

# **New Mexico Public Education Commission**



## **2022-23 IMPLEMENTATION YEAR CHECKLIST**

**Requirement for authorization to commence full operations  
for charter schools authorized by the Public Education Commission**

**Approved by the Public Education Commission: Oct 21, 2022**

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## 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. CHARTER SCHOOL CONTACT INFORMATION

### School Information:

Name of Charter School: Explore Academy Rio Rancho  
School Address (if known): 3001 Civic Center Cir NE, Rio Rancho, NM 87144  
School Location (City/Town): Rio Rancho  
School District Within Which School Will Be Located: Rio Rancho  
Contract Grades to Be Served: K-12  
Contract Enrollment Cap: 1200

### Founder Contact Information:

Primary Contact Person: Justin Bairdo  
Address:  
City, State, Zip:  
Office Phone:                      Mobile Phone:  
E-Mail:

Secondary Contact Person:  
Address:  
City, State, Zip:  
Office Phone:                      Mobile Phone:  
E-Mail:

### Foundation Information:

Foundation Name (if applicable):  
Principal Officer:  
Mailing Address:  
City, State, Zip:  
Office Phone:                      Mobile Phone:  
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.

### 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 web page, within the PED's website, the most recently approved *Public Education Commission Implementation Year Checklist* template is made available.

### 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 15 to receive a CSD

recommendation regarding commencement of operations.

The school must attend all implementation year training and technical assistance sessions hosted by the CSD.

2. 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 a method provided by the CSD.
3. 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.
4. 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.
5. 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.
6. All plans, policies, manuals, and other documents submitted by the school are considered to be in draft status until they have been approved by the CSD and subsequently by a vote of the school's governing board.
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 request for documentation references a statute, rule, or regulation, the school must address each element or provision that is required.
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 of 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.

## **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 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 reviews the documentation for completeness, considering feasibility of implementation, i.e., 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

### Items due by November 15

Indicators	Documentation	Date Complete	Comments
<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; 22-8-12.3; 10-15-1;14-2-1, et seq.</i></p> <p><i>Charter Contract Section 4</i></p>	<input type="checkbox"/> List of governing body members. Include the governing body positions to be held, either a place of residence or work, and contact information.	11/22/22 Complete	5 members (chair, vice chair, secretary, two members).
	<input type="checkbox"/> Evidence each Board member has completed the 7-hour New Member Training and the additional 3 required hours with the Charter Schools Division. <i>6.80.5 NMAC</i>	Complete/ Monitoring on-going	One member complete. The other four members will be complete by the end of the calendar year.
	<input type="checkbox"/> Bylaws.	11/29/22 Complete	Complete.
	<input type="checkbox"/> Bylaws include provision for replacing and removing members.	11/29/22	Complete
	<input type="checkbox"/> Bylaws include provision for creating-audit and finance committees.  <a href="#">NMSA § 22-8-12.3</a>	11/29/22	Comment accepted for quorum clarification.
	<input type="checkbox"/> Audit and Finance Committee – Evidence that the sub-committees have been formed, have scheduled meetings, and list of committee membership.  <a href="#">NMSA § 22-8-12.3</a>	Complete/ Monitoring on-going	Not all members of Audit committee recruited at this time because no students.
	<input type="checkbox"/> Evidence that public notice of Governing Body meetings is posted on the website.  <a href="#">NMSA § 10-15-1F</a>	11/29/22	Complete

Indicators	Documentation	Date Complete	Comments
	<input type="checkbox"/> Evidence the Governing Board has drafted an annual calendar of meetings, key Governing Board tasks, and reporting requirements.	11/15/22	Complete (best MB has seen to date!)
	<input type="checkbox"/> Transparent, annual process for selecting and appointing Equity Council members that reflect student demographics. <a href="#">PED guidance</a>	11/29/22	Complete
	<input type="checkbox"/> How the 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.	11/29/22	Complete. Plan is codified in the annual calendar.
	<input type="checkbox"/> Meeting agendas and minutes that comply with state law.  <a href="#">NMSA § 10-15-1 F-G, et seq.</a>	11/29/22	Complete
	<input type="checkbox"/> IPRA policy and procedures that comply with state law.  <a href="#">NMSA § 14-2-1, et seq.</a>	11/29/22	Complete
	<input type="checkbox"/> Name of the foundation, name of the principal officers, and their contact information.  <a href="#">PEC Policy</a>  The School intends to enter into a lease agreement with the Explore Facilities Group - Rio Rancho, LLC, a non-profit entity, whose sole purpose is to lease facilities to charter schools. The relationship is one of landlord-tenant between Explore Facilities Group - Rio Rancho, LLC and the School. The School does not believe that the Explore Facilities Group- Rio Rancho, LLC will be identified as a component unit for auditing purposes. The School will use its best efforts to confirm that this is correct and provide information on this issue to the Commission prior to commencing operations.	pending clarity by attorney	<p>The contract in the PEC google drive says:</p> <p>Is your response for this section of the IY checklist meant to confirm that EFG will not be a component unit for audit purposes?</p> <p>The school's attorney and the auditor</p>

Indicators	Documentation	Date Complete	Comments
	<p>If, at any time, the School is notified by an auditor that Explore Facilities Group Rio Rancho, LLC is considered to be a component unit of the School, the School must submit a contract amendment within 30 days to the Commission to list the entity as a component unit of the school.</p> <p>Explore Facilities Group will potentially support multiple schools. It is not a one-to-one relationship. It is strictly a landlord-tenant relationship that serves to support acquisition of the facility for the charter school.</p>		<p>have advised that this is not a component unit for audit.</p> <p>How is Explore Facilities Group - Rio Rancho different from the relationship between Explore ABQ/LC and their respective foundations?</p>
<p>11-15.2. Initial Basic Operating Policies and Procedures have been developed and approved by Governing Body.</p>	<p><input type="checkbox"/> Conflict of interest policy and procedures, for the Governing Board and school personnel <a href="#">NMSA § 22-8B-5.2.</a></p>	11/23/22	Complete
	<p><input type="checkbox"/> Anti-nepotism policy and procedures. <a href="#">NMSA § 22-8B-10.</a></p>	11/30/22	Complete
	<p><input type="checkbox"/> Background check policy and procedures. <a href="#">NMSA § 22-10A-5.</a></p>	11/29/22	Complete
	<p><input type="checkbox"/> Evidence the school has begun the process in securing individual ORI Number for obtaining background checks.</p>	11/29/22	Complete
	<p><input type="checkbox"/> FERPA policy and procedures. <a href="#">20 U.S.C. § 1232g.</a></p>	11/29/22	Complete
	<p><input type="checkbox"/> Complaint and grievance policy including a process for receiving, tracking, and resolving community, parental, and other public complaints.</p>	11/29/22 Complete	See comment 1.12

Indicators	Documentation	Date Complete	Comments
	<a href="#">6.10.3 NMAC</a> <input type="checkbox"/> Volunteer policies and procedures. To include provisions for background check requirements. <a href="#">6.50.18.8 NMAC.</a>	11/29/22	Complete
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.  6.20.2.14 NMAC	<input type="checkbox"/> Bank records or other evidence that shows a public entity account has been established at a NM banking institution.	11/29/22  Complete pending proof bank account verification	Bank account established
	<input type="checkbox"/> Tax ID numbers (federal and state). <input type="checkbox"/> Nontaxable Transaction Certificates <a href="http://tax.newmexico.gov/Businesses/non-taxable-transaction-certificates.aspx">http://tax.newmexico.gov/Businesses/non-taxable-transaction-certificates.aspx</a> <input type="checkbox"/> Unique Entity ID (UEI) number required to receive federal funding <a href="https://sam.gov/content/duns-uei">https://sam.gov/content/duns-uei</a>	11/29/22	Complete
	<input type="checkbox"/> W-9 Form (submitted to DFA through PED).	11/29/22	CSD received W-9 from Lorraine on 02/03/23
11-15.4 Development Plans.  6.29.1.9B(8) NMAC	<input type="checkbox"/> Curriculum development plan including 1) timeline, 2) benchmarks, and 3) responsible parties, including an Equity Council, to ensure development of curriculum identified in the application and aligned to mission, goals, and NM Content Standards by May 15.	11/29/22	Complete
	<input type="checkbox"/> Special population services development plan, to ensure development of plans, policies, and procedures to serve special education, ELL, and 504 Plans.	11/29/22	Complete
	<input type="checkbox"/> Assurance the school has consulted with the Indian Education Division to develop any needed policies, procedures, and memoranda to comply with the Indian Education Act.  <a href="#">NMSA § 22-23A, 6.35.2 NMAC</a>	11/29/22	FYI: Requirement is 45%. Email to Rebecca Reyes on 11/06/22  Complete

Indicators	Documentation	Date Complete	Comments
	<input type="checkbox"/> Assurance the school has consulted with the Language and Culture Division to determine to develop any needed policies, procedures, and memoranda to comply with the Hispanic Education Act.  <a href="#">NMSA § 22-23B</a>	11/29/22	appt with IET on 11/14/22. Email received 3/14/23.  Complete
	Assurance the school has consulted with the Identity, Equity, and Transformation Division to develop any needed policies, procedures, and memoranda to comply with the Black Education Act.  <a href="#">NMSA § 22-23C</a>	11/29/22	Complete
11-15.5 Detailed Staffing Plan.  6.29.1.9(A2) NMAC	<input type="checkbox"/> Plan including responsible parties, timelines, and action steps for how the governing body will identify, recruit, and hire a prospective head administrator.	11/29/22	Complete. Approved during December GC meeting.
	<input type="checkbox"/> Administration, mission, and legal criteria that will be used to evaluate candidates for head administrator position.	11/29/22	Complete
	<input type="checkbox"/> Detailed timeline for recruiting, interviewing, selection, conducting background checks, and signing a contract for the head administrator by May 15.	11/29/22 Complete	Timeline should read January 2023.
	<input type="checkbox"/> Develop a Head Administrator(s) evaluation process with timeline, responsible parties, forms and outcomes (evidenced in annual calendar)	11/29/22	Complete. Evidenced in the annual calendar.
	<input type="checkbox"/> List of all prospective staff positions and licensure requirement for each.	11/29/22	Complete
11-15.6 Enrollment processes and policies that comply with state and federal requirements.	<input type="checkbox"/> Detailed and separate lottery and enrollment policies.  <a href="#">CSD Lottery FAQ</a>	11/29/22	Complete.
	<input type="checkbox"/> All necessary forms that will be used for lottery admissions and enrollment processes.	11/29/22	Complete. School to update the website to remove

Indicators	Documentation	Date Complete	Comments
NMSA § 22-8B-4.1; 6.80.4.19 NMAC; 6.80.4.13 NMAC			"letter of interest."
	<input type="checkbox"/> Evidence that the school is advertising. Methods of advertisement to recruit diverse student populations.	11/29/22	Complete.
<b>Summary Report – Items Due by November 15</b>			
<b>CSP grant money is currently an issue.</b> Also, there is a need for training on reporting on child abuse and neglect since all employees and volunteers in the state must complete it. The one from NMSU ( <a href="http://recognizingabuse.nmsu.edu/story_html5.html">http://recognizingabuse.nmsu.edu/story_html5.html</a> ) that printed a certificate is not working and may not have covered all of the new requirements. The Canvas link that Leslie Kelly mentioned has the same video that is posted on the main page of <a href="#">NMPED Safe and Healthy Schools, Recognizing and Reporting Child Abuse and Neglect During COVID-19</a> (NMPED, August 12, 2020) which is focused on virtual learning and does not meet the new requirements. School updated/ revised/ completed all components of November submission and all components of November submission are considered to be in "good standing."			
11-15.7 Attend all planning year conferences to discuss issues, concerns, and findings identified in the Checklist.	<input type="checkbox"/> The school scheduled with CSD within 10 days of receiving the November 15 Summary Report.		School to provide deliverables/follow-ups to CSD by January 15, 2023.

### Items Due by March 1

Indicators	Documentation	Date Complete	Comments
3-1.1. Resolve all findings with the Implementation Year Checklist.	<input type="checkbox"/> Revise policies and provide additional documentation to resolve all findings, issues, and concerns identified in the November 15 review or discussed during the November 15 conference.	03/17/23	Complete
3-1.2. Governing Board established and complying with PEC notification requirements	<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 and status of all board members training, to date.	03/17/23	Complete
3-1.3. Student Membership NMSA § 22-8-12.1.	<input type="checkbox"/> Student membership for the upcoming school year to the CSD. Indicate number of students by grade level. Membership numbers must detail evidence.	03/17/23	Complete: Opening year: G1, 2, and 6. Be careful of

Indicators	Documentation	Date Complete	Comments
			overprojecti on.
3-1.4. Budget Approval. <i>6.20.2.9 NMAC</i>	<input type="checkbox"/> Governing Body meeting date to review and approve the school budget at an open meeting (after the May 15 enrollment adjustments, but before the regulatory deadline).	Complete	Meeting scheduled 05/18/23, well before 06/20 deadline.
3-1.5 Status report on the development and acquisition of facilities that meet E-Occupancy, NMCI requirements, and ownership/lease requirements. <i>NMSA § 22-8B-4.2</i>	<input type="checkbox"/> Status report of all actions taken to acquire a facility or a letter of commitment for an appropriate facility.  If the school has not identified an appropriate facility, provide a detailed action plan, with steps, responsible parties and timelines.  If the school has identified such a facility, provide the following as evidenced by timely contact with PSFA: <ol style="list-style-type: none"> <li>1) Expected date of E-Occupancy certificate or actual certificate.</li> <li>2) Any construction items that must be completed before E-Occupancy can occur.</li> <li>3) NMCI score or expected date to receive score.</li> <li>4) PSFA approval or identify items that must be completed before approval can be secured.</li> </ol>	Complete	Address: 6090 Zenith Ct.  E-Occupancy anticipated 07/01/23  NMCI: 14.87  PSFA: currently approved
3-1.6 Financial Control.	<input type="checkbox"/> Fully integrated accounting system to record and report all financial transactions; meeting the requirements stipulated per 6.20.2 NMAC, the Public School Code, Chapter 22, NMSA, 1978 Compilation and Generally Accepted Accounting Principles (GAAP), and federal laws and regulations.	Complete	Complete. Mosaic Software. Axiom Analytics (BM).
	<input type="checkbox"/> Internal control procedures <a href="#">6.20.2.11 – 6.20.2.18 NMAC</a>	Complete	
	<input type="checkbox"/> Identify the Chief Procurement Officer. <a href="#">NMSA § 13.1-95.2</a>	Complete	
	<input type="checkbox"/> Procurement procedures consistent with state and federal law and regulations. <a href="#">NMAC § 6.20.2.17; 34 CFR 74.44.</a>	Complete	

Indicators	Documentation	Date Complete	Comments
3-1.7 Mandatory operational policies and procedures have been developed.	<input type="checkbox"/> Attendance policies and procedures that meet the requirements of the Attendance for Success Act to include progressive and tiered interventions and communication methods with parent(s). <a href="#">NMSA § 22-12A-6 et seq.</a>	03/31/23	Attendance policies in alignment with attendance intervention tiers.
	<input type="checkbox"/> Tobacco, alcohol, and drug-free policies and procedures. <a href="#">6.12.4 NMAC</a>	03/31/23	6.12.4 NMAC, D: school should codify in handbook.
	<input type="checkbox"/> Medical cannabis policies and procedures. 6.12.10.9 NMAC	Complete	
	<input type="checkbox"/> Bullying prevention policies and procedures. <a href="#">6.12.7 NMAC</a>	Complete	
	<input type="checkbox"/> Dual credit policies and procedures (high schools). <a href="#">6.30.7.8 NMAC</a>	Complete	
	<input type="checkbox"/> Distance and hybrid learning policies and procedures. <a href="#">6.30.8 NMAC</a>	Complete	
	<input type="checkbox"/> Grade change policies and procedures. <a href="#">6.30.10 NMAC</a>	Complete	
	<input type="checkbox"/> Policies, procedures, and any forms for ensuring parental access to information regarding professional qualifications of teachers, instructional support providers, and principals. <a href="#">NMSA § 22-10A-16.</a>	Complete	
	<input type="checkbox"/> Student information system security policies and procedures. <a href="#">6.19.5.8 NMAC</a>	Complete	
	<input type="checkbox"/> Staff discipline policies and procedures. <a href="#">6.69.2.8 NMAC</a>	Complete	
<input type="checkbox"/> Policy, process, or plan to disseminate <i>Code of Ethics and Standards of Professional Conduct</i> to all	Complete		

Indicators	Documentation	Date Complete	Comments
	licensed employees. <a href="#">6.60.9.8</a> , <a href="#">6.60.9.9 NMAC</a>		
	<input type="checkbox"/> Policies and procedures for detention, suspension, or expulsion. <a href="#">6.11.2.12 NMAC</a>	Complete	
	<input type="checkbox"/> Student discipline policies and procedures. <a href="#">NMSA § 22-5-4.3</a> ; <a href="#">6.11.2.1 NMAC</a> , <i>et seq.</i>	Complete	
	<input type="checkbox"/> Student and/or Parent Handbook.	Complete	
	<input type="checkbox"/> Staff Handbook.	Complete	
3-1.8 Curriculum plan.  <i>6.29.1.9 NMAC</i>	<input type="checkbox"/> Status report on implementation of Special Population Development Plans.  <input type="checkbox"/> Status report on implementation of curriculum development plan.	Complete	
3-1.9 MLSS and SAT <i>NMAC § 6.29.1.9;</i> <a href="#">State Guidance</a> .	<input type="checkbox"/> Multi-Layered System of Supports (MLSS) & Student Assistance Team (SAT) policies, procedures	Complete	
3-1.10. Serving Special Populations <i>IDEA 2004; 29 U.S.C. § 701 (Section 504 of the Rehabilitation Act of 1973)</i>  <i>NMSA § 22-13-5 to 22-13-8; NMSA 22-13-5 to 22-13-8)</i>  <i>6.29.1.9; 6.29.5.1, et seq.; 6.31.2, et seq;</i> 6.10.8.9; and 6.10.3.9(D) NMAC  <i>Homeless Policy Guidance Document, NM Educational Stability Guidelines</i>	<input type="checkbox"/> Evidence the school has consulted with the Language and Culture Division to develop procedures for identifying and serving ELs.	Complete	Complete
	<input type="checkbox"/> Plan to identify and serve English Learners, including forms and letters to parents.	Complete	
	<input type="checkbox"/> Evidence the school has consulted with the Special Education Division to review plan for IDEA and 504 requirements.	Complete	
	<input type="checkbox"/> Homeless education and assistance policies and procedures, to include the McKinney Vento Dispute Resolution. Homeless youth compliant policy and Notice of Educational Rights.	Complete	
3-1.11 Governing Board Annual Calendar	<input type="checkbox"/> Status update on the Governing Board’s annual calendar.	Complete	

<b>Indicators</b>	<b>Documentation</b>	<b>Date Complete</b>	<b>Comments</b>
3-1.12 Family Engagement	<input type="checkbox"/> Family Engagement Plan.	Complete	
<b>Summary Report – Items Due by March 1</b>			
Attend all implementation year conferences to discuss issues, concerns, and findings identified in the Checklist.	<input type="checkbox"/> School scheduled a conference with CSD within 10 days of receiving the March 1 Summary Report.	Complete	

### Items due by May 15

<b>Indicators</b>	<b>Documentation</b>	<b>Date Complete</b>	<b>Comments</b>
5-15.1. Resolve all findings with the Implementation Year Checklist.	<input type="checkbox"/> Revised policies and additional documentation to resolve all findings, issues, and concerns identified in the March 1 review or discussed during the March 1 conference.		
5-15.2. Head Administrator <i>NMSA § 22-10A-3; 22-8B-10.</i>	<input type="checkbox"/> Administrative license or plan for obtaining licensure within 90 days of contract effective date.		
	<input type="checkbox"/> Signed contract with position description.		
5-15.3. Membership Projections & Enrollment. <i>NMSA § 22-8-12.1.</i>	<input type="checkbox"/> Evidence of current enrollment by grade level and as a percentage of the March 1 projected enrollment. (If insufficient evidence is provided, the School Budget Bureau may adjust the projected enrollment and determine SEG funding accordingly.)		
5-15.4. First Year Operating Budget in place. <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.		

Indicators	Documentation	Date Complete	Comments
5-15.5. Access to OBMS.	<input type="checkbox"/> OBMS User Form submitted to School Budget Bureau. <a href="#">6.20.2.10 NMAC</a>		
5-15.6. Electronic system for management of financial data meets all requirements 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"/> Name of software the school plans on using and name of entity that publishes, manages, or operates the software.		
	<input type="checkbox"/> Evidence software includes encumbrance tracking. <a href="#">6.20.2.9 (F) NMAC</a>		
5-15.7. Electronic system for management of student data	<input type="checkbox"/> Name of software the school plans on using and name of entity that publishes, manages, or operates the software.		
	<input type="checkbox"/> Evidence software is compatible with STARS. <a href="#">NMSA § 22-10A-19.2.</a>		
5-15.8. Assessment Plan Developed.  NMAC § 6.80.4.9€.	<input type="checkbox"/> If the school provides interim assessments, evidence that they have been identified and budgeted, and that there has been contact with an assessment vendor.		
	<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.		
5-15.9. Staffing Plan.	<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.		

Indicators	Documentation	Date Complete	Comments
5-15.10. P Professional development plan.	<input type="checkbox"/> Plan and forms to implement professional development plans (PDPs) for individual teachers.  <input type="checkbox"/> Evidence the school has communicated with the Educator Growth and Development Bureau for required PDP management systems.  <a href="#">6.60.10</a> ; <a href="#">6.65.2.8</a> ; <a href="#">6.30.5.13</a> ; <a href="#">6.30.12.11 NMAC</a>		
5-15.11. E Employee benefits and Risk Insurance coverage through the New Mexico Public Schools Insurance Authority (NMPSIA).  <i>NMSA § 22-8B-9;</i> <i>NMAC § 6.50.1 et. seq;</i> <i>New Charter Contract Section 6.(3)</i>	<input type="checkbox"/> Employee benefits coverage (may include basic life and accidental death & dismemberment, voluntary life, long-term disability, two medical plans, a dental plan with basic and comprehensive coverage, and a vision plan).  <input type="checkbox"/> Risk coverage policy (may include property insurance, liability insurance, workers' compensation, student catastrophic insurance, student accident insurance, boiler & machinery insurance, and underground storage tanks coverage).		
5-15.12. H Health, Safety, and Wellness Policy Requirements  <i>NMSA § 30-7-2.1;</i> <i>32A-2-33</i>  <i>6.29.1.9(O)(6);</i> <i>6.12.1, et seq.</i> <i>NMAC</i>  <i>Wellness Policy Guidance Document;</i>	<input type="checkbox"/> Health services policies and procedures. <a href="#">6.12.2 NMAC</a> ; <i>Health Education Guidance Document.</i>  <input type="checkbox"/> Wellness policies and procedures pursuant to 6.12.2 NMAC submitted to the Student Success and Wellness Bureau for review. <a href="#">6.12.6 NMAC</a> ; <i>Wellness Policy Guidance Document.</i>  <input type="checkbox"/> Safe Schools Plan pursuant to 6.12.6 NMAC submitted to the Safe and Healthy Schools Bureau for review. <i>NMAC § 6.12.7 NMAC</i> ; <i>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.  <a href="#">NMSA §22-13-14</a>		

Indicators	Documentation	Date Complete	Comments
<p><i>Safe Schools Policy Guidance Document;</i></p> <p><i>Health Education Guidance Document;</i></p> <p><i>Homeless Policy Guidance Document;</i></p> <p><i>Charter Contract</i></p>	<input type="checkbox"/> Gun Free Schools policy. <a href="#">NMSA § 30-7-2.1; 32A-2-33.</a>		
	<input type="checkbox"/> Health and wellness curriculum, scope and sequence that aligns to the NM content standards for all grades served. <i>6.29.6.1 et. seq. NMAC; Health Education Guidance Document.</i>		
	<input type="checkbox"/> Physical education curriculum, scope and sequence, that aligns to the NM content standards for the grades served. <i>6.29.9.1 et. seq. NMAC</i>		
	<input type="checkbox"/> Immunizations policies and procedures. <a href="#">6.12.2.8 NMAC</a>		
	<input type="checkbox"/> Pest control policies & procedures. <a href="#">6.29.1.9(P) (6) NMAC</a>		
	<p>5-15.13. Serving Special Populations <i>IDEA 2004; 29 U.S.C. § 701 (Section 504, Rehabilitation Act of 1973);</i></p> <p><i>NMSA § 22-13-5; 22-13-8);</i> <i>6.29.1.9;</i> <i>6.29.5.1, et seq.;</i> <i>6.31.2, et seq. NMAC</i></p>	<input type="checkbox"/> Special education & 504 policies and procedures.	
<input type="checkbox"/> Completed special education templates. <a href="#">Memorandum from NM Special Education Bureau to Charter Schools (June 2, 2014).</a>			
<input type="checkbox"/> Procedures and all necessary forms for tracking special education direct student services.			
<input type="checkbox"/> EL policies and procedures that align with federal and state guidance.			
<input type="checkbox"/> All forms and surveys for implementation of ELL policies and procedures.			
<p>5-15.14. Directed Program Time Requirements.</p>	<input type="checkbox"/> Schedule, calendar, and any other necessary documentation that ensures minimum directed program time and adequate instructional time for grades served. <a href="#">NMSA § 22-8-9; 22-2-8.1; 6.29.1.9(J) NMAC;</a> <i>Instructional Hours Worksheet.</i>		

Indicators	Documentation	Date Complete	Comments
5-15.15. H igh school and middle school requirements.  (This indicator is applicable only to schools that serve grades 6-12.)  <i>New Charter            Contract Section            5.(3)</i>	<input type="checkbox"/> Graduation requirements (schools that serve grade 12). <a href="#">NMSA § 22-13-1.1</a>		
	<input type="checkbox"/> Next Step Plan forms, policies and procedures (schools that serve grades 8-12). <a href="#">NMSA § 22-13-1.1</a>		
	<input type="checkbox"/> School Athletic Equity policies and procedures (schools that serve grades 7-12). <a href="#">6.13.4 NMAC</a>		
	<input type="checkbox"/> Evidence the school offers at least one honors or similar academically rigorous class each in mathematics and language arts (schools that serve grades 9-12). <a href="#">NMSA § 22-13-1.4.</a>		
	<input type="checkbox"/> Evidence the school has a signed Dual Credit Master Agreement with an institution of higher education (schools that serve grades 9-12). <a href="#">NMSA § 22-13-1.4.</a>		
	<input type="checkbox"/> Evidence the school has a program of distance learning courses in place (schools that serve grades 9-12). <a href="#">NMSA § 22-13-1.4.</a>		
	<input type="checkbox"/> Evidence the school is prepared to offer at least two years of a language other than English (schools that serve grades 9-12). <a href="#">NMSA § 22-13-1.4.</a>		
<b>Summary Report – Items Due by May 15</b>			
Attend all implementation year conferences to discuss issues, concerns, and findings identified in the Checklist.	<input type="checkbox"/> School scheduled a conference with CSD within 10 days of receiving the May 15 Summary Report.		
	<input type="checkbox"/> All draft policies and procedures with concerns have been addressed and approved by the board.		

## Commencement of Operations Checklist: PEC Meeting

Indicators	Documentation	Date Complete	Comments
C.1. Board of Finance.	<input type="checkbox"/> Obtain standing as an approved Board of Finance no more than 90 days from the date of the vote for approval of the new application.  <a href="#">NMSA § 22-8-38[B]</a> ; <a href="#">6.80.4.16[A] NMAC</a> ; <i>PEC Policy</i>		
C.2. Facilities.	<input type="checkbox"/> Assurances to demonstrate the lease, lease purchase, or ownership arrangement complies with <a href="#">NMSA § 22-8B-4.2</a> .  <input type="checkbox"/> If applicable, evidence school has timely submitted all required application materials to PSFA for lease reimbursement payments by its deadlines.		
C.3. Implementation Year Checklist Compliance	<input type="checkbox"/> Attend all CSD implementation year training and technical assistance sessions.		
	<input type="checkbox"/> Attend all CSD implementation year conferences to discuss with any issues, concerns, and findings.		
	<input type="checkbox"/> Correct all issues, concerns, and findings identified in the Implementation Year Checklist.		
C.4. Contract and framework negotiation and approval process.	<input type="checkbox"/> PEC approval of any substantial changes to the educational model, staffing, organizational, and governance plan, or finance plan that were presented in the application.		
C.5. Nepotism and conflict of interest policy	<input type="checkbox"/> Evidence that head administrator is in compliance.		
<i>NMSA § 22-8B-10.</i>	<input type="checkbox"/> Evidence the Governing Board and Foundation (if any) are in compliance.		

### School-Specific Conditions from PEC Motion

Condition	Documentation	Date Complete	Comments

<b>Summary Report – Conditions</b>			

### Items Due Two Weeks Prior to Opening

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 Complete	Comments
P-O.1. Resolve all findings in the Checklist.	<input type="checkbox"/> Revised policies and additional documentation to address and resolve all findings, issues, and concerns identified in the May 15 review or discussed during the May 15 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"/> Curriculum identifies the learning standards or learning objectives students are expected to meet for each course.		
	<input type="checkbox"/> Curriculum identifies the units and lessons that teachers will teach.		
	<input type="checkbox"/> Curriculum identifies example assignments and projects that will be given to students.		
	<input type="checkbox"/> Curriculum identifies example books, materials, videos, presentations, and readings used in a course.		
P-O.3. School has implemented and adopted a budget and all	<input type="checkbox"/> Curriculum identifies example tests, assessments, and other methods used to evaluate student learning		
	<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.		

Indicators	Documentation	Date Complete	Comments
mandatory policies.	<input type="checkbox"/> If the school is at less than 95% of budgeted enrollment, a plan to adjust budget.		
P-O.4. Facilities  NMSA § 22-8B-4.2	<input type="checkbox"/> E-Occupancy certificate.		
	<input type="checkbox"/> PSFA letter certifying NMCI requirements		
	<input type="checkbox"/> Lease. If with a private lessor or foundation, assurances that the lease meets maintenance requirements.		
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	<input type="checkbox"/> Licenses and credentials in staff files or a plan for obtaining required licensure within 90 days.		
	<input type="checkbox"/> School has necessary licensure to teach identified classes and grade levels or a plan for obtaining required licensure within 90 days.		
	<input type="checkbox"/> Signed contract(s) supporting minimum salaries and detailed position descriptions in each staff file.		
	<input type="checkbox"/> Criminal background checks and fingerprinting documentation in each staff file.		
	<input type="checkbox"/> Evidence that licensed school employees are in compliance with nepotism and conflict of interest policies.		
	<input type="checkbox"/> 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, evidence of a plan to provide these services if needed.		
	<input type="checkbox"/> Evidence of a licensed diagnostician available for special education evaluation referrals.		
P-O.6. Relevant and necessary student forms completed and on file.	<input type="checkbox"/> Completed student enrollment forms. Forms must indicate there is enrollment for a minimum of 8 students with New Mexico Residency.		
	<input type="checkbox"/> Completed Language Usage Survey for any students new to the NM Public School system.		
	<input type="checkbox"/> IEPs for all identified students or evidence that an IEP meeting has been requested.		
<b>Summary Report – Items Due Two Weeks Prior To Opening Date</b>			

