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|  | **New Mexico Public Education Commission (PEC)** |

**Charter School Enrollment Cap Amendment Instructions**

**Purpose**: To request a change in the number of students served as described in the charter contract. An enrollment cap is not effective until approved by the PEC.

**Submission Deadline**: The form must be approved prior to the change being implemented. Amendments completed 28 days prior to the next PEC meeting will be placed on the next agenda.

**PEC Direction**: When requesting an enrollment cap increase of more than 20% of the school’s present enrollment cap or more than 20 seats, whichever number is lower, the school must provide:

1. Current year academic performance data demonstrating that the school’s educational model is working and is effective in the school and/or in schools throughout the state or nationally and
2. Data demonstrating a need for increased enrollment in the community, e.g., results of a community input hearing, petition signed by prospective students’ families, wait list data.

A school should be in operation for three years prior to seeking an enrollment cap other than requested in the original application. A school requesting an enrollment cap prior to the end of the third year in operation must provide sufficient data demonstrating effectiveness and need as set forth in 1 and 2 above, identify why the enrollment cap was not requested in the original application, and why the enrollment cap is needed at this point.

**CSD will** provide performance data (academic, organizational, and financial) for the contract term through the most recent annual report, including any outstanding compliance or investigations, and highlight information relevant to the amendment request.

**The school must provide:**

□ Fully completed form including rationale for the change

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

□ Concise narrative addressing how the proposed changes may affect: (1) staffing; (2) enrollment targets; (3) advertising and marketing; (4) the curriculum, assessment, and instruction; (5) resources and budget; (6) the community; and (7) the capacity of the facility

□ If an additional facility will be utilized to accommodate expanded enrollment:

* 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 that the Certificate of Occupancy will be provided to the CSD within 30-days of occupancy;
* 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.

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

**Enrollment Cap 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., hereafter "the school," effective on Click or tap to enter a date..

**The school requests consideration from the PEC to change the terms of its contract as follows**: Click or tap here to enter text.

**The Charter School Contract Enrollment Cap currently reads**: Click or tap here to enter text.

**Current Enrollment and Demographics**: Click or tap here to enter text.

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

**Rationale for the requested amendment/change**: Click or tap here to enter text.

**If requesting an increase of more than 20 seats or 20% of current enrollment cap, data demonstrating that the school’s educational model is working and is effective in the school and/or in schools throughout the state**: Click or tap here to enter text.

**If requesting an increase of more than 20 seats or 20% of current enrollment cap, data demonstrating a need for the enrollment cap increase in the community**: Click or tap here to enter text.

**If the school has been in operation fewer than three years, justification for increase being requested at this time, an explanation for why it was not requested in the original application:** Click or tap here to enter text.

**Please describe how the proposed change will affect key aspects of the school (see instructions for “narrative”)**: Click or tap here to enter text.

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

**The school's contract amendment is hereby submitted by:**

**Signature of School Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_**

**Signature of Governing Board Chair: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_**

**For PEC/CSD use only**

**PEC Meeting Date:**

**Agenda:** ☐ Regular required

**The school’s contract amendment was:** ☐ Approved ☐ Denied (see transcript)

**Electronic signature of PEC Chair: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_**