the needs of the community they serve.
- Governing body members understand which sources of budget funding have limitations on how they can be utilized, how to determine the limitations on particular sources of funding, and how to implement controls and monitoring to comply with funding restrictions. Governing body members are able to evaluate their school's restricted funding sources and compliance with funding restrictions.
- Governing body members understand the requirements for school budgets laid out in NMSA § 22-8-9.
- Governing body members know the consequences for violating any provision of the Public School Finance Act, as laid out in 22-8-42.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the requirements for teacher and staff pay scales and schedules, including minimum salary requirements for teachers, administrators, and educational assistants. Governing body members understand the requirements they must meet and the discretion they have in setting teacher and staff pay scales and schedules and understand how to establish/award bonuses and incentive pay.
- Governing body members understand the minimum student membership allowable for any public school to operate, as identified in NMSA § 22-8-8.
- Governing body members will understand the requirements for giving notice to parents explaining the budget process and inviting parental involvement and input. Governing body members are able to evaluate how effectively they are meeting this requirement and plan for how they will more effectively fulfill this responsibility.
- Governing body members understand the information contained in monthly and quarterly reports (report on the budget status of the charter school, including the approved operating budget for revenues and expenses compared with year-to-date actual revenue and expenses; statement of any budget adjustment requests; cash reports, including revenue, expenses, temporary loans and cash balances for operational, state and federal grants, capital outlay and debt service funds; voucher reports, including a list of issued warrants or checks; reports listing procurement, travel or gas card expenses; and investment reports). Governing body members are able to apply this understanding to read these and analyze these reports and determine the financial health of the school.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the planning process including timelines, deadlines, necessary actions, and the roles for various stakeholders including the governing body, finance committee, school administrator, business manager, school leadership and administrative team, parent advisory council, staff, and families.
- Governing body members understand requirements and processes for implementing policy for charging tuition for educating individuals who reside outside the State of New Mexico or are the children of foreign nationals.
- Governing body members understand the required policies and processes for budgeting and managing revenue anticipated from co-curricular and extra-curricular activities controlled and administered by the school district or charter school.
- Governing body members understand the scope of the school's ability to utilize donated funds to support school programming and limitations on the use of those funds.
- Governing body members understand the importance of, and process for, consistently reviewing anticipated revenues for accuracy and adjusting budget authority in a timely manner if conditions change. Governing body members understand the policy needs to ensure spending adjustments are implemented in these circumstances.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the Uniform Chart of Accounts and the structure and all elements of the UCOA. Governing body members are able to read budgets within the UCOA and prepare a budget within the UCOA. Governing body members are able to utilize accounting strings to evaluate the appropriateness of expenditures.
- Governing body members understand budget maintenance processes and are able to evaluate the effectiveness of their own practices and plan for improved effectiveness.
- Governing body members understand principles of government accounting including the use of an encumbrance accounting system and the process for reconciling bank accounts on a monthly basis. Governing body members are able to evaluate the school's effectiveness in implementing these principles and plan for improving effectiveness.
- Governing body members understand risk assessment, are able to implement a risk management program, and are able to evaluate the effectiveness of their risk management program and plan for improved effectiveness.
- Governing body members know what financial management system their school uses, understand how to use that system, and understand how that system is reconciled with other budget and financial management programs used by the school.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand the per diem and mileage act and its application to them and other members of the school community.
- Governing body members have knowledge of various federal and state grant programs, understand how to identify federal and state grant programs, understand which programs their school is accessing, and are able to make informed decisions about which grant funds the school should consider accessing.
- Governing body members understand how component units are identified and how they impact the primary organization. Governing body members understand whether their organization has or is a component unit and the proper interactions between the primary organization's governance and component unit.
- Governing body members understand financial red flags that may be indicators of potential waste, fraud, and abuse. Governing body members are able to apply to identify financial red flags in their own school's financial reports. Governing body members understand their responsibility to identify financial red flags. Governing body members understand the process for evaluating and taking action on financial red flags.
- Governing body members understand the New Mexico Procurement Code and the requirements that apply to their school including purchase thresholds and the requirement to have a Certified Purchasing Officer. Governing body members are able to evaluate the effectiveness of their organization in meeting the requirements of the New Mexico Procurement Code and plan for improved compliance.

## Charter School Governing Body Training Areas and Recommended Standards

### Charter School Fiscal Requirements Pursuant to the Public School Finance Act, NMSA 1978 § 22-8-1 et seq.

- Governing body members understand their and their schools' responsibilities as they relate to establishing written payroll policies and procedures which comply with state and federal regulations on payroll as well as maintaining strict internal controls, close supervision and financial accounting in accordance with GAAP. Governing body members are able to evaluate the quality and effectiveness of their payroll policies and procedures and plan for improved effectiveness.
- Governing body members understand facility financing, limitations on facility financing options, and options for accessing local bond funding. Governing body members are prepared to make well informed decisions in the best interest of the state and the school regarding facility financing and leasing. Governing body members understand the requirements for, are able to plan to access appropriate bond funds and other facility funds.
- Governing body members are able to apply their financial oversight responsibilities to case studies of charter school waste, fraud, and abuse and understand what went wrong and how to avoid similar controversies from happening at their school.
- Governing body members understand the Public Education Department's authority to make necessary corrections, revisions and amendments to the operating budget fixed by the governing bodies of state-chartered schools and the secretary to conform the budgets to the requirements of law and to the department's rules and procedures. Governing body members understand when this authority may be used.

## Charter School Governing Body Training Areas and Recommended Standards

### Understanding and Evaluating Academic Data

- Governing body members understand the statutory basis (NMSA § 22-2F-1 et seq.) for the school support and accountability system, which includes charter schools.
- Governing body members which statewide assessments are required to be administered by each school by the Public Education Department and pursuant to Articles 2C of the New Mexico Statutes Annotated. In addition to the statewide requirements applicable to all public schools (including charter schools), governing body members understand which (if any) additional assessments are required pursuant to the terms of the school's contract.
- Governing body members understand which assessments are required by the school's contract with their authorizer. Governing body members understand that these goals are **in addition to**, not in lieu of, the state assessments.



## Charter School Governing Body Training Areas and Recommended Standards

### Understanding and Evaluating Academic Data

- Governing body members understand how to utilize student achievement data over time to establish goals for administrator performance, improvement plans, and school wide policies.
- Governing body members understand the principles behind value added and other growth measures.
- Governing body members are able to navigate the School Support and Accountability System.
- Governing body members are able to understand, interpret, and analyze the School Support and Accountability System.
- Governing body members understand how to use academic data to make policy decisions and evaluate, support and make employment decisions regarding the school administrator.

## Charter School Governing Body Training Areas and Recommended Standards

### Understanding and Evaluating Academic Data

- Governing body members whose overall score is at an acceptable level are able to analyze the report deeper to understand indicators of inequity and opportunity gaps for minority students or subgroup students. Governing body members understand how to use this data to make policy decisions and evaluate, support, and make employment decisions regarding the school administrator.
- Governing body members are able to understand, interpret, and analyze the school's short cycle assessment data and school specific goal data from the Performance Framework. Governing body members understand how to use this data to make policy decisions and evaluate, support and make employment decisions regarding the school administrator.
- Governing body members understand the principles of Data-Driven Instruction and are able to evaluate how effectively those principles are being implemented in the school. Governing body members are able to evaluate how effectively their policies support Data-Driven Instruction and are able to plan to improve the effectiveness of their policies.

### Understanding and Evaluating Academic Data

## Charter School Governing Body Training Areas and Recommended Standards

- Governing body members are able to use various data sources to identify specific areas of growth/improvement in academic performance, plan for improvement, and establish goals to measure success.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the purpose and requirements of the Open Meetings Act and Inspection of Public Records Act and understand the application of these laws to charter schools and charter school governing bodies.
- Governing body members understand the rules for meetings of a quorum of a charter school governing body and, based on their own by-laws, understand what constitutes a quorum for their governing body. Governing body members understand how a “rolling quorum” can occur and understand that “rolling quorums” violate the Open Meetings Act. Governing body members are able to apply these principles to avoid inappropriate meetings of a quorum of their governing body.
- Governing body members understand the notice requirements of the Open Meetings Act (and best practices) for regular meetings, special meetings, emergency meetings, and other meetings of a quorum of the governing body. Governing body members are able to apply these requirements to evaluate their own practices for meeting notice and make corrections or improvements to these practices if necessary.
- Governing body members understand the agenda requirements of the Open Meetings Act (including what must be contained in agendas, and when and how agendas must be posted or made available) and best practices. Governing body members are able to apply these requirements to evaluate their own practices for meeting agendas and make corrections or improvements to these practices if necessary.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the meeting minutes requirements of the Open Meetings Act (including what must be contained in minutes, when they must be made available, and when they must be approved). Governing body members are able to apply these requirements to evaluate their own practices for meeting minutes and make corrections or improvements to these practices if necessary.
- Governing body members understand the provisions of the Open Meetings Act regarding “Closed Meetings”. Specifically governing body members understand the limited circumstances in which closed meetings are allowable, the process for going into a closed meeting, the limitations on discussions and actions in closed meetings, the record keeping required regarding closed meetings, and procedurally how to enter and exit closed meetings. Governing body members are able to apply these requirements to evaluate their own practices for closed meetings and make corrections or improvements to these practices if necessary.
- Governing body members understand the consequences of violating the Open Meetings Act and the process for enforcement actions under the law.
- Governing body members understand the importance of making sure meetings are noticed widely and intentionally made easily accessible to the public. Governing body members are able to evaluate practices in their own school and case studies to determine if meetings have been made accessible and how to increase accessibility for greater public transparency.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the Open Meetings Act requirements for telephonic participation in meetings, and the requirements in their own bylaws. Governing body members are able to evaluate their bylaws and practices regarding telephonic participation to determine compliance with the Act and plan to improve practices and bylaws, if necessary.
- Governing body members understand the requirements to approve an annual Open Meetings Act Resolution and what must be contained in that resolution.
- Governing body members understand best practices in relation to public transparency including related to posting governing body notice, agendas, materials, and minutes; ensuring easy access to governing body meetings; and allowing for convenient public comment at board meetings.
- Governing body members understand the processes and limitations on responding to excessively burdensome or broad requests and denying requests. Governing body members are able to evaluate their school's policies and practices to ensure compliance with the Inspection of Public Records Act.
- Governing body members understand the scope of documents/records that are covered by the Inspection of Public Records Act and how that applies to their actions and the actions of their school. Governing body members apply this understanding to evaluate which records they must make publicly available.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the Federal Education Rights and Privacy Act and how that Act interacts with the Inspection of Public Records Act. Governing body members understand who is able to access information and records that are covered by the Federal Education Rights and Privacy Act. Governing body members are able to evaluate their school's policies and practices to ensure compliance with the Federal Education Rights and Privacy Act and the Inspection of Public Records Act.
- Governing body members understand the limitations of the right to inspect public records, specifically, which documents and records are protected from inspection and what information can be redacted from public records. Governing body members are able to evaluate their school's policies and practices to ensure compliance with the Inspection of Public Records Act and proper use of these identified exceptions.
- Governing body members understand the requirements in the Open Meetings Act regarding reconvening meetings.
- Governing body members understand the procedural requirements for implementing the Inspection of Public Records Act, including designating a custodian, developing school policies and processes, identifying and posting a process for receiving IPRA requests, responding to IPRA requests, posting notice of the public's rights under the IPRA, and setting a fee for IPRA requests. Governing body members are able to evaluate their school's policies and practices to ensure compliance with the Inspection of Public Records Act.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the process for the enforcement of the Inspection of Public Records Act and the consequences for non-compliance with the Act.
- Governing body members understand the requirements for maintaining public records including records of the governing body such as policy documents, final decisions and actions, evidence used to support decisions, etc.; student records such as attendance records, transcripts, grade reports, assessment records, discipline records, etc.; employment records such as hiring records, background checks, employee evaluations, and discipline records.
- Governing body members understand the requirement for all public schools in New Mexico to provide a free education to any *resident* of the state. Governing body members understand the limits of this requirement in relation to charter schools and the requirements that charter schools must meet.
- Governing body members understand the requirement for all public schools in New Mexico to allow all eligible students to enroll or re-enroll in a public school *at any time*. Governing body members understand the limits of this requirement in relation to charter schools and the requirements that charter schools must meet.
- Governing body members understand lottery/enrollment requirements and best practices. Governing body members are able to evaluate their lottery enrollment practices and plan for improvements.



## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the requirement for all public schools in New Mexico to provide a free education to any *resident* of the state. Governing body members understand the limits of this requirement in relation to charter schools and the requirements that charter schools must meet including verifying state residency and developing tuition policies for non-resident students.
- Governing body members understand the requirement for all public schools in New Mexico to allow all eligible students to enroll or re-enroll in a public school *at any time*. Governing body members understand the limits of this requirement in relation to charter schools and the requirements that charter schools must meet.
- Governing body members understand lottery/enrollment requirements and best practices. Governing body members are able to evaluate their lottery enrollment practices and plan for improvements.
- Governing body members understand the authorizer’s organizational performance framework, know how their school is performing on the framework, and are able to plan to improve organizational performance under the framework.
- Governing body members understand the scope of all the responsibilities and duties of charter schools that the schools are already required to meet through state and federal laws. Governing body members understand the limited scope of “waivers” provided by law for charter schools in New Mexico.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the material terms, including the material terms related to the educational and pedagogical program, enrollment caps, grade level limitations, etc. Governing body members are able to evaluate the school's effectiveness in meeting these terms, are able to plan for regular evaluation of this effectiveness, and are able to plan for improved effectiveness.
- Governing body members understand requirements of New Mexico state law in relation to promotion and retention requirements and communicating with parents and families about student performance in a timely manner. Governing body members are able to evaluate school's compliance with these legal requirements. Governing body members are able to evaluate the effectiveness of policy and budget decisions related to promotion and retention requirements and communicating with parents and families about student performance in a timely manner in improving student outcomes.
- Governing body members understand the authorizer's processes for amending material terms. Governing body members are able to evaluate the school's eligibility and readiness to submit certain amendment requests, and the likelihood of getting certain amendment requests approved by the authorizer.
- Governing body members understand requirements of New Mexico state law in relation to graduation requirements and supporting students toward graduation through Next Step Planning. Governing body members are able to evaluate school's compliance with these legal requirements. Governing body members are able to evaluate the effectiveness of policy and budget decisions related to graduation requirements and supporting students toward graduation in improving student outcomes.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand requirements of New Mexico state law in relation to minimum instructional hours and lunch periods. Governing body members are able to evaluate school's compliance with these legal requirements. Governing body members are able to evaluate the effectiveness of policy and budget decisions related to instructional time in improving student achievement.
- Governing body members understand requirements of New Mexico state law in relation to curriculum and content standards, including implementation of the New Mexico Common Core State Standards and the New Mexico Content Standards. Governing body members are able to evaluate school's compliance with these legal requirements. Governing body members are able to evaluate the effectiveness of policy and budget decisions related to curriculum and content standards in improving student achievement.
- Governing body members which statewide assessments are required to be administered by each school by the Public Education Department and pursuant to Articles 2C and 2E of the New Mexico Statutes Annotated. In addition to the statewide requirements applicable to all public schools (including charter schools), governing body members understand which (if any) additional assessments are required pursuant to the terms of the school's contract.
- Governing body members understand requirements of New Mexico state law in relation to teacher evaluation. Governing body members are able to evaluate school's compliance with these legal requirements. Governing body members are able to evaluate the effectiveness of policy and budget decisions related to teacher evaluation in improving student achievement.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand Office of Civil Rights (OCR) requirements related to public schools including prohibitions on discrimination on the basis of race, color, or national origin; discrimination on the basis of disability; discrimination on the basis of sex; and discrimination on the basis of age. Governing body members are able to evaluate school compliance, evaluate complaints that may come before the board that could implicate one of these prohibitions, and plan to improve practices and policies.
- Governing body members understand requirements of law related to due process protections for students and staff. Governing body members are able to evaluate school policies and practices to ensure compliance with due process requirements and plan to improve practices and policies.
- Governing body members understand 1<sup>st</sup> amendment protections and establishment clause restrictions applicable to public schools. Governing body members are able to evaluate school policies and practices to ensure compliance with these restrictions and protections, evaluate complaints that may come before the board that could implicate these restrictions and protections, and plan to improve practices and policies.
- Governing body members understand federal and state requirements in relation to student discipline policies, including special protections for students with disabilities. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements and plan to improve practices and policies.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand the purpose and requirements of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements, evaluate complaints that may come before the board that could implicate these requirements, and plan to improve practices and policies.
- Governing body members understand New Mexico laws and requirements related to gifted children. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements and plan to improve practices and policies.
- Governing body members understand laws related to identification and referral of those suspected of having a disability and providing services for students with identified needs. Governing body members study and understand case studies of charter schools and other public schools that have failed to meet the requirements of these laws. Governing body members are able to understand what occurred, the consequences, and necessary corrective actions for each case study. Governing body members are able to apply this understanding to evaluate the policies and processes at their school.
- Governing body members understand the Attendance for Success Act, Chronic Absenteeism and its requirements for all public schools, including charter schools. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements and plan to improve practices and policies.

Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand laws, rules, and regulations relating to requirements for identifying and serving English Learners, including but not limited to Title III of the ESEA, US Department of Education authorities, and NM laws and regulations. Governing body members understand case studies of charter schools and other public schools that have failed to meet the requirements of these laws and are able to understand what occurred, the consequences, and necessary corrective actions for each case study. Governing body members apply this understanding to evaluate the policies and processes at their school.
- Governing body members understand how to evaluate student retention and re enrollment and understand the importance of this measure in evaluating the school's success. Governing body members are able to understand best practices that can increase student/family retention and re enrollment. Governing body members are able to evaluate school policies and practices impacting re enrollment and retention and plan to improve practices and policies.
- Governing body members understand NM legal requirements related to administrator, teacher, business manager, and other staff credentialing (licensure and endorsement), including the requirements for waivers, alternative licensure, and parental notification. Governing body members understand the requirement for school administrators to investigate allegations of ethical misconduct about any licensed school employee and report misconduct to the PED. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements and plan to improve practices and policies.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand mentorship, professional development, and support requirements (in statute and regulation) and best practices for new teachers or struggling teachers. Governing body members are able to apply this understanding to evaluate and plan to improve the policies and processes at their school.
- Governing body members understand background check requirements for all school staff and community members (as required). Governing body members understand the requirement for school administrators to investigate allegations of ethical misconduct about any licensed school employee and report misconduct to the PED. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements and plan to improve practices and policies.
- Governing body members understand laws and regulations related to employee rights and protections, including School Personnel Act, Charter School Act, Family Medical Leave Act, American with Disabilities Act, and Public Employee Bargaining Act. Governing body members are able to evaluate school policies and practices to ensure compliance with these requirements, evaluate complaints that may come before the board that could implicate these requirements, and plan to improve practices and policies.
- Governing Body members understand the requirements for legally compliant personnel policies and employee handbooks and understand best practices for teacher and staff retention. Governing body members are able to evaluate the school's policies and handbook for compliance and best practices and are able to plan to improve policies and handbooks.

## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand how to evaluate staff retention and satisfaction. Governing body members understand best practices to increase employee satisfaction and retention. Governing body members are able to evaluate school practices and plan to improve practices and increase employee satisfaction and retention.
- Governing body members understand facility requirements including requirement for E-Occupancy, NMCI requirements, ownership and leasing requirements outlined in 22-8B-4.2 NMSA 1978. Governing body members are sufficiently informed and educated to be able to adequately negotiate lease terms and lease amounts. Governing body members are able to evaluate current facilities and lease terms to determine if facilities and lease terms serve the best interest of the schools and the state.
- Governing body members understand safety requirements including the requirements of a safe schools plan and understand best practices for school safety. Governing body members are able to evaluate a school's safety plan for compliance and effective practices, and are able to evaluate the implementation of the school's safety plan and practices. Governing body members understand the school's safety plan and are able to evaluate the effectiveness of the implementation of the school's safety plan and procedures.
- Governing body members understand the requirements for study transportation including activity transportation, non-bus transportation, and bus transportation. Governing body members are able to evaluate the school's transportation practices for compliance with all legal requirements.



## Charter School Governing Body Training Areas and Recommended Standards

### Open Government, Legal, and Organizational Performance of a Charter School

- Governing body members understand requirements and best practices for facility maintenance. Governing body members are able to develop school policies for facility maintenance and evaluate school facility maintenance plan and implementation for effectiveness and best practices.
- Governing body members understand immunization requirements for public schools. Governing body members are able to evaluate school policies and implementation of practices for compliance with immunization requirements for public schools.
- Governing body members understand the requirements for school health and wellness policies and programs. Governing body members are able to evaluate school policies and implementation of practices for compliance with school health and wellness requirements for public schools.
- Governing body members understand requirements for school food services programs. Governing body members understand the benefits of offering school food services. Governing body members are able to evaluate ability to implement food services programs and make an informed decision in the best interest of the school and community about whether to implement a food services program.
- Governing body members understand the Federal Education Rights and Privacy Act. Governing body members understand who is able to access information and records that are covered by the Federal Education Rights and Privacy Act. Governing body members are able to evaluate their school's policies and practices to ensure compliance with the Federal Education Rights and Privacy Act.

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- Governing body members understand the requirement to request and transfer student records upon enrollment or withdrawal from the school. Governing body members understand the requirements for school record keeping including document retention, transcript and diploma requirements. Governing body members are able to evaluate school policies and implementation of practices for compliance with these requirements.

## Charter School Governing Body Training Areas and Recommended Standards

### Equity and Culturally and Linguistically Responsive Practices

- Governing body members understand the history behind and ruling of the Martinez and Yazzie Consolidated Lawsuit.
- Governing body members can define and understand the pedagogy of Culturally and Linguistically Responsive Practices.
- Governing body members understand the Equity Council requirements including Equity in Action Items. These items are The Martinez and Yazzie Readiness Assessment, a Culturally and Linguistically Responsive Inventory and Framework, an Advisement Package, and a Strategic Equity Plan.
- Governing body members understand the Equity Council's role in providing advice to the board including those related to budgetary decisions.
- Governing body members understand the process for selecting Equity Council members.
- Governing body members are familiar with and ensure compliance with the Black Education Act, anti-racism professional development annual requirements and posting of the hotline on a school's website.
- Governing body members are familiar with and ensure compliance with the Indian Education Act.
- Governing body members are familiar with and ensure compliance with the Hispanic Education Act.
- Governing body members understand the demographics of both their school and the community and how they compare.
- Board understands their role in being focused on root-cause analysis, equity-focused leadership, continuous improvement, and culturally and linguistically responsive curriculum and pedagogy.
- Board understands the importance of attracting, and retaining diverse teachers to their school.

## Charter School Governing Body Training Areas and Recommended Standards

- Board understands their role in ensuring the work of the Equity Council.
- Board understands the importance of monitoring equitable, strategic resource allocation.