

New Mexico Connections Academy 2021-2022 Preliminary Renewal Analysis Response November 15, 2022

While New Mexico Connections Academy (NMCA) appreciates the work that has gone into the Charter Schools Division's (CSD) Preliminary Renewal Analysis, there are multiple areas that do not make sense to the school, fail to follow the CSD's own processes, and are not consistent with the information that was provided to the CSD both in the renewal application and during the renewal site visit. The school is hopeful that by responding to this preliminary analysis the inconsistencies will be remedied and a true picture of the school's performance over the current charter term will be provided in the CSD's Final Renewal Analysis and Recommendation.

Perhaps the most glaring issue that presents confusion is the lack of a recommendation from the CSD in the Preliminary Analysis. As is stated in the 2022 Charter Renewal Application: **"The CSD will send each renewal applicant and the PEC a Preliminary Renewal Analysis including a preliminary indication of the recommendation (renewal, non-renewal or renewal with conditions). This analysis will synthesize the strengths and weaknesses of the charter school in relation to the statutory reasons for non-renewal."** (pg. 4) The school has been unable to find a preliminary indication of a recommendation in the Preliminary Analysis and questions whether the CSD has lived up to its processes as documented in the PEC-approved Renewal Application. Whether this was an oversight or a deliberate omission by the CSD, it leaves the school in a bit of a quandary as to what areas of the Preliminary Analysis are the most critical upon which to focus. Having articulated that, NMCA is pleased to confirm that the Preliminary Analysis has **not** identified any issues in the five (5) renewal requirements that would lead to suspension, revocation, or non-renewal.

In order to provide the most clarity in NMCA's response to the Preliminary Analysis, this Response will follow the same format as the Preliminary Analysis.

PART B: Progress Report

1.a. Student Outcomes

As has been stated many times throughout the past two to three years as it pertains to the renewal process, the COVID pandemic has created challenges for both schools and the Public Education Department (PED) to fully assess a school's academic performance because the state-mandated testing process was suspended during that time. And, although the PED has just recently been able to provide academic assessment data, it is notable that the data to be scrutinized over the course of the school's current charter term is not complete. Because of this, NMCA provided its own internal assessment data (**Appendix A-1 of the NMCA Renewal Application**) that was reviewed by the CSD. While this data was not compared to overall state academic performance, NMCA did provide academic data that was consistent with the overall assessment that CSD articulated in the Preliminary Analysis, namely that: ***"New Mexico Connections Academy (NMCA) has demonstrated growth towards meeting department standards for proficiency rates from 2018-19 to 2021-22. Proficiency rates increased significantly in reading, math and science. The school slightly exceeded the state average in reading and science during the most recent year tested, and fell slightly below in math."*** (pg. 4) This is difficult to square with a rating from the CSD in the Preliminary Analysis that reads: "Failing to Demonstrate Progress." Are growth and progress not

synonymous? It is not clear from the school's perspective whether the rubric indicators to which the Preliminary Analysis references are not nuanced enough to capture the many variables that CSD uses to evaluate a school's performance, or simply that the CSD mis-labeled the rating for Section 1.a. Student Outcomes.

Perhaps the variable that the CSD relied on most heavily when producing a rating for Student Outcomes was the NMCA graduation rates. And, while this is certainly an important indicator in the success of a school, the rating of "Failing to Demonstrate Progress" cannot apply here either. NMCA has made progress in graduation rates over the course of the current charter term while increasing the number of students who enroll in the school 'not on-track' for graduation in a 4-year period, or "off-cohort". Like all public schools in the state of New Mexico, NMCA cannot hand-pick the students who wish to enroll at a school, and must do the best they can to meet the needs of all students who enroll at their public school. NMCA is not satisfied with the current graduation rates and, as was articulated both in the school's renewal application and at the renewal site visit, the school has taken deliberate actions to improve graduation success for those students who are working to complete the necessary graduation requirements. NMCA is excited about the graduation rates for those students who have been with the school throughout their high school careers and know that the support that is provided, if accessed consistently by the students, will ensure the successful completion of all graduation requirements the state has set. Additionally, as reported in the Preliminary Report, NMCA views the successful completion of their rigorous online courses to be the ultimate demonstration of academic content mastery. NMCA does not equate "seat time" with course completion, like many traditional brick-and-mortar schools do, but rather requires a demonstration of mastery of appropriate learning standards before allowing a student to earn a passing grade in a particular course. While this approach may show up in a lower 'on-cohort' graduation rate, it is something that NMCA believes is the best approach to preparing students for their post-secondary experiences, whatever they may be. The course completion data is encouraging to the school and it is expected that, as NMCA continues to initiate strategies to support all of its students in this unique environment, graduation rates will continue to trend upward. NMCA has provided a spreadsheet with the course completion data as an attachment to this response ("*Course Completion and DSY withdrawal data for Renewal*").

And finally, in response to the Student Outcomes rating of "Failure to Demonstrate Progress," it seems that the CSD's analysis has heavily weighted an indicator that seems not to merit such weight, namely percent participation in mandated assessments. It also seems worthy to mention that the Preliminary Analysis that CSD provided has chosen to highlight one year's worth of assessment participation data that immediately followed an unprecedented pandemic and all of the foreseen and unforeseen consequences of such an experience. Again, NMCA does not disagree that this is a concern, it does however, put this issue into the appropriate context. NMCA wants all of its students to participate in mandated testing and has taken tremendously burdensome steps to ensure that all of its students have access to these assessments in a secure and convenient setting. However, as was articulated both in the renewal application and at the renewal site visit (and documented in the Preliminary Analysis), the challenges for a school that does not have an attendance boundary, does not have a brick-and-mortar facility, cannot change the public health directives given in individual communities, and must still be subject to the same expectations of schools that fit that description, is outdated and does not reflect an understanding of the evolving landscape of online, virtual learning environments.

1.b. Mission Specific Goals

This section of the Preliminary Analysis includes incorrect information. While the CSD says that ***“In SY19-20, SY20-21, and SY21-22, the school exceeded its goal for grades 4-8 and met its goal for grades 9-12”*** (pg. 5), NMCA is assuming that this was an oversight by the CSD as the data regarding the Mission-specific Goals provided in ***Appendix A-2*** of NMCA’s Renewal Application indicates that in SY19-20, SY20-21, and SY 21-22 NMCA exceeded our goal for grades 9-12. Not only did NMCA provide all of the raw data that supports the overall percentages, NMCA demonstrated that it exceeded the standard for 4-8 grades and 9-12 grades in the last three years of the current charter term. However, CSD mislabeled this in their SY21-22 annual report and in the Preliminary Renewal Analysis as merely ‘meeting the standard.’ While this may not be of consequence in the overall determination of the school’s renewal, it leaves questions regarding the diligence with which the renewal application was evaluated by the CSD. *(When this was reported to CSD, a revised Preliminary Analysis was provided to the school, however, it is unclear as to whether or not the Commissioners have received an updated analysis as it has not been uploaded to the PEC website. Additionally, the NMCA Renewal Application that is posted on the PEC website does not include the multiple appendices that we submitted with the application to CSD.)*

2.a. Educational Program

NMCA agrees with the CSD’s analysis regarding the Educational Program and has worked continuously to improve the quality of education that students receive. Because of the unique nature of the school’s educational delivery model (although since the COVID pandemic, the delivery model has become less and less unique as communities across the globe are reassessing the one-size-fits-all approach and those results are being seen in educational as well as business institutions), NMCA is systematically reviewing indicators of student performance across the school and has taken deliberate action to initiate processes and programs to address the multitude of issues that can lead to, or away from, student success. NMCA embodies the concept of continuous improvement in all areas of the organization and will continue to explore differentiated approaches to meeting the needs of all of our students.

2.b. Financial Compliance

NMCA stands by its record of financial compliance and has met all of the expectations set forth by both PED and the independent auditors. While there have been a few audit findings over the current charter term, none are repeat findings, all have been corrected and none impacted the school’s audit ratings. The Preliminary Analysis raised questions about some expenditures in the areas of instruction and support to Connections Education, LLC. The school provided to the CSD a copy of the contracts with Connections Education, LLC at their request during the renewal site visit. It is unclear from the Preliminary Analysis if this is a concern regarding the school’s financial compliance. If there are no specific concerns that rise to the level of failing to meet the fiscal management requirements for the school, the school is unclear as to why the rating for this section did not “Meet the Standards.”

2.c. Governance Responsibilities

It is interesting to note that the CSD has concerns with the presence of Pearson representatives (are they referring to Connections Education , LLC, or others?) at NMCA Governing Council meetings, yet has confirmed that NMCA met all requirements of their governance responsibilities, has not violated any statutory requirements, and has met all other requirements to which they were accountable. NMCA provided a clear explanation to the CSD regarding the presence of any individuals at GC meetings, whether in public or closed sessions, that the CSD failed to appropriately categorize. CSD described the presence of Pearson representatives as concerning and articulated that they were present and available “to answer questions on an as-needed basis,” rather than as connected to a specific task of supporting the GC in the evaluation of the school’s head administrator, or other support processes for which they had been specifically hired, including ‘back-office’ support for GC communication responsibilities. The GC believes that the funds spent for these services is important and they suggest other Charter School GCs to do the same. Again, it is not clear whether the CSD did not understand this relationship with the vendor hired to support these tasks, or whether they failed to provide this information in the Preliminary Analysis deliberately. Regardless, NMCA has met the standards articulated for Section 2.c. and is confused with the rating of Demonstrating Substantial Progress towards meeting this standard.

2.d. Equity and Identity

In the Preliminary Analysis the CSD could not identify any areas of noncompliance with the expectations around PED’s Equity and Identity initiatives. In fact, the CSD indicated that “Across stakeholder groups, staff, students, and families all expressed that they feel supported, heard, and welcome at the school.” (pg. 8) How the information in this section can be translated into anything other than “Meets the Standards” is, again, confusing.

Conclusion

Based on the Preliminary Analysis provided by the CSD, NMCA has concerns regarding the information that has been presented to the Commissioners in reference to the school’s compliance with both the charter contract and the statutory requirements expected of all public charter schools. As has been articulated above, there are many inconsistencies between the analysis provided by the CSD and the information that was provided in both the school’s renewal application and at the subsequent renewal site visit. NMCA is hopeful that the information provided in this response will clarify any concerns raised by the CSD and will be passed along to members of the Commission prior to the renewal decision hearing scheduled for December of 2022.

Attachment: Course Completion and DSY withdrawal data for Renewal