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# Public Education Commission

## Grade Level Change Amendment Instructions

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### **Purpose:**

To request an amendment to the charter contract to increase or decrease the number of grades served.

### **Submission Deadline:**

The PEC must approve the requested amendment before the school may implement the change. Complete amendment requests that are submitted 28 days prior to the next PEC meeting will be placed on the next agenda.

### **PEC Direction and Information Required for Each Type of Grade level:**

The PEC differentiates between three different types of grade level amendments requests and for schools performing in the bottom 25% of schools, will look closely at the ability of the school to improve outcomes for existing students prior to approving a grade level change.

- 1) *Increase of one grade level.* A school performing in the top 75% of schools, may provide a grade level change increasing or decreasing the grades offered by one grade level through an amendment to the PEC providing the rationale for the change and why the school believes that this will be effective and support the school community.
- 2) *Simple Grade Level Change.* A simple grade level change is:
  - a. reduction or addition of more than one grade level that are within the educational level already being offered by the school (elementary, middle or high school) or
  - b. if a school is performing in the bottom 25% of schools, any reduction or increase of grade levels within the education level already being offered by the school (one or more grade level change requested).

For a *Simple Grade Level Change*, the school must provide:

- A. if the school performance is in the lowest 25% of all school performance as identified by the Public Education Department (“PED”), information on how this change would improve student performance at the school,
- B. Data demonstrating that the school’s educational model will be effective in the new/reduced grades, or provide examples of schools serving similar grades using the school’s educational model in the proposed grades,
- C. Demonstration of support from the community and results of a community input meeting held by the Governing Board of the school at a public meeting; and

D. Explanation of how the grade level change will be implemented, and the impact on staffing, facilities and other areas that may be impacted.

**3. Significant Grade Level Change.** Grade level changes that expand the grade levels of the school into another education level not presently being offered by the school (expanding into elementary, middle or high school) Amendments of this type require more information and justification in the amendment form.

For a *Significant Grade Level Change*, the school must provide evidence of:

A. *School Success.*

- i. Academic and organizational success in implementing the existing charter; OR
- ii. If the school has had academic or organizational challenges, describe what exceptional circumstances exist that would show that the change is in the best interest of the students.

B. *Need for the change in the community and school.*

- i. Results of a community input meeting held by the Governing Board of the school at a public meeting;
- ii. Need for the grade-level change, such as:
  - a. Demonstration of parent demand for the amendment request;
  - b. Identified need in the community for the grade-level change (e.g., students coming into the school without sufficient skills);
  - c. Change needed to address an operational concern (e.g., fiscal challenge related to the school size resulting from the funding formula as applied to the charter)

C. *Data/research showing effectiveness of the change.* Effectiveness shown through data or research demonstrating that the school's educational model will be effective in the new grades and educational level, or examples of successful schools serving similar grades using the school's educational model in the proposed grades.

D. *Preparation for implementation.* How will the school address the challenges of the new grades including the potential impact on staffing, facilities and other areas? (e.g., Does grade level increase require different licensure requirements and if so how will school accommodate? Is the facility sufficient to accommodate the additional grade levels.)

E. *Rationale for timing of the request.* Note: A school should have implemented full operational capacity of all grades as identified in its charter contract before seeking a significant grade level increase. If the school has not fully implemented the plan identified in the charter contract, the school should identify why the change is needed now. If the school has been in operation for less than three years, the school should

explain why the requested change was not made in the original charter application.

**Data provided by CSD:**

CSD will

- provide PEC with performance data (academic, organizational, and financial) for the contract term from annual reports, and including any outstanding compliance or investigations, and
- highlight information relevant to the amendment request.

**Data and Information provided by the School:**

**Increase/decrease of one grade level**

- Fully completed form
- Approved board minutes or certification of the vote taken by the board

**Simple and Significant Grade Level Changes**

- Fully completed form
- Approved board minutes or certification of the vote taken by the board

**If an additional facility will be utilized**

- Attach the following information for the new facility or current facility expansion 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 an assurance that a copy of the Certificate of Occupancy will be provided to the CSD within a 30-days of occupancy;
  - Letter from PSFA stating that the facility meets the NMCI;
  - Documentation of the capacity load of the existing or new facility to document capacity that can sustain the enrollment increase; and
  - 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

**If the school is also requesting an enrollment cap increase,**

- Submit an enrollment cap amendment form.

Contact [charter.schools@ped.nm.gov](mailto:charter.schools@ped.nm.gov) if you have questions about completing or submitting documents.

## Grade Level Change Amendment Request FORM

Submit this form and all supporting documents to [charter.schools@ped.nm.gov](mailto:charter.schools@ped.nm.gov)

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 Charter Contract as follows:

The Grade Levels Approved in the Charter School Contract currently reads:

[Click or tap here to enter text.](#)

The Amendment requests that the PEC approve Section [Click or tap here to enter text](#) \_\_\_\_\_, page \_\_\_\_ of the School's charter contract so that the Grade Levels Approved reads:

[Click or tap here to enter text.](#)

\_\_\_\_\_ [*Mark if applicable*] The School also requests an enrollment cap increase and has submitted an Enrollment Cap Increase request at the same time to increase enrollment from \_\_\_\_\_ to \_\_\_\_\_.

Rationale for the requested amendment/change:

[Click or tap here to enter text.](#)

The school is requesting the following Grade Level Change [*Mark one as appropriate*]:

*Increase in one grade level*

\_\_\_\_\_ An increase in grade levels from \_\_\_\_\_ to \_\_\_\_\_,

Provide the rationale for the change and why the school believes that this will be effective and support the school community:

[Click or tap here to enter text.](#)

***[NOTE: For an increase in one grade level, no further information requested below is required.]***

*Simple grade level change*

\_\_\_\_\_ A reduction in grade levels offered from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_ An increase in grade levels from \_\_\_\_\_ to \_\_\_\_\_, but within the same education level already being offered by the school (elementary, middle or high school). OR

Significant Grade Level Change

\_\_\_\_\_ An increase in grade levels from \_\_\_\_\_ to \_\_\_\_\_ that results in the school offering to teach grade in a different education level than presently offered by the school (adding elementary, middle or high school not presently offered).

Has the school reached full operational capacity of all graded as identified in the existing charter contract? \_\_\_\_\_ Yes \_\_\_\_\_ No.

If no, identify why the change is needed now.

Click or tap here to enter text.

Is the school presently in its first three years of operation as a charter school?

\_\_\_\_\_ Yes \_\_\_\_\_ No.

If no, why was the requested change not made part of the original school application?

Click or tap here to enter text.

**Complete for a *Simple Grade Level Change*:**

Is the school in the lowest 25% of all school performance as identified by PED?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, provide information on how this change would improve student performance at the school.

Click or tap here to enter text.

Data demonstrating that the school's educational model is working or provide examples of schools serving similar grades using the school's educational model in the proposed grades:

Click or tap here to enter text.

Data demonstrating support for expanded/reduced grades in the community and results from a community input meeting held by the Governing Board of the school at a public meeting:

Click or tap here to enter text.

Please provide a short narrative regarding how the proposed change will impact on existing staffing, facilities and other parts of the school that may be impacted.

Click or tap here to enter text.

**Complete for a *Significant Grade Level Change*:**

Is the school in the lowest 25% of all school performance as identified by PED?

Yes

No

If yes, provide information on how this change would improve student performance at the school and how the school will ensure that the increased grades will not impact the school's ability to raise the performance of existing students.

Click or tap here to enter text.

Data demonstrating that the school's educational model and organizational structure is working and is effective at the school:

Click or tap here to enter text.

Data demonstrating support for expanded/reduced grades in the community and results from a community input meeting held by the Governing Board of the school at a public meeting:

- iii. Results of a community input meeting held by the Governing Board of the school at a public meeting.

Click or tap here to enter text.

- iv. Other information showing community support.

Click or tap here to enter text.

Data or information showing need for the grade-level change, such as:

- a. Demonstration of parent demand for the amendment request;
- b. Identified need in the community for the grade-level change (i.e. students coming into the school without sufficient skills);
- c. Change needed to address an operational concern (i.e. fiscal challenge related to the school size resulting from the funding formula as applied to the charter)

Click or tap here to enter text.

Data/research showing effectiveness of the change demonstrating that the school's educational model will be effective in the new grades and at the new educational level, or examples of successful schools serving similar grades using the school's educational model in the proposed

grades.

Click or tap here to enter text.

A full narrative showing that the school is prepared for implementation, including how the school will address the challenges of the new grades including the impact on existing staffing, facilities and other parts of the school that may be impacted. (i.e. Does grade level increase require different licensure requirements and if so how will school accommodate? Is the facility sufficient to accommodate the additional grade levels.)

Click or tap here to enter text.

The school's contract amendment is hereby submitted by:

Click or tap here to enter text.  
**Charter School Representative**

Click or tap to enter a date.  
**Date**

**School Amendment Approval (electronic signature of School Board Chair):**

Click or tap here to enter text.  
**School Board Chair**

Click or tap to enter a date.  
**Date**

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

School Amendment number (School name, number, date): \_\_\_\_\_

Regular Agenda

The Contract Amendment was:

- Approved
- Denied

Click or tap here to enter text.  
**Public Education Commission**

Click or tap to enter a date.  
**Date**

**PEC Amendment Approval (electronic signature of PEC Chair):**

Amendment approved

Amendment denied for the following reasons: \_\_\_\_\_

Click or tap here to enter text.  
**PEC Chair**

Click or tap to enter a date.  
**Date**