

New Mexico Public Education Commission



New Mexico Charter School Performance Framework Business Rules

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Introduction

The purpose of this document is to provide the business rules for implementing the New Mexico Performance Management Framework, which was developed by the New Mexico Public Education Commission (PEC) with the support of the Charter Schools Division (CSD) of the Public Education Department (PED). Input from school leaders, legal counsel, and stakeholders has been received, discussed, and, to the extent reasonable, incorporated into this framework.

Framework, Categories, and Performance Areas

Framework	Category	Performance Area	Option
Academic	State Accountability System	1.A. State Accountability System	1.A.1. State Accountability System
			1.A.2. State Accountability System and Supplemental Proficiency and Growth Data
			1.A.3. PEC-approved Performance System
		1.B. Outcomes for Special Student Groups	1.B.1. State Accountability System
			1.B.2. State Accountability System and Supplemental Proficiency and Growth Data
			1.B.3. PEC-approved Performance System
		1.C. Participation Rate	
	School-Specific	2.A. Mission Goal(s)	
		2.B. Education Program Implementation	
		2.C. Conducive Learning Culture	
Organizational	Governing Body Membership, Training, and Responsibilities	3.A.1. Membership	
		3.A.2. Training	
		3.A.3. Meeting Transparency and Documentation	
	Equitable Enrollment Process	3.B. Non-discriminatory enrollment process	
Compliance with Legal Requirements	3.C. Annual Compliance Requirements		
Financial	Financial Health	4.A. Days Cash on Hand	
		4.B. Annual Financial Audit	
		4.C. Financial Reporting and Compliance	
		4.D. Fiscal Oversight	
		4.E. Enrollment Variance	

1.A.1 .	Use the state developed and provided school ranking.
1.A.2 .	<p>Numerator:</p> <ul style="list-style-type: none"> # of students who score above grade level in fall for reading [PLUS] # of student who did not score above grade level in fall but do score at or above grade level in spring in reading [PLUS] # of students who did not score at grade level in the fall or spring but who met growth target from fall to spring in reading [PLUS] # of students who did not score at grade level in the fall or spring who did not make growth target from fall to spring but met growth target from fall to winter in reading [PLUS] # of students who did not score at grade level in the fall or spring who did not make growth target from fall to spring but met growth target from winter to spring in reading [PLUS] # of students who score above grade level in fall for math [PLUS] # of student who did not score above grade level in fall but do score at or above grade level in spring in math [PLUS] # of students who did not score at grade level in the fall or spring but who met growth target from fall to spring in math [PLUS] # of students who did not score at grade level in the fall or spring who did not make growth target from fall to spring but met growth target from fall to winter in math [PLUS] # of students who did not score at grade level in the fall or spring who did not make growth target from fall to spring but met growth target from winter to spring in math <p>Denominator: # of students who meet the state definition of attending for the full academic year (FAY) [TIMES] 2</p> <p>(Note: students can meet math and reading in different ways, for example a student can meet math with a score that is on grade level and meet ELA by meeting their growth target. See Appendix B for all the ways students should be included in the numeration)</p> <ul style="list-style-type: none"> ● Add assessment to charter contract. The school chooses an assessment that provides supplemental proficiency and growth data using PED-approved nationally and/or state-normed assessments or, under special circumstances, with PEC-approved rationale, nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school’s charter contract. ● Based on the school's assessment and growth measure, as defined in the charter contract, which must meet the terms defined by the testing company <ul style="list-style-type: none"> ○ At or above grade level (or grade level equivalent) ○ Meet their growth target ○ Show the equivalent of one year’s worth of growth ○ Other, as defined by the testing company ● If fewer than 85% of FAY students identified to be tested are tested on the school-specific assessments, the results are considered invalid, and the school defaults to Option 1. ● If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school defaults to Option 1. ● If the school changes assessments or the growth targets, it is considered a material change of the charter contract and requires PEC approval. <p>See Appendix</p>
1.A.3 .	Depends on each school’s negotiated agreement and outlined in the charter school’s contract

	<ul style="list-style-type: none"> ● Under special circumstances, with PEC-approved assessments that are nationally and/or state-normed and that provide explicit growth targets developed by the assessment provider ● Negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC. ● If fewer than 85% of FAY students identified to be tested are tested on the school-specific assessments, the results are considered invalid, and the school defaults to Option 1. ● If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school defaults to Option 1. ● If the school changes assessments or the growth targets, it is considered a material change of the charter contract and requires PEC approval.
1.B.1.	<p>Numerator: # of Subgroups with an SGP of 60 or greater in reading [PLUS] # of special student groups with SGP of 60 or greater in math Denominator: # of special student groups in reading [PLUS] # of special students groups in math If 100% = Exceeds, if not, calculate: Numerator: # of Subgroups with an MGP of 45 or greater in reading [PLUS] # of special student groups with MGP of 45 or greater in math Denominator: # of special student groups in reading [PLUS] # of special students groups in math If 100% = Meets, if not, calculate: Numerator: # of Subgroups with an MGP of 35 or greater in reading [PLUS] # of special student groups with MGP of 35 or greater in math Denominator: # of special student groups in reading [PLUS] # of special students groups in math If 50% or more of the subgroups = Working to Meet If less than 50% = Does Not Meet</p> <ul style="list-style-type: none"> ● Student groups must have a minimum of 10 Test Takers (TT) to be included in numerator and denominator. ● When a school does not have at least 10 (ten) students in any state-recognized student group, the school receives no score for that group, which does not impact positively or negatively their overall outcome for this performance area. ● If the school has ten (10) or more eligible students in a student population and tests fewer than 85% of the students, the untested students will be considered “not meeting their growth target” and impact the overall percentage for that student group. ● Student groups: Male, female, Asian, Black, Hispanic, Native American, white, students with disabilities, English learners, economically disadvantaged.
1.B.2.	<p>For SGP, use the business rules above. For Percent, use the following: Exceeds Numerator: # of student groups meeting the SGP target of 60 in reading [PLUS] # of student groups that did not have an SGP of 60 but had 50% or more meeting the test company’s growth target in reading [PLUS] # of student groups meeting the SGP target of 60 in math [PLUS] # of student groups that did not have an SGP of 60 but had 50% or more meeting the test company’s growth target in math Denominator: # of special student groups in reading [PLUS] # of special student groups in math If 100% = Exceeds, if not, calculate below: Meets Numerator: # of student groups meeting the SGP target of 45 in reading [PLUS] # of student groups that did not have an SGP of 45 but had 40% or more meeting the test company’s growth</p>

	<p>target in reading [PLUS] # of student groups meeting the SGP target of 45 in math [PLUS] # of student groups that did not have an SGP of 45 but had 40% or more meeting the test company's growth target in math</p> <p>Denominator: # of special student groups in reading [PLUS] # of special student groups in math If 100% = Meets, if not, calculate:</p> <p>Approaching and Does Not Meet</p> <p>Numerator: # of student groups meeting the SGP target of 35 in reading [PLUS] # of student groups that did not have an SGP of 35 but had 35% or more meeting the test company's growth target in reading [PLUS] # of student groups meeting the SGP target of 35 in math [PLUS] # of student groups that did not have an SGP of 45 but had 35% or more meeting the test company's growth target in math</p> <p>Denominator: # of special student groups in reading [PLUS] # of special student groups in math If 50% or greater = Approaching. If less than 50% = Does Not Meet</p> <ul style="list-style-type: none"> ● If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and results will not be included in the equations. ● If the school changes assessments or the growth targets, it is considered a material change of the charter contract and requires PEC approval. ● Student groups must have a minimum of 10 Test Takers (TT) to be included in numerator and denominator. ● When a school does not have at least 10 (ten) students in any state-recognized student group, the school receives no score for that group, which does not impact positively or negatively their overall outcome for this performance area. ● If the school has ten (10) or more eligible students in a student population and tests fewer than 95% of the students, the untested students will be considered "not meeting their growth target" and impact the overall percentage for that student group.
1.B.3.	<p>Note: If school's test calculates MGP or SGP, may substitute with SGP, using business rules from Option 1.</p> <p>Exceeds</p> <p>Numerator: # of special student groups with 60% or more meeting the school's growth target in reading [PLUS] # of special student groups with 60% or more meeting the school's growth target in math</p> <p>Denominator: # of special student groups in reading [PLUS] # of special student groups in math</p> <p>Meets</p> <p>Numerator: # of special student groups with 45% or more meeting the school's growth target in reading [PLUS] # of special student groups with 45% or more meeting the school's growth target in math</p> <p>Denominator: # of special student groups in reading [PLUS] # of special student groups in math</p> <p>Approaching and Does Not Meet</p> <p>Numerator: # of special student groups with 35% or more meeting the school's growth target in reading [PLUS] # of special student groups with 50 % or more meeting the school's growth target in math</p> <p>Denominator: # of special student groups in reading [PLUS] # of special student groups in math</p> <ul style="list-style-type: none"> ● The school's performance on the state accountability system for special student groups is replaced with a PED-approved performance system using nationally and/or state-normed assessments or, under special circumstances, with PEC-approved assessments that are

	<p>nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school’s charter contract.</p> <ul style="list-style-type: none"> ● If the school has ten (10) or more eligible students in a student population and tests fewer than 85% of the students, the untested students will be considered “not meeting their growth target” and impact the overall percentage for that student group. ● If less than 85% of ALL students are tested on the school-specific assessments, the results are considered invalid, and the school defaults to Option 1 ● If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school defaults to Option 1. ● If the school changes assessments or the growth targets, it is considered a material change of the charter contract and requires PEC approval.
1.C.	<p>Participation Rate as calculated by PED on all state mandated assessments: early literacy, reading, math, science, English learner proficiency, and alternate assessments for all grade levels.</p> <ul style="list-style-type: none"> ● In the event fewer than 95% of enrolled students in the school were assessed, the proficiency rate was adjusted by multiplying the proficiency rate by the proportion of the 95% participation requirement that was met. Thus, for example, if 90% of the students enrolled at a school participated in the reading assessment, the Reading Proficiency rate for that school was calculated as: Adjusted Proficiency Rate = Raw Proficiency Rate * (90%/95%).
2.A.	<p>Supporting Narrative: Using Results-Based Accountability™ (RBA) as a model, reflect your thinking about the following questions: Is anyone better off as a result? How do you know? How much did the school do? How well did the school do it?</p> <ul style="list-style-type: none"> ● If fewer than 85% of students identified to be tested are tested on the mission-specific assessment, the results are considered invalid, and the school's mission goal will be considered Does Not Meet. ● If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school's mission goal will be considered Does Not Meet. ● If the school changes assessments or the way in which the measure is calculated, it is considered a material change of the charter contract and requires PEC approval. ● The data must be in the form of student outcomes, not school inputs; for example, it cannot be the number of students attending a class but rather the number of students with passing grades on the culminating portfolio assignment.
2.B.	<p>Meets Numerator: # elements of the educational program as outlined in the charter contract observable at the school Denominator: # of elements of the educational program as outlined in the charter contract</p> <p>Approaching and Does Not Meet Numerator: # of elements of the educational program as outlined in the charter contract observable at the school [PLUS] # of elements of the educational program confirmed through supplemental evidence submitted within 90 days of notification Denominator: # of elements of the educational program as outlined in the charter contract</p>
2.C.	<p>Numerator: Eligible Students who enrolled in Year 1 (Y1) and remain enrolled in Year 2 (Y2) Denominator: Eligible Students enrolled Y1</p> <ul style="list-style-type: none"> ● An “eligible student” is enrolled in the school in the fall of the previous school year (Y1) in one of the “starting grades” and has not: moved out of jurisdiction, been determined unable to attend school by a doctor, received a waiver from CSD for extenuating circumstances.

	<ul style="list-style-type: none"> ● A “re-enrolled student” is an “eligible student” who is enrolled in the school in the fall of the current year (Y2). ● Starting Grades: K, 1, 2, 3,4, 6, 7, 9, 10, and 11 ● A school operating a school with multiple grade spans will have a combined re-enrollment rate that only includes “eligible students” (i.e., not students in Y1 who are in grades 5, 8 or 12). ● Re-enrollment can be to repeat the same grade or enter the next grade.
3A.1.	<ul style="list-style-type: none"> ● Minimum number of governing council members is five for all schools, unless the school bylaws require a higher number ● Schools must notify CSD of governing council vacancies and new appointments by deadline in the PEC notification form ● Schools must fill vacancies within 45 days or ask for an extension before the 45 days elapse; one extension of 30 days will be granted
3.A.2	<ul style="list-style-type: none"> ● Governing body members appointed between July 1 and December 31 complete training requirements by the end of the fiscal year (June 30) per 6.80.5 NMAC: 10 hours for new members and 8 hours for continuing members, less any exemptions provided by CSD based on annual audit and academic outcomes. ● Members appointed between January 1 and June 30 may complete the 10 hours of new member training in the following fiscal year, but must also complete the required 8 hours of continuing member training during that fiscal year.
3.A.3	<p>School website includes governance page that is clearly identified on main page and contains:</p> <ul style="list-style-type: none"> ● Accurate and up to date board calendar ● Notification of board meetings in compliance with Open Meetings Act and bylaws ● Minutes of board meetings within 10 days of approval ● Name, position on board, and contact information for all board members
3.B.	School is in compliance with the Lottery Guidance for the current fiscal year, published on the CSD web page by July 1 annually
3.C.	<ul style="list-style-type: none"> ● School submits all PEC amendment requests and notifications timely ● School complies with all requirements in the CSD’s Annual Compliance Checklist for the current fiscal year, published on the CSD (or PEC?) web page by July 1 annually. ● The Compliance Checklist includes requirements in statute and code, policies set by PED, and reporting deadlines.
4.A.	Based on cash reports from PED School Budget Bureau
4.B.	Based on findings of audit report for PED, of which state charter schools are component units.
4.C.	Quarterly reports to PED School Budget Bureau due 10/31, 1/31, 4/30, 7/31: one month following the end of each quarter (9/30, 12/31, 3/31, 6/30). If school is on monthly reporting, reports due last day of month for prior month.
4.D.	CSD review of licensure documents and minutes of finance and audit committees; CSD observation of full board meetings and finance and audit committee meetings.
4.E.	Numerator: actual enrollment (STARS report 80th day) Denominator: budgeted enrollment (set during spring budget preparation)

Appendix

Ways to Meet Proficiency OR Growth Expectations for Indicator 1.A, Option 2, ELA and Math

Scored at grade Level in the Fall	Scored at Grade Level in the Spring	Met Growth Target between Fall and Spring	Met Growth Target between Fall and Winter	Met Growth Target between Winter and Spring	Include in the Numerator
No	No	No	No	No	No
No	No	No	No	Yes	Yes
No	No	No	Yes	Yes	Yes
No	No	Yes	Yes	Yes	Yes
No	No	No	Yes	Yes	Yes
No	No	Yes	No	No	Yes
No	Yes	No	No	No	Yes
Yes	Yes	No	No	No	Yes
Yes	No	Yes	No	No	Yes
Yes	No	No	Yes	Yes	Yes
Yes	Yes	Yes	No	No	Yes
Yes	Yes	Yes	Yes	No	Yes