

New Mexico Public Education Commission



Sierra Community Charter School

2023 New Charter School Application Kit Part C Written Responses



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Applicant Information

Name of Proposed Charter School: Sierra Community Charter School (SCCS)

School Address (if known): TBD

School Location (City/Town): Truth or Consequences, NM

School District within which the proposed school will be located: Truth or Consequences Municipals Schools

Grades to be served: K-8

Requested Enrollment Cap: 144 First Year

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I. Academic Framework

A. Mission and Vision

A. (1) MISSION

State the mission of the proposed school. (NMSA 22-8B-8A)

Our Mission- “Meeting the needs of the *whole* child... academically, culturally, socially, and emotionally.”

According to Maslow’s Motivational Model, students learn best only after their basic needs are met and they feel safe and secure in their environments. Our mission is built on evidence-based research showing parents and community are critical components to healthy child growth and development. We believe it truly takes a village to assure a student can reach their full potential.

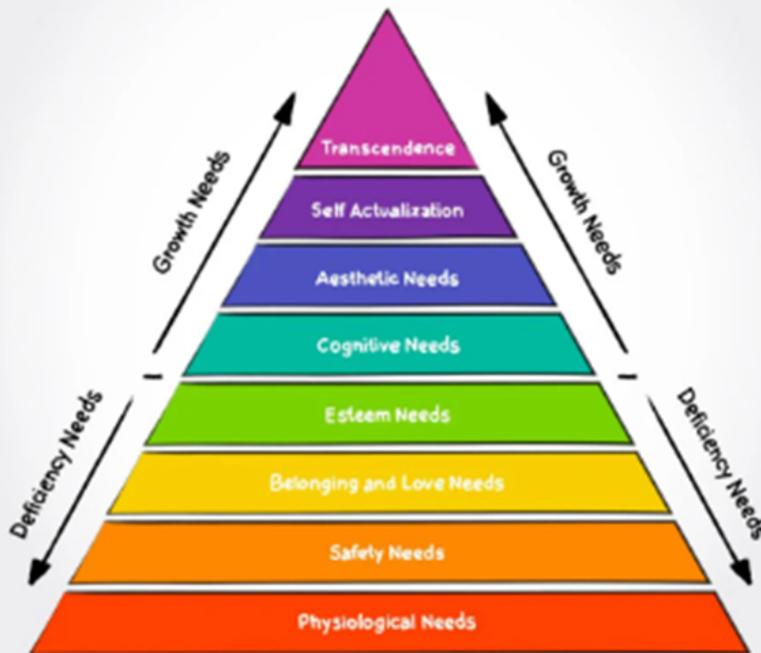
We believe in order for children to learn their basic needs must to be met in a “whole” child approach, Maslow before Blooms.

According to Simply Psychology, “Maslow’s hierarchy of needs is a motivational theory in psychology comprising a five-tier model of human needs, often depicted as hierarchical levels within a pyramid. From the bottom of the hierarchy upwards, the needs are: physiological (food and clothing), safety (job security), love and belonging needs (friendship), esteem, and self-actualization. Needs lower down in the hierarchy must be satisfied before individuals can attend to higher needs.”

Additionally it is even more critical for students to be able to engage in learning their basic needs must be met, “Maslow (1943) initially stated that individuals **must satisfy lower-level deficit needs before progressing to meet higher-level growth needs.** However, the later clarified that satisfaction of a need is not an “all-or-none” phenomenon, admitting that his earlier statements may have given “the false impression that a need must be satisfied 100 percent before the next need emerges” (1987, p. 69)... Maslow argued that survival needs must be satisfied before the individual can satisfy the higher needs. The higher up the hierarchy, the more difficult it is to satisfy the needs associated with that stage. We must address and resolve the interpersonal and environmental barriers that inevitably frustrate us. Higher needs become increasingly psychological and long-term rather than physiological and short-term, as in the lower survival-related needs.”

<https://www.simplypsychology.org/maslow.html>

MASLOW'S MOTIVATION MODEL



In the Maslow motivational model above we can see the direct correlation between basic needs being met affecting the ability to meet growth and cognitive needs. When students feel safe, secure, and excited about the learning environment they are in, their body is accepting of growth and cognitive needs. In our rural demographic with 100% Title I students coming from diverse experiences and backgrounds we have a unique opportunity to provide a safe, unique, and developmentally appropriate learning experience that would be an opportunity to another student living in an urban area with more choices in learning experiences.

A. (2) VISION STATEMENT

State the vision, or the driving force, that guides this school proposal.

Our Vision- We envision an educational environment where educators and community members partner with students and families, assuring each student's needs are understood and met. As a result, students will reach their full individual potential, grow as leaders, progress at least one grade level per academic year, graduate on time, with the ability to succeed in life post high school.

Our Driving Force- Our team is made up of educators, health and behavioral health care providers, and community leaders who call Sierra County home. We are committed to providing a *whole* student, evidence-based public education designed to break the diseases of poverty that have plagued our community for far too long. We are committed to:

- **Partnering with Parents and their students.** Strong collaborative partnerships with families, will assure all stakeholders are working together, meeting our students' basic needs, assuring that they feel safe and secure in their surroundings, and that they are ready to be active learners.
- **Partnering with Community Members.** Strong collaborative partnerships with community members we assure our student's basic needs are met, that they feel safe and secure in their surroundings, and are ready to be active learners.
- **Implementing Project Based Learning.** We will develop learning environments where students are respected and encouraged to develop to their fullest potential. These environments include ongoing service learning projects focused on outdoor education and/or civic engagement. These environments are inclusive, respectful of diverse families, and cultural backgrounds.
- **Implementing Evidence Based 21st CCLC Learning.** We will provide out-of-the-box learning experiences, backed by high yield strategies that are rigorous, engaging, meaningful, and developmentally appropriate.
- **Providing Skills Relevant and Connected to Life Success.** We will help students develop skills in academics, leadership, and character so they can succeed at their personal goals, be productive in life, and impact society in a positive way. Shared core values help instill a positive school climate, sets clear expectations, creating a culture of kindness, making SCCS a safe environment.

A. (3) UNIQUENESS AND INNOVATION

Provide **clear evidence** demonstrating the **uniqueness, innovation,** and significant contribution that the educational program will bring to public education. (NMSA 22-8B-3)

What makes Sierra Community Charter School innovative and unique is the following:

- **Individualized student Plans-** Educators will partner with parents, the student, and community members with experience in child growth and development to develop annual individualized student goals. These goals will focus on academic's growth, physical health, and social/emotional wellbeing. This is unique and innovative as it applies a shared understanding that parents are their students primary educator and that parents know their student best. This only happens at a traditional public school if a student has a special needs that results in an Individualized Education Plan. It is significant as each student's needs can be understood and met by those who are engaging in their healthy growth and development. It is significant because parents, the number one indicator of student success, are engaged.
- **Project Based Learning –** Each student will engage in learning designed with them in mind. This will include innovative menagerie of unique and rigorous educational experiences weaving together best practices of hands-on learning, outdoor learning, inquiry based learning, project based learning, and service learning experiences to create an exciting

learning environment where students desire to actively engage. Students will participate in ongoing service learning focused on the outdoors and/or civic engagement. This is unique because it is part of school wide core curriculum and is ongoing. According to research, students 18-24 are the least working generation in our nation's recorded history. Additionally, college enrollment is declining. Connecting real time learning to real time application is a necessary and significant shift that must happen in public education.

- **Individualized tracking of student growth and development-** We will track and monitor individual student performance and growth based on goals set at the beginning of the school year. We will include aspects from all five of the Pedagogical Approaches in instruction with a stronger emphasis of the student led Inquiry or "Constructivist" approach. We will use a variety of types of qualitative and quantitative data to track student progress, consistently define, measure, and communicate goals, while partnering with families and the community to commit to each student's success. This is unique and innovative as it only happens at a traditional public school if a student has a special needs that results in an Individualized Education Plan. It is significant as each student's needs can be understood and met. This only happens at a traditional public school if a student has a special needs that results in an Individualized Education Plan. It is significant as each student's needs can be understood and met by those who are engaging in their healthy growth and development.
- **Designed with our rural agricultural community in mind.** Sierra County has a diverse and unique landscape, culture, and people. Sierra County Community School (SCCS) will capitalize on our unique geological formations, demographic, culture, diversity, small town community connections, and natural resources to assure students enrolled partake in engaging and exciting student led inquiry based outdoor learning projects. Our students learning state standards and benchmarks will be connected to the unique features of Sierra County. Examples include mountains, rivers, hot springs, forests, lakes, ruins, petroglyphs, unique geological formations, farms, ranches, and historical landmarks. Sierra County has the third highest population of veterans in the state. The county is home to the New Mexico Veterans Home, five active veteran organizations, and is home to the Buffalo Soldier Monument. Students can choose service learning projects that are connected to this demographic so special to this community. Less than 25% of land in Sierra County is privately owned. Instead, families whose children will attend SCCS, have farmed, ranched, logged, and mined the land with leases and allotments for generations. Rural communities produce the products that feed and clothe America's families. Sierra County is a rural ag community where the average age is 57. It is critical that we find ways to create a love for our community and the families who call it home. SCC offers innovative and unique ways to connect students with their surroundings in a way far beyond a field trip here or there. The significance of engaging students in meaningful community connects is something every public school student needs. SCCS will provide it.

Who does the school seek to serve? SCCS will serve the families of up to 196 students, K-8th grades without discrimination and regardless of personal circumstance, whose parents desire to assist their students in content-rich, rigorous, and engaging curriculum in an environment that promotes and builds strength of inquiry skills and problem solving with an additional emphasis on service learning. Although students from all parts of New Mexico are invited to attend, SCCS envisions primarily serving students from Sierra County and surrounding areas.

Sierra Community School Growth Plan

Grade	Year One	Year Two	Year Three	Year Four	Year Five
Kindergarten	16	16	16	16	16
1 st	16	16	16	16	20
2 nd	16	16	16	16	20
3 rd	16	18	18	20	20
4 th	16	18	20	20	20
5 th	16	18	25	25	25
6 th	16	18	25	25	25
7 th	16	18	25	25	25
8 th	16	18	25	25	25

What the school seeks to accomplish? We will utilize the flexibility provided as a New Mexico Charter School to offer an evidence-based learning environment designed to meet the needs of the *whole* student. As a result, each student will reach their full individual potential. We will provide an educational environment where educators and community members partner with students and families, assuring each student’s needs are understood and met. As a result, students will reach their full individual potential, grow as leaders, progress at least one grade level per academic year, graduate on time, with the ability to succeed in life post high school.

We seek to use our diverse experiences and expertise to offer academic excellence, leadership skills, and a love for life-long learning of our students through exciting and engaging inquiry-based lessons that provide weekly hands on, student led inquiry learning experiences. These learning experiences will help engage, motivate, and excite our students, generating a love for learning. SCCS will develop students who are inquisitive, critical thinkers, problem solvers, highly literate, and ethical citizens well-prepared to be successful with current and future endeavors, becoming responsible members of their communities.

STATEMENT OF NEED Sierra County, New Mexico is an underserved rural community located in southern New Mexico. It is one hour to a major community (Las Cruces to the south and Socorro to the north.) According to the US Census Data, Sierra County is ranked as the second poorest county in the state, is among the highest in unfavorable risk factors connected to health outcomes. Less than 25% of the land is privately owned, making, future growth and development difficult. The average age of its residents is 57.

- Less than 34% of adults have a high school diploma or higher.
- 90% of students qualify for free/reduced meals making the district,
- 100% Tile I for Academic Performance,
- The overall student proficiency: 30% ELL, 25% Literacy, 34% Science, and 21% Math,
- Total current enrollment in TCMSD is 1,254
- The ethnic representation is 7%, Hispanic 52%, White 44%, Black >5%, Asian >5%, NA >5%
- 2019 Youth Risk and Resiliency Survey score of 79 for risk factors, among the highest in the state.
- 56% of students have thought about taking their lives,
- 49% of students feel sad or hopeless.
- 20% have attempted suicide,
- 28% are currently binge drinking,

- 27% are using marijuana.

From 1999-2021 There was one nationally accredited K-12 Private School in Sierra County. The school remained fully enrolled based on capacity and had a waiting list. The greatest issue in growth and sustainability was facility capacity and the cost of tuition to assure quality was greater than parent's ability to pay. Our projected enrollment is based on the historical enrollment of the private school, their waiting list, and the decline in TCMSD enrollment post COVID. We believe this estimate is conservative based county birth rates vs. public school enrollment rates (23% difference), public school 1st grade enrollment vs. public school 12th grade enrollment (20% decline), based on national and state data indicating increased family interest in individualized educational learning for their students, and is based on the number of inquiries to our team for alternatives to TCMSD. SCCS hopes to attract those students who did not return to public school post-COVID.

Research shows that the early year's matter. Adverse childhood experiences are carried with children throughout their lifetime. Local, state, and national performance scores suggest that Sierra County students are not equipped with the skills essential to reach their highest individual potential. Our intention in opening SCCS is to counter this trend by providing students in the Sierra County area with an education when parents are engaged, the basic needs of students are met, they feel safe and secure in their surroundings, and they are cognitively ready to engage in active learning. SCCS students will be supported in ways that allow them to feel free to actively engage in a challenging educational environment, designed with them in mind, where they can excel in learning who they are and how the world around them works.

B. Mission-Specific Goals

The Amended Charter School Act Requires that new charter applications include: the goals, objectives and student performance outcomes to be achieved by the charter school as well as a description of the charter school's plan for evaluating student performance, the types of assessments that will be used to measure student progress toward achievement of the state's standards and the school's student performance outcomes, the timeline for achievement of the outcomes and the procedures for taking corrective action in the event that student performance falls below the standards (NMSA 22-8B-8(E))

This application requirement prepares the applicant team for the Performance Framework contents, which will be negotiated with the PEC if the proposed charter application is approved. Specifically, the performance framework shall allow for the inclusion of additional rigorous, valid and reliable indicators proposed by a charter school to augment external evaluations of its performance, provided that the chartering authority shall approve the quality and rigor of such proposed indicators and the indicators are consistent with the purposes of the Charter Schools Act (NMSA 22-8B-9.1(C))

B. Mission-Specific goals

Identify and provide two mission-specific goals or Indicators in the following section.

Applicant Response: Goal 1 related to School's Mission/ Student Performance:

Goal #1 Each student will progress no less than one grade level in Math and ELA.

The objective is to assure each student reaches their individual potential, graduates on time, with a post high school goal in mind.

We will evaluate student performance by partnering with families to develop annual student goals. We will develop and track individual academic learning, physical and social/emotional growth by the 40, 80, and 120 reporting days for all students. The student goal is the tool we will use for ongoing assessment of current needs, setting realistic goals, monitoring those goals, making adjustments as needed, and measuring individual student progress towards meeting those goals.

We will use a variety of data points through qualitative and quantitative data from formative and summative classroom assessments, state assessments, observations, and self-reflection to evaluate student performance. We believe individual growth and reflection is the most accurate and student-centered approach to monitoring student performance. Just comparing students to their peers academically is not the only effective data tool. We believe that it is equally important to set and measure individual student progress and performance.

According to research students can set and achieve specific, measured, accurate, realistic, and time sensitive determined goals.

- Annual Student Goals - As soon as possible, but no later than the 40-day report, teachers and relevant team members, will meet with parents and students to establish levels baseline data, and goals in academic areas such as math and reading as well as establishing learning habits to promote excellence in learning, and leadership goals dealing with social/emotional development. They will develop goals around health and wellbeing.
- Ongoing informal assessments will take place as well as a formal assessment 80 days into instruction. During that time, we will meet and revisit student goals to see if students are on target. If necessary, we will amend. If any additional amendments are necessary throughout the year, the family will conference with the teacher. By the 120-day report, family and teacher will meet to look at overall growth and performance in these areas and to discuss recommendations for the following school year. These recommendations will go on with the student to the next classroom to revisit at the beginning of the next school year.

Evidence for individual Student Growth Model

In 2012 authors, Pete Goldschmidt, Kilchan Choi, and J.P. Beaudoin did an analysis of school data and student data across the nation and compiled a Growth Model Comparison Study, "Practical Implications of Alternative Models for Evaluating School Performance." They concluded "One tangible result of the 2001 reauthorization of ESEA, titled No Child Left Behind (NCLB, 2002), is there is considerable agreement that monitoring schools based on unconditional mean school performance or the percentage of students proficient does not hold schools accountable for processes for which they ought to be held accountable and tends to place diverse schools at a disadvantage (Novak & Fuller, 2003). "

'Static average student performance measures are poor indicators of school performance and tend to reflect the input characteristics (i.e., student enrollment characteristics) of schools as much as they do actual school quality (Goldschmidt,

Roschewski, Choi, Auty, Hebbler, Blank, & Williams, 2005; Choi, Goldschmidt, & Yamashiro, 2005; Meyer, 1996; Goldstein & Spiegelhalter, 1996) and capture factors outside of school control more than actual processes facilitated by schools (Hanu & Raymond, 2003; Baker, Goldschmidt, Martinez, & Swigert, 2002; Meyer, 1996). This has prompted many to pursue incorporating growth models into accountability systems. There may be some debate as to what constitutes the optimal psychometric characteristics for assessments to be used in systems desiring to use growth models (Briggs & Weeks, 2009; Yen, 1986; Goldschmidt, Choi, Martinez, & Novack, 2010), but states are unlikely to step outside of their assessment development cycle for the sole purpose of basing accountability on student growth.”

Our student performance measures will be like the True Gain Score model of progression over a year with set goals in mind. Though this is only one form of data we will collect throughout the year. We will also collect peer group data. Another revelation of the study of the Growth Model was the identification of “disadvantaged schools” and “advantaged schools” as a factor in the assessment data. Schools that have higher populations of special services and low socioeconomic status were considered at a disadvantage. Sierra County is second to last of the poorest counties of the state with an annual household income of \$46,735. It is rural with a county extending 4,236 square miles, poverty at 25%, minority enrollment at 56%, and current school district at 89% Title I. When students lack basic services needed to assure they are safe and secure in their surroundings, they can not reach their highest potential. Sierra county youth suffers from the diseases of poverty. One tool in breaking the cycle is engaging parents and their student in ongoing assessment of current needs, setting realistic goals, monitoring those goals, making adjustments as needed, and measuring individual student progress towards meeting those goals.

According to district data students in Sierra County are performing at 24% proficient in Math and 32% proficient in English.

All students including Bilingual, Special Education, and ELLs will follow this Academic Progress Calendar:

- Beginning of the Year baseline assessment (WIDA Screener for Ells of other as determined by PED) establish learning goals based off data.
- Every 4.5 weeks progress reports sent home.
- Every 9 Weeks Report Cards and 3 in Person Parent Teacher Conferences during these conferences you will revisit growth goals set and make any necessary adjustments.
- Middle of the Year Assessment (determined by teacher or as required by PED)
- Semester Report cards
- End of the Year Assessment (determined by teacher or as required by PED)
- New Mexico State Standardized Assessments (determined by PED)

Each of these progress measures is a piece of critical data to track and monitor individual student progress throughout the year, adjust any supports as necessary, and stay in communication and partnership with families to support their student’s academic success.

Applicant Response: Goal 2 related to School’s Mission/Student Performance:

Goal #2 SCCS students will consistently attend school.

The objective is to support teacher effectiveness, increase student achievement, create meaningful opportunities to learn in social settings, and to set good habits needed for life success.

A missed school day is a lost opportunity for students to learn. According to the, National Center for Education Statistics article “Why does Attendance Matter?” there is a growing body of research connecting the relationship between student attendance and student achievement. “Teacher effectiveness is the strongest school-related determinant of student success, but chronic student absence reduces even the best teacher's ability to provide learning opportunities. Students who attend school regularly have been shown to achieve at higher levels than students who do not have regular attendance. The early years matter most. A recent study looking at young children found that absenteeism in kindergarten was associated with negative first grade outcomes such as greater absenteeism in subsequent years and lower achievement in reading, math, and general knowledge.

Poor attendance has serious implications for later outcomes as well. High school dropouts have been found to exhibit a history of negative behaviors, including high levels of absenteeism throughout their childhood, at higher rates than high school graduates. These differences in absentee rates were observed as early as kindergarten, and students who eventually dropped out of high school missed significantly more days of school in first grade than their peers who graduated from high school. In eighth grade, this pattern was even more apparent, and, by ninth grade, attendance was shown to be a key indicator significantly correlated with high school graduation.” nces.ed.gov/pubs2009/attendance_data/chapter1a.asp New Mexico's student absenteeism has skyrocketed since COVID. In some districts the rate is above 40%. We believe this is contributing to New Mexico traditional public schools having among the worse educational outcomes in the nation.

- Assess student attendance from transferred school records
- Set attendance goals as part of annual student plan
- Track daily attendance as demonstrated by daily logs and contact logs
- Refer for support services as needed, as evidenced by referral logs
- Compare SCCS attendance to state average to demonstrate higher attendance rates.

Student attendance will be part of each student's goals. Each day we will contact the families of students who are not present, encouraging them to attend. A log will be kept of reasons why students are absent. Families in need of support will be referred to as needed. Informal encouragement will occur throughout the year, as needed. An example would be a referral to income support to receive cash assistance for a car repair. Attendance for each student will be formally reviewed with parents and students on the 40-, 80-, and 120-day reports. Our greatest tool in reducing absenteeism is creating exciting, engaging non-typical learning opportunities with inquiry led outdoor learning, hands on learning, service learning, and project based learning our students will develop a love for learning. As a result, attendance will be higher than the TCMSD average. Through diverse learning environments, coupled with built in lesson support created with principles of universal design, students will be engaged and experience success in key elements are directly correlated to student attendance.

Universal Design will be the foundation for planning. Lessons will include weekly inclusive hands on, outdoor learning experiences, and monthly service-learning projects to develop students' love for learning. Through these experiences, students will set and measure goals and outcomes. Teachers will use student assessment data to drive instruction coupled with high yield strategies and reflection to provide instructional excellence. We will survey students and families twice a year, assessing their satisfaction with instructional practices for feedback to create a continuous improvement model.

By creating innovative learning environments using best practices students will have higher attendance and thus higher student performance. By providing learning that is meaningful and engaging for learners, we will bridge the gap between the attendance issues that negatively impact academic growth. By eliminating poor attendance, we can then help students make significant academic gains to better prepare them for success in high school and after.

C. Curriculum, Educational Program, Student Performance Standards

C. Provide a description of the proposed school's curriculum. The proposed curriculum must be research-based, reasonable, and clearly align with New Mexico Common Core State Standards and the proposed school's mission. (NMSA 22-8B-A(C))

CURRICULUM FRAMEWORK

Philosophy and Approach to Instruction: The SCCS philosophy of education is research-based, reasonable, and clearly aligns with New Mexico Common Core State Standards as well as our mission. All students, regardless of socio-economic background or academic competence, benefit from parent and community engagement. All students, regardless of socio-economic background or academic competence, benefit from individualized education plans. All students learn best when their basic needs are met, when they are safe and secure in their surroundings, and when curriculum is engaging, student led, real world connected, and rigorous. School wide, shared core values help instill a positive school climate, sets clear expectations, creates a culture of kindness, making SCCS a safe environment.

Research shows that young students recognize and develop a mindset of service when introduced to curriculum infused with service learning within the community. In addition, they develop relationships with caring adults, learn how the world around them works, and develop protective factors, reducing risky behavior like poor school attendance. Our philosophy of education aligns with the philosophy of some of the greatest minds of our times; philosophers, doctors in education, and scientists such as Maslow's Hierarchy of needs, Blooms Taxonomy of skills and abilities, and John Dewey's Inquiry based philosophy of learning. With these convictions, SCCS will provide students with a rigorous hand on, inquiry-based education that includes a strong emphasis on project-based learning and service to others, equipping students with the tools needed to have a positive impact on society. Unique to our approach is the combining of Maslow's hierarchy of needs to address assuring students are ready to learn, coupled with evidence based best practices of Constructivist and Inquiry pedagogical approach to instructional and planning strategies of UDL, hands on opportunities, inquiry-based lessons, outdoor learning adventures, and service learning in the community. All this

adds up to an innovative, intentional, diverse, organized and cutting-edge continuum of learning designed to address the needs of the *whole* student.

Children learn from building on “prior knowledge.” Therefore, it is critical for them to begin building foundations of knowledge in the early grades. By specifying the knowledge that all children should share, one can achieve equal access to that knowledge. Thus, all students, including those considered at-risk, are exposed to a coherent core of challenging, interesting, interwoven knowledge when taught a content-based curriculum with established learning goals. This emphasis on the acquisition of knowledge not only provides a foundation for learning, but also defines a common heritage and establishes a common ground for communication and cooperation in a diverse society, starting at the school itself.

The curriculum for kindergarten through 8th grade will be research-based, reasonable, and clearly align with New Mexico Common Core State Standards as well as our mission. The curriculum for kindergarten through 8th grade will be inquiry based and chosen by the school leadership curriculum team including teachers, administration, parents, and students. The program chosen will be distinguished by a planned progression of specific knowledge in world history and geography, American history and geography, mathematics, science, language arts, art, and agriculture. All curriculums will provide students the opportunity to apply knowledge gained with critical thinking, problem solving through project-based learning. Project based learning will include outdoor education and service learning.

There is significant evidence for the idea that the earliest elementary school experiences are fundamental to the ultimate success of students throughout life. Improving attendance, graduation rates, and increasing the rate at which graduates choose to enroll in higher education and/career pathways, all rest on the foundation of effective schooling long before those children participate in high school, and post-secondary life. SCCS’s primary goal at the elementary and middle school level is to produce students who love learning. They will learn to read, then read to learn. They will develop true self-esteem based on mastery of subject content. They will learn to set and achieve goals. Literacy K-8 will comply with House Bill 481, passed during the 2023 legislative session. The bill requires reading materials/literacy materials to be aligned with the science of reading. Curriculum adoption will involve the convening of curriculum teams responsible for the development of instructional scopes based on age-appropriate evidence based on NM content frameworks. The team will be comprised of elementary and middle school teachers, Executive Director, parent volunteers, and Special services director. After adoption of the instructional scopes following NM State Benchmarks and standards there will be viewing of curricular resources. Curriculums that are approved and used in NM are below. We are additionally viewing others through Riggs, Singapore Math, Wit, and Wisdom, and Amplify. We would like to take a team collaborative approach to adopt the curriculum that is most aligned with the inquiry-based philosophy and evidence based. Riggs is a multi-sensory, brain-based approach to teaching “explicit” phonics, reading, language arts, and composition. “Explicit” phonics is the direct teaching of a set of letter-sound relationships in a clearly defined sequence, including the major sound/spelling relationships of consonants and vowels, that scientific research proves is foundational for literacy – the ability to identify, understand, interpret, create, communicate, compute and use printed, and written materials associated with varying contexts. Literacy involves a continuum of learning in enabling individuals to achieve their goals, to develop their knowledge and potential, and to participate fully in their community and wider society. (Source: Put Reading First: The Research Building Blocks for Teaching Children to Read; National Institute for Literacy; Third Edition).

The development of literacy will be one of the primary aims and focuses of effort at SCCS. This will include a great deal of reading from a variety of both fiction and non-fiction primary literature. In the

early grades, students will receive explicit, systematic phonemic awareness and phonics instruction. Children will be provided with deliberate, coherent, direct instruction in letter-sound correspondence. Students will be taught to write and speak through examples and sensible practice. Grammar, logic, and real spelling learned from literature will be part of these skills.

Core concepts of literacy will be applied to project-based learning. For example, a student may choose to record the stories told to them by the veterans living at the New Mexico Veteran's center. Others may compose writings for deployed military or for local senior citizens. All students will complete project books and provide oral presentations.

Math is a conceptual approach that focuses on the student's complete understanding of essential math skills. A daily math block will be scheduled for the purpose of ability-grouping students in 1st through 8th grades. Curriculum adoption will involve the convening of curriculum teams responsible for the development of instructional scopes based on age-appropriate evidence based on NM content frameworks. Savva's Learning Company Math and Singapore Math is an example of a math curriculum that presents mathematical skill building and problem solving from a conceptual viewpoint — saves instructional time by focusing on mastery of essential math skills, not on re-teaching skills which should have been mastered in prior grades. The program's detailed instruction, questions, problem solving, and visual and hands-on aids — such as blocks, cards, and bar charts — ensure that students master the material. Ideally, students do not move on until they have thoroughly learned a topic. Singapore textbooks are designed to build a deeper understanding of mathematical concepts as opposed to just memorizing definitions and formulas. Singapore Math's placement tests facilitate ability-grouping for optimal student success. Mathematically- competent students will be able to study in higher level classes that challenge their math strengths, while students who need more time to master skills and understand concepts will receive time and assistance at the skill level best-suited for their success. Singapore Math's student-friendly, straight-forward presentation of essential concepts enables students who lack adequate reading skills — such as English Language Learners — to readily acquire necessary math skills. Through project-based learning students will see math in action. Some may count, weigh, and sort the eggs produced from the chickens they hatched. Some students may count the rings on trees while others may raise livestock or make value added agricultural products to sell at the farmer's market or county fair. Project books will assist students in figuring cost versus the net proceeds. They will decide on what percentage of proceeds they should reinvest, save, or spend.

Science SCCS's curriculum and school environment will be designed to promote inquisitive critical thinkers. Amplify science curriculum is an example of inquiry-based science curriculum that connects real world problems to investigations in science. Science will be taught with an emphasis on the inquiry-based method and will include the incorporation of technical approaches to observing, describing, recording, ordering, analyzing, testing and comparing predictions to observations. The skills of learning, namely reading, writing, speaking, listening, calculating, problem solving, and exercising critical judgment, are best taught through the content of an organized body of knowledge. Outdoor education experiences will be rich in opportunities for students to develop competency in science benchmarks and standards and beyond. For example, NMSU ACES program offers over 1,000 4H project books students can choose from that are aligned with state standards. Students choose projects based on individual interests, creating meaningful application of knowledge gained during core learning.

Students at SCCS will receive instruction in the arts. Studying visual arts will inculcate love of the beautiful and equip students with important core knowledge about their culture. SCCS will teach art largely through the study of technique and through the works of master artists, paired with open

ended application in knowledge gained. Student art exhibits create opportunities to engage with the Sierra County Art's Council and to engage in the T or C Main Street "2nd Saturday Art Hop."

Students at SCCS will participate in physical education. Students will work on conditioning and will demonstrate competency of New Mexico PE benchmarks and standards. There will be daily blocks of time for outdoor play. Project based learning will focus on outdoor education. Students may hike, swim, and explore the environment around them. Some students may choose agricultural projects and will engage in "dirty jobs". Even service-learning projects may result in physical activities as students engage in community gardens, liter clean-up, or trail maintenance.

SCCS faculty will model appropriate behavior, and students will be given opportunities to practice and develop positive character traits. Students will be expected to be attentive and polite, and to treat each other respectfully. SCCS will provide an environment that fosters academic and develops character excellence through the establishment of a unified team approach of its faculty and volunteers. We will intentionally integrate two separate schools —elementary and middle — into a unified school and community. A "family" atmosphere of respect and cooperation will be promoted, and every individual will be recognized as a stakeholder. We believe that through this defined mission, vision, goals, and curriculum, and a well-regulated campus, students will receive a rigorous and complete education that will challenge them to excel both in learning and in character. Families and students will set goals, goals will be fostered in an environment where their needs are met, and where they are safe and secure. As a result, they will be actively engaged in their learning, progress no less than a grade level per year, they will graduate from high school, ready to become active and responsible members of their community.

SCCS's educational philosophy and curricular approach reflects our commitment to engaging families and community. It promotes innovative academic programs where students can reach their highest individual potential. The evidence-based instructional methods, instructional scopes developed from New Mexico State Benchmarks, and inquiry-based curriculum for kindergarten through 8th grade will expose students to a solid foundation for learning that is meaningful, rigorous, engaging. Applying the foundational knowledge gained during core learning to hands-on, project-based outdoor and service-learning projects allows students to develop real life competency in the lessons learned. Project based learning addresses the *whole* student, developing communication and cooperation in a diverse society, starting at the school itself.

EDUCATIONAL PROGRAM

Length of School Day and School Year: For grades K-8, the school day will begin at 8:30 and end at 3:25 which includes the required 30 minutes for lunch. The number of instructional hours will be 6.5 hours per day. The number of school days will be five days per week. The length of the school year will be 190 days with a total number of 1,235 instructional hours for grades K-8. The extended school day gives students chances to not only cover more instruction within the day but also to go deeper into each subject taught. The school day for grades k-8 starts slightly later to eliminate attendance issues with tardy's due to commuting, as SCCS is located in a large rural area where students may need to travel over 50 miles a day to get to school.

Out of school time- SCCS will be added to the existing 21stCCLS MOU between TCMSC and AppleTree Educational Center, adding our charter school program as a new 21st CCLC site where students can receive additional targeted instruction, free USDA approved meal, recreational time, and diverse STEAM activities based upon their needs. 21st CCLC programing will be no less than 4 days a week, 8 hours a week and will be offered no less than 34 weeks per year. Families in need of additional out of school time care will be referred to Appletree's full day year-round center and the Club- A teen center for year- round teen programing.

Grade Levels, Class Size and Projected Enrollment:

- Sierra Community Charter School will serve grades K-8.
- The total number of students at full enrollment is 196.

- The projected class size for kindergarten is 16 students.

· The projected class size is progressive as we grow for grades 1-8. See Chart below.

Sierra Community Charter School Growth Plan

Grade	Year One	Year Two	Year Three	Year Four	Year Five
Kindergarten	16	16	16	16	16
1 st	16	16	16	16	20
2 nd	16	16	16	16	20
3 rd	16	18	18	20	20
4 th	16	18	20	20	20
5 th	16	18	25	25	25
6 th	16	18	25	25	25
7 th	16	18	25	25	25
8 th	16	18	25	25	25

STUDENT PERFORMANCE EXPECTATIONS

Personal student growth at a greater rate than traditional public school is central to a school’s existence. Student performance expectations must be aligned with the mission and the educational plan. The student performance expectations will:

- Provide student-centered goals that are SMART:
 - o Specific
 - o Measurable
 - o Ambitious and Attainable
 - o Reflective of the school’s mission
 - o Time-Specific with Target Dates
- Within the first 40 days of school, each student will set goals that are aligned with the school’s mission and the educational plan.
- By the end of SCCS’s first year of operation (2024-25), 75% of students assessed will reflect one year of academic growth in ELA and math. By the end of SCCS’s first year of operation (2024-25), 75% of students assessed will reflect gains in measurements set outside of academic growth.
- By the end of the first year of operation, 80% of students will be in good standing in attendance, therefore, increasing the likelihood of reaching student goals.
- By the end of the first year we will send out parent/student/community survey for feedback for school culture, whole child approach, and innovative instructional methods
- By the end of the first year we will measure behavior through effectiveness of interventions through quarterly reports of incident reports for elementary and middle school.

PLAN FOR EVALUATING STUDENT PERFORMANCE

Types of Assessments

Summative Assessments will be used to sum up how well the student has performed over time include:

- The New Mexico Standards Based Assessment will be used to measure student progress in grades 3-8 and grade 11. The NMAPA (New Mexico Alternate Assessment) will be used, when appropriate, with special education students. The areas assessed are:

New Mexico Standards Based Assessment projected 2024-25

Subtests Grade Levels Assessed

Reading 3rd, 4th, 5th, 6th, 7th, 8th

Mathematics 3rd, 4th, 5th, 6th, 7th

Science 4th, 7th

Writing 3rd, 5th, 8th

The NMAPA will be used, when appropriate, with special education students who qualify to take this assessment. The NMAPA assesses the following grades and the following areas:

New Mexico Alternate Performance Assessment (NMAPA)

Subtests Grade Levels Assessed

Reading 3rd, 4th, 5th, 6th, 7th, 8th

Mathematics 3rd, 4th, 5th, 6th, 7th

Science 3rd, 4th, 5th, 6th, 7th, 8th

Writing 3rd, 4th, 7th

• For grades 4th and 8th the National Association for Educational Progress NAEP Question Tool will be used. This program has test questions that are used to assess progress in The area of Civics Education.

(Source: NAPE – Internet <http://nces.ed.gov/nationsreportcard/itmrls>)

Formative Assessments will be used to monitor student progress. These include:

- The NWEA – MAP which is administered three times per year
- DRA (Diagnostic Reading Assessments) for student's grades K-3
- Dibels (Dynamic Indicators of Basic Early Literacy Skills) – for kindergarten students
- Teacher-developed pre- and post-assessments
- Teacher-developed rubrics
- Curriculum adopted Assessments: Assessments in Curriculum-Referenced Tests, depending on curriculum adopted.
- The Riggs assessment that is given daily after each lesson. (if adopted)
- Singapore Math assessments will be used as placement tests and as a means to demonstrate mastery of the material taught at each level. If a student masters 80% or more of the content, they can move up a level. If not, they can begin instruction at that level, or repeat it. The placement tests can also be used as an exit test for each respective level. (if adopted)

Short Cycle Assessments Align NM State Benchmarks and Standards:

The NWEA will be used as a short-cycle assessment to measure achievement of the New Mexico Standards. It is aligned with the New Mexico Standards and Benchmarks. It will be administered in August, December and May, and will show the progress that students make throughout the school year. (expected progress determined by assessment authors) We expect students to demonstrate progress by December of the same year in which the NWEA was administered.

- At the completion of year 4, our goal is that 100% of our students will demonstrate proficient or advanced scores on the New Mexico Standards Based Assessment.
- At the completion of year 4, 75% of students in grades 5-8 will demonstrate civic responsibility by engaging in meaningful service-learning projects.

Procedures for Students who are below performance measures.

SCCS will establish a School Leadership Team that will oversee the development and implementation plan for the Educational Plan for Student Success (EPSS), The Educational Plan for Student Success is a strategic plan for continuous improvement consolidating all improvement plans into one document. The EPSS will be implemented in compliance with state statues. Unique to our school is meeting with the family and student, together reviewing the family plan, identifying goals, strategies and action steps to address student achievement. EPSS will contain an action plan specifying how the district/school will accomplish the identified goals including interventions. If student performance

falls below the New Mexico Standards and/or the school's student performance expectations, the School Leadership Team will use guidelines from the NMPED. The tools in the assessment include the following:

- ED Guide
- Community Stakeholder Surveys
- Classroom Observation Guide
- School Achievement Data Review
- School Rubrics
- Setting Priorities for the Web EPSS

As an ongoing practice, data from both Summative and Formative Assessments (formal and informal) will be collected and analyzed monthly to determine if students are making the progress set forth in the student plan. The data collected will be used to determine appropriate placement in skill groups in addition to evaluating student strengths, challenges, and weaknesses in the core content areas. The data from all assessments will be disaggregated to show a trend analysis for not only each student, but for all students. Statistical methods will be used, when applicable, to streamline the data collection and analysis processes. SCCS will use the result of the data to amend student plans and to drive instruction. Adjustments will be made to the curriculum, instructional delivery, and any other areas necessary to improve student achievement.

Remediation Plan

For general education students who are presenting concerns, teachers will meet informally or arrange formal conferences with parents to determine those factors that may influence a student's progress towards meeting the student goals set together at the beginning of the year. Comprehensive resources and referrals will be provided to families as needed. Teachers may also discuss student concerns with appropriate colleagues and/or administration to receive feedback on a particular student. Teachers will utilize the data collected from academic assessments and universal screenings and will employ strategies such as differentiation, scaffolding, small group instruction, and cognitive strategies, to aid the student in learning. If students continue to experience difficulties and are not making progress after the first 6-9 weeks, SCCS staff will institute the Student Assistance Team (SAT) as outlined in the NMPED Student Assistance Team Manual. This process includes forming a SAT team representative of members, including the students' teachers, who can work together to form an intervention plan to assist the student. Within this process, the SAT will engage in documenting a student's response to interventions already tried by the teachers. The team will explore academic and other issues that may be impacting the student's ability to appropriately access the general education curriculum. The school will set up systems and methodologies to address student needs that include data-based goals, reflection and review of instruction and methodology, differentiation of the instruction and other targeted interventions as well as formal and informal assessments. As recommended in the New Mexico PED "MLSS," Multi-Layered student supports approach to replace (RTI – Response to Intervention) will be implemented. SCCS will follow the same.

Model for students who demonstrate potential areas of giftedness. The MLSS Model is as follows:

Layer I

In Layer I, Sierra Community Charter School shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. Within the classrooms, Students will be assessed at the beginning of each school year based upon Benchmark data for each grade level in each core content area that is developed by the school. In addition to progress that is being observed in the classroom, all students will be monitored three times per year utilizing short-cycle assessments. The data will be used to help determine if there is a problem with the core curriculum. As the year progresses, student progress will be monitored, and data will be collected to identify students who are struggling. For struggling students, they will first receive assistance in this Tier, utilizing universal

interventions within the classroom. These interventions include differentiated instruction and/or instructional strategies such as remedial strategies, classroom/behavior management strategies, small-group instructions, flexible grouping, more instructional time, etc. Interventions are determined by classroom teachers, grade-level teams, and/or school leadership. If, after a reasonable amount of time with progress being monitored and data being collected, indicate these interventions do not result in progress, the students can be referred to Layer II – the school’s Student Assistance Team (SAT) – for a more intense study of what is causing them to struggle academically or behaviorally. Students exceeding grade-level expectations can also be referred for consideration of a gifted evaluation. (Source: 6.29.1 NMAC 9).

Layer II

The purpose of Layer II is to provide targeted, supplemental, and individualized support through the SAT process for students who are at risk, and who have not responded to Layer I interventions. SCCS will develop a properly constituted SAT who shall conduct the student study process and consider, implement and document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures.

Core team members may vary by student, but should include at minimum:

- administration,
- regular education, and
- specialists and/or resource areas.
- The person who referred the student (whether educator or parent) or brought up a concern joins the team.
- every effort should be made to include the parent (or the family member serving as the “parent”) and, if appropriate, the student on the team.

In addition, parents, specialists, such as speech therapists, special education teachers, bilingual education teachers, reading teachers, nurses, or social workers can bring valuable perspectives and ideas to the team. A varying number of other individuals will serve on the team, depending on the types of concerns and expertise needed. In addition to reviewing information collected at the Layer I level, the SAT shall address culture and acculturation, socioeconomic status, possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms to rule out other possible causes of the student’s educational difficulties. The SAT, at this level, may develop a written, individual SAT Intervention Plan or a Section 504 plan. Based upon data that indicates that the student has shown over time a significant deviation from their grade-level peers and/or persistent behavioral problems, a plan can be developed that includes more intense instruction that is provided individually or in small groups and occurs in addition to the general education curriculum. In the area of behavior, a Functional Behavior Assessment and a Behavior Intervention Plan can be developed. If interventions are warranted, SCCS will consider the following interventions:

- Providing quality, solid, focused instruction.
- Providing instruction in smaller groups.
- Teach additional learning strategies.
- Change scope and sequence of tasks.
- Covering all the components needed to learn a skill. Avoid the creation of splinter skills, and focus on the essential components of reading, language and math.
- Monitoring student progress more frequently than at Layer I.
- Evaluating student progress more frequently than at Layer I to determine whether progress is being made.
- Assessing the student’s response to the new interventions in order to determine whether new or different interventions should be used.

- Developing a clear, concise plan of intervention. What is going to be done differently, who is going to do it, when will it be done, where will it be done, and how long will it be done?
- Using the written intervention plan to identify measurable outcomes.
- These then can be used to create data-driven adjustments to the intervention process.
- Creating a progress-monitoring schedule using a variety of data gathering methods. Layer II interventions will be used in consistent time allotments at least four times per week over a period of nine weeks. At the end of the nine-week period, the SAT will reconvene for additional support and determination on whether to stay at Layer II or move to either Layer I or III. Because referral to Layer III or special education is based on response to intervention data, SCCS will implement the interventions exactly as defined in order to ensure consistency in the data that is collected as progress is monitored. A progress-monitoring schedule using a variety of data gathering methods will be developed and implemented by appropriate SCCS staff. Students with disabilities who do not qualify for special education services can be served at this tier through a Section 504 accommodation plan. The SCCS SAT Team will be the Section 504 Team as well. Academic Improvements Plans (AIPs) for students facing retention, or for those who have been retained are also the responsibility of the SAT in this Layer. When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a multi-disciplinary evaluation (Layer III) to determine possible eligibility for special education and related services consistent with the requirements of Subsections D-F of 6.31.2.10(B) NMAC and federal regulations at 34 CFR Sec. 300.300.

Layer III Special education referral process

If the student does not respond adequately to significant Layer II interventions, the student will be referred for a Multidisciplinary Evaluation to determine their need for special education services. Prior to the referral, the SAT will determine if the student has received instruction and interventions that are scientific, and research based. Students identified as a “student with disability” are deemed eligible for special education and related services, and an IEP will be developed by a properly constituted team, pursuant to Subsection B of 6.31.2.11 NMAC and federal regulations at 34 CFR Sec. 300.321. Either a parent of a student or members of the SCCS SAT can initiate a request for an initial evaluation to determine if the student has a disability with the consent requirement in 34 CFR Sec. 300.300 and NMAC 6.31.2.10. If the student qualifies for special education services under the IDEA or the state criteria for gifted, specially designed instruction and related services will be provided through an Individualized Education Program (IEP). If the student does not qualify for special education services, the student can return to the SAT team and continue to receive Layer II interventions or a Section 504 accommodation plan if appropriate. SCCS will utilize the PED department's manual, the Student Assistance Team and the Three- Layer Model of Student Intervention MLSS, as the guiding document to use in implementing the student intervention system. All staff will be trained in the basic operations of the SAT annually. Staff will also be trained in the selection of instructional and behavioral interventions. Additionally, staff training will be provided in the following areas:

Educational Plan for Student Success

As required by NMAC 6.30.2.9 Implementation, SCCS’s SAT members will provide information to the Educational Plan for Student Success (EPSS) Team that will assist the team in identifying student needs and educational programs. As data analysis of student needs is reviewed by the SAT for interventions and support, they will provide the EPSS committee with suggestions for strategies and activities to improve academic achievement to benefit all students in all classrooms.

- Identify assessments that might be considered in addition to the statewide-mandated testing. Assessments that might be considered in addition to the statewide mandated testing include but are not limited to the NWEA (all grades), DRA (grades K-6), Dibels (Kindergarten),

NAEP (4th and 8th grades), teacher developed pre/post quizzes and tests, teacher- developed rubrics (all grades), and research papers.

- Describe how the school will document and report student data to students and parents. Students will maintain Student Data Folders that will include the results of assessments that are graphed to show their progress throughout the year in each subject area. These Data Folders will be reviewed consistently by the teachers and students and reviewed with the parents at each parent-teacher-student conference. Students will receive report cards quarterly and teachers and parents will meet times a year during parent-teacher-student conference. Due to these factors, we believe that we can overcome these statistics with specific, measured, accurate, realistic, and time sensitive determined goals.
- During the beginning of the year teachers, by 40-day report, will meet will families to establish levels baseline data, and goals in academic areas such as math and reading as well as establishing learning habits to promote excellence in learning, and leadership goals dealing with social/emotional development.
- At the middle of the year, 80 days into instruction, we will meet and revisit student performance data and gains to see if students are on target in each of these areas and amend, if necessary, based on data and analysis. If any additional amendments are necessary throughout the year the family will conference with the teacher. By the 120-day report, family and teacher will meet to look at overall growth and performance in these areas and to discuss the following school year recommendations. These recommendations will go on with the student to the next classroom to revisit at the beginning of the next school year.

According to district data students in Sierra County are performing at 24% proficient in Math and 32% proficient in English.

All students including Bilingual, Special Education, and ELLs will follow this Academic Progress Calendar:

- Beginning of the Year baseline assessment (WIDA Screener for ELLs) establish learning goals based off data.
- Every 4.5 weeks progress reports are sent home.
- Every 9 Weeks Report Cards and 3 in Person Parent Teacher Conferences during these conferences you will revisit growth goals set and make any necessary adjustments.
- Middle of the Year Assessment (determined by teacher)
- Semester Report cards
- End of the Year Assessment (determined by teacher)
- NM State Standardized Assessments (determined by state)

Each of these progress measures is a piece of critical data to track and monitor individual student progress throughout the year, adjust any supports as necessary, and stay in communication and partnership with families to support their student's academic success.

D. Bilingual Multicultural Education, Indian Education, Hispanic Education and Black Education

D.(1) Bilingual Multicultural, Indian Education, Hispanic Education and Black Education

Provide a description of how the proposed school's curriculum will ensure equal education opportunities for students in New Mexico by addressing the goals of the Bilingual Multicultural

Education Act (NMSA §22-23-1), the goals of the Indian Education Act (NMSA §22-23A-a1), the goals of the Hispanic Education Act (NMSA §22-23B-2), and the goals of the Black Education Act (HB 43)

“A charter school shall be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, physical or mental handicap, serious medical condition, race, creed color, sex, gender identity, sexual orientation, spousal affiliation, national origin, religion, ancestry or need for special education services and shall not allow for the imposition of discipline, discrimination or disparate treatment against a student based on the student’s race, religion or culture or because of the student’s use of protective hairstyles or cultural or religious headdresses.” NMSA 22-8B-4(A).

Sierra Community Charter will provide a least restrictive learning environment for the educational needs of linguistically and culturally different students, including Native American children and other students who may wish to participate, in grades kindergarten through 8. Bilingual curriculum, instructional materials, WIDA standards, and bilingual staff will be provided to support bilingual learning. We will identify culturally and linguistically different students in grades kindergarten through sixth, for which there is an identifiable need to improve the language capabilities of both English and the home language of these students, before funding programs at higher grade levels with a home language survey. If parents’ consent, bilingual students will have two languages as mediums of instruction for any part or all of the curriculum of the grade levels within the program. SCCS will additionally establish a parent advisory or equity committee, representative of the languages and cultures of all the students in the program, to assist and advise in the development, implementation, and evaluation of the implementation of bilingual curriculum and supports.

SCCS provide procedures to ensure that parental notification is given annually prior to program placement; and provide personnel endorsed in bilingual education, modern classical and native languages, TESOL, or certified in Native American language and culture. The secretary of education may authorize other personnel to implement programs if qualified personnel are not available by the submission of an approved program design that addresses recruitment, professional development, and staffing patterns.

Curriculum support will be imbedded in lessons from the (ELD) WIDA state adopted standards to support bilingual and ELL instruction. In addition to the development of lessons, there will be instructional resources with bilingual texts, bilingual learning resources, and bilingual staff to support learning in the classroom using any of the free classroom resources: Language Lizard, languagelizard.com, Bilingual Teacher created resources and social media links bilingualresources.com, teacherspayteachers.Com available.

English Language Development Standards (WIDA) will be used in classes to develop diverse and comprehensive lessons to better develop diverse linguistic and cultural needs.

Structure of ELD: The framework consists of 4 components ranging from broad to narrow in scope

- WIDA ELD
- Key Language Uses
- Language Expectations
- Proficiency Level Descriptors

Four Big Ideas anchor the standards and are interwoven throughout the framework:

- **Equity of opportunity and access**

- o This is essential for multilingual learners' preparation for college, career and civic lives.
- **Integration of content and language**
 - o Academic content is the context for language learning, and language is the means for learning academic content.
- **Collaboration among stakeholders**
 - o Stakeholders share responsibility for educating multilingual learners. ·
- **Functional approach to language development**
 - o This approach helps educators focus on the purposeful use of language.

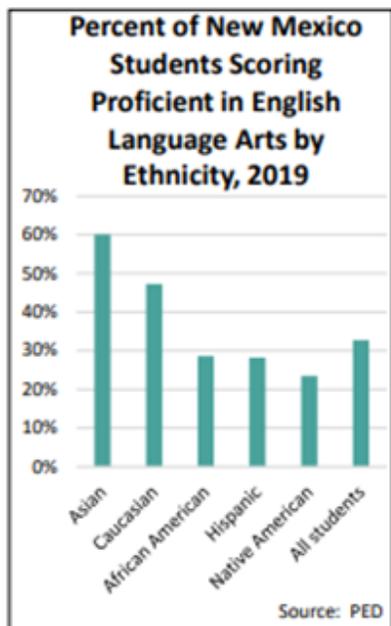
These Big Ideas support the design of standards-based educational experiences that are student-centered, culturally and linguistically sustaining, and responsive to multilingual learners' strengths and needs.



<https://wida.wisc.edu/teach/standards/eld>

These work together to make a comprehensive picture of language development.

“New Mexico’s demographics are distinctive: 62 percent of the state’s population is Hispanic, 23 percent is White, 10 percent is Native American, 2 percent is African American, 1 percent is Asian, and 2 percent is multi-racial or another ethnicity. New Mexico is ranked 36th in overall population size, has the fifth largest landmass in the United States (121,665 square miles), and ranks 45th in the nation in population density. Further, with only 17.27 people per square mile, New Mexico faces unique challenges educating students in rural areas, including on vast Native American lands.”



According to the graph above students who are Hispanic are scoring below 30% in proficiency in ELA. There is significant room for improvement for all New Mexico students, especially minorities. At SCCS we will be providing innovative learning opportunities for more hands on, project-based, student led learning that is interdisciplinary and that should significantly improve all student’s ability to be successful. We will have strategic UDL designed built-in support to better serve all types of learners and learning needs.

Equity/Advisory Board reflects community culture, values, and needs made of staff, family and community.

D.(2) Equity Plan

Provide a description of how the proposed school will create an effective and equitable system of supports for all students focused on root-cause analysis, equity-focused leadership and continuous improvement, and culturally and linguistically responsive curriculum and pedagogy.

Equity councils are designed to support the NMPED, districts, and charter schools in the work of remedying the Martinez and Yazzie Consolidated Lawsuit findings, adhering to the requirements and legal directives for at-risk students, creating culturally and linguistically responsive environments, and improving outcomes for all New Mexico students. Requiring commitment, effort and cooperation from the following entities: the NMPED, key state departments/agencies, higher education institutions, districts, schools, charter schools, Tribes, families, and other education partners. They are designed to inform how districts and charter schools make decisions about programs, services, and funding in their Education Plan and Operational Budget with a focus on underserved student populations. The Equity/Advisory Board will reflect community culture, values, and needs made of

staff, family and community. The equity or Advisory Board will be created by a diverse group of families, educators, and community members.

Trainings to support the Board are available at

<https://webnew.ped.state.nm.us/bureaus/yazzie-martinez-updates/trainings-and-webinars/>

Board must take the readiness assessment available at

<https://webnew.ped.state.nm.us/bureaus/yazzie-martinez-updates/readiness-assessment/>

Practices:

- Equity Board members read through the tool completely
- Equity Board members ask questions and calibrate their understanding of the rating statements in the tool.
- Equity Board members take the readiness assessment.
- Equity Board members formulate their advisements to the Charter School Executive Director.

This process could take between 1-3 meetings or 1 full meeting day. It is up to the discretion of the Charter School Executive Director to decide how to manage the process to ensure that it is productive and meaningful for participants.

E. Graduation Requirements

E. Identify the proposed school's requirements for graduation, if applicable, and explain any changes or additional requirements that vary from state mandated minimum requirements.

Not applicable as we are only applying for K-8th

F. Instruction

F. (1) Provide a **clear, comprehensive, and cohesive** overview of the teaching and instructional philosophy

Educational Philosophy and Instructional Methods

Our Philosophy is that all students can learn and be successful. Adhering to the *whole* student approach we believe that when children's basic needs are met and they feel safe and secure in their surroundings, then can be successful with cognitive function and learning. We also believe in evidence-based innovative teaching practices and methods including UDL, hands-on learning, inquiry-based learning, and project-based learning outdoor education and service learning. We believe in a diverse, multi-pedagogical approach, unique, engaging, and meaningful learning experience where pedagogies overlap and create a well- rounded diverse, inclusive, and memorable learning experiences.

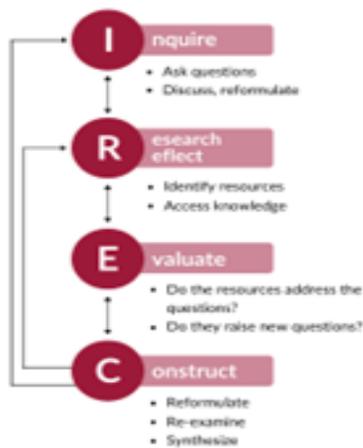
Evidence Based Methods

Inquiry-based learning is primarily a pedagogical method, developed during the discovery learning movement of the 1960s as a response to traditional forms of instruction—where people were required to memorize information from instructional materials, such as direct instruction and rote learning. The philosophy of inquiry-based learning finds its antecedents in constructivist learning theories, such as the work of Piaget, Dewey, Vygotsky, and Freire among others, and can be considered a constructivist philosophy. Generating information and making meaning of it based on personal or societal experience is referred to as constructivism. Dewey's experiential learning pedagogy (that is, learning through experiences) comprises the learner actively participating in personal or authentic experiences to make meaning from it. Inquiry can be conducted through experiential learning because inquiry values the same concepts, which include engaging with the content/material in questioning, as well as investigating and collaborating to make meaning. Vygotsky approached constructivism as learning from an experience that is influenced by society including language and culture as means to understand reality. The meaning constructed from an experience can be concluded as an individual or within a group.

In the 1960s Joseph Schwab called for inquiry to be divided into three distinct levels. This was later formalized by Marshall Herron in 1971, who developed the Herron Scale to evaluate the amount of inquiry within a particular lab exercise.

Based on John Dewey's philosophy that education begins with the curiosity of the student, inquiry in the classroom places the responsibility for learning on the students and encourages them to arrive at an understanding of concepts by themselves. The simple definition of Inquiry-based learning as an "array of classroom practices that promote student learning through guided and, increasingly, independent investigation of complex questions and problems, often for which there is no single answer." At SCCS students will be supported in developing their abilities to: ask good questions, determine what needs to be learned and what resources are required to answer those questions, and share their learning with others. Inquiry learning is an increasingly independent endeavor of growth. Students develop skills around each element of the inquiry process over time. Self-direction is a critical skill for success in both post-secondary education and the workplace. Inquiry-based approach to learning encourages students to build valuable and transferable skills, including:

- Realistic goal setting and goal-tracking
- Time- and priority-management
- Information gathering, filtering, and integration.
- Critical thinking
- Communication of ideas and learning
- Self-assessment and reflection



Universal Design for Lessons and Instruction

According to Cornell University, “Universal design for learning (UDL) is a teaching approach that works to accommodate the needs and abilities of all learners and eliminates unnecessary hurdles in the learning process. This means developing a flexible learning environment in which information is presented in multiple ways, students engage in learning in a variety of ways, and students are provided options when demonstrating their learning.” “UDL is similar to universal instructional design and universal design for instruction. All three advocate for accessible and inclusive instructional approaches that meet the needs and abilities of all learners.”

Why UDL?

- Incorporating universal design principles enhances an inclusive learning environment.
- Designing a course to accommodate a wider variety of needs may eliminate potential learning barriers or unnecessary learning obstacles. If a course can be designed at the onset to do this, then why not?
- Providing students with multiple means of perceiving, comprehending, and expressing their learning allows students to engage with the material in a way that most benefits them, and also encourages students to engage with material to improve in areas in which their skills are not as strong.
[https://teaching.cornell.edu/teaching-resources/designing-your-course/universal-design-learning#:~:text=Universal%20design%20for%20learning%20\(UDL,hurdles%20in%20the%20learning%20process.](https://teaching.cornell.edu/teaching-resources/designing-your-course/universal-design-learning#:~:text=Universal%20design%20for%20learning%20(UDL,hurdles%20in%20the%20learning%20process.)
- UDL is the answer to built in accommodations for inclusive learning opportunities.

Outdoor Learning

Why Outdoor Learning?

According to research of the University of Wisconsin,

- School performance increases when children learn outdoors. A few studies have documented an increase in school performance through outdoor education. Research has documented an increase in standardized test scores, enhanced attitude about school, improved in-school behavior, improved attendance, and overall enhanced student achievement when students learn in and about nature. In addition, outdoor education effectively employs a greater range

of children’s intelligence. Many researchers contribute the increase in performance to increased relevance and hands-on experience of learning outdoors.”

- Learning outdoors is healthy. Learning outdoors is active and increases students’ physical, mental, and social health. Some studies have even shown follow-up (e.g., non-school) physical activity increases with outdoor learning. Access to nature has also been shown to decrease the symptoms of ADHD. Outdoor learning and access to nature also decrease stress levels of students and teachers.”
- Learning outdoors supports child development. Children greatly benefit developmentally from being outdoors. Outdoor education and play support emotional, behavioral, and intellectual development. Studies have shown that students who learn outdoors develop: a sense of self, independence, confidence, creativity, decision-making and problem-solving skills, empathy towards others, motor skills, self-discipline, and initiative.”
- “Teaching and learning outdoors is fun. Often, the outdoors provides a change of pace from the classroom, which students and teachers enjoy. Studies have shown increased student enthusiasm for learning outdoors. Learning outdoors helps develop a sense of place and civic attitudes and behaviors.”
- “Outdoor experiences help students increase their understanding of their natural and human communities which leads to a sense of place. Through connection to place, students develop stronger environmental attitudes and civic behaviors. Outdoors learning experiences are the foundation of raising the next generation of active citizens who take care of their natural and human communities.”
- “Outdoor education engages families and the community. Outdoor learning connects families and the community to school. Outdoor classrooms provide natural entry points for families and community members to get involved with student learning. The relationships developed through outdoor learning led to greater parental and community involvement in and support for the school.”

Research Articles and Summaries of outdoor education research Charles, C. (2010). Children’s contact with the outdoors and nature: A focus on educators and educational settings. Children & Nature Network. This extensive report summarizes outdoor education and nature experience research related to schools and educational settings. It’s available at:

<http://www.childrenandnature.org/downloads/Educationsynthesis.pdf>

Coyle, K.J. (2010). Back to school: Back outside! National Wildlife Federation. This report summarizes the benefits of outdoor education and provides action ideas, policy recommendations, and additional resources. It’s available at: <http://www.nwf.org/~media/PDFs/Be%20Out%20There/Back%20to%20School%20Full%20report.ashx>

<https://www3.uwsp.edu/cnr-ap/leaf/school-grounds/documents/outdoor%20education%20research%20for%20school%20Grounds.pdf>

Hands on Learning

Why Hands on Learning?

According to Prof. George E. Hein Lesley College, Massachusetts USA “As far as I can see, there is nothing dramatically new in constructivism: the core ideas expressed by it have been clearly enunciated by John Dewey among others, but there is a new, widespread acceptance of this old set of ideas and new research in cognitive psychology to support it. I would like to give a brief exposition of ideas central to constructivism and widely accepted today by educators, curriculum developers, and cognitive psychologists, and then suggest what the mean for museum educators.”

What is meant by constructivism?

- The term refers to the idea that learners construct knowledge for themselves---each learner individually (and socially) constructs meaning--- as they and others learn together. Constructing meaning is learning; there is no other kind. The dramatic consequences of this view are twofold.
- we must focus on the learner in thinking about learning (not on the subject/lesson to be taught)
- There is no knowledge independent of the meaning attributed to experience (constructed) by the learner, or community of learners.

However, as I have indicated above, constructivism theory requires that we turn our attention by 180 degrees we must turn our back on any idea of an all-encompassing machine which describes nature and instead look towards all those wonderful, individual living beings---the learners---each of whom creates his or her own model to explain nature. If we accept the constructivist position, we are inevitably required to follow a pedagogy which argues that we must provide learners with the opportunity to: interact with sensory data and construct their own world.

What are some guiding principles of constructivist thinking that we must keep in mind when we consider our role as educators?"

"I will outline a few ideas, all predicated on the belief that learning consists of individuals' constructed meanings and then indicate how the influence museum education.

- **Learning is an active process** in which the learner uses sensory input and constructs meaning out of it. The more traditional formulation of this idea involves the terminology of the active learner (Dewey's term) stressing that the learner needs to do something; that learning is not the passive acceptance of knowledge which exists "out there" but that learning involves the learners engaging with the world.
- **People learn to learn as the learn** learning consists both of constructing meaning and constructing systems of meaning. For example, if we learn the chronology of dates of a series of historical events, we are simultaneously learning the meaning of a chronology. Each meaning we construct makes us better able to give meaning to other sensations which can fit a similar pattern. The crucial action of constructing meaning is mental: it happens in the mind. Physical actions and hands-on experience may be necessary for learning, especially for children, but it is not sufficient; we need to provide activities which engage the mind as well as the hands. (Dewey called this reflective activity.)
- **Learning involves language:** the language we use influences learning. On the empirical level, researchers have noted that people talk to themselves as they learn. On a more general level, there is a collection of arguments, presented most forcefully by Vygotsky, that language and learning are inextricably intertwined. This point was clearly emphasized in Elaine Gurian's reference to the need to honor native language in developing North American exhibits. The desire to have material and programs in their own language was an important request by many members of various Native American communities.
- **Learning is a social activity:** our learning is intimately associated with our connection with other human beings, our teachers, our peers, our family as well as casual acquaintances, including the people before us or next to us at the exhibit. We are more likely to be successful in our efforts to educate if we recognize this principle rather than try to avoid it. Much of traditional education, as Dewey pointed out, is directed towards isolating the learner from all social interaction, and towards seeing education as a one-on-one relationship between the learner and the objective material to be learned. In contrast, progressive education (to

continue to use Dewey's formulation) recognizes the social aspect of learning and uses conversation, interaction with others, and the application of knowledge as an integral aspect of learning.

- **Learning is contextual:** we do not learn isolated facts and theories in some abstract ethereal land of the mind separate from the rest of our lives: we learn in relationship to what else we know, what we believe, our prejudices and our fears. On reflection, it becomes clear that this point is actually a corollary of the idea that learning is active and social. We cannot divorce our learning from our lives.
- **One needs knowledge to learn** it is not possible to assimilate new knowledge without having some structure developed from previous knowledge to build on. The more we know, the more we can learn. Therefore, any effort to teach must be connected to the state of the learner, must provide a path into the subject for the learner based on that learner's previous knowledge.
- **It takes time to learn:** learning is not instantaneous. For significant learning we need to revisit ideas, ponder them, try them out, play with them and use them. This cannot happen in the 5-10 minutes usually spent in a gallery (and certainly not in the few seconds usually spent contemplating a single museum object.) If you reflect on anything you have learned, you soon realize that it is the product of repeated exposure and thought. Even, or especially, moments of profound insight, can be traced back to longer periods of preparation.
- **Motivation is a key component in learning.** Not only is it the case that motivation helps learning, but it is also essential for learning. These ideas of motivation as described here is broadly conceived to include an understanding of ways in which the knowledge can be used. Unless we know "the reasons why", we may not be very involved in using the knowledge that may be instilled in us, even by the most severe and direct teaching."

<https://www.exploratorium.edu/education/ifi/constructivist-learning>

As you can see hands on learning creates deeper levels of cognitive thinking, memorable experiences, and correlations to self and world.

Project Based Learning

Project-Based Learning is a teaching method in which students gain knowledge and skills by working for an extended period of time to investigate and respond to an authentic, engaging, and complex question, problem, or challenge. Students work on a project over an extended period – from a week up to a semester – that engages them in solving a real-world problem or answering a complex question. They demonstrate their knowledge and skills by creating a public product or presentation for a real audience. As a result, students develop deep content knowledge as well as critical thinking, collaboration, creativity, and communication skills. Project-Based Learning unleashes a contagious, creative energy among students and teachers. "<https://www.pblworks.org/what-is-pbl> Project based learning intertwines student led inquiry-based learning, with hands on action research, building, modeling, or development of solutions or explanations to real world questions. To develop and test models or theories to determine possible answers. It engages the learner and demands the ask questions to find answers.

Service-Learning Projects

- According to the Journal of Higher Education Outreach and Engagement, Volume 13, Number 4, p. 117, (2009) authors found "A view that is gaining widespread acceptance is that educational institutions have a public responsibility to address the most pressing social problems of the day and to go beyond training for intellectual competence to preparing

students for lives of moral and civic responsibility that contribute to the positive development of their communities. “

- “If today’s college graduates are to be positive forces in this world, they need not only to possess knowledge and intellectual capacities but also to see themselves as members of a community, as individuals with a responsibility to contribute to their communities. They must be willing to act for the common good and capable of doing so effectively. If a college education is to support the kind of learning graduates need to be involved and responsible citizens, its goals must go beyond the development of intellectual and technical skills and beginning mastery of a scholarly domain. They should include the competence to act in the world and the judgment to do so wisely. (Colby et al. 2003, 7)”
- **“One way to create a learning environment that is connected to societal issues is to provide course-related learning opportunities that are relevant to the problems of our communities and contribute to the search for solutions. This pedagogical approach is often referred to as service-learning.** Service-learning pedagogy integrates community service with instruction and reflection. Community service activities are embedded within the academic coursework, requiring students to apply formally acquired knowledge and skills to community problems and needs. Ideally, service-learning courses have clearly articulated learning “By definition, service learning pedagogy integrates community service with instruction and reflection.” 120 Journal of Higher Education Outreach and Engagement objectives, identify and address real community needs, and provide students opportunities for ongoing guided reflection on their experiences through a combination of class discussions, writing, presentations, and so on (Eyler and Giles 1999; Furco and Billing 2002; Skinner and Chapman 1999; Strage 2004; Wilhite and Silver 2005)” <https://files.eric.ed.gov/fulltext/EJ905416.pdf>
- Through service-learning opportunities students relate to their communities and develop a civic responsibility on a more personal level interacting with different entities, age groups, and people. They learn they are a piece of a puzzle that all fits together to take a big picture. We are hoping that the more service learning that students engage in the less crime, vandalism, and violence will take place in our community. Some students may also develop curiosities about future careers.

Additional Methods:

- The Socratic Method —the use of direct, intentional questions to guide students’ understanding of problems and their solutions will undergird the curriculum in all classes beginning in kindergarten.
- Shared core values- In order to create a learning environment with clear and consistent expectations, SCCS has chosen several core values. These core values identified by a nonpartisan, secular group of youth development experts *transcend cultural, religious, and socioeconomic differences*. Shared core values help instill a positive school climate, sets clear expectations, creating a culture of kindness, making SCCS a safe environment. The results are higher academic performance amongst students. Improved overall student attendance. Improved student self-esteem. Reduction in school violence and disciplinary issues. Parents, staff, students, and community all benefit from shared core values. This shapes school culture and provides shared language around positive youth development.
 - **Citizenship** To honor rules and laws and act with obedience toward authority. To give my time and abilities to serve others. To uphold equality of opportunity and fairness through respect for individual differences and knowledge of our democratic system.
 - **Cooperation** To take turns, share, and pay attention. To work with others for the good of all involved with a positive attitude. To be a team player by doing my best and to support others to do their best.

- o **Courage** To always do what I know is right despite hardship and challenge. To resist negative peer pressure and provide positive peer pressure. To defend the rights of others and myself.
- o **Honesty** To always be truthful with my words and actions, no matter how difficult.
- o **Integrity** To make the best choices with my words and behavior by knowing the difference between right and wrong, and to ask for adult help if I am not sure. To be a person of strong ethical values.
- o **Perseverance** To complete a task or project to the best of my ability. Not to give up or become discouraged. To be committed to creatively finding a solution.
- o **Respect** To treat others and myself with kindness. To be polite and considerate. To appreciate the good in others and myself and show compassion. To treat others and the property of others as I wish to be treated.
- o **Responsibility** To do what I say I will do and be someone others can count on. To use self-discipline when choosing my words, actions, and emotions. To learn from the consequences of my choices, challenges, and mistakes, rather than making excuses and blaming others.
- Utilizing the resources in Sierra County, especially those relating to the sciences, for the benefit of students at all grade levels. Resources include mountains, rivers, hot springs, forests, lakes, ruins, petroglyphs, unique geological formations, farms, ranches, and historical landmarks.
- Teaching of Study Skills — such as time management, organizing, memory techniques, note-taking, outlining, and research will be emphasized throughout the school and integrated throughout the curriculum to equip students for higher learning.
- Using Data Notebooks to track student goals— based upon classroom performance and data collected from the NWEA short-cycle assessment program students will track their academic progress, as well as other student goals, and review data with their teachers and parents. Academic progress of students in K- 8 will be monitored through frequent communication with parents.

How will we know if we are achieving our mission?

- We will know we are achieving our mission when our vision is a reality. We envision an educational environment where educators and community members partner with students and families, assuring each student’s needs are understood and met. As a result, students will reach their full individual potential, grow as leaders, progress at least one grade level per academic year, graduate on time, with the ability to succeed in life post high school. Our progress toward this vision can be measured by our goals and measurable objectives.

Literacy

- By the end of SCCS’s second year of operation (2025-26), 90% of parents and/or guardians will “Agree or Strongly Agree” that their child's school holds high expectations for academic achievement on an annually required NMPED Quality of Education Survey.
- By the end of SCCS’s second year of operation (2025-2026), SCCS will have accomplished 80% of the overall goals and targeted goals on EPSS Plan or an equivalent school plan platform.
- By the end of SCCS ’s fourth year of operation (2027-2028), 95% of SCCS students in grades 7-8 will participate in ongoing service-learning activities.
- By the end of the second year of operation (2025-2026), 90% of parents and/or guardians will “Agree or Strongly Agree” that SCCS staff work diligently to help students stay on track with Student Plan.

- By the end of the second year of operation (2025-2026) 80% of students will gain no less than a grade level in math and ESC.

F. (2) Provide a yearly calendar and daily schedule (length of school day, instructional blocks, and breaks) that **completely comply** with **all** state requirements and ensure **effective, successful** implementation of the academic program/curriculum for the proposed age group the school intends to serve. ***If anticipating serving K-5 Students and or an extended day program, please describe and include in a Year 2 calendar.

See below Calendar for School Year 2024-2025. The calendar exceeds the required instructional hours for K-8th grades. It provides a balanced approach with breaks to prevent student learning loss. We also kept in mind how we can accommodate families with siblings attending TCMSD. The calendar provides built in Professional Development Days for Staff. We will have monthly staff meetings, board meetings, and monthly leadership team meetings. The calendar includes three parent teacher conference meetings that will be student led with Data Folders where families and staff can revisit student goals, track data and progress, and keep clear lines of communications with families in regard to academic progress, leadership skills, and learning habits.

The daily schedule for K-5 is attached. Structured Literacy Blocks and Math Learning Blocks built into each day. Staying true to our innovative education program goals of inquiry-based learning, science/Inquiry blocks occur each day.

The Daily Schedule for Middle School has six periods, providing more time in each class to have the time for quality learning. If needed, an elective rotation can alternate during the semester. This will depend on staffing, enrollment, and student/family feedback.

There are built in Staff in Service days on the calendar. To meet the required 10 days professional development or 65 hours, there are also weekly PLC team meetings, Monthly staff meetings, Leadership team meetings, and professional development assignments on the Elevate NM online platform.

Sierra Community Charter Daily Student Master Schedule 2024-2025							
Middle School Grades 6 th -8 th							
8:25-8:30 Arrival Bell	8:30-9:30 1 st Period	9:33-10:33 2 nd Period	10:36-11:36 3 rd Period	11:36-12:16 Lunch	12:19-1:19 4 th Period	1:22-2:22 5 th Period	2:35-3:35 6 th Period
6 th Grade	World History	Math	Earth Science		PE	English	PE
7 th Grade	PE/AG	English	Math		Earth Science	American History	Computers
8 th Grade	Math	NM History	PE/Health		English	Physical Science	AG/Art

Sierra Community Charter Daily Student Master Schedule 2024-2025

Elementary School Grades K-5th

8:25-8:30	Arrival Bell
8:30-9:30	Math Learning Block
9:30-9:35	Restroom/Snack Break
9:35-10:35	Structured Literacy Block
10:35-10:40	Restroom/Snack Break
10:40-11:36	Science Investigations
11:36-12:16	Lunch/Recess
12:19-1:19	PE/Art/Computers/AG rotation
1:22-2:22	Kinder-rest/Centers exploration 1 st -3 rd . 4 th /5 th AG in the Classroom
2:35-3:05	Social Studies
3:05-3:35	Clean up, pack up, make up

Ongoing Service Learning Projects

Each classroom will participate in extended civic/outdoor service learning projects no less than 2 times each month. These projects will range from 2 hours- a full day depending on the age of students and depending on the project.

Sierra Community Charter 2024-2025 School Year Calendar

1st-28: Summer Break 29th-31st New Staff Orientation 28th-30th: All Staff In-Service 0 Student Days 3 Staff Days	July '24 <table border="1"> <thead> <tr><th>S</th><th>M</th><th>T</th><th>W</th><th>TH</th><th>F</th><th>S</th></tr> </thead> <tbody> <tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr> <tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr> <tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr> <tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr> </tbody> </table>	S	M	T	W	TH	F	S		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31				1st-3rd Holiday Break 6th Students and Staff Return 20th No School (MLK Jr. Day) 19 Student Days 19 Staff Days
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F. (3) Provide a **clear, comprehensive, and cohesive** explanation of how the educational philosophy, instructional methods, and yearly calendar and daily schedule will be effective with the anticipated student population.

Sierra Community Charter School's philosophy of education is based on a commitment to assure every student benefit from a rigorous, content-rich, educational program with their individual needs in mind. We believe students will achieve their highest potential when their needs are met, when they are safe and secure in their surroundings and when instruction is engaging, student led, real world connected, and rigorous.

We further trust that young people will recognize and emulate positive behaviors when those behaviors are demonstrated by those entrusted with guiding their growth and development. This will occur through shared core values, a culture grounded in Maslow's Hierarchy of Needs, ongoing project based learning and monthly service learning within the community. Our philosophy of education additionally aligns with the philosophy of some of the greatest minds of our times philosophers, doctors in education, and scientists such as Blooms Taxonomy of skills and abilities, and John Dewey's Inquiry based philosophy of learning.

Instructional methods

To achieve our mission, SCCS teachers will employ the following rigorous, engaging, and innovative methods:

Individual learning goals for all students

We will partner with all families and each student to set individual learning goals in academics, learning habits, and leadership development. We will individually assess students in content areas focusing on their own individual needs and strengths instead of against their peer group. Individual goals will be based off universal support built into the classroom, individual student qualitative and quantitative data, observations, and formative and summative classroom assessments. Goals will reflect academic growth as measured by state benchmarks and standards and age based developmentally appropriate milestones as guides. Learning habits will be observed and communicated to families to help partner in a reflection of the whole child while in the classroom learning environment. Leadership development goals will also be observed while in the learning environment and shared with the families to partnership in the development of the whole child foundation for success.

Ongoing Outdoor Learning Opportunities

We will provide ongoing outdoor student led inquiry-based learning experiences by partnering with our community for all grade levels guided by interdisciplinary units based on state or national standards. Outdoor learning experiences are an effective and engaging way for hands on and project-based learning to come together to create inquisitive life-long learners. Our large county is the epitome of rural New Mexico and provides our students and families many unique outdoor learning opportunities from our unique geological formations, high desert – mountain flora and fauna, variety of large reservoirs, Rio Grande River, Elephant Butte Irrigation District, Gila National Forest, Farms in the valley, geothermal Hot Springs, and Space Port America 27 miles from town, all surrounded by thousands of acres of ranches. Our demographics are embedded in rich Southwestern Culture founded on historic events/markers such as the Jornada Trail which was the longest road in America and brought settlers here 22 years before Pilgrims landed on Plymouth rock.

Monthly Service Learning

We will provide monthly k-8 service-learning partnerships chosen by students with local community entities. Each grade level will have an age-appropriate task associated with the service-learning project and entity. It is our desire to instill a civic duty and responsibility within our students to have hearts for serving others and the greater good. We want to inspire our students to impact their lives through service-learning opportunities. This will be accomplished through partnerships with a variety of community-based organizations such as the New Mexico Veteran's Home, VFW, American Legion, the Sierra County Extension Office, Soil and Water Conservation District, State Parks, Forest Service, Head Start, AppleTree, T or C Main Street, Sierra Assisted Living, the Senior Meal Site, and many more.

Ongoing Hands on and Project based

Sierra Community Charter School will provide ongoing hands-on learning opportunities tied to interdisciplinary learning projects in all classes k-8. Hands on learning is sensory receptive, highly engaging, develops a love for learning, multi-sensory, developmentally appropriate for all ages, and known nationally to be the most effective for all types of learning needs, and produces permanent learning memory. According to *the Journal of Experimental Psychology: Learning Memory, and Cognition*, “segments of time that are redundant and predictable are omitted in episodic memory, while more informative segments are selectively retained...” Creating cognitive development opportunities in the early years of brain development is critical. It is commonly known that the brain makes most of its neural connections based on sensory experiences before the age of ten.

Yearly calendar

The yearly calendar is created to prevent loss of learning with breaks divided throughout the school year instead of one large break at summer. We do not have high school students who would be working so we feel it is a developmentally appropriate calendar for k-8 grades. It additionally is somewhat similar to the current T or C Municipal School calendar with exception that there are no early release days. We believe we need as many instructional hours as possible to be able to address learning needs in the classroom and to match parents working schedules in the community. We do have staff in service days built in and many professional development hours will be logged and tracked throughout the year.

Daily Schedule

Our daily schedule starts a few minutes later than TCMSD to accommodate families. We live in a rural community in a county that spans over 4,000 square miles. Parents will be driving over 50 miles. Starting a little later will better accommodate families and students needs while reducing issues around tardiness.

Learning Blocks and longer class periods

We extended school hours a little later than TCMSD to meet instructional hours and to better accommodate learning blocks in the classroom, to accommodate the needs of families who work and go to school and give students time to transition with ease throughout the day. Learning blocks at the elementary and middle school level are proven to improve student performance with the method of, “quality over quantity.” We will offer six class periods with hour blocks of learning, providing time for hands on learning, robust lessons, feedback sessions, discuss data, and assessment of student comprehension.

G. Special Populations

This includes those with Individualized Education Programs (IEPs) English Language Learners (ELLs), Native American Students, Hispanic Students, and Bilingual and Multicultural educational needs to improve student outcomes. Please ensure that you adhere to state obligations as outlined in the consolidated Yazzie and Martinez Lawsuits.

G. (1) Special Education

G. (1a) Provide a **clear, cohesive, and comprehensive** description of how the proposed school will provide required instructional services/supports to students with IEPs.

Special Services

Students that require special services will be monitored carefully through a variety of qualitative and quantitative methods the same as regular education students, but with additional supports as identified and emphasized in their specific area of demonstrated need and addressed in their IEP.

Students with special services will have growth progress measured beginning with an annual baseline assessment, again every 4.5 weeks, every 9 weeks during parent conferences (3 times a year), each semester, and at the middle of the year and end of the year. The calendar of academic measurement of growth the student will have an annual IEP, any necessary re-evaluations, and additional accommodations or modifications as the IEP addresses throughout the school year. They will also have the support of an Educational Assistant in the classroom and any other resources identified based on demonstrated need from the IEP. Unique to SCCS is the opportunity for all parents and students to ask for a review of the student plan.

Supports such as UDL lesson plans, MLSS strategies for learning, and the ESSA plan for the school are built into services. Below is the comprehensive plan demonstrating how we will carry out the specific details of following through with an established IEP, re-evaluation of an IEP, or starting a new IEP.

Definitions and Abbreviations

- BIP: behavioral intervention plan
- CPI: Crisis Prevention Institute
- EDT: eligibility determination team
- SCCS Administration: SCCS 's Executive Director or designee
- FAPE: Free Appropriate Public Education
- FBA: Functional Behavior Assessment
- GC: SCCS 's Governing Board
- IDEA: Individuals with Disabilities Act
- IEE: Independent Educational Evaluation
- IEP: Individualized Education Program
- LEA: Local Education Agency
- LRE: Least-restrictive environment
- OT : Occupational Therapy
- PT: Physical Therapy
- SLP: Speech-Language Pathologist
- Student Services Team: school staff assigned to the student services department
- Written communication: Communication that must be put in writing on paper or may be delivered electronically in an e-mail, text messaging or instant messaging is not acceptable.

Policy

- SCCS staff will follow all the provisions of the Individuals with Disabilities Act (IDEA), its implementing regulations, and state regulations and administrative codes established pursuant to 20 U.S.C. Section 1412.
- The SCCS does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to designated youth group. The

following person has been designated to handle inquiries regarding the non-discrimination policies:

- No otherwise qualified individual with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any SCCS program or activity.
- Furthermore, except as modified below, SCCS adopts the Policies and Procedures for the Provision of Special Education Services for Students with Disabilities and Gifted Students template from the PED, Special Education Bureau, revised 2015-05, with the following customizations:
- SCCS does use the term “developmental delay”
- For further information on notice of nondiscrimination, contact the Office for Civil Rights for the address and phone number of the office that serves your area, call 1-800-421-3481.

Parental Requests in Writing

Parents are encouraged to submit any requests to the Student Services Team in writing using the Student Services Parent Request Form or via e-mail. If a response is not received within five (5) school days in the case of written form or e-mail, or ten (10) calendar days in the case of a US Postal letter, then parents are encouraged to follow the SCCS Grievance Policy.

Staffing

The SCCS Executive Director shall employ a Student Services Director (we will seek a special Educational Teacher who can serve in a dual role), whose job responsibilities shall include, but not be limited to:

- ensuring that the Student Services Team follows this policy in all its activities
- ensuring that the IEP Team meetings are correctly staffed and occur at least annually
- ensuring that notice of all meetings which a parent or guardian is entitled to attend shall be sent via US Postal Service, e-mail, or hand-delivered by an SCCS staff member (sending home with a student does not suffice) a least seven (7) calendar days in advance
- ensuring that appropriate ancillary services are being provided at the rates specified in the IEPs
- ensuring that quarterly reports of services rendered be provided to parents
- participating in Student Services Team meetings
- Developing the Student Services Forms listed above and ensuring that copies of the forms are prominently available in the school office, on the school’s website, and at registration
- ensuring that all Student Services staff have parents use written forms for their requests
- compiling information and making monthly reports to the Student Services Team as outlined below, and
- immediately reporting any breaches of federal or state law or this policy to the Executive Director.
- Special education teachers and ancillary staff will work closely with SCCS general education teachers to provide services and support in the general education classrooms whenever possible.

Parent Rights

- SCCS shall inform the parents of a child with a disability of opportunities to participate in meetings with respect to the identification, evaluation, and educational placement of the

child; and the provision of FAPE to the child. At SCCS, these meetings are the Eligibility Determination Team (EDT) and/or IEP Team meetings.

- The right to participate in meetings does not include informal or unscheduled conversations involving SCCS personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. The right to participate in meetings also does not include preparatory activities that SCCS personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.
- Parents have the right to file a state-level complaint after exhausting all of their options with the SCCS administration and the SCCS Grievance Policy. For information on state-level complaints please refer to the Special Education Bureau of the New Mexico Public Education Department.

SCCS Special Education Policy

- Parents have the right to file for a due process hearing after exhausting all of their options with the SCCS administration and the SCCS Grievance Policy. For more information about how to file for a due process hearing, please refer to New Mexico Administrative Code.
- A copy of the parent's federal rights under IDEA as well as a copy of this policy shall both be provided to parents at the start of each IEP meeting.

Documentation

Throughout this policy there will be numerous references to documents, agreements in writing, sign-in sheets, notifications, logs, e-mails, US Postal letters, and copies or print-outs of all such documentation are to be stored in the student's file in an orderly fashion, either chronologically, or organized per EDT/IEP meeting with supporting documentation chronologically arranged behind the EDT or IEP.

In the case of a Student Services file which contains documentation from previous schools, paperwork from SCCS and the previous school(s) shall be separated from each other in the file by a full-sized sheet of colored paper with the words "PREVIOUS SCHOOL" in large letters.

Initial Evaluations

SCCS is required by federal regulation to conduct an initial evaluation of a child before special education services are provided to a child with a disability. This evaluation must take place within sixty (60) days of receiving consent to perform the evaluation. To comply with this regulation, SCCS shall conduct a full and individual initial evaluation, in accordance with 34 C.F.R. §300.305 and §300.306, before the initial provision of special education and related services to a child with a disability the initial evaluation shall consist of procedures to:

- Determine if the child is a child with a disability under federal law
- Determine the educational needs of the child
- The sixty (60) day timeframe for an initial evaluation shall begin when SCCS receives the consent for evaluation.

Reevaluation of Children with a Disability

SCCS may reevaluate a child with a disability if that reevaluation occurs not more than once a year, unless the parent and SCCS agree otherwise. The evaluation is sufficiently comprehensive to address

all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

SCCS shall make a good faith effort to ensure that the child is assessed in all areas related to the suspected disability. This may include, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities. This shall not be an exhaustive list of areas that must be assessed. Decisions regarding the areas to be assessed shall be determined by the suspected needs of the child. If a child's behavior or physical status is of concern, evaluations addressing these areas shall be conducted.

The scope of an initial evaluation (if appropriate) and any reevaluation shall be determined by a review of existing evaluation data as set forth in federal regulation.

Evaluation Assessments and Process

- SCCS should not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
- SCCS shall make a good faith effort to use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- SCCS shall select and administer assessments and other evaluation materials so as to not be racially or culturally discriminatory. SCCS shall make a good faith effort to provide and administer tests in the child's native language or other mode of communication and in the form most likely to yield accurate information about what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to do so.
- SCCS shall make a good faith effort to use assessments for the purposes for which the assessments or measures are valid and reliable. SCCS shall make a good faith effort to ensure that trained and knowledgeable personnel administer assessments and other measures. SCCS shall make a good faith effort to ensure that assessments are administered in accordance with the instructions provided by the producer of the assessments.
- SCCS shall make a good faith effort to include assessments and other evaluation materials tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient. SCCS select and administer assessments so as best to ensure that, if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or any other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
- SCCS shall ensure that the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- When a child transfers from one district to another in the same school year, SCCS shall coordinate with the other school district, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.

- SCCS shall make a good faith effort to comply with the additional procedures, as appropriate, for determining the presence of a specific learning disability.

Group of Qualified Professionals

Upon completion of the administration of assessments and other evaluation measures:

- A group of qualified professionals and the parent of the child shall determine whether the child is a child with a disability, as defined in 34 C.F.R. §300.8, in accordance with paragraph (b) of that regulation and the educational needs of the child; and
- SCCS shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.
- The group that determines whether the child is a child with a disability shall consists:
 - The parent(s) or legal guardian(s) of the child
 - A member of the GB or Admin Staff, selected by the chair of that committee
 - At least one regular education teacher of the child
 - At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

SCCS shall refer to the Sign-in Sheets

Each EDT and IEP meeting shall have a sign-in sheet showing each participant's name, signature, and role in the meeting, as well as the start time of the meeting. Sign-in sheets shall be stored in the student's Student Services folder. IEP Team Membership and Participants section for additional requirements regarding selection and roles of group members.

NM TEAM

The New Mexico Public Education Department has issued a guidance document entitled, New Mexico Technical Evaluation and Assistance Manual: Determining Eligibility for IDEA Part B Special Education Services (NM TEAM).

The NM TEAM presents a sustained effort to standardize evaluation and assessment procedures and eligibility criteria in every IDEA disability category across New Mexico. School districts are expected to attend to the recommendations that NM TEAM establishes. In the specific learning disability category, the expectations in NM TEAM establish the official New Mexico Public Education Department eligibility policy, to which SCCS is required to adhere under the Final Regulations of the IDEA 2004.

SCCS by reference in this policy, and through staff professional development (as appropriate), shall inform appropriate personnel of this guidance document. SCCS shall utilize the guidance of NM TEAM.

Independent Education Evaluations (IEE)

As described herein, the parent has the right to obtain an IEE of the child if the parent disagrees with the evaluation of the child that was obtained or conducted by SCCS. If the parent requests an IEE, SCCS shall provide the parent with information about where the parent may obtain an IEE and about SCCS's criteria that apply to IEEs.

Parental Right to IEE at Public Expense

The parent has the right to an IEE of the child at public expense if the parent disagrees with an evaluation of the child obtained or conducted by SCCS. This IEE shall be subject to the following conditions:

- If the parent requests an IEE of the child at public expense, SCCS shall, without unnecessary delay, either:
 - File a due process complaint to request a hearing to show that its evaluation of the child is appropriate; or
 - Provide an IEE at public expense, unless SCCS demonstrates in a hearing that the evaluation of the child that the parent obtained did not meet the school district's criteria.
- If SCCS requests a hearing and the final decision is that the district's evaluation of the child is appropriate, the parent still shall have the right to an IEE, but not at public expense.
- If the parent requests an IEE of the child, SCCS may ask why the parent objects to the evaluation of the child obtained by SCCS. However, SCCS shall not require an explanation and shall not unreasonably delay either providing the IEE of the child at public expense or filing a due process complaint to request a due process hearing to defend the evaluation of the child.
- The parent shall be entitled to only one IEE of the parent's child at public expense each time SCCS conducts an evaluation of the child with which the parent disagrees.

Parent-Initiated IEEs

- If the parent obtains an IEE of the child at public expense or the parent shares with SCCS an evaluation of the child that the parent obtained at private expense:
- SCCS shall consider the results of the evaluation of the child, if it meets the SCCS's criteria for IEEs, in any decision made with respect to the provision of a free appropriate public education to the child; and
- The parent or SCCS may present the evaluation as evidence at a due process hearing regarding the child.
- All parent-initiated educational evaluations shall comply with SCCS's established procedures for an IEE. SCCS Criteria for IEEs
- If an IEE is at public expense, the criteria under which the evaluation is obtained, including location of the evaluation and the qualifications of the examiner, shall be the same as the criteria that SCCS uses when it initiates an evaluation (to the extent those criteria are consistent with the parent's right to an IEE).

Sierra Community Charter School has established the following criteria, which shall be followed by evaluators conducting IEEs:

- The individual or agency shall conduct business within Sierra, Dona Ana, Socorro, Hidalgo counties and within 100 miles of SCCS
- The individual or agency shall have assessment experience and follow evaluation guidelines set forth by New Mexico Technical Evaluation Assessment Manual (NM TEAM)
- Fees shall be aligned with fees of evaluators contracted or employed by SCCS in comparable roles.
- The individual or agency shall hold a current New Mexico license in one or more of the following professions:
 - Educational Diagnostician
 - School Psychologist
 - Clinical Psychologist

- o Psychiatrist
- o Neuropsychologist
- o Audiologist
- o Speech-Language Pathologist
- o Occupational Therapist
- o Physical Therapist; and
- o Any other evaluators must provide documentation of licensure in their respective field(s).

Conflict Resolution at the Lowest Possible Level

IDEA requires that parents turn first to IDEA’s administrative framework to resolve any conflicts they may have with SCCS including regarding identification, evaluation, educational placement, or the provision of a FAPE. The Tenth Circuit federal court of appeals has interpreted the IDEA’s exhaustion requirements broadly, “noting Congress’ clear intention to allow those with experience in educating the nation’s disabled children at least the first crack at formulating a plan to overcome the consequences of educational shortfalls.” 4039 34 C.F.R. § 300.502(1) 40 Ellenberg v. New Mexico Military Institute, 478 F.3d 1262 (10th Cir. 2007)

SCCS seeks to establish and maintain productive working relationships with the parents of each child it serves and to deal constructively with disagreements. Toward that end, SCCS is strongly encouraged to provide appropriate training for staff and parents in skills and techniques of conflict prevention and management and dispute resolution. SCCS shall utilize informal dispute resolution methods to resolve disagreements at the local level whenever practicable.

SCCS shall encourage parents to contact the Executive Director first in an effort to resolve a conflict. If efforts to resolve the conflict at the campus level fails, SCCS shall encourage parents to contact the Student Services Committee of SCCS’s Governing Board, for informal mediation. If efforts to resolve the conflict with the Student Services Committee fails, the Student Services Committee shall encourage parents to file a formal grievance with the SCCS Governing Board. To facilitate dispute prevention, as well as swift, early conflict resolution whenever possible, the New Mexico Public Education Department and SCCS shall ensure that the following dispute resolution options are available to parents:

Informal dispute resolution options:

If a disagreement arises between parents and SCCS over a student’s IEP or educational program, either the parents or SCCS may convene a new IEP meeting at any time to attempt to resolve their differences at the local level, without state-level intervention.

If a disagreement arises between parents and SCCS over a student’s IEP or educational program, SCCS may provide or engage personnel trained and experienced in facilitation to assist the student’s IEP Team in resolving the conflict at the local level. Third-party assisted intervention. The Special Education Bureau of the Public Education Department ensures that mediation is available to parents and SCCS who request such third-party assisted intervention before filing a state-level complaint or a request for a due process hearing.

Formal dispute resolutions:

A state-level complaint may be filed with the Special Education Bureau of the Public Education Department by the parents of a child, or by another individual or organization on behalf of a child. Once a complaint has been filed, the parties may agree to convene a Facilitated IEP meeting or

mediation. To do so, SCCS must (and the parent may) notify the Special Education Bureau in writing as soon as practical after their decision to jointly request one of these alternative dispute resolution options.

A request for a due process hearing may be filed by parents or their authorized representative, or by the SCCS. A resolution session between the parties shall be convened by SCCS following a request for a due process hearing, unless the parties agree in writing to waive that option or to convene a Facilitated IEP meeting or mediation instead.

- The Special Education Bureau of the Public Education Department shall honor a request for mediation that:
 - Is in writing;
 - Is submitted to the Special Education Bureau of the Public Education Department;
 - Is a mutual request signed by both parties or their designated representatives; and Includes a statement of the matter(s) in dispute and a description of any previous attempts to resolve these matters at the local level.

Any request that does not contain all of these elements will be declined, with an explanation for the Special Education Bureau of the Public Education Department's decision and further guidance, as appropriate.

Ensuring Parent Participation

SCCS shall provide advanced notice of EDT and IEP Team meetings to ensure that parents of children with disabilities have the opportunity to participate in these meetings. The steps SCCS shall take to ensure parent participation in EDT and/or IEP Team meetings shall include all of the following:

- Sending written notification to parents of the meeting at least seven (7) calendar days prior to the proposed time to ensure that they will have an opportunity to attend. Such notice shall be sent via US Postal Service, e-mail, or hand-delivery – sending the notice home with a student does not suffice.
- Scheduling the meeting at a mutually agreed time and place. All parental notification letters shall be signed to indicate parent receipt. If a parent refuses to sign the notification letter, then at least two staff members must appeal to parent, and if parents still refuse to sign, then both staff members must attest to the refusal in writing, and store the note in the student's Student Services folder.
- IDEA does not require school districts to schedule EDT and/or IEP Team meetings in the evenings. Therefore, it is not unreasonable for SCCS to schedule meetings of the EDT and/or IEP Team only during regular school hours or regular business hours because these times are most suitable for SCCS personnel to attend these meetings. Only when SCCS is unable, after at least three attempts, to convince a parent to participate in an EDT and/or IEP Team meeting may the meeting be conducted without a parent. In this case, the Administration shall keep a record in the student's Student Services file of all of its attempts to arrange a mutually agreed on time and place, such as:
 - Detailed records of telephone calls made or attempted and the results of those calls
 - Printed copies of correspondence, to include e-mail, sent to the parent and any responses received.

If neither parent can attend an EDT and/or IEP Team meeting, shall SCCS offer to use other

methods to ensure parent participation, including individual or conference telephone calls. An IEP Team meeting may be conducted without a parent only when SCCS is unable to convince a parent to participate in an IEP Team meeting.

Preparation vs. Predetermination

Predetermination occurs when a party involved in the IEP Team makes decisions regarding components of the IEP prior to the IEP Team meeting, and presents one option at the meeting and is unwilling to consider other alternatives. SCCS personnel shall engage in preparatory activities but shall not predetermine the outcome of an IEP Team meeting, since such predetermination deprives the parent of the right to participate in the meeting. With respect to a draft IEP, SCCS staff are encouraged to come to an IEP Team meeting prepared to discuss evaluation findings and preliminary recommendations. Likewise, parents have the right to bring questions, concerns, and preliminary recommendations to the IEP Team meeting as part of a full discussion of the child's needs and the services to be provided to meet those needs.

If SCCS personnel develop a draft IEP prior to the IEP Team meeting, they shall make it clear to the parents at the outset of the meeting that the services proposed are preliminary recommendations for review and discussion with the parent. SCCS personnel are encouraged to provide the parent with a copy of draft(s) prior to the IEP Team meeting, if any such drafts have been developed ahead of time. It is not permissible for SCCS personnel to have the final IEP completed before an IEP Team meeting begins. SCCS personnel are encouraged to develop drafts of the student profile, present levels of academic achievement and functional performance, goals, applicable objectives and/or benchmarks, and applicable components of any transition plan prior to the IEP Team meeting.

SCCS personnel may not develop drafts of statements related to the least restrictive environment, special education and related services and prior written notice of proposed actions prior to the IEP Team meeting. Similarly, parents may not predetermine the outcome of an IEP Team meeting, as the ultimate decision regarding the education and placement of the student is the responsibility of the overall IEP Team. Parents are encouraged to be prepared and to offer any draft recommendations of their own, but such drafts shall not be binding on the IEP Team. The IEP Team is strongly encouraged to work with the parent in a constructive manner, but the parent's position, recommendations, and opinions are not ultimately binding on the IEP Team.

When to Convene an IEP Team Meeting

An IEP Team meeting must be held to review the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved. The IEP Team shall be convened to revise the IEP as appropriate to address:

- Any lack of expected progress toward the annual goals described in 34 C.F.R. §300.320(a)(2),
- and in the general education curriculum, if appropriate;
- the results of any reevaluation conducted under 34 C.F.R. §300.303;
- Information about the child provided to, or by, the parents, as described under 34 C.F.R. §300.305(a)(2) [review of existing evaluation data];
- The child's anticipated needs;
- Repeated violations of the same element of the code of student conduct as defined in the SCCS Discipline Policy, if the SCCS Administration determines that such violations, in

conjunction with any unique case-by-case circumstances, may make a change of placement appropriate;

- Additional information related to the IEP becomes available; or
- Other matters.

Any changes in placement must be consistent with other provisions in this policy and applicable federal and state statutes, implementing procedures, and administrative codes.

Sign-in sheets

Each EDT and IEP meeting shall have a sign-in sheet showing each participant's name, signature, and role in the meeting, as well as the start time of the meeting. Sign-in sheets shall be stored in the student's Student Services folder.

IEP Team Membership and Participants

To be duly constituted, IEPs team meetings shall be conducted in accordance with 34 CFR 300.321 and will consist of the following individuals:

- The parent(s) or legal guardian(s) of the child;
- A member of the Student Services Committee of the Governing Board, selected by the chair of that committee, acting as the LEA representative;
- At least one regular education teacher of the child;
- At least one special education teacher or provider of the child;
- An individual who can interpret the instructional implications of evaluation results (who may be one of the other members of the team);
- The child, whenever appropriate, including if a purpose of the meeting will be the consideration of post secondary goals for the child and the transition services needed to assist the child in reaching those goals; and
- When transition services will be considered, to the extent appropriate and with consent of the parent or adult student, a representative of any participating agency that is likely to be responsible for providing or paying for transition services the parents or legal guardians of the child

SCCS shall make a concerted effort to accommodate participation in the IEP Team meetings in accordance with the section on "Ensuring Parent Participation", above.

Member of the Student Services Committee

Members of the Student Services Committee of SCCS's Governing Board are deemed to be qualified to supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, knowledgeable about the general education curriculum, and knowledgeable about the availability of resources of SCCS. Consequently, a member of the Student Services Committee of SCCS's Governing Board satisfies the requirements of 34 CFR §300.321(a)(4) and will act in the role of the "representative of the public agency" for each IEP Team.

Regular Education Teacher

If the child has more than one regular education teacher, the SCCS Administration shall determine which particular teacher or teachers is a member of the IEP Team. The regular education teacher must be a teacher of the child, unless the child does not have a regular education teacher.

Special Education Teacher/Provider

The special education teacher or provider shall be a special education teacher or provider of the child, unless the child has not been receiving special education

services. If the child has more than one special education teacher or provider, the SCCS Administration shall determine which particular special education teacher or teachers is a member of the IEP Team. The special education teacher or provider who is a member of the child's IEP Team may be the person who is, or will be, responsible for implementing the IEP.

Individual Who Can Interpret the Instructional Implications of Evaluation Results

The individual who can interpret the instructional implications of evaluation results may be one of the other members of the IEP Team. If an IEP Team member is serving in a dual capacity, that member shall designate the dual capacity by noting the dual capacity when signing in as a participant at the IEP meeting declaring the dual roles representing.

Generally, a special education teacher, IEP specialist, diagnostician, or speech language pathologist is qualified to interpret the instructional implications of evaluation results. "An individual who is qualified to conduct a particular assessment may not necessarily have the skills or knowledge to assist the IEP Team in determining the special education, related services, and other supports that are necessary for the child to receive FAPE." Therefore, an individual who is qualified to interpret the instructional implications of evaluation results does not have to be qualified to conduct the underlying diagnostic assessments.

Child with a Disability

Generally, a child with a disability should attend the IEP Team meeting if the parent decides that it is appropriate for the child to do so. If possible, SCCS and the parent may discuss the appropriateness of the child's participation before a decision is made, in order to help the parent determine whether or not the child's attendance would be helpful in developing the IEP or directly beneficial to the child, or both.

SCCS shall invite a child with a disability to attend the child's IEP Team meeting if a purpose of the meeting will be the consideration of the post-secondary goals for the child and the transition services needed to assist the child in reaching those goals, regardless of whether the child has reached the age of majority. However, until the child reaches the age of majority under New Mexico law, unless the rights of the parent to act for the child are extinguished or otherwise limited, only the parent has the authority to make educational decisions for the child under the IDEA, including whether the child should attend an IEP Team meeting.

Outside Agencies and Transition Services Participants

SCCS can invite officials from an outside agency, SCCS shall obtain parental consent for the individual to participate in the IEP Team meeting because confidential information about the child from the child's education records would be shared at the meeting.

SCCS shall invite an outside agency, or agencies, as appropriate, to an IEP Team meeting during which transition services for the student will be discussed. In determining whether to invite an outside agency to an IEP Team meeting, SCCS may consider such factors as whether a purpose of the IEP Team meeting will be the consideration of the post-secondary goals for the child and the transition services needed to assist the child in reaching those goals; and whether there is a participating agency likely to be responsible for providing or paying for the child's transition services. The decision of whether it would be appropriate to invite outside agencies rests with SCCS and the parents or the child who has reached the age of majority, provided that the parents or the child who

has reached the age of majority consents to the invitation. If the parent, or the child who has reached the age of majority, refuses to consent, SCCS shall not invite a representative of that agency to attend the child's IEP Team meeting.

At the discretion of the parent or the SCCS Administration, other individuals, to include the Executive Director or designee, who have knowledge or special expertise regarding the child, including related services personnel as appropriate, may be invited to the IEP Team meeting. The determination of the knowledge or special expertise of the individual shall be made by the party (parents or the Student Services Committee representative) who invited the individual to be a member of the IEP Team.

If SCCS invites any such individuals to the IEP Team meeting, the list of those individuals shall be listed in the Prior Written Notice for the meeting. If the parent invites any such individuals to the IEP Team meeting, the parent shall give at least 24 hours notice to SCCS of the list of those individuals. SCCS shall invite one or more appropriate related service providers to attend an IEP Team meeting if the IEP Team is considering proposing related services, a change in related services, or discontinuation of related services; or obtain the related service provider's input through other means.

The SCCS Administration shall be responsible for determining the specific school personnel to fill the roles for the required participants at the IEP Team meeting, with the exception of the Student Services Committee representative. For example, if the child has more than one regular education teacher, the SCCS Administration (not the Student Services Committee representative) will determine which regular education teacher will fill the role of regular education teacher at the IEP Team meeting. A parent shall not have a legal right to require other members of the IEP Team (e.g., the child's other regular education teacher(s)) to attend an IEP Team meeting. Therefore, if a parent/legal guardian invites other SCCS personnel who are not designated by the SCCS Administration to be on the IEP Team (including persons with knowledge or special expertise other than a required member), they are not required to attend, and if they choose to attend, they must do so on their own personal time.

Any meeting held without all of the required individuals present or properly excused (see below) shall not be considered a duly constituted meeting, shall not be binding, and shall not be deemed to fulfill the requirement of yearly review or 3-year reassessment. Amending the IEP without an IEP Team Meeting. After the annual IEP Team meeting for a school year, in making changes to a child's IEP, the parent of a child with a disability and SCCS may agree in writing not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP. Both a representative from the Student Services Team and a parent or guardian of the student must sign the amendment document before the changes may be enacted. If either the parent or SCCS disagree, then the IEP Team will be convened to revise the IEP. If the IEP is amended by agreement without convening an IEP Team meeting, SCCS shall provide prior written notice to the parents of the amendments a reasonable time before implements the amendments. If changes are made to the child's IEP by agreement without a meeting SCCS ensure that the changes are communicated to the child's IEP Team and to the chair of the Student Services Committee of SCCS's Governing Board.

IEP Team Member Excusal

At SCCS, the designated Student Services Committee member acting as a representative to the IEP Team shall be the individual who has the authority to "agree" or "consent" to an excusal of a required

member on behalf of SCCS. There is no requirement that the excused IEP Team member agree to be excused from the IEP Team meeting, that a teacher be included as one of the parties that decides whether a teacher should be excused from attending the IEP Team meeting, or that other IEP Team members agree to excuse a member's attendance. For an IEP Team meeting to be duly constituted, the following IEP Team members shall be present during the entire IEP Team meeting unless excused in accordance with the IDEA:

- Not less than one regular education teacher if the child is, or may be, participating in the regular education environment; and
- Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child.

Additionally, at SCCS, the IEP Team shall not be duly constituted without the presence or alternative live participation (such as a teleconference or video chat) of the designated Student Services Committee member, selected by the chair of that committee, acting as the LEA representative to the IEP Team, unless that Student Services Committee member agrees to their own excusal in advance and in writing (to include e-mail). Any Student Services Committee members so excused may review any records related to the IEP meeting after the fact, as permitted in SCCS's Privacy Policy.

If the Student Services Committee representative excuses their own participation, then their role as the representative of the LEA should be delegated to an individual (such as the Executive Director or designee) who has the authority to commit SCCS resources and who is able to ensure that whatever services are described in the IEP will be provided. Excusal from an IEP Team meeting of the above-required members listed in this section refers to releasing the required member from attending the entire meeting, or granting the required member permission to leave before the meeting has ended. The criteria for excusal shall be fully satisfied even when the member is seeking permission to leave during the meeting. If the criteria for excusal set forth here are not satisfied, then the IEP Team meeting shall not proceed without the required member.

There are two different types of excusal, with different requirements. The first type of excusal (34 C.F.R. §300.321(1)) requires parental agreement; the other type of excusal (34 C.F.R. §300.321(2)) requires parental consent. SCCS shall not eliminate the difference between these types of excusals because the IDEA clearly differentiates between circumstances in which parental consent is required and when an agreement is required to excuse an IEP Team member from attending an IEP Team meeting. Excusal of required IEP Team members shall not occur on a routine basis. Allowing IEP Team members to be excused from attending an IEP Team meeting is intended to provide additional flexibility to parents in scheduling IEP Team meetings and to avoid delays in holding an IEP Team meeting when an IEP Team member cannot attend due to a scheduling conflict.

Type I: Excusal for Which Parent Agreement is Required

When an IEP Team member's area of the curriculum or related services is not being modified or discussed, the required member (regular education teacher, special education teacher or provider of the child) may be excused from all or a portion of the meeting if the following criteria are met:

- the Student Services Committee representative and parent agree that the member's attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting; and
- The agreement is in writing.

The law affords wide latitude with respect to the content of the agreement. The SCCS shall utilize the IEP Team Member Excusal Form to assure that the criteria for this type

of excusal have been met.

Type 2: Excusal for Which Parent Consent is Required

When an IEP Team member's area of the curriculum or related services is being modified or discussed, the required member (regular education teacher, special education teacher or provider of the child) may be excused from all or a portion of the meeting only if all of the following criteria are met:

- The Student Services Committee representative and parent consent to the excusal;
- The parent's consent is in writing and satisfies the requirements of informed consent; and
- The excused member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

SCCS shall acquire the parental consent for the excusal of a member who is subject to excusal requirements. The consent shall satisfy the IDEA requirements of informed consent. This means that SCCS shall "provide the parent with appropriate and sufficient information to ensure that the parent fully understands that the parent is consenting to excuse an IEP Team member from attending an IEP Team meeting in which the member's area of the curriculum or related services is being changed or discussed and that if the parent does not consent the IEP Team meeting must be held with that IEP Team member in attendance".

SCCS shall utilize the IEP Team Member Excusal Form for obtaining the parent's consent for an excusal. In order to be excused from the meeting in whole or in part, the member shall submit to the parent and the IEP Team written input into the development of the IEP prior to the meeting. Excused members shall document the fact that the parent and the IEP Team were provided written input in advance of the IEP Team meeting and that documentation shall be presented to a representative school staff member of the IEP Team before the IEP Team meeting begins. The U.S. Department of Education has declined to regulate the timelines for obtaining parental agreement or consent for the excusal of a member because IDEA does not specify how far in advance of an IEP Team meeting a parent shall be notified of the district's request to excuse a member from attending an IEP Team meeting. IDEA also does not specify when a parent must sign a written agreement or provide consent to excuse an IEP Team member.

Contents of an IEP

In developing an IEP for a child with a disability, the IEP Team shall:

- Consider first how the regular education curriculum may be appropriately adapted to the student's needs before considering another curriculum. Appropriate members of the SCCS Curriculum Committee may be included on the IEP Team for this purpose at the request of any other member of the IEP Team.
- In the case of a child whose behavior impedes the child's learning or that of others, including but not limited to refusals to cooperate with school staff or to move to another location, consider the use of positive behavioral interventions and supports, and other strategies, to address such behaviors fully and adequately;
- Consider the communication needs of the child;
- In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;

- In the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and
- Consider whether the child needs assistive technology devices and services.

IEPs shall specify services in daily or weekly allocations, and the Student Services Team shall ensure the delivery of services at the rates specified.

Behavior

With respect to the special factor of behavior, SCCS shall consider the NMPED Guidance Document Addressing Student Behavior: A Guide for Educators (revised September 2005 and 2010), to the extent such guidance is consistent with the IDEA and its implementing regulations, state statutes and regulations, and does not impose a requirement that is not otherwise imposed by federal and/or state law 82 34 C.F.R. § 300.324(a)(2) 83 Memorandum from Sam Howarth, State Director of Special Education, to District and Charter School Special Education Directors, Regarding Frequency of Service Stated on an IEP. September 8, 2004.

In the case of a child whose behavior impedes the child's learning or that of others, the IEP Team shall consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior including, as appropriate, by conducting a functional behavioral assessment (FBA) and developing a behavior intervention plan (BIP).

IEP Teams are encouraged to conduct FBAs and shall integrate BIPs into the IEPs for students who exhibit problem behaviors well before the behaviors result in proposed disciplinary actions for which FBAs and BIPs are required under the federal regulations. The child's unique needs shall have paramount importance in determining what behavioral interventions and supports, or behavioral management strategies, are appropriate for a child with a disability and shall be included in the child's IEP. Therefore, FBAs are an ongoing process. The focus of the special factor of behavior shall be on interventions and strategies, not assessments, to address the needs of a child whose behavior impedes the child's learning or that of others. Therefore, while conducting an FBA typically precedes developing positive behavioral intervention strategies, the IEP Team determines, as part of its consideration, whether an FBA is necessary to develop interventions and strategies to address the child's behavior.

Students with special needs are not permitted to break the law by disrupting the education process of other students, destroying property, assaulting other students, etc. A BIP shall be created for any student with an IEP who has engaged in or is likely at some future point to engage in, such activities. If a student with an IEP engages in the same behavior violation or disruptive activity three or more times within a two week period, the SCCS Administration shall report the circumstances to the Student Services Committee, and the Student Services Director of SCCS shall determine whether the student's IEP Team will be convened, as soon as practicable and in compliance with all applicable IEP meeting statutes and regulations, to review the need to create or revise a BIP for the student to address the observed behavior violations. No student shall be allowed to remain in a situation or condition where the is persistently disrupting the learning, safety, or well-being of other students. All BIP's must contain specific details and directions regarding the actions that will be taken by SCCS staff, with reference to the student with that BIP, to assure that the learning, safety, and well-being of all students is safeguarded.

If an IEP or any associated BIP does not address a particular element of a student's behavior that is addressed in SCCS's Discipline or Safety policies, then the Discipline and Safety policies shall be applied for those elements until a review can occur 84 6.31.2.11(F)(1) NMAC 85 OSEP Letter to Anonymous (March 17, 2008) 86 71 Fed. Reg. 46683

Each IEP shall address inappropriate student behavior either by reference to existing SCCS policies, or explicitly in an associated BIP. Thus, each IEP shall either:

- include the following statement: "The student is subject to SCCS's Discipline and Safety Policies. If physical management is necessary as a last resort in a situation not threatening serious, probable, and imminent bodily harm, it will be completed by staff member trained and certified in CPI/NCI. Parents will be notified if a student requires physical management." Or
- Include the statement, "The student is subject to SCCS's Safety Policy", and have an associated BIP that defines student-appropriate steps to take for each Discipline policy behavioral violation. The BIP shall emphasize positive interventions, strategies, and supports that teach appropriate replacement behaviors. However, the BIP shall also address and specifically provide for situations where a particular student exhibits aggressive, violent, or dangerous behavior that requires an immediate aversive intervention, such as physical management. In that case, physical management shall be designed to:
 - Protect the student and others from serious injury or
 - safeguard physical property; and
 - should be used only as a last resort.

Mechanical restraint devices, to include handcuffs and flex cuffs, may not be used by SCCS staff. Escorting a student by touching and/or holding a student without the use of force shall not be considered a form of discipline, physical restraint, or corporal punishment. Use of physical management shall not be used as a form of punishment 87 Memorandum from Denise Koscielniak, State Director of Special Education regarding Use of Physical Restraint as a Behavioral Intervention for Students with Disabilities, March 14, 2006. 88 6.11.2.8.C.(3) NMAC

Audio or Video Recordings of IEP Team Meetings

Parent(s) are permitted to make audio or video records of IEP Team meetings for the purposes of:

- Understanding the contents of the meeting, or
- communicating with a parent or legal guardian who could not be present at the Meeting so long as the recording is not done in such a fashion as to constitute intimidation.

Parents wishing to make audio or video recordings of IEP Team meetings are required to notify the SCCS Administration at least 24 hours prior to the IEP Team meeting.

Disagreements

Though consensus of the IEP Team is desired and shall be reasonably sought, if consensus is not possible, school personnel have the final authority to determine the student's placement. Signing the IEP designates presence and participation in the process, not agreement with the final IEP. It is not required that all members sign the IEP. If the parent disagrees with the final IEP, SCCS will document the disagreement in a Prior Written Notice. Copies of Evaluation Reports, EDT Record, and IEP upon completion of the administration of assessments and other evaluation measures, SCCS shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

SCCS shall give the parent a copy of the child's IEP at no cost to the parent. A copy of the IEP and the Prior Written Notice of actions proposed or refused by SCCS shall be provided to the parent at the close of the IEP meeting. Consequently, the contents of an IEP must be based on the information at hand during the IEP Team meeting. If additional reports, assessment results, or other information pertinent to the IEP become available after the IEP meeting, then a new IEP Team Meeting may be initiated at the discretion of the SCCS Administration.

At the close of the IEP meeting, the parents shall be asked to sign a copy of the IEP and the Prior Written Notice as indication of their receipt (not of their agreement with the contents). If a parent refuses to sign, a note to that effect shall be made on the IEP copy and then attested to by the signatures of at least two others present.

Initiation of Services

Special education students require timely delivery of services in order to not fall behind in their education and to properly address their physical needs. For students continuing at the school from one year to the next who have an existing IEP that is still in effect, in house services required by the IEP shall be provided starting within the first five school days and ancillary services as required by the IEP shall be started within the first ten school days. For students who have been determined to be eligible for services, Student Services shall schedule the initial IEP Team meeting no more than 14 days after the date of the determination.

For students who have had a newly completed IEP, services shall start within five (5) days Unless the parents, in writing, waive their right to prior written notice, in which case services shall start as soon as practical.

Monthly Reports to the Governing Board

The following reports shall be made monthly, in writing (to include electronic mail), by the Student Service Director to the Student Services Committee chair, or designee:

- Number of IEPs on file at SCCS, and the number of IEPs at different levels
- Number of IEPs that are due for their 3-year reevaluation.
- Total number of hours of OT, PT, SLP, and other services due for the entire school year by these IEPs, the number of hours provided for each type of service since the last report, and the total number of hours provided for each type of service so far during the current school year.
- Current cost rate for providing each type of service (OT, PT, SLP, or other)
- Number of IEP meetings held since the last report
- Number of IEPs updated since the last report
- Number of IEPs that expire within the next month
- Number of IEP students involved in disciplinary actions, and the number and nature of incidents for each
- Number of times a physical management was necessary, and the circumstances surrounding it

All changes in staffing must be approved by the Governing Board. The use of the substitute teaching fund to affect an unofficial staff hire is expressly prohibited without prior Governing Board approval.

Quarterly Reports on Services

At the end of each grading quarter, the Student Services Team shall generate a report of the services actually provided to each student, including both ancillary services and services provided by the Student Services Team. These reports shall be either sent to parents via US Postal service, e-mail, or

hand-delivery by SCCS staff directly to parents. A copy shall also be filed in the student's Student Services file. If parents agree in writing to receive the information online, this notification and filing requirement shall be satisfied.

Law Enforcement and Safety

SCCS personnel may not harass, discriminate against, or retaliate against students with IEPs. Law enforcement may be called for a student with an IEP under the same circumstances as for a student without an IEP. If a student with an IEP

- constitutes a serious, probable, and imminent bodily harm to self or others, and
- the aversive interventions in the IEP that can reasonably be applied given the nature of the circumstances have been applied, and
- the threat of serious, probable, and imminent bodily harm to self or others persists, then SCCS staff shall respond to a student with an IEP in the same manner that they would respond to a student without an IEP, in accordance with the Safety Policy. If CPI trained individuals are present and the nature of the circumstance permits, then CPI trained individuals shall execute the actions of the Safety Policy. However, if CPI trained individuals are not present or the nature of the circumstance does not permit even making this determination, then any staff member
- all execute the actions of the Safety Policy regardless of CPI training. Such actions shall not be considered harassment, discrimination, retaliation, a change in placement, child abuse, corporal punishment, or denial of FAPE to the student.

If the school has any student with an IEP that contemplates reasonable, appropriate, physical management, then at least 3 staff members currently certified in CPI or NCI shall be on campus when school is in session and any such student is present.

Disputes with the Student Services Committee

Disputes between the SCCS Administration and the Student Services Committee regarding any duties or decisions described herein shall be referred to SCCS's Governing Board by either party for resolution.

Section 504

Under the American with Disabilities Act, Section 504 mandates that schools avoid discrimination in policies and practices regarding students. No unlawful discrimination against any student with a disability shall be permitted at SCCS , including all aspects of the educational program, facilities, and participation in school-sponsored activities.

G. (1b) Provide a **clear, cohesive, and comprehensive** description of how the proposed school will regularly evaluate and monitor the progress and success of special education students

Special Education Students Progress

SCCS is required by federal regulation to conduct an initial evaluation of a child before special education services are provided to a child with a disability. This evaluation must take place within sixty (60) days of receiving consent to perform the evaluation. To comply with this regulation, SCCS shall conduct a full and individual initial evaluation, in accordance with 34 C.F.R. §300.305 and §300.306, before the initial provision of special education and related services to a child with a disability. The initial evaluation shall consist of procedures to:

- Determine if the child is a child with a disability under federal law; and

- Determine the educational needs of the child.

The sixty (60) day timeframe for an initial evaluation shall begin when SCCS receives the consent for evaluation.

Reevaluation of Children with a Disability

SCCS may reevaluate a child with a disability if that reevaluation occurs not more than once a year, unless the parent and SCCS agree otherwise. The evaluation is sufficiently comprehensive to address all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified.

SCCS shall make a good faith effort to ensure that the child is assessed in all areas related to the suspected disability. This may include, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. This shall not be an exhaustive list of areas that must be assessed. Decisions regarding the areas to be assessed shall be determined by the suspected needs of the child. If a child's behavior or physical status is of concern, evaluations addressing these areas shall be conducted. The scope of an initial evaluation (if appropriate) and any reevaluation shall be determined by a review of existing evaluation data as set forth in federal regulation.

Evaluation Assessments and Process

- Sierra Community Charter School should not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
- SCCS shall make a good faith effort to use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- SCCS shall select and administer assessments and other evaluation materials so as to not be racially or culturally discriminatory.
- SCCS shall make a good faith effort to provide and administer tests in the child's native language or other mode of communication and in the form most likely to yield accurate information about what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to do so.
- SCCS shall make a good faith effort to use assessments for the purposes for which the assessments or measures are valid and reliable.
- SCCS shall make a good faith effort to ensure that assessments and other measures are administered by trained and knowledgeable personnel.
- SCCS shall make a good faith effort to ensure that assessments are administered in accordance with the instructions provided by the producer of the assessments.
- SCCS shall make a good faith effort to include assessments and other evaluation materials tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- SCCS select and administer assessments so as best to ensure that, if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or any other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

- SCCS shall ensure that the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
- When a child transfers from one district to another in the same school year, SCCS shall coordinate with the other school district, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.
- SCCS shall make a good faith effort to comply with the additional procedures, as appropriate, for determining the presence of a specific learning disability.

Group of Qualified Professionals

Upon completion of the administration of assessments and other evaluation measures:

- A group of qualified professionals and the parent of the child shall determine whether the child is a child with a disability, as defined in 34 C.F.R. §300.8, in accordance with paragraph (b) of that regulation and the educational needs of the child; and
- SCCS shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

The group that determines whether the child is a child with a disability shall consists of:

- The parent(s) or legal guardian(s) of the child
- A member of the Student Services Committee of the Governing Board, selected by the chair of that committee.
- At least one regular education teacher of the child.
- At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

G. (2) English Learners (ELs)

G. (2a) Provide a **clear, comprehensive, and cohesive** description of how the proposed school will provide required curriculum, and instructional services/supports to students identified as ELLs.

Curriculum and Instructional Support for English Language Learners

Culturally and linguistically responsive curriculum, lessons, instruction, and communication is necessary for students who are English Language Learners. Lessons developed and taught at SCCS will use the WIDA standards and UDL to guide the development of classroom activities and additional supports necessary so that all students are successful.

All curriculum adopted by SCCS will have bilingual versions available for both bilingual and ELL in all classes. We will additionally use a variety of supports in the classroom to help with instructional barriers such as learning partners, visual aids, grading rubrics, hands on learning, and project-based learning which are all proven to help bilingual and ELLs to be successful. All communications from class and the school will be sent home in English and in Spanish to develop strong lines of communications and partnerships with families.

Determining the level of English language comprehension will be important to set appropriate individual learning goals. All ELLs will be given a WIDA screener at the beginning of the year to

determine their level and set the goal of one academic year gain for English Language Arts. Our goal is for the students to develop progressively and eventually test out on the WIDA screener. We will still offer supports as necessary once a student tests out but ultimately our goal is for the student to be proficient in English language.

We will additionally provide the ELLs support for the NM state standardized assessments. We will follow the NM State Standardized Assessment calendar for WIDA assessments throughout the school year. Depending on how many years the student has been enrolled they may take the test in Spanish. After enrolled three years the must take the test in English.

G. (2b) Provide a **clear, comprehensive, and cohesive plan** to regularly evaluate and monitor the progress of English learners.

Progress Monitoring for ELLS

Each of these progress measures is a piece of critical data to track and monitor individual student progress throughout the year, adjust any supports as necessary, and stay in communication and partnership with families to support their student's academic success. To meet the needs of bilingual and/or students who have limited English proficiency, SCCS will follow the guidelines presented in the New Mexico PED Technical Assistance Manual for Implementing Bilingual and Multicultural programs English Language Learners (ELL) fall into three categories:

- students whose primary home language is other than English.
- students from heritage language groups needing enrichment and further development of English while maintaining fluency in their heritage language.
- any other students needing enrichment and further development of academic English. SCCS will use the required procedures to appropriately serve the language needs of English Language Learner students.

These procedures include the following:

- Identification of the Primary or Home Language other than English by administering the Home Language Survey when students are enrolled.
- If the Home Language Survey indicates a language other than English, administer the WIDA Access Placement Test (W-APT) to determine whether the student is Proficient or Non-Proficient in all language domains.
- If students qualify as ELL, they will be placed in an appropriate state-approved Bilingual Education program model that is scientifically research-based within 30 days.
- Student Evaluation – Student progress will be assessed annually until proficiency is attained.

For ELL students, the school may contract with an appropriately certified ESL or Bilingual teacher who can aid within the classroom to the student if needed. Within classroom, the ESL teacher may provide support to the classroom teacher in the areas of scaffolding, which is providing instruction to aid in student comprehension of content and objectives. This includes strategies such as adjusting speech or providing appropriate background information and experiences to assist the students to grasp the content. In addition, other appropriate strategies will be used to transcend language barriers including the use of visuals and demonstrations to communicate content and develop language skills with ELL students. The objective will be to enable the ELL student to achieve a mastery of English as soon as feasible in accordance with item below. One or more of the following bilingual education models may be used in the school program:

- dual language immersion: designed to develop:
- heritage language: designed to support and revitalize a student's native language and culture through oral and/or written language instruction; Native American language programs require approval from tribal councils or from other appropriate tribal entities with authority to make educational decisions on behalf of Native American children.
- maintenance: designed to develop and maintain proficiency and literacy in the primary or home language while developing a student's literacy and oral skills in English.
- transitional: designed to transfer students from home language instruction with gradual transition to an all-English curriculum. (Source: 6.32.2.12 NMAC - Rp, 6.32.2.10 NMAC, 11-30-05)

For students who are in need of special education support, the school understands that it has a duty under federal and state law to provide a free and appropriate public education to children with disabilities who require special education and related services. During its planning year SCCS will hire appropriately trained consultants to assure the school adheres to and addresses all federal and state laws and regulations pertaining to special education students in addition to working with the curriculum to determine how student progress can be assessed, monitored, and analyzed.

SCCS will comply with all state and federal laws to ensure that all its enrolled students with special needs are properly identified, and that appropriate services are delivered pursuant to Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act of 1990 (ADA), and the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), as amended and the IDEA implementing regulations, found in 34 CFR Part 300 (December 1, 2008).

Students enrolled at SCCS and previously identified as qualifying for special education services will receive the special education services outlined in their current IEP, which will be reviewed annually or sooner if requested by school staff or the parents. The student's eligibility will be reevaluated every three years or sooner if requested.

Section 504, the Americans with Disabilities Act, requires students with disabilities be provided with a free appropriate public education (FAPE). SCCS agrees to provide the full range of accommodations and services necessary for students with disabilities to participate in and benefit from public education programs and activities.

For students who have not been identified as students in need of services, SCCS plans to use the Student Assistance Team process as outlined in the NMPED Student Assistance Team manual and NMPED MLSS guidance document for general education students who demonstrate a need for educational support for learning or behavior.

Provide an outline of a special education plan (the final plan of which must be completed and submitted to the charter authorizer by the end of the planning year) that demonstrates understanding of state and federal special education requirements including the fundamental obligation to provide a free, appropriate education to students identified with disabilities.

All special education services will follow 6.31.2 NMAC. Any changes that occur based upon the proposed amendments (to be reviewed the summer of 2011) and House Bill 230 (2010 Legislative Session) will be implemented as well.

Diagnostics/Testing

Students who are referred for testing by a Student Assistance Team (SAT), a written parental request or referred because of Child Find operations must first be evaluated to determine whether the student has a disability as identified under the IDEA. This first formal diagnostic evaluation “the initial evaluation” requires informed prior written parental consent to conduct.

The initial evaluation must be completed within sixty (60) calendar days of the date of parental consent. Any re-evaluation also requires informed written parental consent secured prior to the re-evaluation taking place. The initial evaluation should provide the IEP team with:

- information it will need to determine whether a student has a disability and requires special education and related services;
- information regarding the student’s present levels of educational and functional performance;
- information to assist in determining educational needs, including accommodations and services.

Initial Evaluation

- SCCS will conduct a full and individual initial evaluation before providing special education and related services.
- Either a parent or the SCCS staff may begin the request for an initial evaluation to determine eligibility.

Procedure for Initial Evaluation

- An evaluation for determination of eligibility must be completed within sixty (60) days of receiving parental consent for the evaluation.
- If a parent initially refuses to sign consent, “the sixty (60)” day limit begins to run only when the consent is signed.
- Before any initial evaluation, the parent must provide informed written consent to the testing. The consent to testing is not consent to initial placement.
- If there is no consent to testing, SCCS may file a complaint for a due process hearing.
- If the parent refuses to consent or fails to respond to a request for consent, SCCS has no further obligation. However, there should be clear documentation of SCCS’s efforts to obtain consent, including copies of correspondence or documentation of phone calls made to the parent. A certified letter should be sent to the parent advising that (1) his or her non-response or refusal to consent is considered a refusal of services; and (2) the child will not be considered a student with a disability for any disciplinary or educational purposes.

The evaluation/assessment must provide for:

- Assessing in all areas of suspected disability (including health and development including vision and hearing)
- Selection of evaluation tools that are not racially, culturally, or linguistically discriminatory
- Are administered in the language or form most likely to yield accurate information regarding what the student knows and can do academically, developmentally and functionally
- Selection of assessment tools that assess specific areas of educational need
- Ensuring that there are a variety of tools and strategies are used to gather relevant functional and development information
- Information provided by the parent

- Including information on how the student is involved in and progressing in the general curriculum
- Identify any accommodations in test administration that may be necessary.
- Assessments/evaluations must be administered by qualified personnel as specified in the instructions provided by the producers of the assessment tool.

SCCS will follow the procedure that informed parental consent must precede the initial evaluation, and the parent's consent to the initial evaluation will not be construed as consent for special education services. The initial evaluation will be completed within 60 days from the date of parental consent, as per IDEA 2004.

All evaluations will be conducted according to the requirements established by IDEA 2004. To ensure informed parental consent, the signature of the parent will be obtained by the evaluator/diagnostician, who can explain the types and purposes of the evaluations to be conducted. The referral packet will be provided to the diagnostic staff in a timely fashion. Not more than 15 work days will pass before the diagnostician meets with the parent to review the assessment plan and secure parental consent.

SCCS will assure that assessments of the students with limited English Proficiency measure what is intended and not the student's English skills. For students with sensory, motor or speaking impairments SCCS will ensure that the assessment measures what is intended.

"Parent" may include a foster parent of a child with a disability if Children, Youth and Families Department (CYFD) provides appropriate documentation to establish that CYFD has legal custody and has designated the person in question as the child's foster parent, and if the foster parent is willing to make the educational decisions required by IDEA. Qualified Surrogate parents may be appointed in compliance with 34 CFR Sec.300.519 when needed to protect the rights of a student with a disability. A foster parent who meets all the requirements of 34 CFR Sec. 300.30 may be appointed as a surrogate parent if the public agency that is responsible for the appointment deems such action appropriate (34 CFR Sec. 300.519).

Determination of Eligibility and Educational Need

Upon completion of the initial evaluation, a Multidisciplinary Team Meeting (MDT) will be scheduled. A written notice to parents will be sent to inform them of, and invite them to the meeting. Parents will be afforded sufficient time for response and opportunity to request another time in order to accommodate their schedules.

The MDT team is composed of the child's parents, educational professionals such as general and special education teachers, a diagnostician, related service providers, and the LEA representative. The purpose of the meeting is to review the evaluation with the parents and determine if the student is eligible to receive special education services. If so, an Individualized Education Plan (IEP) is developed which will provide specially-designed instruction that is tailored to fit the learning strengths and needs of the student.

Determination of the re-evaluation of eligibility through the Multi-disciplinary Team occurs every three years unless an early re-evaluation is warranted.

Individualized Education Plan

Sierra Community Charter School will be responsible for developing, implementing, reviewing, and revising an IEP program in compliance with all applicable regulations and standards for each child with exceptionalities served by the school. At an IEP meeting, the individualized education plan for a student will be developed by a team including the student, parents, general education and special education teachers, appropriate ancillary staff, and an LEA representative. The IEP will focus on academic, behavioral, and/or social competence and will include therapies necessary to both help the student overcome difficulties in these areas and have as much access to the general education curriculum as possible.

The services, as required by IDEA, will be delivered in the least restrictive environment. The IEP will be reviewed annually or sooner if requested by school staff or the parents.

Least Restrictive Environment

To the maximum extent appropriate, students who qualify for special education services will be educated with their non-disabled peers. Segregation or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability is such that their needs in general education classes, even with modifications, accommodations, and the use of supplementary aids and services, cannot be satisfactorily met.

The IEP Team will determine what services are needed, the level of service and where the service will occur for each student.

SCCS will offer a continuum of services as required. The number of special education staff will meet or exceed requirements for case loads. This includes special education teachers and any ancillary staff needed to implement a student's IEP. Special education staff and service providers will be hired as employees or contracted with privately or through agencies. Special education teachers and ancillary staff will work closely with SCCS general education teachers to provide services and support in the general education classrooms. Special education staff may work in the general education classrooms with students and/or work with teachers on curriculum modifications, accommodations, instructional strategies, etc. Services to students will also be provided in smaller group settings when appropriate.

Re-evaluation

Sierra Community Charter Schools will re-evaluate with the purposes to determine whether the student continues to be a child with a disability and continues to require the provision of special education services and/or related services;

- Whether the student may have an additional or different disability
- Whether the student is not adequately progressing in achieving the goals and objectives set forth in his/her IEP; and
- Whether the student's current special education and related services are appropriate.

The determination to conduct or not conduct a re-evaluation that meets all of the elements of an initial evaluation must be made by an IEP team. This should be done at the annual IEP meeting prior to the time the triennial evaluation would be due. In order to determine the scope of the re-evaluation, the IEP team must review existing data, current classroom observation and

assessments, teacher and related service provider information, and decide what assessments are or are not necessary for making the determinations set forth above. Re-evaluations will be conducted if it is determined that the student's educational needs, including performance, warrant a re-evaluation or the parent or teacher requests a re-evaluation. Re-evaluations will be performed not more frequently than once per year unless the parent and SCCS staff agree, and at least once every three years unless the parent and SCCS staff agree that one is not necessary.

If there is a determination by the IEP team and other qualified professionals that no additional data is needed, the IEP team will notify the student's parents in the Prior Written Notice and IEP of:

- The determination and the reason for the determination, including the existing data reviewed, a summary of the student's current classroom based on assessments, a summary of the staff observations, a review of progress towards previous goals, a summary of present levels of performance, results of any other assessments that have provided the information needed to determine a re-evaluation is not warranted; and
- The right to request an assessment to determine whether the student continues to be a student with a disability and what types of services would be appropriate.

G. (3) Provide a **clear, comprehensive, and cohesive plan** to ensure adherence to ESSA and State statutes in addressing the needs of Native American Students, Hispanic Students, Black Students and Bilingual and Multicultural educational plan to improve educational outcomes. The narrative should include an explanation of the supplemental program or services offered to ensure implementation and ensure policies will be culturally and linguistically responsive.

SSA Plan and instructions

Each SEA must provide baseline data (i.e., starting point data), measurements of interim progress, and long-term goals for academic achievement, graduation rates, and English language proficiency. For each goal, the SEA must describe how it established its long-term goals, including its State determined timeline for attaining such goals, consistent with the requirements in section 1111(c)(2) of the ESEA and 34 C.F.R. § 200.13.

Formative Assessments aligned with NM Benchmarks and Standards

- The NWEA – MAP which is administered three times per year
- WIDA Screener BOY and EOY
- DRA (Diagnostic Reading Assessments) for students grades K-3
- Dibels (Dynamic Indicators of Basic Early Literacy Skills) – for kindergarten students
- Teacher-developed pre- and post-assessments
- Teacher-developed rubrics
- The Curriculum Sequenced Assessments with units
- The Riggs assessment that is given daily after each lesson.
- Singapore Math assessments will be used as placement tests and as a means to demonstrate mastery of the material taught at each level. If a student masters 80% or more of the content, they can move up a level. If not, they can begin instruction at that level, or repeat it. The placement tests can also be used as an exit test for each respective level.

The NWEA will be used as a short-cycle assessment to measure achievement of the New Mexico Standards. It is aligned with the New Mexico Standards and Benchmarks. It will be administered in August, December and May, and will show the expected progress that students should make throughout the school year. (expected progress determined by assessment authors) We expect that our students will begin to demonstrate progress by December of the same year in which the NWEA was administered.

- At the completion of year 1, our goal is that all students gain one academic year in math and ELA
- At the completion of year 1, our goal is that all students are in compliance with attendance to be able to attain academic progress
- At the completion of year 4, our goal is that 100% of our students will demonstrate proficient or advanced scores on the New Mexico Standards Based Assessment.
- At the completion of year 4, 75% of students in grades 6-8 will demonstrate civic responsibility by engaging in school-based student government and city/state government activities.

Student Performance Measures

In the event that student performance falls below the NM Standards and/or the school's student performance expectations, the School Leadership Team will use guidelines from the NMPED developed for MLSS the replacement for RTI in t the State and hold a meeting with family looking at student performance, establish access to accommodations, after school program, weekly communication between family and teacher on progress with changed accommodations. After implementation of supports and accommodations has progress to have at least 9 weeks of data with supports the can meet again to determine if supports are successful or not. At any time, a parent can request to test.

As an ongoing practice, data from both Summative and Formative Assessments (formal and informal) will be collected and analyzed monthly to determine if students are making the expected progress. The data collected will be used to determine appropriate placement in skill groups for math in addition to evaluating student strengths, challenges, and weaknesses in the core content areas. The data from all assessments will be disaggregated to show a trend analysis for not only each student, but for all students. Statistical methods will be used, when applicable to streamline the data collection and analysis processes. SCCS will use the result of the data to drive instruction. Adjustments will be made to the curriculum, instructional delivery and any other areas necessary to improve student achievement.

If students continue to experience difficulties and are not making progress after the first 6-9 weeks, SCCS staff will institute the Student Assistance Team (SAT) and MLSS layers as outlined in the NMPED Student Assistance Team Manual. This process includes forming a SAT team representative of members, including the students' teachers, who can work together to form an intervention plan to assist the student. Within this process, the SAT will engage in documenting a student's response to interventions already tried by the teachers. The team will explore academic and other issues that may be impacting the student's ability to appropriately access the general education curriculum.

The school will set up systems and methodologies to address student needs that include data-based goals, reflection and review of instruction and methodology, differentiation of the instruction and other targeted interventions as well as formal and informal assessments. As recommended in the New Mexico PED "Multi-Layer Student Supports," (the three-layers) will be implemented. SCCS will

follow the same model for students who demonstrate potential areas of giftedness. The MLSS Model is as follows:

Layer I

In Layer I, MLSS shall ensure that adequate universal screening in the areas of general health and well-being, language proficiency status and academic levels of proficiency has been completed for each student enrolled. Within the classrooms, Students will be assessed at the beginning of each school year based upon Benchmark data for each grade level in each core content area that is developed by the school. In addition to progress that is being observed in the classroom, all students will be monitored three times per year utilizing short-cycle assessments. The data will be used to help determine if there is a problem with the core curriculum.

As the year progresses, student progress will be monitored, and data will be collected to identify students who are struggling. For struggling students, they will first receive assistance in this Layer through the use of universal interventions within the classroom. These interventions include differentiated instruction and/or instructional strategies such as remedial strategies, classroom/behavior management strategies, small-group instructions, flexible grouping, more instructional time, etc. Interventions are determined by classroom teachers, grade-level teams, and/or school leadership. If, after a reasonable amount of time with progress being monitored and data being collected, these interventions do not result in progress, the students can be referred to Layer II – the school’s Student Assistance Team (SAT) – for a more intense study of what is causing them to struggle academically or behaviorally. Students exceeding grade-level expectations can also be referred for consideration of a gifted evaluation. (Source: 6.29.1 NMAC 9).

Layer II

The purpose of Layer II is to provide targeted, supplemental, and individualized support through the SAT process for students who are at risk, and who have not responded to Layer I interventions. SCCS will develop a properly constituted SAT who shall conduct the student study process and consider, implement and document the effectiveness of appropriate research-based interventions utilizing curriculum-based measures.

Core team members may vary by student, but should include at minimum:

- administration,
- regular education, and
- specialists and/or resource areas.
- the person who referred the student (whether educator or parent) or brought up a concern joins the team.
- every effort should be made to include the parent (the family member serving as the “parent”) and, if appropriate, the student on the team.

In addition, specialists, such as speech therapists, special education teachers, bilingual education teachers, reading teachers, nurses, or social workers can bring valuable perspectives and ideas to the team. A varying number of other individuals will serve on the team, depending on the types of concerns and expertise needed.

In addition to reviewing information collected at the Layer I level, the SAT shall address culturally and linguistically responsive resources, proper classroom support, or possible lack of appropriate instruction in reading or math, teaching and learning styles and instructional delivery mechanisms in order to rule out other possible causes of the student’s educational difficulties. The SAT, at this level,

may develop a written, individual SAT Intervention Plan or a Section 504 plan. Based upon data that indicates that the student has shown over time a significant deviation from their grade-level peers and/or persistent behavioral problems, a plan can be developed that includes more intense instruction that is provided individually or in small groups and occurs in addition to the general education curriculum. In the area of behavior, a Functional Behavior Assessment and a Behavior Intervention Plan can be developed. If interventions are warranted, SCCS will consider the following interventions:

- Providing quality, solid, focused instruction.
- Providing instruction in smaller groups.
- Teach additional learning strategies.
- Change scope and sequence of tasks.
- Covering all of the components needed to learn a skill. Avoid the creation of splinter skills, and focusing on the essential components of reading, language and math.
- Monitoring student progress more frequently than at Layer I.
- Evaluating student progress more frequently than at Layer I to determine whether progress is being made.
- Assessing the student's response to the new interventions in order to determine whether new or different interventions should be used.
- Developing a clear, concise plan of intervention. What is going to be done differently, who is going to do it, when will it be done, where will it be done, and how long will it be done?
- Using the written intervention plan to identify measurable outcomes.
- These then can be used to create data-driven adjustments to the intervention process.
- Creating a progress-monitoring schedule using a variety of data gathering methods.

Layer II interventions will be used in consistent time allotments at least four times per week over a period of nine weeks. At the end of the nine-week period, the SAT will reconvene for additional support and determination on whether to stay at Layer II or move to either Layer I or III.

Because referral to Layer III or special education is based on response to intervention data, SCCS will implement the interventions exactly as defined in order to ensure consistency in the data that is collected as progress is monitored. A progress-monitoring schedule using a variety of data gathering methods will be developed and implemented by appropriate SCCS staff.

Students with disabilities who do not qualify for special education services can be served at this tier through a Section 504 accommodation plan. The SCCS SAT Team will be the Section 504 Team as well. Academic Improvements Plans (AIPs) for students facing retention, or for those who have been retained are also the responsibility of the SAT in this Layer.

When it is determined that a student has an obvious disability or a serious and urgent problem, the SAT shall address the student's needs promptly on an individualized basis, which may include a referral for a multi-disciplinary evaluation (Layer III) to determine possible eligibility for special education and related services consistent with the requirements of Subsections D-F of 6.31.2.10(B) NMAC and federal regulations at 34 CFR Sec. 300.300.

Layer III Special Education Referral Process

If the student does not respond adequately to significant Layer II interventions, the student will be referred for a Multidisciplinary Evaluation to determine their need for special education services. Prior to the referral, the SAT will determine if the student has received instruction and interventions that are scientific and research-based. Students identified as a "student with disability" are deemed

eligible for special education and related services, and an IEP will be developed by a properly-constituted team, pursuant to Subsection B of 6.31.2.11 NMAC and federal regulations at 34 CFR Sec. 300.321.

Either a parent of a student or members of the SCCS SAT can initiate a request for an initial evaluation to determine if the student has a disability with the consent requirement in 34 CFR Sec. 300.300 and NMAC 6.31.2.10. If the student qualifies for special education services under the IDEA or the state criteria for gifted, specially-designed instruction and related services will be provided through an Individualized Education Program (IEP). If the student does not qualify for special education services, the student can return to the SAT team and continue to receive Layer II interventions or a Section 504 accommodation plan if appropriate. SCCS will utilize the PED department's manual, the Student Assistance Team and the Three-Layer Model of Student Intervention MLSS, as the guiding document to use in implementing the student intervention system. All staff will be trained in the basic operations of the SAT annually. Staff will also be trained in the selection of instructional and behavioral interventions. Additionally, staff training will be provided in the following areas:

Educational Plan for Student Success:

As required by NMAC 6.30.2.9 Implementation, SCCS's SAT members will provide information to the Educational Plan for Student Success (EPSS) Team that will assist the team in identifying student needs and educational programs. As data analysis of student needs is reviewed by the SAT for interventions and support, they will provide the EPSS committee with suggestions for strategies and activities to improve academic achievement to benefit all students in all classrooms.

- Identify assessments that might be considered in addition to the statewide-mandated testing. Assessments that might be considered in addition to the statewide mandated testing include, but are not limited to the NWEA (all grades), DRA (grades K-6), Dibels (Kindergarten), NAEP (4th, 8th, and 11th grades), teacher developed pre/post quizzes and tests, teacher-developed rubrics (all grades), and research papers.

Student Data Communication

Students will maintain Student Data Folders that will include the results of assessments that are graphed to show their progress throughout the year in each subject area. These Data Folders will be reviewed consistently by the teachers and students and reviewed with the parents at each parent-teacher-student conference. Students will receive report cards quarterly and plan to meet three times for the parent-teacher-student conference.

"The PED believes that every one of the New Mexico's children can succeed. A student's ethnic background, socio-economic status, primary home language, prior academic experience, or home community within the state is not an excuse to lower expectations for our students, our schools, or our educators that serve them. The goals above set New Mexico on the path to achieve the Route to 66 goal and are grounded in metrics that take into account where the state is now, without compromising a clear vision of where the state should be in the near future."

Academic Proficiency

New Mexico defines academic proficiency in reading and mathematics as achieving a Level 4 (Meeting Expectations) or Level 5 (Exceeding Expectations) on the Partnership for Assessment of Readiness for College and Careers (PARCC) standardized achievement assessment in Grades 3-11. Students achieving Level 4 or Level 5 indicate that students are on-track to succeed in the following grade and, ultimately, in higher education and the career of their choice. In response to stakeholder feedback

received during the community engagement process, New Mexico adjusted its timeline for implementing high school graduation requirements aligned to Levels 4/5 for the Class of 2020. The graduating classes of 2017, 2018, and 2019 will abide by existing high school graduating requirements, which allow Level 3 scores to be used to demonstrate competency in ELA and in math.

H. Assessment and Accountability

A charter school application should include a clear plan for evaluating student performance across the curriculum. (NMSA 22-8B-8(E). This plan should align with state performance standards, as well as with the proposed school’s student performance goals, and should be presented, along with a clear timeline for achieving these standards/indicators/goals. A clear explanation of the types of assessments and frequency of administration should be included, reflecting thoughtfulness given to tracking student progress. A plan for the use and dissemination of data gathered through assessments should include procedures for how the board will initiate corrective action (both individually and collectively) if pupil performance falls below expected standards. A clear explanation of the types of assessments and frequency of administration should be included, reflecting thoughtfulness given to tracking student progress. A plan for the use and dissemination of data gathered through assessments should include procedures for how the board will initiate corrective action (both individually and collectively) if pupil performance falls below expected standards.

When developing the assessment plan, consider the following: 1) the appropriateness of assessments to the curriculum; 2) what will serve as baseline for student progress comparisons; 3) the inclusion of school, state, and other assessments to demonstrate appropriate student growth; 4) the ability of the assessment plan to provide for the early detection of students struggling with curriculum content; and 5) the ability of assessments to reflect the use of basic skills at grade-appropriate levels (e.g., reading, writing, problem-solving). Finally, all New Mexico public schools, including charter schools, are subject to a variety of testing requirements, which are aligned with state and federal content standards.

For more information on NM assessment requirements, please see:

<https://webnew.ped.state.nm.us/bureaus/assessment/>

H. Assessment and Accountability

H.(1) Provide a **clear, comprehensive, and cohesive assessment plan**

Assessments and Accountability

Planning

Assessments will be based on NM State Benchmarks and Standards, those assessments will be used in lesson planning, also known as “backward planning,” to plan with the goal in mind. The elementary and middle school teams will have created instructional scopes with power standards to help them create lesson plans with specific measurable goals for students. These goals will be tracked using

observation, formative, summative, quizzes to check for understand, and state standardized assessments.

Instructional Planning for Assessments

In order to reach a goal you must make a plan. Lessons will be based off state benchmarks and standards and will be created using Universal Design to guide the activities, modalities, and differentiation to meet all learning needs. In addition to UDL lesson development there will also be layers of MLSS built into instruction to provide support for variety of levels of learners. We will also be incorporating WIDA standards for ELL and bilingual students to have an additional layers of built in supports for learning that is linguistically and culturally diverse. If students have a current IEP the will receive support that the IEP states to help them to be proficient in lessons and assessments. We will additionally be using many of Marzano's high yield strategies during instruction such as hands on learning, inquiry based learning strategies, learning games, exit tickets, turn and talk, Socratic seminars for older students, guided reading strategies and techniques like note and notice, and many, many more to engage students in classroom learning. We will also do outdoor learning at least once a week and monthly service-learning projects within the community to help students connect content in the classroom to real world experiences.

Variety of Assessments

Assessments are a way to continually monitor student progress. There will be a variety of types of student assessments and collected data to track, measure, and communicate each individual student's progress. Using a variety of assessments gives teachers a variety of data points to measure and track to get the best representation of each individual student's progress.

Types of these Assessments:

Observations

Observations are a form of assessment. Teachers make minute by minute observations of the learning happening in their classrooms and from these may be able to provide direct immediate support to a student to help clarify confusion, redirect, or further challenge students learning. Teachers observe the learning habits, efficiency of learning, engagement, collaboration, and many other dynamics within a learning environment. A seasoned teacher can tell from observation who will need additional support in lessons before taking an assessment.

Formative Assessments

Formative assessments are built into the lesson for students to develop proficiency in the content. Strong lessons have performance tasks that are formative assessments that are designed for the student to demonstrate an understanding of the content prior to the summative assessment at the end of the unit. If students are struggling with the activities in the lesson, teachers then know they need more support, more practice before they give a summative assessment. Within our lessons formative assessments will be a variety of activities depending on content areas to better prepare students for summative assessments.

Summative Assessments

Summative Assessments will be given after lessons of content are taught and teachers feel their students are prepared to be proficient in the content area. Summative assessments are the "test" at the end of the lesson to measure what the student has retained. These types of assessments can be given in a variety of ways, it could be traditional paper assessment, project based, or student

demonstrations. Summative assessments help teachers to also make changes for the next time they teach that lesson, it also provides the teacher reflective data for planning and refining their lessons.

We will be using summative assessments to create baseline data by implementing a BOY, MOY and EOY assessment for ELA and Math. Since our school goal is to gain one academic year in reading and math, we will be tracking student performance in ELA and math through lessons, grading periods every nine weeks and semester, teacher created assessments and state standardized assessments. Our data collection of the individual student’s progress will be shared with families by progress reports every 4.5 weeks and three times a year or as necessary during our scheduled parent teacher conferences. If at any time the teacher has cause for concern and a student isn’t progressing on track the parents will be contacted immediately to look at learning goals and additional supports available.

State Standardized Assessments

The state sends out a schedule of assessments and screeners for all the different school ages and content areas. Your school designs their assessment schedules around the state implementation calendar. See below the example from 2022-23 SY.

BEGINNING OF THE YEAR		SCREENING / PROGRESS MONITORING	
PROGRAM	LEVELS	WINDOW	CLARIFICATIONS
WIDA Screener for Kindergarten WIDA Screener 1.1-2.2	K-12	Within 30 days of start of school year OR within two weeks of initial 90% enrollment	All potential K-12 EL students initially enrolling in NJ public schools. Visit the WIDA Screening and Resolving English Learners (SREL) page.
Dynamic Screener	K	By 40th day of school and within two weeks of initial 90% enrollment	Dynamic screening is required statewide and is managed by the PEIS Liaison Offices . Data must be reported via ESSRS at 40th day.
Measures of Student Progress Math, ELA, ELA	K-3 ELA, ELA K-2 Math	August 1 - September 30, 2022	ELA is required statewide for grades K-3. For K-3 programs, ELA and math are required K-2. The PEIS highly recommends the required K-2 ELA is given in the first 30 days of school once the window opens. NJSPIN schools are required to administer K-2 ELA.
Interim Measures of Student Success Achievement Math and ELA	K-8	August 15 - October 14, 2022	State-provided interim assessment in ELA and math. NJSA can be used to meet the state's 3-4 interim assessment requirements. Schools, including those taking part in the K-3 program, are permitted to use a locally-proctored assessment to fulfill the state's 3-4 interim assessment administration requirement.
Dynamic Learning Maps Instructionally Embedded Window	K-12	September 12, 2022 - February 22, 2023	<i>Optional</i> state-provided interim assessment for students with significant cognitive disabilities. Testing during the state-schedule window is open to all students and does not have to be limited to those who will be administered the required end-of-year test.
Kindergarten Observation Test	Kindergarten	By October 14, 2022	All public-related questions regarding the Kindergarten observation test to the WIDA and SREL teams. Questions about the kindergarten assessment can be directed to wida.state.nj.us . <i>The preschool observation test is now managed by the NJSA/DOE.</i>

MIDDLE-OF-YEAR		PROGRESS MONITORING	
PROGRAM	LEVELS	WINDOW	CLARIFICATIONS
Dynamic Learning Maps Instructionally Embedded Window	K-12	September 12, 2022 - February 22, 2023	<i>Optional</i> state-provided interim assessment for students with significant cognitive disabilities. Testing during the state-schedule window is open to all students and does not have to be limited to those who will be administered the required end-of-year test.
PLACEMENT	K3	Primary: October 12, 2022 Secondary: October 12, 2022 Alternative: October 20, 2022	<i>Optional</i> state-funded assessment supported by the PEIS College and Career Readiness Bureau.
Asist 3750P	K-12	October 24, 2022 March 17, 2023	This is a statewide Spanish language proficiency assessment for all students participating in a state-funded 3750P with a program language of Spanish and administered annually until proficiency is achieved.
Measures of Student Progress Math, ELA, ELA	K-2 ELA, ELA K-2 Math	December 2022 - January 2023	ELA is required statewide for grades K-2. For K-3 programs, ELA and math are required K-2. The PEIS highly recommends the required K-2 ELA and math is given in the first 30 days when the window opens. NJSPIN schools are required to administer K-2 ELA.
Interim Measures of Student Success Achievement Math and ELA	K-8	December 9, 2022 - January 20, 2023	State-provided interim assessment in ELA and math. Use of the NJSA is <i>optional</i> . Schools, including those taking part in the K-3 program, are permitted to use a locally-proctored assessment to fulfill the state's K-3 interim assessment requirement.

END-OF-YEAR		PROGRESS MONITORING	
PROGRAM	LEVELS	WINDOWS	CLARIFICATIONS
Midyear Evaluation of Student Progress Math, ELA, ELA	4-12 ELA, 4-8 4-12 Math	April - May 2023	Sub is required statewide for grades 4-8. For 45+ programs, ELA and math are required 4-12. The PEP highly recommends the required 4-12 ELA and math to give in the first 20 days when the window opens. MS/MS schools are required to.
Midyear Measure of Student System Achievement Math and ELA	4-12	April 3 - May 26, 2023	State generated interim assessment in ELA and math. Use of the MS/MS is optional. Schools, including those taking part in the 45+ program, are permitted to use a locally-proctored assessment to fulfill the state's 3-6 interim assessment requirement.
Advanced Placement	9-12	First two weeks of May, Spring Term	Testing dates for specific exams can be found on the College Board's AP Website .

NATIONAL AND INTERNATIONAL ASSESSMENT STUDIES			
Program	LEVELS	WINDOWS	CLARIFICATIONS
Program for International Student Assessment	Mathematics, Reading, Science, and Financial Literacy (20-year-olds)	October 3 - November 20, 2022	Only for pre-identified targeted schools, not statewide. PCD will work with identified MS/MS school coordinators.
Long Term Trend	Mathematics and Reading (13-year-olds)	October 30 - December 15, 2022	
NAEP Field Test	Mathematics and Reading 4-12 Science 8	February 6 - 17, 2023	
Trials in International Mathematics and Science Study	Mathematics and Science 4 and 8	March 3 - June 30, 2023	
NAEP Field Test	Mathematics and Reading 4-12 Science 8	March 20 - April 14, 2023	

ESSA, TITLE I, FEDERALLY REQUIRED STATE ASSESSMENTS			
PROGRAM	LEVELS	WINDOWS	CLARIFICATIONS
ACCESS for English Language Learners/ Alternate ACCESS for ELs ACCESS/ACCESS for ELs/Field Test	ACCESS: K-12 Alt ACCESS/Field Test: 1-12	January 29-March 30 Field Test: February 14-April 17	The Alt ACCESS Field Test must be administered to all Alt ACCESS students. For more information, please visit the Alt ACCESS Data Tool .
Dynamic Learning Maps	3-8, 11, 12 ¹ (ELA/MS) 4, 8, 11, 12 ¹ Science	March 19-May 18, 2023	The PCD highly recommends beginning testing early in the window as it may take a significant amount of time to complete the administration of the assessment.
New Mexico Assessment of Science Readiness	1, 4, 11, 12 ¹	March 27-May 11, 2023	Outside of accommodations, ELs need PCD approval for writing paper forms. Schools have the flexibility to schedule these assessments in a way that best fits its needs. All sessions are catwalk.
New Mexico Measure of Student System and Achievement Math, ELA, ELA	3-8		
Spanish Reading Standards Based Assessment	11	Primary: April 10-18 and 18-19, 2023 Midyear: April 24-27, 2023	Outside of accommodations, ELs need PCD approval for writing paper forms. For ELs that do not meet the minimum technology requirements for digital testing, paper testing will take place on single day administration on the first day of the window (April 10 or April 24).
SAF School Day Math, Computer-based Reading and Writing with no separate essay	11 and 12 ¹		

¹Student 2022 graduates not tested during the Spring 2023 assessment window as full MS/MS are encouraged, but not required, to participate.

[ESSA Title I Assessment Guidance](#)

All of the varieties of the assessments are an important reflection of monitored and measured student performances. They all help teachers to refine lessons, re-teach lessons if necessary and provide support for all students to be proficient.

H.(2) Provide a **clear, comprehensive, and cohesive** description of the how assessment data will be analyzed

Assessment Data

Individual Student Growth Measures:

Every student will have individual learning goals established at the beginning of the year off of baseline data. Our school goal is for all students to gain one academic year of growth in ELA and math. At the beginning of the year the teacher will assess the students in ELA and math to have baseline data to use to monitor individual student growth throughout the school year, then again at the middle of the year, and finally at the end of the year. Progress Reports will also be sent home every 4.5 weeks to communicate progress data in all classes to families and there will be three scheduled parent teacher conference sessions in the school year. If at any time in the year the teacher has cause for concern families will be contacted and the collected data will be used to look at progress and establish additional support.

Grade Level and State Standardized Data:

Students are measured individually for growth and also in their peer group at their grade level. Some pieces of data collected may reflect the individual compared to grade level group. The state standardized test measures the individual student against their unique peer group. All peer groups are different, which is why we have chosen to look at individual growth for each student. It is a more precise reflection of growth as the student is measured against themselves for evidence of growth.

Both individual and grade level group data can help teachers best support the learning needs of their students. Data will be analyzed for trends, points of data that stand out, areas of needed growth, and areas of strengths. After the data is collected teachers will create data charts and track progress to have a system of continuous improvement. If at any time teachers see that a student isn't on track for growth it is time to meet with parents and develop a plan of support to assist the student to gain academic growth.

H.(3) Provide a **clear, comprehensive, and cohesive** student progress/ achievement communication plan

Student Progress and Achievement Communication Timelines

- Beginning of the year goal setting with families after baseline assessment
- Progress Reports are delivered to parents every 4.5 weeks.
- 9-week Report Cards with parent teacher conferences 3 times a year
- Middle of the Year assessments
- Semester Report Cards
- End of Year Assessment data and individual student progress and grade level progress
- NM State standardized Assessments Data (when we receive it)

II. Organizational Framework

A. Governing Body Creation/Capacity

A charter application shall include a description of the governing body and operation of the charter school, including: (1) how the governing body will be selected; (2) qualification and terms of members, how vacancies on the governing body will be filled and procedures for changing governing body membership; and (3) the nature and extent of parental, professional educator and community involvement in the governance and operation of the school (NMSA 22-8B-8(l)).

A.(1) Summarize and incorporate **all** key components of your governance structure

Governing Board

- A.** The Governing Board will serve as the governing body of SCCS. The Governing Board shall consist of between five (5) and nine (9) members.

Governing Board Membership

Procedure for Electing Directors:

- A. Nominating.** The Governing Board will develop a policy to ensure that membership to the Governing Board will include a broad range of expertise, including background in education, science, legal, administrative, educational, financial and related fields.
- B. Election of Board Members:** Governing Board Members shall be elected by a majority vote of the existing Board and selected from the nominations, subject to the following:
- a. The addition of any new member shall not cause the Board to be comprised of more parent members than non-parent members. An individual shall be deemed a “parent” during the entire school year during which he/she was a parent or guardian of a child who was enrolled for any length of time at SCCS.
 - b. No vote on a given nominee shall be taken until that nominee submits to the Governing Board a minimum one-page essay on “The mission vision and purpose of SCCS and why the seek to serve on the governance board.”
 - c. Oath of Office: upon a favorable vote, prior to taking office the nominee must take the oath of office prescribed by Article 20, Section 1 of the constitution of New Mexico, as required by NMSA 1978 §22-5-9.1.
- C. Term of Board Members:** Governing Board members are authorized to serve as long as they meet the qualifications, are not disbarred or removed for cause, or have not resigned.
- D. Compensation:** Governing Board members will not receive compensation for their service; however, members may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.
- E. Resignations and Removal:** Any member may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any member may be removed by a majority vote of the Governing Board whenever such removal is in the best interests of the school. Grounds for removal will include without limitation the following acts or omissions:
- a. Violation of the Conflict-of-Interest Policy;
 - b. Violation of Governing Board Commitment Agreement, if any;
 - c. Failure to attend three consecutive scheduled meetings of the Governing Board, except when such absence is due to exigent circumstances;
 - d. Violation of the member’s duty of loyalty;

- e. Violation of the Governing Boards Code of Ethics; or
 - f. Any other grounds the Governing Board deems appropriate, including failure to abide by the SCCS mission and/or charter.
- F. **Vacancies:** A vacancy on the Governing Board shall be filled by the Governing Board after a nomination process.
- G. **Attendance:** Members of the Governing Board are required to attend all scheduled meetings of the Governing Board unless exigent circumstances arise. If a Board member cannot be physically present at a meeting for unavoidable conflict, they may make arrangements to participate remotely. A member of the Governing Board who will be unable to attend a Governing Board meeting or who plans to attend remotely shall notify the President of the Governing Board prior to the meeting. If the President cannot attend the meeting, he/she shall notify the Vice-President and forward all information regarding the upcoming meeting to him/her, including notices of nonappearances by other Board members.
- H. **Background Checks:** Members of the Governing Board shall obtain a school-required background check every two years, the results of which shall be provided to the Governing Board.

Powers and Authority of the Governing Board

A. Authority of the Governing Board:

- a. **General:** The Governing Board is the governing body of the charter school and is responsible for ensuring the fair and uniform application of all federal, state and local laws in the operation of the School as well as the School's charter and policies. The School will be operated for the educational benefit of its Students, in accordance with its mission statement and charter. The Governing Board is the policymaking body for the School. The SCCS Governing Board will exercise leadership primarily through the formulation, adoption, implementation and periodic review of policies. Furthermore, the Governing Board has the task of ensuring the financial integrity of the SCCS budget; therefore the SCCS Governing Board exercises fiduciary oversight of the schools finances.
- b. **Delegation to the Executive Director:** The Governing Board shall concern itself primarily with broad questions of policy, oversight and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Executive Director and designated staff, and they shall be held responsible for the effective implementation of Governing Board policies. The Executive Director shall be held responsible for keeping the Governing Board informed of all matters within its purview so that the Governing Board can fulfill the above-described functions of a governing body. The Executive Director will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management, operations and implementation of the school's charter and Governing Board policies. The teachers and staff of SCCS will report to the Executive Director, except in cases where there is a conflict of interest between the Executive Director and a staff member. In such cases, the Governing Board will establish a reporting chain to eliminate the conflict.
- c. **Individual Member's Authority:** A member of the Governing Board is a public officer, but has no power or authority individually. The charter vests power in the Governing Board, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Board at a public meeting in regular or special called meetings, with action duly recorded in its minutes.

- d. **Binding Authority:** The Governing Board shall not be bound in any way by any action or statement on the part of any individual Governing Board member except when such a statement or action is in pursuance of specific instructions from the Governing Board. Any such exception shall be stated in the agenda of a Governing Board meeting and recorded in the minutes thereof.
- e. **Advanced Notice:** The Governing Board recognizes the importance of timely communication among its members and between the Governing Board and the Executive Director. The Executive Director or his/her designee will strive to insure that the Governing Board is given prior notice of matters submitted by members for deliberation at meetings.

Powers of the Governing Board -

- B. The Governing Board's powers and authority is set forth in the SCCS Charter and the New Mexico Public School Code and all applicable laws and regulations. Complete and final control of all matters pertaining to the School's educational system shall be vested in the Governing Board. The Governing Board of SCCS shall include the following powers and duties:
 - a. Those powers as set forth in the SCCS Charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §22-8B, et seq.
 - b. Employ the Executive Director of SCCS, establish evaluation criteria for the Executive Director, and perform annual evaluations of the Executive Director's performance;
 - c. Delegate administrative and supervisory functions of the Executive Director of SCCS when appropriate;
 - d. Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the New Mexico Public Education Department's annual audit;
 - e. Have the capacity to sue or be sued;
 - f. Contract for services with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that SCCS is required to perform in order to carry out the educational program described in its charter.
 - g. Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the Public Education Department, unless otherwise required by law.
 - h. Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
 - i. Contract for provision of financial management, food services, and education related services or other services.

Sierra Community Charter Schools governing board will be constructed by having 1 of each of the following: President, Vice President, Secretary, and 2 members at large. The duties of the Officers are set forth here in when the incumbent of an office is unable to perform the duties thereof or when there is no incumbent of an office (both such situations referred to hereafter as the "absence" of the Officer), the duties of the office shall, unless otherwise provided by the Board or these Bylaws, be performed by the next Officer set forth in the following sequence: President, Vice President, and Secretary.

Structure:

- **President:**

- o The President of the Governing Board shall preside at all meetings and shall appoint committees with approval of the Governing Board. They shall have the right, like other members of the Governing Board, to make or second motions, to discuss questions, and to vote. The President of the Governing Board may not act for or on behalf of the Governing Board without prior specific authority from a majority of the Governing Board to do so. All communications addressed to the President shall be considered for appropriate action, which consideration may include consulting with legal counsel, and consideration by the Governing Board. The President shall sign legal documents as required by law and perform such other duties as may be prescribed by the Governing Board. It is the President's responsibility to ensure that Governance Board members uphold their commitments/responsibilities to SCCS. The President is responsible for compiling and communicating to the Secretary the topics for business to be placed on the agenda. The agenda shall incorporate all topics identified by the President or any other member of the Governing Board.
- **Vice President:**
 - o The Vice President shall perform the duties of the President in the absence of the President or at the request of the President. In the event a vacancy occurs in the presidency, the Vice President will act in the capacity of the President until the office has been filled by a vote of the Board membership.
- **Secretary:**
 - o The Secretary shall keep the minutes of the Governing Board meetings, subject to the direction of the President, assure that all notices are given in accordance with the provisions of the Charter, Governing Board policies and as required by law; shall countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments; and in general perform all duties incident to the office of Secretary and such other duties as from time-to-time may be assigned to the Secretary by the Governing Board. The Board may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas and preparing packets for the Governing Boards review. The Board Secretary will review the minutes prior to presentation to the Governance Board for approval. The Secretary shall be responsible for presenting the minutes to the Board at meetings.
- **Appointment and Tenure:** All Officers shall be elected each year by the Board at its Annual Meeting for terms of one (1) year, (unless exigencies preclude such elections), with no maximum tenure or until their successors have been duly elected and qualified, or until their death, resignation, or removal. Officers' terms shall commence immediately following the Annual Meeting of the Council.
- **Resignations and Removal:** Any Officer may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any Officer may be removed by the Board whenever in its judgment he fails to perform the duty of office, or such other duties as appointed by the Board and the best interests of the school would be served thereby.
- **Vacancies:** A vacancy in any office may be filled by the Board for the unexpired portion of the term of the officer being replaced.
- **Compensation:** The officers shall not be compensated for their services; however, they may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.

- **Directors and Officers Insurance:** The Governing Board may secure officers and directors insurance in excess of the coverage provided by the NM Public School Insurance Authority upon appropriate approval of the Governing Board and if provided for in the charter school's approved budget.
- **Delegation:** The Governing Board may delegate temporarily the powers and duties of any Officer, in case of such Officer's absence or for any other reason, to any other Officer, and may authorize the delegation by any Officer of any of such Officer's powers and duties to any agent or employee subject to the general supervision of such Officer.

Standing Committees of the Governing Board

The Governing Board will have the authority to form the following committees based on the needs of Sierra Community Charter School:

1. Committees:

- **Advisory/Equity School Council:** SCCS shall create an Advisory School Board to assist the Executive Director with school-based decision-making and to involve parents in their children's education. The Advisory/Equity School Board shall be created, and its membership elected in accordance with rules that will be adopted by the Governing Board. Membership on the Board shall reflect an equitable balance between school employees and parents and community members. At least one community member shall represent the business community, if such a person is available. The Executive Director may serve as chair. The Executive Director shall be an active member of the school council.

2. Audit Committee:

- The Audit Committee shall be constituted in accordance with NMSA 1978 §22-8-12.3. It shall consist of two Governing Board members, one volunteer member who is a parent of a student attending the charter school, and one volunteer member who has experience in accounting or financial matters. The Executive Director shall serve as ex-officio, non-voting member of the committee. The Audit Committee shall:
 - Evaluate the request for proposal for annual financial audit services (when applicable)
 - Recommend the selection of the financial auditor (where applicable)
 - Attend the entrance and exit conferences for annual and special audits.
 - Meet with external financial auditors at least monthly after audit field work begins until the conclusion of the audit.
 - Be accessible to the external financial auditors as requested to facilitate communication with the Board and the Executive Director
 - Track and report progress on the status of the most recent audit findings and advise the Public Education Department on policy changes needed to address audit findings.
 - Provide other advice and assistance as requested by the board
 - Be subject to the same requirements regarding the confidentiality of audit information as those imposed by the Audit Act and rules of the state auditor; and
 - Request of the administration or conduct independent spot checks of financial matters and report the results to the Governing Board.

3. Finance Committee (standing): The Finance Committee shall be constituted in accordance with NMSA 1978 §22-8-12.3. It shall assist the Board in carrying out its budget and finance duties. At least

two members of the Governing Board shall serve on the Finance Committee. The Business Manager shall be required to attend all Finance Committee meetings. Specifically, the Finance Committee shall:

- Make recommendations to the Governing Board in the following areas:
 - Financial planning, including reviews of the school’s revenue and expenditure projections;
 - Review of financial statements and periodic monitoring of revenues and expenses;
 - Annual budget preparation and oversight;
 - Procurement;
- Serve as an external monitoring committee on budget and other financial matters.

4. Policy Committee (optional): The policy development committee is commissioned by and responsible to the Governing Board to assume the primary responsibility for matters pertaining to development of Governing Board policies.

5. The Governance Board has the authority to create and have committees as deemed necessary. The policies and procedures that govern ad hoc committees will be determined as specified by the Governing Board action creating and approving the existence of any such committee, subject to the following:

- Such committees shall be limited in power and scope to advisory functions; no decision-making authority of the Governing Board may be delegated to an ad hoc committee.
- Such committees shall have a charter that clearly articulates the purpose, responsibilities, and membership of the committee.

Committee Selection and Membership:

Election and Term

Each committee shall have a chair determined by the Governing Board for a term of one year. Committee chairs may serve multiple terms. The members of each Committee may be chosen from time- to- time by the Governing Board or as otherwise permitted by the committee’s charter and shall serve for such period of time as the Governing Board shall from time- to- time determine or as stated in the committee’s charter.

Meetings

Committees may meet at such times and for such purposes as they shall from time-to-time determine. As permitted by the Open Meetings Act, committees involving less than a quorum of Governing Board members and which serve in an advisory role only and which have no authority to make decisions on behalf of the Governing Board are not required to give public notice as they are not subject to the Open Meetings Act. Committees that are formed which do involve at least a quorum of Governing Board members or to which the Governing Board has voted to delegate the power to make decisions on its behalf shall be subject to the Open Meetings Act.

Resignations and Removal

Any chair of a committee may, at any time, resign by giving written notice to the Governing Board President or the Secretary. A member of a committee may, at any time, resign by giving written notice to that committee’s chair unless otherwise specified therein, the acceptance of any such resignation

shall not be necessary to make it effective. The Governing Board may remove any member of a committee whenever in its judgment to the best interests of SCCS would be served thereby.

Compensation

Members of the committees shall not receive any compensation for their services; however, they may be reimbursed for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

Meetings of the Governing Board

All meetings of the SCCS Governance Board shall be held in accordance with the New Mexico Open Meetings Act, NMSA 1978 §§10-15-1, et seq. (as amended)

Meetings

- The Governing Board shall have a Regular Meeting each month, as required by NMSA 1978 §22-5-12.
- The Governance Board shall pass a resolution annually describing what notice of a public meeting is reasonable when applied to the SCCS Governing Board. The resolution shall describe appropriate notice and methods for posting agendas for regular, special, and emergency meetings of the Board.

Special Meetings

Special meetings of the Governing Board may be called at the direction of the Governing Board. Such meetings are to be held at such time and place consistent with the Governing Board's annual resolution for conducting its public meetings.

Attendance via Telephone Conference Call

Except to the extent otherwise provided by law, any meeting of the Governing Board may be attended by any or all of the Board Members by means of a conference telephone (or similar communications equipment) when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any other member of the Governing Board who speaks during the meeting. Such attendance shall constitute presence by the Governing Board member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Governing Board at such meeting shall constitute a valid action of the Governing Board.

Notice:

The Governing Board shall provide notice and post agendas in accordance with the New Mexico Open Meetings Act. Reasonable notice of the Governing Board shall include broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written require for such notice. Notice of meetings and the availability of meeting agendas shall be consistent with the Governing Board's annual resolution. Except in cases of emergency the Governing Board shall only act on matters identified on the agenda.

Emergency:

An emergency meeting or agenda item is one necessitated by unforeseen circumstances that if not addressed immediately by the Governing Board, will likely result in injury or damage to persons or property or substantial financial loss to the public body.

Minutes:

The Governing Board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open for public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Governing Board.

Confidential Matters of the Governing Board

The Governing Board recognizes that confidential information will be brought to the attention of individual Governing Board members and/or to the Governing Board as a whole pertaining to, but not limited to, the following:

- Matters relating to the employment or dismissal of, or charges against, specific SCCS personnel;
- Matters relating to litigation or proposed litigation in which the Governing Board is or may become a party, or attorney-client communications;
- Discussion of gifts, bequests, or donations where anonymity has been requested by the donor;
- Consideration of suspension, expulsion, or disciplinary action in connection with a student;
- Matters relating to the security of students, personnel, visitors, and/or school property; and
- Such matters that may arise and qualify as being confidential by law. The Governing Board further recognizes that public disclosure of such information may result in injury to an individual or potential harm and possible liability to the SCCS and that the Governing Board members who must respect confidentiality of information that is privileged under applicable law. It is the policy of the Governing Board that Board members shall discuss or disclose confidential information only in connection with legitimate School business and only with individuals with a legitimate right to know.

Manner of Action

- Quorum: A majority of the seated Board Members, but no less than four (4), whether personally present or appearing telephonically shall constitute a quorum for the transaction of business at any meeting of the Governing Board.
- Financial Matters: The Governance Board shall approve all contracts up to the limit of the New Mexico Procurement Code, including that of the Executive Director. The Executive Director shall approve employee contracts.
- Manner of Acting: No action of the Governing Board shall be valid unless taken at a meeting at which a quorum as defined herein is present and which has been properly noticed pursuant to the New Mexico Open Meetings Act. NMSA (1978) §§10-15-1 et seq. (as amended).

- Majority Votes: throughout this document, majority vote indicates that a motion passes if it receives more than 50% of the votes cast. Unless otherwise stated, Governing Board decisions shall be made by majority vote.

Conflicts of Interest and Code of Ethics

- General Statement: It shall be the duty of each Governing Board member to voluntarily excuse themselves from discussions of confidential information and abstain from voting on matters in which the Governing Board member has a personal or financial interest, including an interest by a member of the Governing Board immediate family, or where the Governing Board's participation will or may compromise the confidential nature of the discussion. Failure to voluntarily remove themselves from such conflicts of interest may result in a vote to remove the member from the Governing Board. SCCS will implement and adopt the provisions of SB446 regarding conflicts of interest.
- Disclosure: Each Board Member agrees to complete and sign a Disclosure of Conflicts of Interest statement prior to accepting the position on the Board. In addition to this statement, Board Members shall annually update the disclosure statement and shall otherwise immediately notify the President of the Board when they become aware that an actual or potential conflict may exist.
- Conflict of Interest Policy: Each Board Member agrees to abide by the SCCS Conflict of Interest Policy adopted by the Governing Board.
- Code of Ethics: Each Board Member agrees to abide by the Code of Ethics adopted by the Governing Board.

Executive Director Selection

The Executive Director must hold a Level IIIB license or be able to obtain a Level IIIB license within two years. Preferred attributes for the position of Executive Director include: the ability to take charge of the academic program and recognize educational expertise; experience in leading an organization; a self-starter; a competent and dedicated teacher with established classroom experience; and a role model to other teachers. Sierra Community Charter School shall recruit individuals for the Executive Director position through a public process, such as by advertising in local and national newspapers and professional printed media, referral, and through appropriate electronic recruitment mechanisms, or by engaging the assistance of a professional search firm.

Miscellaneous

- The SCCS Governing Board operations shall be compliant with the current statutes and administrative rules concerning charter school governing bodies.
- Checks, Drafts, Etc.: All checks, drafts or other orders for the payment of money, and all notes or other evidences of in debt issued in the name of the School shall be signed by a minimum of two Officers, or agents of the School as designated by the Governing Board.
- Books and Records: The Governing Board shall keep accurate and complete books and records of the actions of the Governing Board, which records shall be open to inspection by the members of the Governing Board at any time, or members of the public pursuant to the Inspection of Public Records Act, NMSA 1978 1421 et seq.

Amendments

These By-Laws may be altered, amended or repealed, in whole or in part, or new By-Laws may be adopted by the Governing Board of the Sierra Community Charter School, provided, however, that

notice of such alteration, amendment, repeal or adoption of new By-Laws must be contained in the notice of such meeting of the Governing Board. All such amendments must be approved by an affirmative vote of at least three fourths (75%) of the entire Governing Board then in office at a duly noticed regular or special meeting of the Governing Board.

A. (2) Enumerate the qualifications desired for governing body members.

Procedure for Electing Directors:

Nominating:

- The Governing Board will develop a policy to ensure that membership to the Governing Board will include a broad range of expertise, including background in education, science, legal, administrative, educational, financial, and related fields. Governing Board members may not simultaneously be directors or officers of the Sierra Community Charter School Foundation.

Election of Board Members:

- Governing Board Members shall be elected by a majority vote of the existing Board and selected from the nominations, subject to the following:
 - o The addition of any new member shall not cause the Board to be comprised of more parent members than non-parent members. An individual shall be deemed a “parent” during the entire school year during which they was a parent or guardian of a child who was enrolled for any length of time at the SCCS.
 - o No vote on a given nominee shall be taken until that nominee submits to the Governing Board a resume

Oath of Office:

- Upon a favorable vote, prior to taking office the nominee must take the oath of office prescribed by Article 20, Section 1 of the constitution of New Mexico, as required by NMSA 1978 §22-5-9.1.

Term of Board Members:

- Governing Board members are authorized to serve as long as they meet the qualifications, are not disbarred or removed for cause, or have not resigned.

Compensation:

- Governing Board members will not receive compensation for their service; however, members may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.

Resignations and Removal:

- Any member may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any member may be removed by a majority vote of the Governing Board whenever such removal is in the best interests of the school. Grounds for removal will include without limitation to the following acts or omissions:
 - Violation of the Conflict-of-Interest Policy;
 - Violation of Governing Board Commitment Agreement, if any;
 - Failure to attend three consecutive scheduled meetings of the Governing Council, except when such absence is due to exigent circumstances;
 - Violation of the member’s duty of loyalty;
 - Violation of the Governing Council’s Code of Ethics; or
 - Any other grounds the Governing Board deems appropriate, including failure to abide by the SCCS mission and/or charter.

Vacancies:

- A vacancy on the Governing Board shall be filled by the Governing Board after a nomination process.

Attendance:

- Members of the Governing Board are required to attend all scheduled meetings of the Governing Board unless exigent circumstances arise. If a Board member cannot be physically present at a meeting for unavoidable conflict, they may make arrangements to participate remotely. A member of the Governing Board who will be unable to attend a Governing Board meeting or who plans to attend remotely shall notify the President of the Governing Board prior to the meeting. If the President cannot attend the meeting, they shall notify the Vice-President and forward all information regarding the upcoming meeting to them, including notices of nonappearances by other Board members.

Background Checks:

Members of the Governing Board shall obtain a school-required background check every two years, the results of which shall be provided to the Governing Board.

A.(3) Provide a **clear and appropriate process or plan** for selecting new Governing Body members.

Nominating:

The Governing Board will develop a policy to ensure that membership to the Governing Board will include a broad range of expertise, including background in education, science, legal, administrative,

educational, financial and related fields. Governing Board members may not simultaneously be directors or officers of the Sierra Community Charter School.

Election of Board Members:

Governing Board Members shall be elected by a majority vote of the existing Board and selected from the nominations, subject to the following:

- The addition of any new member shall not cause the Board to be comprised of more parent members than non-parent members. An individual shall be deemed a “parent” during the entire school year during which the was a parent or guardian of a child who was enrolled for any length of time at the Sierra Community Charter School.
- No vote on a given nominee shall be taken until that nominee submits to the Governing Board a resume.
- Oath of Office: upon a favorable vote, prior to taking office the nominee must take the oath of office prescribed by Article 20, Section 1 of the constitution of New Mexico, as required by NMSA 1978 §22-5-9.1.
- Term of Board Members: Governing Board members are authorized to serve as long they meet the qualifications, are not disbarred or removed for cause, or have not resigned.
- Compensation: Governing Board members will not receive compensation for their service; however, members may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.
- Resignations and Removal: Any member may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any member may be removed by a majority vote of the Governing Board whenever such removal is in the best interests of the school. Grounds for removal will include without limitation the following acts or omissions:
 - Violation of the Conflict-of-Interest Policy;
 - Violation of Governing Board Commitment Agreement, if any;
 - Failure to attend three consecutive scheduled meetings of the Governing Council, except when such absence is due to exigent circumstances.
 - Violation of the member’s duty of loyalty.
 - Violation of the Governing Council’s Code of Ethics; or
 - Any other grounds the Governing Board deems appropriate, including failure to abide by the SCCS mission and/or charter.

Vacancies:

A vacancy on the Governing Board shall be filled by the Governing Board after a nomination process.

Attendance:

Members of the Governing Board are required to attend all scheduled meetings of the Governing Board unless exigent circumstances arise. If a Council member cannot be physically present at a meeting for unavoidable conflict, they may make arrangements to participate remotely. A member of the Governing Board who will be unable to attend a Governing Board meeting or who plans to attend remotely shall notify the President of the Governing Board prior to the meeting. If the President cannot attend the meeting, they shall notify the Vice-President and forward all information regarding the upcoming meeting to them, including notices of nonappearances by other Board members.

Background checks: Members of the Governing Board shall obtain a school-required background check every two years, the results of which shall be provided to the Governing Board.

B. Governing Body Training and Evaluation

B.(1) Provide an **ongoing, clear, comprehensive, and cohesive plan** for annual Governing Body training.

“Charter school governing bodies uphold the vision of its charter school through effective governance. Governing bodies perform various duties including ethical and financial oversight, establishment of, review, and revision of broad organizational policies, employ and oversee the school’s head administrator, and ensure and be accountable for the academic, financial, and organizational performance of the school. The information provided below are intended as tools for assisting new and continuing governing body members.” NM PED

REGULATIONS: GOVERNING BODY TRAINING REQUIREMENTS

Governing body member training fulfills the Organizational Performance Framework training requirement for continuing governing body members pursuant to 6.80.5.9(A)(5) NMAC. This training is appropriate for governing board members, charter school leaders, and charter school business managers. Administrators and other charter school leaders are also welcome to attend. Effective **July 14, 2020**, charter school governing body training *must* comply with the regulations posted below.

- All governing body training must be approved by the Public Education Department.
- Board members must annually meet training requirements that mandate training in specified areas.
- New board members must complete a 7-hour training course that is provided by the Public Education Department.
- **Training provided must meet the requirements of this regulation.**

Use the links below to access the training schedule and a brief description of each training course.

- **[Governing Board Training Sessions \(PDF\)](#)**
- **[Charter School Training Descriptions](#)**

NEW GOVERNING BOARD MEMBERS

To assist new governing board members, understand their role and scope of responsibilities, please note that New Mexico Administrative Code § 6.80.5.8 requires the following for New Members on a charter school governing body:

- New board members must complete 10 total hours of training within the first fiscal year (school year) of service.
- New board members must complete a 7-hour training course that is provided by the Public Education Department.
- Before the end of the first fiscal year of service the board member must complete three additional hours of training that is provided by any approved provider or the PED.

- PED recommends that each board gain approval to provide a three hour “onboarding” training course. The purpose of this onboarding should be to integrate a new governing body member into the school by familiarizing the new governing body member with the school’s governance structure and requirements, other governing body members, financial status (including budget), history, contract, goals, model, staff, strengths and challenges, and current academic, financial, and organizational performance.
- If the three hours are not “onboarding” they must fall in one of these areas: ethics and responsibilities, fiscal requirements, evaluating and understanding academic data, open government, legal and organizational performance requirements, and/or Equity & Culturally and Linguistically Responsiveness.

CONTINUING GOVERNING BOARD MEMBERS

To provide on-going support of continuing board members that will ensure effective charter governance across the sector, the following capacity-building learning opportunities are provided. New Mexico Administrative Code § 6.80.5.9 requires the following for continuing members on a charter school governing body:

- Every board member must complete 8 hours of training annually that is provided by a provider that is approved by the Public Education Department.
- Annual training must meet specific hour requirements:
 - One (1) hour on public official/charter school governing body ethics and responsibilities
 - Three (3) hours on fiscal requirements
 - Two (2) hours on understanding and evaluating academic data
 - One (1) hour on open governing and requirements regarding free public-school education along with understanding and overseeing organizational performance
 - One (1) hour on Equity & Culturally and Linguistically Responsiveness
- Training courses cannot be repeated over multiple years.
- Board members should select and attend training courses based on specific areas of growth within each training area identified above for individual governing bodies or governing body members.
- Board members for schools that meet specific performance requirements will be waived from up to two (2) hours of training. This is recognition of quality governance. If you are eligible for this exemption, the Public Education Department will notify you.
 - Boards whose schools have received an unmodified annual audit in each of the past three years with no material weaknesses, no multi-year repeat findings, and no significant deficiencies and received no more than two compliance findings in the current year are excused from two (2) of the three (3) hours on fiscal requirements.

Currently, the academic exemption is not being offered.

B. (2) Provide a **clear, comprehensive, and cohesive plan** for an annual self-evaluation of the Governing Body.

Self-Evaluation Process:

Sierra Community Charter School will conduct an evaluation for individual members contributions and collectively as a Governing Board. The process will be completed at the end of each school year to comprehensively reflect on the Board's progress and goal setting for the upcoming academic year.

The Governing Board's responsibility will be to ensure that the vision and mission of SCCS as accomplished through the responsibilities outlined in the application.

- Mission/vision calibration
- Academic oversight
- Legal compliance
- Financial compliance
- Leadership evaluation
- And public accountability

C. Leadership and Management

C.(1) Provide a **clear, comprehensive, and cohesive plan** for how the governing body will monitor organizational, financial, and academic outcomes.

Authority of the Governing Council:

General:

The Governing Board is the governing body of the charter school and is responsible for ensuring the fair and uniform application of all federal, state and local laws in the operation of the school as well as the school's charter and policies. The school will be operated for the educational benefit of its Students, in accordance with its mission statement and charter. The Governing Board is the policymaking body for the school. The SCCS Governing Board will exercise leadership primarily through the formulation, adoption, implementation and periodic review of policies. Furthermore, the Governing Board has the task of ensuring the financial integrity of the SCCS's budget; therefore, the SCCS Governing Board exercises fiduciary oversight of the schools finances.

Delegation to the Executive Director:

The Governing Board shall concern itself primarily with broad questions of policy, oversight and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Executive Director and designated staff, and the shall be held responsible for the effective implementation of Governing Board policies. The Executive Director shall be held responsible for keeping the Governing Board informed of all matters within its purview so that the Governing Board can fulfill the above-described functions of a governing body. The Executive Director will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management, operations and implementation of the school's charter and Governing Board policies. The teachers and staff of SCCS will report to the Executive Director, except in cases where there is a conflict of interest between the Executive Director and a staff member. In such cases, the Governing Board will establish a reporting chain to eliminate conflict.

Individual Member's Authority:

A member of the Governing Board is a public officer but has no power or authority individually. The charter vests power in the Governing Board, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Board at a public meeting in regular or special called meetings, with action duly recorded in its minutes.

Binding Authority:

The Governing Board shall not be bound in any way by any action or statement on the part of any individual Governing Board member except when such a statement or action is in pursuance of specific instructions from the Governing Board. Any such exception shall be stated on the agenda of a Governing Board meeting and recorded in the minutes thereof.

Advanced Notice:

The Governing Board recognizes the importance of timely communication among its members and between the Governing Board and the Executive Director. The Executive Director or their designee will strive to ensure that the Governing Board is given prior notice of matters submitted by members for deliberation at meetings.

Powers of the Governing Board:

The Governing Board's powers and authority is set forth in the SCCS Charter and the New Mexico Public School Code and all applicable laws and regulations. Complete and final control of all matters pertaining to the school's educational system shall be vested in the Governing Board. The Governing Board of SCCS shall include the following powers and duties:

- Those powers as set forth in the SCCS Charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §22-8B, et seq.
- Employ the Executive Director of SCCS, establish evaluation criteria for the Executive Director, and perform annual evaluations of the Executive Director's performance;
- Delegate administrative and supervisory functions of the Executive Director of SCCS when appropriate;
- Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the New Mexico Public Education Department's annual audit;
- Have the capacity to sue or be sued;
- Contract for services with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that SCCS is required to perform in order to carry out the educational program described in its charter.
- Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the Public Education Department, unless otherwise required by law.
- Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
- Contract for provision of financial management, food services, and education related services or other services.

C. (2) Identify and provide a **clear, comprehensive, and cohesive** plan for hiring a head administrator.

Delegation to the Executive Director:

The Governing Board shall concern itself primarily with broad questions of policy, oversight and with the appraisal of results rather than with administrative detail. The application of policies is an administrative task to be performed by the Executive Director and designated staff, and they shall be held responsible for the effective implementation of Governing Board policies. The Executive Director shall be held responsible for keeping the Governing Board informed of all matters within its purview so that the Governing Board can fulfill the above-described functions of a governing body. The Executive Director will have primary responsibility for all aspects of the school's operations and programs, including the day-to-day management, operations and implementation of the school's charter and Governing Board policies. The teachers and staff of SCCS will report to the Executive Director, except in cases where there is a conflict of interest between the Executive Director and a staff member. In such cases, the Governing Board will establish a reporting chain to eliminate the conflict.

Member's Authority:

A member of the Governing Board is a public officer but has no power or authority individually. The charter vests power in the Governing Board, and not in the members, either individually or otherwise and these powers must be exercised by the Governing Board at a public meeting in regular or special called meetings, with action duly recorded in its minutes.

Binding Authority:

The Governing Board shall not be bound in any way by any action or statement on the part of any individual Governing Board member except when such a statement or action is in pursuance of specific instructions from the Governing Board. Any such exception shall be stated in the agenda of a Governing Board meeting and recorded in the minutes thereof.

Advanced Notice:

The Governing Board recognizes the importance of timely communication among its members and between the Governing Board and the Executive Director. The Executive Director or his/her designee will strive to insure that the Governing Board is given prior notice of matters submitted by members for deliberation at meetings.

Powers of the Governing Board:

The Governing Board powers and authority is set forth in the SCCS Charter and the New Mexico Public School Code and all applicable laws and regulations. Complete and final control of all matters pertaining to the School's educational system shall be vested in the Governing Board. The Governing Board of SCCS shall include the following powers and duties:

- Those powers as set forth in the SCCS Charter that are not inconsistent with federal or state laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 §22-8B, et seq.
- Employ the Executive Director of SCCS, establish evaluation criteria for the Executive Director, and perform annual evaluations of the Executive Director's performance;

- Delegate administrative and supervisory functions of the Executive Director of SCCS when appropriate;
- Approval of the annual budget of anticipated income and expenditures, and direct the preparation of the annual financial audit report in connection with the New Mexico Public Education Department's annual audit;
- Have the capacity to sue or be sued;
- Contract for services with any school district, a university or college or any third party for the use of a facility, its operation and maintenance and the provision of any service or activity that SCCS is required to perform in order to carry out the educational program described in its charter.
- Acquire and dispose of property provided that at the termination of the charter, all assets of the charter shall revert to the Public Education Department, unless otherwise required by law.
- Accept or reject any charitable gift, grant, devise or bequest not otherwise contrary to law or the terms of the charter.
- Contract for provision of financial management, food services, and education related services or other services.

JOB DESCRIPTION

Executive Director

Join our staff at SCCS as the Executive Director and lead a team of highly dedicated teachers and support staff in providing the best educational experience for our students. You will utilize your knowledge of curriculum development as you support the instructors in developing courses that adhere to the local and federal guidelines. With your strong leadership skills, you will guide teachers in creating a safe and effective environment for learning and conduct periodic evaluations to identify areas that need improvement. As our school leader, you will represent our school at conferences and other events, networking with fellow administrators and instructors to remain abreast of relevant advances in education. As a key player in the school's discipline, you will also have the opportunity to exercise your conflict management skills.

Qualifications:

- NM Administrative License Level 3B
- Master's degree in education
- 5 years as a school leader
- 5 years minimum experience in Inquiry based learning
- 5 years served on local and State Leadership Committees
- Experience in Curriculum and Assessment development at the school and state level
- Experience with Microsoft Office, excel, Academic Platforms such as Schoology, PowerSchool, Schoolzilla, NM Elevate platform, MLSS plan NMPED, Standardized testing platforms,

Job Responsibilities

- Evaluate instructors and other staff members to ensure that the curriculum is adhered to and identify areas of improvement. Must have experience is evaluating staff and preferably trained in Elevate NM Platform

- Experience in developing a welcoming school atmosphere. Create a safe, welcoming environment for families, staff, students, and community. Developing professional learning community among staff
- Minimum 2 years in professional development for staff to collaborate with teachers, parents and students to provide the best education for each student and assist them in their academic and professional goals.
- Experience in hiring practices, training, growth plans, hearing processes, and other employment activities for instructors and secondary staff members to create a dynamite team.
- Experience in IEPs, BIPs, gifted student services, 504s, English Language Learners, Bilingual education, MLSS, SAT, OT, PT, and outside services.
- Extensive experience in Inquiry based learning, UDL, STEAM education initiatives, curriculum development, hands on and project-based learning to develop and establish curriculum guidelines in collaboration with staff in the school district and ensure that guidelines are adhered to.
- Oversee budgeting and grant proposals, and determine budget allocations for items such as supplies, materials, staff, and equipment.
- Excellent written and verbal communication skills.
- Organized, timely, and professional appearance at all times.
- Familiar with southern NM culture, families, students, demographics, culture, strengths, and challenges preferably bilingual.

C. (3) Describe how the governing body will convey and distinguish their roles and responsibilities with those of the proposed school's head administrator.

Executive Director Selection:

Director Criteria:

Executive Director will hold a level IIIB license, (or be able to obtain a level IIIB license within one year) and will be someone who can take charge of the academic program and recognize educational expertise. They will be experienced in leading an organization and be a self-starter. Ideally the Executive Director will have a background in early childhood experiences (6 weeks through 3rd grade) where learning followed theory of practices such as Reggio Emilia, Montessori, Project based learning or a minimum, have a strong understanding and commitment to these practices. The Executive Director will be a competent and dedicated teacher with established classroom experience. Ideally the Executive Director will have a background in early childhood experiences (6 weeks through 3rd grade) where learning followed theory of practices such as Reggio Emilia, Montessori, Project based learning or a minimum, have a strong understanding and commitment to these practices. Ideally the ED Executive Director will have experience teaching Science and would have participated in programs like 4H, FFA, Envirothon, or similar outdoor education based projects as a student, parent, volunteer, or staff. They will be expected to model appropriate practices to other teachers.

Process to select the Executive Director/Superintendent:

1. Identifying Qualified Candidates: SCCS will accept applications from qualified individuals and organizations interested in leading the charter school.
2. Establishing Eligibility: The Governing Board and key stakeholders will review the applications, review background checks, and select those applicants who appear eligible based on state criteria.
3. Reviewing Applicants: The Governing Board will review each application to determine whether it meets the standards established in the request for applications.
4. Interviewing: The Governing Board and key stakeholders will conduct individual interviews with each of the selected applicants.
5. Making a Recommendation: The Governing board will select the Executive Director following the review, interviews and other considerations.
6. Public Notification: Following the acceptance and agreed upon contract, the name of the founding Executive Director will be announced.

Delegation to the Executive Director (ED):

The Governing Board shall concern itself, primarily with the broad questions of policy oversight, and with the appraisal of results, rather than day to day operations of SCCS. The school board will ensure that the school has a valid charter, that it addresses the requirements listed in its charter, and that it adheres to the NM Public Education Code (NM PEC).

The Executive Director will have primary responsibility for all aspects of the schools operation and programs, including the day-to-day management, operations and implementation of the schools charter and the Governing Board policies. The teachers and staff of SCCS will report to the Executive Director, except in cases where there is a conflict of interest between the Executive Director and a staff member. In such cases, the Governing Board will establish a reporting chain to eliminate the conflict.

Members' Authority:

A member of the Governing Board is a public officer, but has no power or authority, individually. The charter vest power in the Governing Board, and not in the members either individually or otherwise and these powers must be exercised by the Governing Board at a public meeting in regular or special meetings, with action, duly recorded in its minutes.

Binding Authority:

The Governing Board shall not be bound in any way by any action or statement on the part of any individual Governing Board member except when such a statement or action is in pursuance of specific instructions from the Governing Board, any such exception shall be stated, in the agenda of a Governing Board meeting and recorded in the minutes thereof.

Advanced Notice:

The Governing Board recognizes the importance of timely communication among its members, and between the Governing Board and the Executive Director. The Executive Director and his/her designee

will strive to ensure that the Governing Board is given prior notice of matter submitted by members for deliberation at meetings.

Powers of the Governing Board:

The Governing Boards' powers and authority is set forth in the SCCS Charter and the New Mexico Public School Code, and all other applicable laws and regulations. Complete and final control of all matters pertaining to the schools educational system shall be vested in the Governing Board. The Governing Board of SCCS shall include the following powers and duties:

- Those powers as set forth in the SCCS Charter that are not inconsistent with Federal or State laws or constitutions, or as otherwise set forth in the Charter Schools Act, NMSA 1978 22-8B, et seq.
- Hire the Executive Director of SCCS, establish evaluation criteria for the Executive Director, and perform annual evaluations of the Executive Directors performance;
- Delegate administrative and supervisory functions of the Executive Director of SCCS, when appropriate
- Approval of the annual budget of anticipated, income and expenditures, and direct the preparation of the annual financial audit report in connection with the New Mexico Public Education Departments' annual audit;
- Have the capacity to sue or be sued;
- Contract for services with any school district, university, college or any third-party for the use of a facility, its' operation and maintenance and the provision of any service or activity that SCCS is required to perform in order to carry out the educational program described in its Charter;
- Acquire and dispose of property, provided that at the termination of the Charter, all assets of the Charter shall revert to the Public Education Department, unless otherwise required by law;
- Accept or reject any charitable gift, grant, devise or bequest, not otherwise contrary to law, or the terms of the Charter;
- Contract for provision of financial management, food services and education related services or other services

C. (4) Identify and provide a **clear, comprehensive, and cohesive** plan for annually evaluating the head administrator.

We will use the House Forms and Processes to evaluate school leadership which NMPED is currently using. When NMPED changes their Evaluation program/forms we will also change to the newest evaluation available. Until an updated evaluation is made available we will use the following forms:

House Form A : which lists all the following domains- Instructional Leadership, Communication Competency, Professional Development, Operations Management and Scope of Responsibility in Secondary Schools. This form will completed prior to the day.

House Form B: is the School Leaders Professional Development Plan (PDP) for the academic year, which allows them to focus on one or more domains for the upcoming year. This includes the Focus

Area, EPSS Goal, Action Plan, Assistance from Supervisor (Governing Board), Timeline for Implementation and evidence of the PDP. This form will be completed prior to the 40th day.

House Form C: is the school leaders reflection of the goal of the PDP and supervisors feedback. This form will be completed in May.

House Form D: is the summative evaluation with all the domains from Form A along with supervisors feedback on each one. This form will be completed in June.

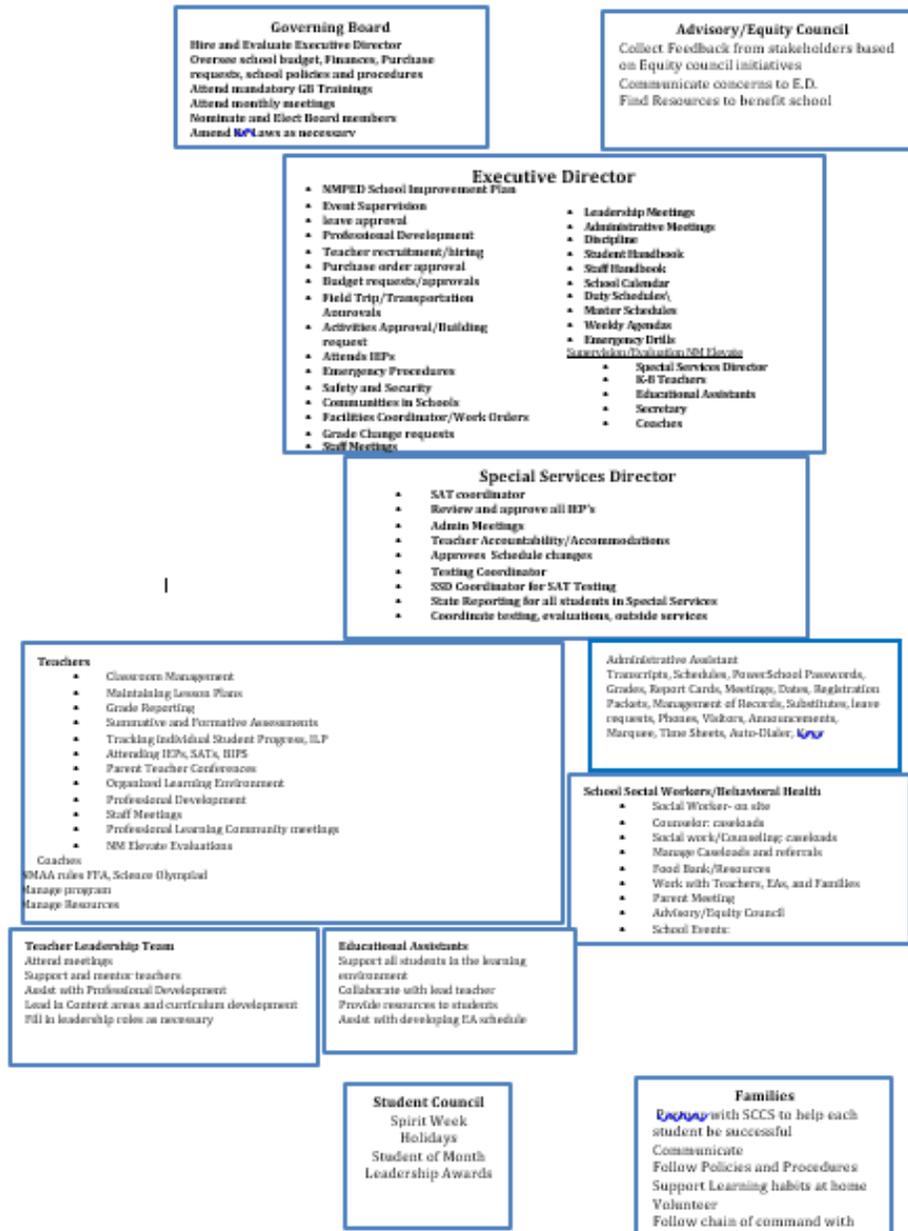
This is a type of evaluation that can be used and at any time the governing board can research and find another if this doesn't suit them. The governing board will adopt the evaluation of their choice.

D. Organizational Structure of the Proposed School

D.(1) Provide a **clear, comprehensive, cohesive, and reasonable** organizational chart and narrative.

Sierra Community Charter School Organizational Chart

SIERRA COMMUNITY CHARTER SCHOOL ORGANIZATIONAL CHART 2024-25



Governing Board: SCCS shall be governed by the SCCS Governing Board (GB). The Governing Board will be responsible for adopting policy, overseeing the management of the school and ensuring financial compliance and responsibility. In addition, the Governing Board will ensure that the mission and goals of the Charter are carried out by engaging in strategic planning. The Governing Board will not be involved in the daily operations of the school, but will hire a Executive Director who will be a

evaluated at least annually. The Executive Director, in partnership with the entire Governing Board will decide upon a periodic evaluation of the Executive Directors performance. The Governing Board will make sure the Executive Director manages SCCS in compliance with the Charter Schools Act and all State and Federal laws and regulations.

The Governing Board will also perform ongoing assessment of the school, and its programs in its operations. The Governing Board also routinely assesses its own performance. The Governing Board members will participate in and develop short- and long-range plans for the school. It will monitor the effectiveness of the schools' programs and implementation to see if the school has met the goals outlined in the plans.

Although the Governing Board does not hire staff it is responsible for setting the salary schedule and approving the annual budget for staffing needs.

Equity Council: The Equity Council will be composed of many different stakeholders of SCCS including members of Leadership, teachers, parents, students, and community members. The Equity Council will work with the Executive Director to review that the school's practices, policies, and materials are culturally and linguistically equitable for all students. The Equity Council will meet once a quarter to collaborate.

Executive Director: The Executive Director (ED) reports to the Governing Board at regular meetings about the school's operations. The ED shall present their recommendations to the GB on any subject under consideration prior to action being taken on the subject, if requested. The ED will be required to attend all GB meetings.

The ED will be responsible for overall instructional leadership for the charter school, including the discipline of students, and the planning, operation and supervision of the educational program of the school. The ED shall have the responsibility for all personnel matters including having authority to hire, discipline and terminate all school employees. The ED will periodically evaluate the SCCS employees as provided for by New Mexico law and SCCS policy.

The Executive Director will establish and maintain appropriate community relations. The ED shall uphold and enforce the Charter, SCCS Governing Board policies and local, state and federal laws and regulations. Personnel under the supervision of the ED, as identified in the Organizational Chart include the Business Manager, Administrative Assistant, Registrar, Counselor, Teachers, Educational Assistants, Nurse and Ancillary Staff.

Business Manager: The Executive Director will hire the SCCS Business Manager, who will assist the ED in preparing, planning for and presenting an annual school budget to the SCCS Governing Board. The Business Manager is also expected to be available at all Governing Board regular meetings to report on the financial status of the school and present budget adjustment requests to the Governing Board. The Business Manager will be expected to keep the Governing Board apprised of changes in law, regulation and rules applicable to public school finances and to ensure that the Governing Board is made aware of any potential concerns about the school's finances. The Business Director will work cooperatively with the Executive Director so that both can keep the Governing Board well informed about the school's financial health.

Office Manager: The Office Manager will handle all communication with the community via in person methods of communication and external communication such as phone and email blasts. The Office Manager will oversee all aspects of the administrative duties required to effectively operate a school. This position will report directly to the ED.

Teachers and Staff: Teachers and staff will have regularly scheduled meetings with the Executive Director where issues regarding school governance will be addressed. The ED will ensure that teacher inputs are regularly communicated to the Governing Board. The ED and the Governing Board will determine how to best address teacher inputs regarding school governance.

All school personnel will report to the ED. The ED will determine the most appropriate staffing requirements and structure for the administrative office. From time to time, school administrative staff may be asked to assist the Board in preparing Board packets, agendas, notices, etc. However, they shall remain under the direct supervision of the ED or their designee.

Custodians: Custodial staff will report directly to the ED. There will be one custodian needed to maintain the facilities for SCCS. This person will be in charge of cleaning common spaces, classrooms, light maintenance responsibilities and restrooms

D. (2) Provide **clear, comprehensive, and cohesive** job descriptions for all certified and licensed staff and any other key staff (if your charter requires non-traditional roles or positions, identify and describe here).

Executive Director (ED)

Exemption Status: Exempt

Immediate Supervisor: Governing Board

Job Goal: To promote the mission, vision, and purpose of SCCS. To manage SCCS and to provide organizational and instructional leadership to ensure high student outcomes and maintain the integrity of the schools approved Charter. Understands and supports the core values. Teaches by creating a flexible program and an environment favorable to learning and personal growth; by encouraging students to develop skills, attitudes and knowledge needed to obtain a good foundation for continuous growth and development; by providing students with experiences which integrate the affective, cognitive and psychomotor dimensions of learning by establishing effective rapport with students and their parents and by assisting students in developing positive feelings toward themselves and others.

Performance Responsibilities:

At the discretion of the Executive Director and after informing the Governing Board, the Executive Director may delegate any of the authority and responsibilities of the position. However, the Executive Director is not relieved of final responsibility for actions taken under such delegation.

- I. Relationship with Governing Board/Committees
 - a. Attends and participates in meetings of the Governing Board/Committees;
 - b. Informs and advises the Governing Board/Committees about the programs, practices and problems of the school, as well as activities operating under the authority of the Governing Board/Committees;
 - c. Implements Governing Board/Committees policies; advises the Governing Board/Committees when they need to add, modify, or delete a policy;
 - d. Submits recommendations to the Governing Board/Committees relative to matters requiring Governing Board/Committees action, supported by data and information necessary to make informed decisions;
 - e. Recommends, annually, to the Governing Board/Committee system-wide goals. Monitors and report back to the Governing Board/Committees, at least semi annually, on the progress toward achieving the goals;
 - f. Works with the Governing Board/Committees to implement the mission of the school and a comprehensive long range plan.
- II. Budget
 - a. Prepares annual operating budget recommendations based on guidelines set by the Governing Board/Committees;
 - b. Works with the Governing Board/Committees to develop the final budget;
 - c. Implement the approved budget.
- III. Educational Leadership and Curriculum
 - a. Assures high academic performance outcomes for all students;
 - b. Keeps informed of current curricular and educational thoughts, trends and practices, as well as proposed legislation, impacting the school. Informs the Governing Board/Committees of significant developments in these areas;
 - c. Oversees development and implementation of objectives and long range plans for curriculum, instructional evaluation and improvement;
 - d. Assures continuous study and revision of curriculum guides and courses of study to best support teacher needs.
- IV. Personnel
 - a. Hires all administrators;
 - b. Assures the hiring of qualified and competent personnel;
 - c. Assigns, transfers and promotes employees as the interest of the school system may indicate;
 - d. Assures professional development opportunities are provided to the school staff;
 - e. Assures systematic performance evaluation of school personnel and takes necessary actions regarding any employee whose performance is judged to be unsatisfactory;
 - f. Hold such meetings of school personal as are necessary for discussion of matters related to the welfare and improvement of the school;
 - g. Oversee employee relations in the school system.
- V. Facilities
 - a. Hires manager of facilities;
 - b. Determines with the Governing Board/Committees, short and long range building needs.
 - c. Oversee implementation of construction, operation and maintenance programs.
- VI. General Management
 - a. Takes necessary steps to assure the safety and welfare of students and employees in the school and at school sponsored activities;

- b. Maintains records for the school, including financial accounts, business and property records, personnel, scholastic and school population records. Acts as custodian of such records, and of all contracts, documents, securities, title papers, books and other papers of the Governing Board/Committees.
- VII. Communications/Public Relations
 - a. Maintains open lines of communication and cooperative, working relationships with the authorizer, support organizations and other committees;
 - b. Maintains open lines of communication and cooperative relationships with school staff, the Governing Board/Committees, parents, and the community at large;
 - c. Performs other appropriate task, which may be assigned by the Governing Board/Committees.
- VIII. According to NMAC 6.29.1.9 Section B, the duties and powers of the executive director of the charter school also include the following (some of which may have been addressed earlier in this document)
 - a. Administer local boards' (or governing body of a charter schools') policies, State and Federal requirements and applicable laws, including the Public School Code;
 - b. Be accountable for student achievement; budget management; expenditure of funds; dissemination of information; district or charter school communications; development, implementation, and evaluation of the Essential Elements of Professional School Support (EPSS) and all other district or charter school business;
 - c. Review, approve and support the district EPSS and each school site-level EPSS or the charter schools EPSS;
 - d. Attend all local board or governing body of a charter schools' meetings, or when necessary, designate a licensed administrator to attend;
 - e. Assure that school patrons and the public are informed and involved in the acquisition, planning and development of school facilities, and that students are provided with adequate facilities which conform to State and Federal mandates;
 - f. Be accountable for student safety (see 6.12.6 NMAC – School District Wellness Policy):
 - i. Assure that all students are supervised while on school property and while attending or traveling to school events or activities on school – provided transportation;
 - ii. Assure that all buildings, grounds and facilities, provide a safe and orderly environment for public use (see subsection O of 6.29.1.9 NMAC - School Facilities and Grounds; paragraph (8) of subs section D of 6.12.6.8 NMAC – School District Wellness Policy and 6.19.3 NMAC – Unsafe School Choice Option);
 - iii. Administer and implement the charter schools approved staff accountability plan and procedures
 - iv. Assure that a process is in place to identify, train, assign and support personnel resources in classrooms, which shall include, but not be limited to, the following:
 - 1. Establish the specific expertise of the person;
 - 2. Obtain a background check and fingerprint records;
 - 3. Provide the person with a three hour training, prior to entering a classroom, about how the school operates, appropriate teaching methods and expectations of ED and assigned teacher;
 - 4. Establish a start date, and ending date for the person; and
 - 5. Provide for an evaluation of services upon completion of the assignment;

6. Shall issue notifications in accordance with section 22–10-A-16 NMSA 1978 in addition to any other parental notification requirements contained in the No Child Left Behind Act of 2001 (PL 1 07–110, 20 US Code Section 6301 et seq.). SCCS shall issue these notifications in English and, to the extents possible, in the language of the parent or guardian, (if it is known that the parent or guardian’s primary language is not English); SCCS shall retain a copy of all notifications and shall ensure that information required under this paragraph is available to the public upon request.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job with or without reasonable accommodation:

1. The employee must use hands and arms to manipulate objects;
2. The employee must use keyboard, tools and other controls;
3. The employee must sit and stand for long periods of time;
4. The employee will escort students around campus;
5. The employee must have normal vision and hearing with or without aid;
6. The employee must be able to move about assigned locations unaided during the workday.
7. The employee must be able to transport students in an extended SUV for field trips.
8. Perform basic first aid and CPR as needed.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbent’s ability to meet or exceed the minimum requirements of the job. Finalized and approved job descriptions for all positions SCCS will be housed in the administrative office and will be updated periodically. Copies are available on request.

Classroom Teacher:

Exemption Status: Exempt

Immediate Supervisor: ED

Summary:

Understands and supports the mission, vision, and purpose of SCCS. Understands and supports SCCS core values. Teaches by creating a flexible program and an environment favorable to learning and personal growth. Encourages students to develop skills, attitudes, and knowledge needed to obtain a good foundation for continuous growth and development; by providing students with experiences which integrate the affective, cognitive and psychomotor dimensions of learning; by establishing effective rapport with students and their parents; by assisting students in developing positive feelings toward themselves and others.

Essential Functions:

A. Educating Students

- a. Cooperates in the development and implementation of the school program of instruction;
- b. Plans and implements a program of study that meets the individual needs, interest and abilities of students and complies with the Public Education Department standards and the SCCS goals and objectives;
- c. Guides the learning process toward the achievement of curriculum goals, establishes clear objectives for all lessons, assignments, units and projects in harmony with curriculum goals and communicates the objectives to students;
- d. Employs instructional methods and materials that are most appropriate for meeting stated objectives including the use of computers and other technological classroom support equipment in student instruction;
- e. Meets and instructs assigned classes in the locations and at the times designated;
- f. Shows commitment to the schools' mission, academic program and student academic outcomes as outlined in the approved Charter.

B. Managing Student Behavior:

- a. Establishes and maintains standards of appropriate student behavior and discipline to achieve a functional learning atmosphere in the classroom and assist in its maintenance campus wide;
- b. Provides and maintains a safe and supervised environment in the classroom and on the school grounds;
- c. Creates a classroom environment that is conducive to learning and appropriate to the maturity and interest of students.

C. Evaluating Student Progress

- a. Evaluates the learning progress of students on a regular basis, using appropriate assessments;
- b. Prescribes effective learning programs and initiates referrals to appropriate personal when concerns arise;
- c. Assesses the accomplishments of students on a regular basis and provides progress reports as required;
- d. Administers group standardized test in accordance with the school testing programs.

D. Professional Communications

- a. Establishes and maintains open lines of communication with students and parents concerning students academic, social and behavioral progress;
- b. Cooperates with professional staff and support personnel in assessing and helping students with health, attitude, learning and behavioral problems;
- c. Communicates and cooperates with other professional staff in academic and personal growth areas;
- d. Attends and/or conducts staff meetings and participates on committees within the area of responsibility.

E. Management

- a. Selects and request appropriate books and instructional materials and maintains required inventory records;
- b. Provides directions and materials for substitute teachers. Plans for and supervises classroom aides, guest and volunteers.;
- c. Prepares and maintains accurate and complete records and reports as required by law, state directive, school policy and administrative regulations;
- d. Shares the responsibility for the supervision and care of school inventory, proper and safe use of facilities, equipment, and supplies and reports safety hazards promptly.

F. Upholds Professional Standards of Conduct:

- a. Complies with state-approved Code of Ethics of the Education Profession and upholds and enforces rules, administrative directives and regulations, school policies, and local state and federal regulations;
- b. Articulates and facilitates the implementation of the mission and values of SCCS;
- c. Safeguards confidentiality of privileged information;
- d. Maintains professional relationships and works cooperatively with employees, the community and other professionals;
- e. Maintains professional competence through individual and staff training, in-service educational activities and self-selected professional growth activities;
- f. Performs other task related to area of responsibilities as requested or assigned by an immediate supervisor;
- g. Conforms to SCCS policies including attendance, absences, and evaluations;
- h. Attendance must be adequate to acceptably perform listed job functions.

G. Experience, Knowledge, Skills and Abilities:

- a. Effective communication skills, both verbal and written;
- b. Flexibility, organization, decision making, and problem-solving skills;
- c. Interpersonal skills with diverse populations in-person and on the telephone;
- d. Knowledge of computer systems, financial procedures, and legal requirements;
- e. Ability to meet deadlines, work on multiple projects and coordinate the work of others;
- f. Knowledge of school policies on immunization, medication, first aid, emergencies and child abuse/neglect;
- g. Knowledge of all laws, regulations, and guidelines affecting teachers and students;
- h. Knowledge of effective classroom management techniques;
- i. Ability to maintain positive relationships with students, parents, community members, and staff.

H. Education and Licensure:

- a. Bachelors degree;
- b. Current New Mexico teaching certificate endorsed in the area to be taught, or is pursuing an alternative licensure portfolio.

I. Working Environment:

- a. The employee works with various staff members in a team environment, including the administrative staff, parents, students, advocates and others outside the school;
- b. Frequent interactions with people in-person and on the phone will be necessary;
- c. Duties are performed indoors and outside in a normal school environment;
- d. The noise level in the work environment is usually moderate.

J. Physical Demands:

- a. The employee must occasionally lift and move up to 25 pounds in supplies which requires bending, stooping and lifting;
- b. The employee must have the ability to adjust focus on a computer monitor in order to get information from a variety of information systems;
- c. The employee must use hands and arms to manipulate objects;
- d. The employee must use keyboard, tools and other controls;
- e. Employee must sit and stand for long periods of time;
- f. The employee must work outside, hike, swim, climb, etc.;
- g. Employee must be able to use and move/lift a variety of instructional materials in the classroom;
- h. Employee must be able to see and hear on a continuous basis, as well as speak frequently;

- i. The employee must be able to move quickly from place to place on and over smooth the uneven surfaces on the playground or on the grass;
- j. Walk through classroom and be able to maneuver, tight spaces (e.g. Between desk);
- k. When dealing with students, this may entail kneeling, squatting, stooping, and bending on an occasional to frequent basis on a given day.
- l. The employee must be able to drive an extended SUV with children to and from service learning projects.
- m. Perform basic first aid and CPR as needed;

K. Emotional Demands:

Manage the repetitive instructional preparation, review and grading of student assignments without experiencing undue stress(which leads to emotional detachment from the teaching process and to ineffectiveness in the classroom);

- a. Maintain high emotional energy and display enthusiasm for the subject matter and individual student effort;
- b. Develop effective coping strategies for dealing with the fatigue and stress of ongoing involvement in teaching, supervising and monitoring of students;
- c. Address stressful events created by hostile, confrontational students by remaining calm and listening non-critically, reasoning objectively and remaining consistent in judgments;
- d. Ensure that out-of-classroom pressures (personal, home, business) do not interfere with overall effective teaching performance;
- e. Enhance ones’ professional teaching commitment with punctuality and attendance (avoiding the “coming late, leave early”, or “often absent” syndrome);
- f. Realize the need to seek timely professional assistance as necessary to maintain emotional stability and professional standards of conduct;
- g. Possess emotional openness to constructive feedback from peers, consulting teacher/mentors and administrators regarding compliance with professional standards;
- h. Analyze and remedy, emotional needs or unresolved conflicts which interfere or preclude adhering to policy, administrative direction or professional standards.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbents’ ability to meet or exceed the minimum requirements of the job. Finalized and approved job descriptions for all positions will be housed in the main office and are updated periodically. Copies are available upon request.

Special Education Teacher

Exemption Status: Exempt

Immediate Supervisor: ED

Summary:

Understands and supports the mission, vision, and purpose of SCCS. Understands and supports SCCS core values. Teaches by creating a flexible program and an environment favorable to learning and personal growth; by encouraging students to develop skills, attitudes and knowledge needed to obtain a good foundation for continuous growth and development; by providing students with experiences which integrate the affective, cognitive and psychomotor dimensions of learning by

establishing effective rapport with students and their parents and by assisting students in developing positive feelings toward themselves and others.

Essential Functions:

A. Educating Students

- a. Cooperates in the development and implementation of the schools program of instruction;
- b. Plans and implements a program of study that, as much as possible, meets the individual needs, interest and abilities of students and complies with the Public Education Department standards and SCCS goals, and objectives;
- c. Guides the learning process toward the achievement of curriculum goals. Establishes clear objectives for all lessons, assignments, units and projects in harmony with curriculum goals and communicates the objectives to students;
- d. Employs instructional methods and materials that are most appropriate for assuring high student outcomes, including the use of computers and other technological classroom support equipment in student instruction;
- e. Meets and instructs assigned classes in the locations and at the times designated;
- f. Plans and implement a program of study that, as much as possible, meets the individual needs, interest and abilities of students in compliance with the Public Education Department Standards and the SCCS goals and objectives and individual student IEP plans if appropriate;
- g. Participate in all IEP meetings and ensure the educational goals of the IEP are met in the classroom.

B. Managing Student Behavior

- a. Establishes and maintains standards of appropriate student behavior, and discipline to achieve a functional learning atmosphere in the classroom and assists in its maintenance campus wide;
- b. Provides and maintains a safe and supervised environment in the classroom and on the school grounds;
- c. Create a classroom environment that is conducive to learning and appropriate to the maturity and interest of students.

C. Evaluating Student Progress

- a. Evaluates the learning progress of students on a regular basis;
- b. Prescribes effective learning programs and initiates referrals to appropriate personnel when concerns arise;
- c. Assesses the accomplishments of students on a regular basis and provides progress reports as required;
- d. Administers group standardized test in accordance with the school testing program.

D. Professional Communications

- a. Establish and maintain open lines of communication with students and parents concerning students, academic, social and behavioral progress;
- b. Cooperates with professional staff and support personnel in assessing and helping students with health, attitude, learning and behavioral problems;
- c. Communicate and cooperate with other professional staff in academic and personal growth areas;
- d. Attends and/or conducts staff meetings and participates on committees within area of responsibility.

E. Management

- a. Selects and requests appropriate books and instructional materials and maintains required inventory records;
- b. Provides directions and materials for substitute teachers. Plans for and supervises classroom aides, guests and volunteers;
- c. Prepares and maintains accurate and complete records and reports as required by law, state directives, school policy and administrative regulations;
- d. Shares the responsibility for the supervision and care of school inventory, proper and safe use of facilities, equipment and supplies and reports safety hazards promptly.

F. Upholds Professional Standards of Conduct

- a. Complies with state-approved Code of Ethics of the Education Profession and upholds and enforces rules, administrative directives and regulations, school board policies and local, state and federal regulations;
- b. Articulates and facilitates the implementation of the mission and values of the SCCS;
- c. Safeguards confidentialities of privileged information;
- d. Maintains professional relationships and works cooperatively with employees, the community and other professionals;
- e. Maintains professional competence through individual and staff training, in-service educational activities and self-selected professional growth activities;
- f. Performs other task related to area of responsibilities as requested or assigned by an immediate supervisor;
- g. Conforms to SCCS policies including attendance, absences and evaluations;
- h. Attendance must be adequate to acceptably perform listed job functions.

G. Experience, Knowledge, Skills and Abilities

- a. Effective communication skills, both verbal and written;
- b. Flexibility, organization, decision making and problem-solving skills;
- c. Interpersonal skills with diverse populations in-person and on the telephone;
- d. Knowledge of computer systems, financial procedures and legal requirements;
- e. Ability to meet deadlines, work on multiple projects and coordinate the work of others;
- f. Knowledge of school policies on immunization, medication, first aid, emergencies and child abuse/neglect;
- g. Knowledge of all laws, regulations and guidelines, affecting teachers and students;
- h. Knowledge of effective classroom management techniques;
- i. Ability to maintain positive relationships with students, parents, community members and staff.

H. Education and Licensure

- a. Bachelors degree;
- b. Current New Mexico teaching certificate endorsed in the area to be taught or pursuing alternative licensure program.

I. Working Environment

- a. Incumbent works with various staff members in a team environment, including the administrative staff, parents, students, advocates and others outside the school;
- b. Frequent interactions with people in-person and on the telephone will be necessary;
- c. Duties are performed indoors and outside in a normal school environment.

J. Physical Demands

- a. The employee must occasionally lift and move up to 25 pounds in supplies, which requires bending, stooping and lifting;
- b. The employee must have the ability to adjust focus on a computer monitor in order to get information from a variety of information systems;

- c. The employee must use hands and arms to manipulate objects;
- d. Employee must use keyboard, tools and other controls;
- e. Employee must sit and stand for long periods of time;
- f. The employee must occasionally work outside;
- g. The employee must be able to use and move/lift variety of instructional materials in the classroom;
- h. Employee must be able to see and hear on a continuous basis, as well as speak frequently;
- i. The employee must be able to move quickly from place to place and over smooth to uneven surfaces on the playground or on the grass;
- j. The employee must be able to walk through the classroom and maneuver tight spaces, (e.g. between desk);
- k. When dealing with students may entail kneeling, squatting, stooping, and bending on an occasional to frequent basis on a given day;
- l. Requires daily attendance at job.

K. Emotional Demands

- a. Manage the repetitive instructional preparation, review and grading of student assignments without experiencing undue stress (which leads to emotional detachment from the teaching process and to ineffectiveness in the classroom);
- b. Maintain high emotional energy and display enthusiasm for the subject matter and individual student effort;
- c. Develop effective coping strategies for dealing with the fatigue and stress of ongoing involvement in teaching, supervising and monitoring of students;
- d. Address stressful events created by hostile, confrontational students by remaining calm and listening non-critically, reasoning objectively and remaining consistent in judgments;
- e. Ensure that out-of-classroom pressures (personal, home, business) do not interfere with overall effective teaching performance;
- f. Enhance ones' professional teaching commitment with punctuality and attendance (avoiding the "coming late, leave early", or "often absent" syndrome);
- g. Realize the need to seek timely professional assistance as necessary to maintain emotional stability and professional standards of conduct;
- h. Possess emotional openness to constructive feedback from peers, consulting teacher/mentors and administrators regarding compliance with professional standards;
- i. Analyze and remedy, emotional needs or unresolved conflicts which interfere or preclude adhering to policy, administrative direction or professional standards.
- j. Requires daily attendance at job.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbents' ability to meet or exceed the minimum requirements of the job. Finalized and approved job descriptions for all positions will be housed in the main office and are updated periodically. Copies are available upon request.

Educational Assistant

Exemption Status: Exempt

Immediate Supervisor: ED

Summary:

Under the direction of a licensed teacher and ED, this position is responsible for monitoring and/or presenting and reinforcing skills with small groups of students, or one-on-one, maintaining and updating student records, monitoring and recording students' academic and behavioral progress. May also plan and present lessons, prepare instructional materials, monitor students in various non-classroom settings and/or assist in the administration of test. Individuals in this position may be assigned to one or more classrooms and may assist with translation and/or communication using second language skills when possible. Understands and supports SCCS core values. Teaches by creating a flexible program and an environment favorable to learning and personal growth; by encouraging students to develop skills, attitudes and knowledge needed to obtain a good foundation for continuous growth and development; by providing students with experiences which integrate the affective, cognitive and psychomotor dimensions of learning by establishing effective rapport with students and their parents and by assisting students in developing positive feelings toward themselves and others.

Essential Functions:

- A. Facilitate and/or monitor small group and one-on-one instruction of students in order to present, guide and/or reinforce skills, concepts and strategies. Employ a variety of instructional and motivational techniques to encourage student learning and achievement.
- B. Maintains classroom records, prepares reports as requested by the classroom teacher, or ED, scores test, processes books and manages supplies and classroom equipment as needed;
- C. Monitor students' academic and behavioral progress and record appropriately;
- D. May assist in planning and presenting lessons to promote and supplement skills, concepts and strategies introduced in the classroom;
- E. Prepare and arrange instructional resource materials for use by certified personnel in class or "pull-out" smaller groups. Duties may include word processing, proofreading, editing, copying, collating, binding and filing;
- F. Attend job related in-services, appropriate workshops and lectures and school and in-services to enhance skills and improve professional growth;
- G. May promote parent involvement through activities, events and personal contact;
- H. May monitor students in various non-classroom settings as requested;
- I. May substitute for fellow workers as needed and occasionally substitute temporarily for a classroom teacher;
- J. May assist in the administration of test by proctoring, scoring, recording results and/or inputting data into the computer;
- K. May prepare instructional artwork and resources including displays, bulletin boards, charts and posters. Repair and catalog resources for school-wide use;
- L. May perform Media Center and/or technology duties including supervising and instructing students in the Media Center Computer Lab, cataloging, ordering, filing and shelving books;
- M. Serves as a model in developing students' language and behavior;
- N. Monitors make-up work by students;
- O. Monitors student activities in classrooms, school grounds, hallways, lunchroom, field trips, drop off/pick up areas, etc.;
- P. Provide support for non-instructional classroom duties such as monitoring snacks, restrooms, clothing areas, etc.;

- Q. Complies with state approved Code of Ethics of the Education Profession and upholds and enforces rules, administrative directives and regulations, school policies and local, state and federal regulations;
- R. Articulates and facilitates the implementation of the mission and values of SCCS;
- S. Safeguards confidentiality of privileged information;
- T. Share the responsibility for the supervision and care of inventory, proper and safe use of facilities, equipment and supplies and reports safety hazards properly;
- U. Maintains professional relationships and works cooperatively with employees, the community and other professionals;
- V. Maintains professional competence through individual, staff training and in-service educational activities;
- W. Attends staff meetings and participates on committees within area of responsibility;
- X. Performs other task related to area of responsibilities as requested or assigned by the classroom teacher and/or administrator.

Education and Licensure

- A. Must hold an educational assistance license issued by the New Mexico Public Education Department

Experience, Knowledge, Skills and Abilities

- A. Oral communication, interpersonal;
- B. English language, English writing, math (appropriate to grade assigned);
- C. Basic behavior management, and decision making skills;
- D. Ability to work with students with diverse backgrounds and abilities;
- E. Operating knowledge of personal computers and general office equipment may be required after hire;
- F. Oral and written fluency in second language, may be preferred or required based on position assignment.

Work Environment

- A. Works with various staff members in a team environment, including the administrative staff, parents, students, advocates, and others outside the school;
- B. Interactions with people in-person, and on the telephone may be necessary;
- C. Duties are performed indoors and outside in a normal school environment;
- D. The noise level in the work environment is usually moderate.
- E. Assist with students who have special needs.

Physical Demands

- A. The employee must occasionally lift and move up to 25 pounds in supplies, which requires bending, stooping and lifting;
- B. The employee must have the ability to adjust focus on a computer monitor in order to get information from a variety of information systems;
- C. The employee must use hands and arms to manipulate objects;
- D. Employee must use keyboard, tools and other controls;
- E. Employee must sit and stand for long periods of time;
- F. The employee must occasionally work outside;
- G. The employee must be able to use and move/lift variety of instructional materials in the classroom;
- H. Employee must be able to see and hear on a continuous basis, as well as speak frequently;
- I. The employee must be able to move quickly from place to place and over smooth to uneven surfaces on the playground or on the grass;
- J. The employee must be able to walk through the classroom and maneuver tight spaces, (e.g. between desk);

- K. When dealing with students, this may entail kneeling, squatting, stooping, and bending on an occasional to frequent basis on a given day;
- L. Requires daily attendance at job.
- M. The employee must be able to drive an extended SUV with children to and from service learning projects.
- N. Perform basic first aid and CPR as needed.

Emotional Demands

- A. Manage the repetitive instructional preparation, review and grading of student assignments without experiencing undue stress (which leads to emotional detachment from the teaching process and to ineffectiveness in the classroom);
- B. Maintain high emotional energy and display enthusiasm for the subject matter and individual student effort;
- C. Develop effective coping strategies for dealing with the fatigue and stress of ongoing involvement in teaching, supervising and monitoring of students;
- D. Address stressful events created by hostile, confrontational students by remaining calm and listening non-critically, reasoning objectively and remaining consistent in judgments;
- E. Ensure that out-of-classroom pressures (personal, home, business) do not interfere with overall effective teaching performance;
- F. Enhance ones’ professional teaching commitment with punctuality and attendance (avoiding the “coming late, leave early”, or “often absent” syndrome);
- G. Realize the need to seek timely professional assistance as necessary to maintain emotional stability and professional standards of conduct;
- H. Possess emotional openness to constructive feedback from peers, consulting teacher/mentors and administrators regarding compliance with professional standards;
- I. Analyze and remedy, emotional needs or unresolved conflicts which interfere or preclude adhering to policy, administrative direction or professional standards.
- J. Requires daily attendance at job.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbents’ ability to meet or exceed the minimum requirements of the job. Finalized and approved job descriptions for all positions will be housed in the main office and are updated periodically. Copies are available upon request.

Administrative Assistant/Registrar

Exemption Status: Non-exempt

Immediate Supervisor: Executive Director

Summary:

To provide clerical support as necessary, to ensure completion of required projects at the school site and to perform a variety of responsible data entry, typing and general clerical activities in support of an academic or administrative function. Understands and supports SCCS core values. Teaches by creating a flexible program and an environment favorable to learning and personal growth; by encouraging students to develop skills, attitudes and knowledge needed to obtain a good foundation for continuous growth and development; by providing students with experiences which integrate the affective, cognitive and psychomotor dimensions of learning by establishing effective rapport with

students and their parents and by assisting students in developing positive feelings toward themselves and others.

Essential Functions:

Incumbent must achieve the following outcomes with or without reasonable accommodation:

- A. Enroll and register students;
- B. Maintain Student Information System;
- C. Maintain effective student health records;
- D. Collect and report data regarding health status of students;
- E. Assist counselors in class scheduling duties;
- F. Research data and prepare statistical reports as required;
- G. Daily record keeping of absences and tardiness;
- H. Manage sign-in and sign-out sheet for students (must have parent permission until age 18);
- I. Answer attendance questions;
- J. Perform a variety of responsible office duties, enter a variety of text or numerical data into a personal computer. Enter, update, and maintain accuracy of information;
- K. Type written materials from straight copy or rough draft utilizing a personal computer;
- L. Perform a variety of clerical duties involving data and information processing of materials and resources;
- M. Perform routine typing of reports from detailed copy, post records, proof completed typing assignments;
- N. Maintain records, inventories, index and cross reference files. File data, numerically or alphabetically;
- O. Operate a variety of office equipment including a personal computer, calculator, copier, and other machines pertinent to the assignment;
- P. Inspect and review documents to assure data is complete before entering into computer or before processing;
- Q. Duplicate items, package and distribute completed copies;
- R. Assure the timely distribution and receipt of records, reports and bulletins as directed;
- S. Make telephone calls as directed, take and relay messages;
- T. Greet and assist students, faculty, staff, parents and others;
- U. Answer phones, and refer telephone calls and visitors to appropriate personnel, answer routine questions according to establish guidelines;
- V. Review, check, correct and compile a variety of information and reports;
- W. Verify data for accuracy;
- X. Prepare and maintain a variety of records;
- Y. Organize, process and print reports and other written materials;
- Z. Process a wide variety of materials such as correspondence, reports, contracts, forms, applications, memoranda, and other documents;
- AA. Provide work directions to others as assigned;
- BB. Independently compose written communication;
- CC. Maintain confidentiality of records and information;
- DD. Perform other duties as assigned.

Knowledge

- A. Effective communication skills, both verbal and written;
- B. Flexibility, organization, decision making and problem-solving skills;
- C. Computer, English, bookkeeping and mathematic skills;
- D. Interpersonal skills with diverse populations, in-person and on the telephone;
- E. Knowledge of community, computer systems, financial and legal requirements;

- F. Ability to meet deadlines and work on multiple projects;
- G. Knowledge of word processing, database and spreadsheet software;
- H. Type at least 50 words per minute;
- I. Modern office practices, procedures and equipment;
- J. Operation of a variety of office machines, including personal computer;
- K. Alphabetical, numerical and subject matter filing systems;
- L. Correct English usage, grammar, spelling, punctuation and vocabulary;
- M. Telephone techniques and etiquette;
- N. Intermediate/advanced working knowledge of Microsoft software;
- O. Modern office, practices, procedures, and equipment;
- P. Correct English usage, grammar spelling, punctuation, and vocabulary;
- Q. Operation of a personal computer and a variety of other office equipment, including calculators, copiers, and fax machines.

Ability To:

- A. Perform clerical duties such as filing, duplications typing and maintaining routine records;
- B. Operate a personal computer, copier, adding machine and fax machine;
- C. Learn to operate various software applications, including word processing, and data entry;
- D. Understand and follow oral and written directions;
- E. Work cooperatively with others;
- F. Complete work with many interruptions;
- G. Work independently with little direction;
- H. Compose correspondence from verbal direction or from a rough draft independently.

Education and Experience

Any combination equivalent to graduation from high school supplemented by college course work in business, office practices or related field and a minimum of three years of responsible secretarial experience.

Working Environment

The work environment characteristics describe tear our representative of those an employee encounters, while performing the essential functions of this job:

- A. They incumbent works with various staff members in a team environment, including the administrative staff, state department personnel, legal counsel, parents, students, advocates, and others outside the school;
- B. Frequent interactions with people in-person and on the telephone will be necessary;
- C. Travel from location to location may be necessary;
- D. Duties are primarily performed in a normal school environment.

Physical Demands

The physical demands described, hear a representative of those that must be met by an employee to successfully perform the essential functions of this job with or without reasonable accommodation:

- A. The employee must occasionally lift and move up to 25 pounds in supplies, which requires bending, stooping and lifting;
- B. The employee must have the ability to adjust focus on a computer monitor in order to get information from a variety of information systems;
- C. The employee must use hands and arms to manipulate objects;
- D. Employee must use keyboard, tools and other controls;
- E. Employee must sit and stand for long periods of time;
- F. The employee must occasionally work outside;
- G. Employee must have normal vision, and hearing with or without aid;

- H. Employee must be able to move about assigned locations unaided during the day. The employee must be able to drive an extended SUV with children to and from service learning projects.
- I. Perform basic first aid and CPR as needed.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbents' ability to meet or exceed the minimum requirements of the job. Finalized and approved job descriptions for all positions will be housed in the main office and are updated periodically. Copies are available upon request.

School Nurse- (Will be a contracted service)

Immediate Supervisor: Executive Director

Duties and Responsibilities:

- A. Communicating and consulting with administrators, medical providers and community agencies around policies, procedures, program development and services;
- B. Developing an assessment, data collection and evaluation of health services and preparing regular written reports.
- C. Organizing and implementing state mandates (immunizations, health screenings, etc.);
- D. Developing effective health records forms.
- E. Developing programs in the prevention of communicable diseases in the school and/or community.
- F. Administer routine vision, hearing, height and weight screenings
- G. Provide nursing and/or medically prescribed interventions
- H. Monitor students per individualized healthcare plans
- I. Perform basic first aid and CPR as needed
- J. Care of school inventory as well as proper and safe use of facilities, equipment, and supplies and report safety hazards; Develop a nursing diagnosis and implement student health
- K. management plan
- L. Provide appropriate health education
- M. Serve on School Health Advisory Council
- N. Assess and provide counseling, crisis intervention and appropriate referral services.

Education and Licensure:

- I. Must have a current invalid School Nurse License.

Business Manager-

K-12 Accounting will serve as an independent contractor, and be in charge of the following:

- A. Prepare and present an annual school budget to the Governing Board;
- B. Prepare and present the budget adjustment request (BARs);
- C. Post the revenue to the appropriate fund and revenue code;
- D. Responsible for impress funds and disbursements of funds;
- E. Aware of and follow the Public School Financial Standards pursuant to NMAC and follow Generally Accepted Accounting Principles (GAAP) standards;

- F. Responsible for ensuring the safe guarding of all financial and student records from potential theft and destruction;
- G. Responsible for reconciliation of all bank statements;
- H. Accuracy of payroll journal, back up of journal and generation of payroll checks;
- I. Maintain all employees earnings, deduction and leave records;
- J. Responsible for substitute payment disbursement;
- K. Entry of pay rates and deduction changes in accordance with benefits,
- L. Responsible for the maintenance of employee insurance premiums reconciliations, savings, tax-sheltered annuities and other voluntary and mandatory payroll deductions;
- M. Responsible for completing required PED financial reports in collaboration with Governing Board President and monthly, quarterly and annual payroll tax benefit reports required by federal, state and local government agencies;
- N. Accommodating and assisting auditor in yearly audit;
- O. Oversight and coordination of school facilities with Salesforce Commerce Cloud (SFCC) and ordering of all supplies and equipment in accordance with approved internal control policy;
- P. Financial record keeping-collect, record and deposit money;
- Q. Coordinate all supply orders for all departments in accordance with approved internal control policy;
- R. Coordinate and approve all textbook orders and teaching aids in collaboration with ED and Administrative Assistant in accordance with internal control policy;
- S. With approval of ED prepare contracts to enter into the financial management system;
- T. Maintain vendor invoices, matching encumbrance copy and receiving copy of the purchase order, then matching with approved purchase order copy;
- U. Manage School Activities Fund;
- V. Trained in using the Operating Budget Management System (OBMS) for the purpose of providing assurance that the data of SCCS is in compliance with federal and state laws and procedures and the PED.

This position description indicates the general nature and level of work expected of incumbent. It is not intended to be a comprehensive listing of all activities, duties and responsibilities required of incumbent. This position description is designed to illustrate the minimum requirements of the job. The performance appraisal for this position will evaluate the incumbents' ability to meet or exceed the minimum requirements of the job. Finalized and approved Contracts for all positions will be housed in the main office and are updated periodically. Copies are available upon request.

D.(3) Provide a **clear, comprehensive, and cohesive** staffing plan that demonstrates an understanding of the proposed school's staffing needs.

The Executive Director shall be responsible for the creation and maintenance of a written list of job functions at the SCCS along with a list of duties, expectations and evaluation criteria for each of the job functions. Note, that one employee may be assigned more than one job function. This job function information shall be informed and guided by the SCCS Charter. Deviations from the Charter shall require prior Governing Board approval during a regular Governing Board meeting after having been identified on the posted agenda, though in a crisis circumstance, the Governing Board President may temporarily approve the proposed deviation until the Governing Board has a chance to vote on the proposal.

The list of job functions shall include, but not be limited to:

- Executive Director
- Teacher(0-3 years experience)
- Teacher(3+ years experience)
- Special Services Director
- Special Education Teachers
- Educational Assistance
- Teacher Mentors
- Teacher Mentees
- Librarian
- Nurse (contract)
- Business Manager (contract)
- Distance Learning Coordinator (contract)
- Custodial Grounds and Maintenance
- Information Technology (IT) Director (contract)

Additionally, the Executive Director shall be responsible for the production and maintenance of an addendum for teachers whose subjects involve particular or extra duties, such as Music, Art, Physical Education and project based learning.

The proposed ratios are 16:1 grades K-8th.

Position	Year One	Year Two	Year Three	Year Four	Year Five
Reg. Ed Teachers	9	9	9	9	9
Sp. Ed Teachers	2	2	2	2	2
EAs	4	4	4	5	5
Counselor	0	0	1	1	1
Nurse (contract)	1	1	1	1	1
Librarian	0	0	1	1	1
Executive Director	1	1	1	1	1
Special Services Director	0	0	0	0	0
Business Manager (Contract)	1	1	1	1	1
Administrative Assistant	1	1	1	1	1
Custodial	1	1	1	2	2

Educational Assistants may work in classrooms with larger numbers of students. Teachers will be added in subsequent years according to the stated ratios and to align with the program as it grows. The librarian may be a volunteer position, Business Manager, Sped teacher, Ancillary, Diagnosticians, and Nurse may be contracted services.

D.(4) Provide a **clear, comprehensive, and compelling** plan for Professional Development.

Professional Development Plan

The NMPED requirement is for ten professional development days or sixty-five hours of professional development for the contract year. Teachers will develop a professional development plan (PDP) annually based on choices from the New Mexico Teacher Performance Framework Domains based on identified school goals, SMART goals, and desired professional goals. In addition, We will also use observation and feedback processes with consistent follow-through, informal evaluations, formal evaluations and reflection on the year. Each staff member will have a professional development log of dates of trainings, meetings and sessions they have attended through the contract year.

- Staff development days are built into the calendar. There are 3 in-service days,
- PD during staff meetings, modeling instructional methods/discussing and modifying methods,
- Outside of school PD opportunities,
- Assigned PD on NM Elevate platform,
- Mentorships for teachers in years one and two with a mentorship log.

NMTEACH has a framework for improvement, SCCS will use available funds to continue with these successful interventions to grow and develop educators:

- We will offer the Principals Pursuing Excellence Program to our staff. PPEP Educates and empowers principals to practice leadership behaviors that drive significant gains in student achievement. This two-year leadership development program leverages the expertise of New Mexico's educational leaders to mentor principals from struggling schools. Participants in the program show school improve more than 3 times higher than the average school in the state in English language arts and 1.7 times higher in mathematics.
- We will offer the Teachers Pursuing Excellence Program to our staff. TPEP is modeled after the Principals Pursuing Excellence Program and provides mentorship and training to minimally effective and ineffective teachers to help them become more effective in the classroom. Participants in this program saw their English Language Arts scores increase 4.5 times higher than the statewide average-and their math scores improve by 2.7 times the statewide average.
- We will participate in alternative licensing for level one teachers.
- We will work to help our licensed individuals advance their provisional licenses by using the effectiveness rating of the NMTEACH system.
- We will participate in the PED advancement for teachers from level 1 to 2 and level 2 to 3, by allowing effective or better teachers to advance their licenses using their NMTEACH evaluation to demonstrate meeting the appropriate statutory requirements.
- We will participate in the NMTEACH program to recruit and retain hard to staff and pay for preferment spending that is directly linked to effectiveness ratings of teachers using the NMTEACH system.
- We will seek to engage with the Secretary's teacher, advisory Council. This board was established with membership from districts across New Mexico to promote teacher voice and make recommendations to the secretary of education in New Mexico on policy issues with in public schools.
- We will participate in the PED annual teacher leaders summit, providing authentic professional development and policy experiences for classroom teachers across New Mexico.

E. Employees

E. Clearly describe the employer/employee relationship and provide **clear terms** and conditions of employment for all classes of employees (administration, professional staff, and administrative staff).

The goal of the Sierra Community Charter School (SCCS) is to provide an excellent, engaging and rigorous education to our students. This goal can only be achieved if we have excellent staff both in the classroom and supporting the administrative activities of the school. The purpose of this handbook is to define policies related to accomplishing the rigorous academic goals of SCCS.

References

- 22-10A NMSA 1978, School Personnel Act
- 22-2 NMSA 1978, Criminal Offender Employment Act
- Title VI of the Civil Rights Act of 1964, as amended
- Section 504 of the Rehabilitation Act of 1973, as amended
- The Americans with Disabilities Act of 1990 (ADA), as amended
- 28 CFR § 35
- 34 CFR § 100, 104, 106
- The SCCS Civil Rights Policy
- The SCCS Grievance Policy
- The SCCS Tobacco, Alcohol, and Illicit Drug Policy
- The SCCS Safety Policy
- The SCCS Computer Use Policy

Definitions and Abbreviations

- ED: Executive Director
- Staff: all those employed by the school
- Faculty: those staff whose principle responsibility is to teach in the classroom
- Written: as used shall include traditional typed or hand-written paper communication as well as electronic e-mail.
- Certified Employee: employees who hold a teaching, Educational Assistant, or Administrator license.

Policy

This policy is intended to be consistent with all applicable federal and state statutes and administrative codes. If any clause of this policy is out of compliance with applicable statutes or regulations, such statutes and/or regulations shall govern, and the administration shall notify the Governing Board of the need to revise the policy to bring it into compliance.

At a minimum, SCCS shall abide by the following in its employment practices:

- The School Personnel Act (22-10A NMSA 1978),
- The Criminal Offender Employment Act (28-2 NMSA 1978),
- Title VI of the Civil Rights Act of 1964,
- Title IX of the Education Amendments of 1972 and 1974,
- The Rehabilitation Act of 1973,
- The Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

Granting or permitting exceptions or violations of policy, process, or procedure without authority, regardless of position or title, may be cause for disciplinary action up to and including termination of employment. Violating a policy, process, or procedure may be

cause for disciplinary action up to and including termination of employment.

Employee Professional Conduct

Employees shall conduct themselves in a professional manner at all times.

This shall include:

- Employees shall abide by this and all other policies at all times
- Employees shall abide by the New Mexico Code of Ethical Responsibility of the Education Profession
- Employees shall faithfully fulfill their own job duties as well as provide any and all necessary, timely information or assistance to other staff members that they require to perform their own duties
- Employees shall dress and groom in a manner appropriate to a professional workplace and an educational setting

Teams

The schools' operations shall be divided up into 3 distinct teams, which are:

- Elementary Team
- Middle School Team
- Support Team

The Executive Director shall designate a staff member to be the lead over each team.

Job Function Information

The Executive Director shall be responsible for the creation and maintenance of a written list of job functions at SCCS along with a list of duties, expectations, and evaluation criteria for each of the job functions. Note that employees will be assigned more than one job function. This job function information shall be informed and guided by the SCCS Charter. Deviations from the Charter shall require prior Governing Board approval during a regular Governing Board meeting after having been identified on the posted agenda, though in a crisis circumstance, the Governing Board President may temporarily approve the proposed deviation until the Governing Board has a chance to vote on the proposal.

The list of job functions shall include, but not be limited to:

- Executive Director
- Teacher(0-3 years experience)
- Teacher(3+ years experience)
- Special Services Director
- Special Education Teachers
- Educational Assistance
- Teacher Mentors
- Teacher Mentees
- Librarian
- Nurse (contract)
- Business Manager (contract)
- Distance Learning Coordinator (contract)
- Custodial Grounds and Maintenance
- Information Technology (IT) Director (contract)

Additionally, the Executive Director shall be responsible for the production and maintenance of an addendum for teachers whose subjects involve particular or extra duties, such as Music, Art, Physical Education, and project based learning. Job function duties or expectations shall minimally include (where appropriate):

- Personal application of examples of leadership to one's own duties at the school
- Awareness and faithfulness to SCCS policies, mission, vision, and purpose
- Performance of specific operational duties

- Providing appropriate, timely information and assistance to other staff as necessary to enable them to perform their specific operational duties
- Faithfulness to Governing Board approved curriculum
- Use of the Socratic Method in the classroom
- Integration of SCCS core values into classroom instruction
- Expected communications, frequencies, and tone
- Maintaining the confidence of the Executive Director, the Governing Board, and parents
- Teaming and collaboration elements
- Contents of a monthly report to be made to the Executive Director

Hours of Duty

Additionally, for teachers in their first or second year of teaching, the Executive Director shall be responsible for identifying a minimum set of duties and expectations for which the employee must be rated Satisfactory or better in order to have their contract renewed. The job function expectations and contract renewal criteria shall be communicated to the Governing Board each summer by July 1 for ratification prior to being put into practice. Once ratified, each staff member's duties, expectations, evaluation criteria, and contract renewal criteria (if applicable) shall be clearly communicated in written and verbal form at the beginning of that staff member's contract. The Executive Director shall be responsible for overseeing the creation of forms for the expected monthly reports.

Organizational Chart

The Executive Director shall be responsible for the production and maintenance of an organizational chart mapping individual staff names to job functions. This organizational chart shall be provided to the Governing Board, publicized to all staff members, and available on the schools' website. This document shall be kept current, with changes being actively and explicitly communicated to the Governing Board, all staff, and the website. In the event that one job function is shared by more than one administrative employee, clear lines of organizational reporting shall be established and communicated to all employees sharing that job function. For job functions critical to the daily operation of the school, a "deputy" individual shall be identified to perform those job functions when the primary individual is absent from campus. The list of such deputies and their respective job functions shall be included with the organizational chart.

Staff Positions

As budgeting priorities are the responsibility of the Governing Board, the Governing Board must approve the number and function of staff member positions at the school. The Executive Director has the authority to interview and select the best available candidate for each position. Multiple part-time individuals may fill a given position, and one individual may spend part of their time in different positions.

Staff Performance Evaluations

ED shall meet with each staff member on their team once in the first and third quarters of the school year to formally review their job function duties and expectations, and to provide a preliminary assessment of their interim performance of their duties to the Executive Director. For each duty, staff shall be given a rating of Excellent, Satisfactory, Needs Improvement, Unsatisfactory, or Unacceptable, along with written and verbal feedback of the behaviors that contributed to the rating. In the case of ratings less than Satisfactory, the written and verbal feedback shall include concrete directives or suggestions on how to improve performance. Instances where the Executive Director is forced to intervene between reviews to correct staff behavior shall be recorded

as Unacceptable on the review. The written feedback shall be filed in the SCCS's internal personnel files for that staff member. A staff member shall be placed on probation in the following circumstances:

- upon receiving three or more Needs Improvement ratings in a single review,
- upon receiving a Needs Improvement rating for the same job function for the second review in a row,
- upon receiving a single Unsatisfactory or Unacceptable rating, or
- case-by-case circumstances material to the educational environment of the school at the discretion of the Executive Director.

Probation

Any staff member on probation shall be placed on a Staff Improvement Plan (SIP). The fact of probation and the SIP contents shall be placed in the staff members' personnel file.

Any staff member being placed on probation shall be notified immediately of the probation and a meeting to discuss the SIP shall be scheduled within 5 school days if at all practical. The probation, the review that led to it, and the SIP shall also be reported to the Governing Board at the next regular meeting during Executive Session.

Any staff member on probation who receives an Unacceptable rating shall be dismissed as soon as practical, or at the end of the school year, at the Executive Directors' discretion. The staff member may not be retained on staff for the following school year without the express approval of the Governing Board.

Staff that are on probation and have three or more Unsatisfactory or lower ratings on their most recent two reviews shall not have their contracts renewed without the express approval of the Governing Board. Based on the nature of the staffs' poor ratings and progress on the SIP, the Executive Director may also choose not to renew the contract in other circumstances. Supporting evidence for any decision not to renew a contract shall be maintained in the staff members' personnel file.

Teacher Teams

In elementary grades (K-5), all teachers of each grade shall be on a Grade Team for that grade. Each year the Executive Director shall appoint one teacher on each Grade Team as the Grade Team Leader. In upper school grades (6-8), all teachers shall be on one or more Subject Teams for the subjects they teach.

Background Checks

All staff members, volunteers, contractors, or contractor employees who may have unsupervised access to students must maintain a current background check that is no more than 24 months old. In the case of an applicant who has been offered employment, the school shall pay the cost of the background check. In the case of a volunteer, the administration shall decide whether the volunteer or school will bear the cost of the background check. In all other cases, the cost of the background check shall be borne by the individual, not the school. Teachers who received their license within 24 months of applying for employment shall not be required to complete an additional background check at that time so long as PED has the previous background check on file. Convictions of felonies or misdemeanors contained in the Federal Bureau of Investigation (FBI) record shall be used in accordance with the Criminal Offender Employment Act, provided that other information contained in the FBI record, if supported by independent evidence, may form the basis for the employment decisions for just cause. Records and related information shall be privileged and shall not be disclosed to a person not directly involved in the employment, contract, or volunteering decision affecting the specific individual.

Employment Contracts

No staff member shall report for duty on campus prior to having a properly signed contract. Faculty must be properly licensed by August 1st for the forthcoming school year or risk termination. In extenuating circumstances, the ED may waive the licensure deadline requirement; all such instances will be reported to the Governing Board at their next regular meeting.

For each staff member certified by the state and involved in instructing students, on or before the last day of the school year of the existing employment contract, the Executive Director shall serve written notice of reemployment or termination. Each such staff member must respond with written acceptance or rejection of reemployment for the ensuing school year within fifteen (15) days of either receipt of the notice or the last day of the school year of the current contract, whichever is earliest.

Termination Written Notice

In the process of terminating any school employee, the Executive Director shall serve the employee with a written notice of termination.

Non-Certified Employees

The Executive Director may terminate a non-certified employee at any time, and for any reason.

Certified Employees

The Executive Director may terminate a certified employee with fewer than three full years of consecutive service for any reason. Upon request of the employee, the Executive Director shall provide written reasons for the decision to terminate within ten working days of the request. The reasons shall not be publicly disclosed. A certified employee who has been employed by SCCS for three consecutive years or more may not be terminated without documented just cause.

A certified employee who has been employed for three consecutive years or more and who receives a notice of termination may request an opportunity to make a statement to the Governing Board on the termination decision by submitting a written request to the Executive Director within five working days from the date the written notice of termination is served. The employee may also request in writing the reasons for the termination. The Executive Director shall provide written reasons for the notice of termination to the employee within five working days from the date the written request for a meeting and the written request for the reasons were received. Neither the Executive Director nor the Governing Board shall publicly disclose the reasons for termination. Upon receiving the Executive Directors' reasons for the termination, if the certified employee finds supportable grounds to challenge them, the employee may file a formal grievance with the Governing Board as described in the SCCS Grievance Policy. The grievance must specify the grounds on which it is contended that the decision to terminate was without just cause and shall include a statement of the facts that the employee believes support the contention. The formal grievance shall be submitted within ten working days from the date the employee receives the written reasons from the Executive Director. The submission of this statement constitutes a representation that the employee can support the contentions and an acknowledgment that the Executive Director may offer the causes for the decision and any relevant evidence or witnesses in rebuttal of the contentions. The Governing Board shall make every effort to meet to hear the employees' statement in no less than five or more than fifteen working days after receiving the statement. The hearing shall be conducted informally during Executive Session in accordance with the provisions of the Open Meetings Act. The employee and the Executive Director may each be accompanied by one representative or advocate, in addition to witnesses. First, the Executive Director shall present the factual basis for his determination that just cause exists for the termination of the employee, limited to those reasons provided to the employee as described above. Then, the employee shall present his contentions, limited to those grounds specified in the written representation of those contentions. The Executive Director may

offer such rebuttal testimony as is deemed relevant. All witnesses may be questioned by the Governing Board, the employee or his representative and the Executive Director or his representative. The Governing Board may consider only such evidence as is presented at the hearing and need consider only such evidence as it considers reliable. No record shall be made of the proceeding. The Governing Board shall notify the employee and the Executive Director of its decision in writing within five working days from the conclusion of the meeting.

Training and Experience Procedures

Data for all licensed employees and contracted personnel are collected as follows:

- Copy of Licensure
- Proof of Education (Original Transcripts are reviewed for Degree received plus any additional credit hours towards a higher degree)
- Written verification is required for each year to be calculated as a year of experience as a licensed provider.
- Part time staff with a full year experience (not less than 550 hours) as a licensed

staff member will be counted as one (1) full year experience. All documentation will be kept in employment files maintained by the business office.

Reporting

Training and Experience (T&E) will be reported to the Public Education Department on an annual basis as required by the School Budget and Finance Analysis Bureau.

Periodic Sample Testing

The Finance Committee will select one (1) random employment file on a quarterly basis to determine that T&E is being properly recorded by the SCCS Business Manager and Executive Director.

Reports to the PED

The ED or designee shall report to the Governing Board and to the New Mexico Public Education Department (PED) any known conviction of a felony or misdemeanor involving moral turpitude of a licensed school employee that results in any type of action against the licensed school employee. The ED or designee shall investigate or oversee the independent investigation of all allegations of ethical misconduct about any licensed school employee who resigns, is being discharged or terminated or otherwise leaves employment after an allegation has been made. If the investigation results in a finding of wrongdoing, the ED shall report the identity of the licensed school employee and attendant circumstances of the ethical misconduct to the Governing Board and the PED according to their process within thirty days or immediately if knowledge of the ethical misconduct is sexual harassment or sexual abuse of an adult or child.

Recruitment and Retention of teaching candidates with Post-Secondary experience

Teaching candidates with verifiable post-secondary experience, who meet all other requirements to be a licensed K-12 teacher in New Mexico, will be appropriately placed on the current salary schedule, as reflective of training and experience.

Compensation and Wages

The SCCS Governing Board shall establish compensation and wages for each position at the school. Wages are paid according to the appropriate salary schedule, based on position, education and years of experience. Returning employees are automatically awarded one step increment upon contract renewal, when financially feasible.

Telephone and Cell Phone Use

School telephones are for business use. Personal calls must not interfere with official duties and are to be kept to a minimum. Under no circumstances should an employee make or charge a long distance or other paid call to the school unless it is work-related, approved by the Executive Director in advance, and sufficient funds are available to pay the fees. Personal cell phone use should be limited to school-related business when staff members are in class or on duty. Cell phones should be silenced and kept out of sight so as not to disrupt the classroom or distract the teacher from their duties.

Equal Employment Opportunity

The SCCS will not discriminate against any employee or applicant for employment because of race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, disability, physical or mental handicap or serious medical condition, or any other category protected by law. The SCCS will take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, disability, physical or mental handicap or serious medical condition, or any other category protected by law. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training or professional development.

The SCCS shall communicate the following notice in all job postings: “The SCCS does not discriminate against any employee or applicant for employment because of race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, disability, physical or mental handicap or serious medical condition, or any other category protected by law.

Americans with Disabilities Act

Pursuant to 28 CFR § 35.107(a) (1991), SCCS will designate a civil rights coordinator and an Americans with Disabilities Act (ADA) Coordinator for the schools’ compliance with the nondiscrimination requirement of Title II of the ADA and implementing regulations of the United States Department of Justice, 28 CFR Part 35 (1991). Information concerning the provisions of the ADA, the rights it provides, and procedures to follow for making an accommodation request or filing a complaint, are available from the Civil Rights Coordinator. The Civil Rights Coordinator shall oversee the development of internal grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of disability-related complaints, provided that the final stage of such grievance procedures designates the SCCS Governing Board as the final impartial hearing authority in the internal procedures. Information regarding the school’s policy on non-discrimination in employment practices shall be provided to potential employees in recruitment and interview settings. In determining hiring, transfer or promotion of employees, placement shall not be determined or influenced by any employee’s disabling condition. It is the prerogative of the Executive Director, however, to determine office, classroom, or other area of work based on already accessible work areas.

Each published job description shall identify any environmental factors that may create a barrier for a person with a disability, ensure that all essential physical, mental and intellectual qualifications have been defined and justified, and identify the types of abilities that would qualify a person to fulfill the essential functions of a job.

The SCCS shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee with a disability (unless the school demonstrates that the accommodation would impose undue hardship on the operation of its program and activity for employees) that includes, but is not limited to:

- Modifications or adjustments to a job application process;

- Employment policies that enable a qualified individual with a disability to be considered for the position;
- The work environment;
- Making facilities used by employees readily accessible to and usable by persons with disabilities;
- Job restructuring including in the way in which the job is customarily performed and part-time or modified work schedules;
- Acquisition or modification of equipment or devices; and
- The provision of readers or interpreters and other similar equipment.

The SCCS shall not use employment tests or other selection criteria that tend to screen out persons with disabilities unless those criteria are demonstrably job related.

Sexual Harassment

While all forms of unlawful discrimination and harassment are prohibited, it is the policy of the SCCS to emphasize that sexual harassment is specifically prohibited. The SCCS is committed to providing a workplace that is free of sexual or other prohibited harassment.

The SCCS has zero tolerance for sexual harassment. Verbal or physical contact by an employee, including sexual advances, requests for sexual favors and other conduct that harasses, disrupts or interferes with another employee's work performance or that creates an intimidating, offensive or hostile work environment will not be tolerated.

Every employee has the responsibility to maintain the workplace free of any form of prohibited harassment, sexual or otherwise. No individual is to threaten or insinuate, either explicitly or implicitly that submission to sexual advances is a term or condition of an individual's employment, or that refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, compensation, advancement, assigned duties, shifts or any other term or condition of employment or career development. No individual is to favor in any way an applicant or employee because that applicant or employee has performed or shown a willingness to perform sexual favors for the individual. Sexual harassment also includes conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct which may constitute sexual harassment are:

- Sexual flirtations, touching, advances or propositions;
- Verbal abuse of a sexual nature;
- Sexually graphic or suggestive comments about an individual's dress or body;
- Sexually degrading words to describe an individual;
- The display of sexually suggestive objects or pictures in the workplace, including nude photographs;
- Derogatory gender-based humor;
- Unwelcome touching, patting, pinching or leering of a potentially sexual nature; and
- Derogatory or sexually explicit statements about an actual or supposed sexual relationship.

Any employee who believes that the actions or words of a supervisor, fellow employee or non-employee constitute sexual harassment or other prohibited harassment has a responsibility to follow the SCCS Grievance Policy in addressing the issue.

All complaints of sexual or other prohibited harassment shall be investigated promptly, impartially and in as confidential a manner as possible by the SCCS Executive Director. If an employee is not satisfied with the handling of a complaint or the action taken by the investigator, then the employee should follow the Grievance Policy in bringing a complaint to the attention of the SCCS Governing Board.

No employee will be discharged or retaliated against in any manner because the employee complained about sexual or prohibited harassment, or cooperated with an investigation of a complaint of prohibited harassment. However, if the complaint or the information provided in the investigation is found to be false and made in bad faith, the employee may be subject to discipline up to and including discharge.

Any employee who is found after appropriate investigation to have engaged in sexual or other prohibited harassment of another employee as well as any employee who retaliates against an employee in violation of this policy shall be subject to disciplinary action up to and including termination.

School employees, contractors, or agents are prohibited from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such a school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

Drug, Alcohol, and Smoke-Free Workplace

The SCCS complies with the Federal Drug Free Workplace Act, which states that it is unlawful to manufacture, distribute, dispense, or improperly possess or use a controlled substance in the workplace.

Any employee with a criminal drug statute conviction or participation in a Drug or Alcohol Rehabilitation (DAR) program arising from the same shall so inform the Executive Director in writing within five (5) days of such conviction, whether appealed or not, or upon entry in a DAR program, or face immediate suspension.

Health and Safety

The personal health and safety of each employee is a responsibility shared by the SCCS and each employee. The employee has the responsibility to create a safe environment for the students and to perform his or her job in a safe and responsible manner, always using good judgment and to be aware of the health and safety of self and others.

Safety depends upon the continued vigilance of all to identify problems and seek to correct them.

Therefore, all employees are asked to report suspected problems or ways to improve situations to the appropriate individual in the organizational chart, or to the Executive Director when in doubt.

The SCS carries Workers' Compensation and other applicable liability insurance to cover claims arising from injury to employees and commercial liability insurance for other individuals legally on the premises. It is very important that any accident or injury, which may occur to those persons on school property or during official school activities, be reported to the SCCS Executive Director. Any employee who experiences injury on site or in the course of his/her duties must immediately report the details to the SCCS Executive Director.

Firearms and other weapons are not permitted in the workplace. Local, state, and federal law enforcement officers, those deputized by the same, and officially designated security personnel, while in performance of their duties, are excluded from this requirement.

Computer, E-mail, and Internet Use

In addition to the SCCS's Computer Use Policy, staff must also comply with the additional stipulations presented here.

Passwords to individual accounts, issued to a particular employee, shall not be shared with other users. Account names and passwords to school accounts shall be kept on file in the school office.

Prohibited Computer Conduct

Employees shall not use school-owned computers and computing devices, network access, e-mail or other accounts for any of the following:

- Personal use, when doing so interferes with the classroom or staff duties;
- Soliciting business opportunities or money for personal gain or conducting personal business;
- Participating in gambling;
- Engaging in any activity in violation of local, state, or federal law; or
- Communicating, viewing, accessing, transferring, making, copying, sending, retrieving, receiving, printing, or disseminating material that is contrary to SCCS core values, obscene, pornographic, abusive, slanderous, defamatory, harassing, sexually oriented, discriminatory, vulgar, threatening, disparaging, and/or offensive,
- confidential or proprietary to the school, unless the recipient is approved by school policy to receive the information,
- in violation of federal copyright law, or
- in violation of the terms of service of a software package or online service.

The above list is non-exhaustive and is illustrative only. Engaging in these or other inappropriate conduct via e-mail, the SCCS's computers and computer system, or the Internet will result in disciplinary action up to and including termination.

Conflict of Interest

In order to avoid potential conflicts of interest, employees shall not receive compensation for services rendered to or income from any investment made in an enterprise in which the SCCS or a cooperating affiliated or subsidiary corporation is invested or where the staff member knows or should have knowledge of such investment. Employees are also prohibited from using the knowledge or contracts they have acquired through their employment for personal or familial gain. Employees and board members have a fiduciary and legal responsibility to divulge to the SCCS any and/or all information that can have an adverse effect on the school.

Honoraria and Royalties

As a matter of federal copyright law, all works created or contributed to by school employees within the scope of their employment belong exclusively to the SCCS, and all revenues derived from the exploitation of such works belong exclusively to the school.

School employees may make public appearances, speak publicly, provide expertise or leadership or participate in the creation of books, articles, films or other media presentations as part of their employment with the school. All honoraria, royalties and other payments received as result of such activities shall be paid directly to the school with the exception of costs associated with making the appearance, speech, or providence of expertise. Revenue generated not as a consequence of school employment (e.g., home business) shall remain solely with the staff member (provided this activity does not conflict with school requirements – see secondary employment). In the event that such payments are made to the employee, the employee shall promptly turn them over to the school less the aforementioned exceptions.

Employees can request an exception to the foregoing policy, provided they are participating in a public event or other activity that is unrelated to the mission and goals of the school, and provided further that such participation occurs on the employee's own time and does not use any school resources. To make such a request, the employee must contact the SCCS Executive Director sufficiently in advance of the event or activity to enable her/him to make a reasonable assessment of the request.

Political Office or Appointments

Employees of the SCCS are encouraged to participate as citizens in the electoral process. However, in order to protect the school's non-partisan stance, the SCCS requires staff who run for electoral office or who serve on behalf of partisan political appointments to make clear that they are not acting on behalf of the school, and to conduct any and all political activities on their own personal time. An employee contemplating seeking elective office or serving on behalf of a political appointment should discuss these issues in advance with the SCCS Executive Director.

Secondary Employment

No employee may engage in any form of outside employment or engage in a business relationship that represents a conflict of interest, or even appears to represent a conflict of interest with the school's interests. This policy is based on the principle that employee actions and decisions must, at all times, be based on and consider only the interests of the school.

Solicitation

There shall be no solicitation to students, parents, or families for non-school-related activities or programs, there shall be no distribution to students, parents, or families of non-school-related literature or other materials. This prohibition applies to employees during the school day, at school events, while on the school campus, or using school computers or accounts.

Employment Classifications

Staff positions at the SCCS are classified as either regular full-time, part-time or short-term. In addition, they are classified as either non-exempt or exempt. Certain policies and procedures outlined in the Staff Policy and/or Employee Handbook may apply differently depending on how a given job position is classified. Staff members who have a question concerning applicability of any particular provision should contact the Executive Director or the Business Manager.

1. Non-Exempt and Exempt Employees
 - a. At the time you are hired or you transfer to a new position, you will be classified as either "exempt" or "nonexempt." This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek. These employees are referred to as "non-exempt". This means that they are not exempt from (and therefore should receive) overtime pay.
2. Exempt Employee's Positions:
 - a. Executive Director, Assistant Executive Director, Business Managers, Teachers, Counselors, Social worker, and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws.
3. Full-Time Employees:
 - a. An employee who works at least 30 hours per week, is considered a full-time employee.
4. Part-Time Employees:
 - a. An employee who is regularly scheduled to work less than 30 hours per week is considered a part-time employee. If you are a part-time employee working less than 30 hours per week, you are not eligible for the employee benefits described herein.
5. Overtime Pay:
 - a. A non-exempt employee will be paid overtime in accordance with state and federal laws. Any overtime must be approved in advance by your supervisor and is subject to available funds; failure to obtain authorization prior to working overtime may result in disciplinary action. For purposes of determining overtime

pay, the SCCS's workweek shall be from 12:00 a.m. Monday until 11:59 p.m. Sunday.

Fair Labor Standards Act (FLSA)

Each position will be classified as exempt or non-exempt in accordance with and for purposes of Fair Labor Standards Act. Under the FLSA, the SCCS is obligated to pay overtime in the amount of time-and one-half to non-exempt employees for all hours worked in excess of forty (40) hours per week. Non-exempt employees may only work greater than forty (40) hours per week with prior approval of the SCCS Business Manager.

Agency Employees

The SCCS may contract substitute teachers, tutors, and other positions through employment or other agencies at its discretion. Employees contracted through such agencies are employees of the agency and not of the SCCS.

Administrative and Classroom Records and Material

All records, lesson plans, handouts, and classroom assessments associated with work related to school classrooms, programs, projects and administration are the property of the SCCS. When an employee is terminated, whether voluntary or involuntary, all files related to the school's programs, projects and administration shall be relinquished to the SCCS Executive Director or designee. The SCCS may continue to use, copy, modify, and/or distribute, without restriction or payment, any classroom materials developed by staff during their employment with the SCCS.

Personnel Records

A separate personnel file will be maintained for all the SCCS's employees. All personnel files are confidential. An employee may review his/her personnel file upon request to the SCCS Executive Director. Employees must promptly notify the office of the SCCS Executive Director of any changes in name, address, telephone number, marital status, number of dependents, or emergency contact. Upon request by a prospective employer, the SCCS will only provide information concerning an employee's or former employee's dates worked, position held and duties performed. Only upon receipt of written authorization from the employee in question will the SCCS disclose an employee's or former employee's rate of pay and other information as requested for such purposes as credit or mortgage applications. Responses to requests from law enforcement agencies without a subpoena are limited to the employee's last known address and telephone number.

Discipline and Discharge

Terms and conditions of employment of all faculty and staff will be set forth in an employment contract executed between the SCCS and each employee. Employment contracts will be developed for the specific criteria and processes to be followed for disciplinary action, including discharge for cause or for other purposes, as well as for grievance and appeal procedures. The following list of conduct is specifically prohibited and constitutes grounds for immediate termination and forfeiture of your rights to COBRA continuation for gross misconduct:

- Theft
- Sexual harassment
- Engaging in an act of violence
- Striking a student, parent, teacher, or administrator
- Possession of drugs or alcohol
- Bringing a weapon on school premise without authorization
- Violation of any (or some parts) of the New Mexico code of Ethical Responsibility (Title 6, Chapter 60, Part 9)

The foregoing list is non-exhaustive and may be expanded. Other conduct may subject the employee to discipline up to and including termination.

Resignation

All certified employees must give at least 30-day notice of intent to resign. Employees who failed to provide 30-day notice may have a formal complaint filed with the State Licensure Board. All non-certified employees must give a 2-week notice of intent to resign.

Reduction in Force

Reduction-in-Force results from job elimination due to structural reorganization or financial considerations as determined by the SCCS Governing Board, or termination of the grant under which an employee was hired.

Retirement

Employees of the SCCS are covered through the New Mexico Educational Retirement Board (NM ERB). Retirement is in accordance with current terms and policies of the NM ERB.

Exit Interview

All employees leaving the employment of the SCCS will participate in an exit interview that will be conducted by the SCCS Executive Director on or before the last day of employment. The purpose of this interview is to provide the exiting employee with an opportunity to review and evaluate their total work experience and to afford the school the benefit of their comments. A written copy of the employee's comments will be kept in the employee's personnel file and shall be provided to the Governing Board. Upon notice of termination, resignation or reduction-in-force, the employee must return all school keys, files, computers, computing devices, and all other school property in his/her possession.

Paid Leave Accrual

Each contracted teacher (instructional) shall accrue up to 12 days leave per year, each contracted Educational Assistant shall accrue up to 7 days leave per year, each contracted staff (non-instructional) shall accrue up to 7 days leave per year, each at-will contracted Administrative and Maintenance/Custodial full time (employment classifications) staff shall accrue up to 12 days leave. At no time will an employee be permitted to incur a negative leave balance.

Use of Leave

- Leave for two or more consecutive days must be approved by the Executive Director a minimum of 5 days in advance.
- If an employee is absent two or more consecutive days, without receiving proper advance approval, they must provide a valid medical excuse upon their return.
- A valid medical excuse may be for the employee or an immediate family member (spouse/domestic partner, parent, or child).
- If an employee does not have adequate leave to cover a full day's absence, the employee's paycheck shall be reduced accordingly.
- Leave will not be paid out upon termination or resignation of employment.

Leave Accrual Cap

- Employees may not accrue more than 200 hours of leave.
- Employees with leave of 200 hours or greater will not accrue additional leave until leave balance drops below 200 hours.

Other Types of Leave

The SCCS offers additional leave on an as-needed basis. These leave types do not accrue. All additional leave must be approved in advance by the Executive Director.

- Jury Duty – The SCCS encourages staff to participate in Jury Duty during school breaks, if possible. However, the SCCS will allow leave for Jury Duty when this is not possible.
- Bereavement Leave – The SCCS will provide up to three (3) days Bereavement Leave for the death of an immediate family member. Immediate family member is defined as spouse/domestic partner, parent or grandparent, sibling, child and parent/grandparent, sibling or child of spouse/domestic partner.
- Professional Development – The SCCS encourages professional growth and provides leave for professional development related to job function.
- Administrative Leave – Employees may be placed on paid or unpaid administrative leave at the discretion of the Executive Director.

Catastrophic Leave Bank Policy

The SCCS shall establish a catastrophic leave bank that complies with the following:

1) Eligibility and Limitations

a) Catastrophic injury or illness is defined as a life threatening condition or combination of conditions affecting the mental or physical health of the employee or immediate family member or household. The catastrophic illness or injury must require the services of a physician.

b) Immediate family or household is defined as, husband, wife, domestic partner, mother, father, brother, sister, children, step-children, or any relative or person living in the employee's household for whom the employee has custodial responsibility or where such person is financially and emotionally dependent on the employee and where the presence of the employee is needed.

c) The Catastrophic Leave Bank is available to those employees who have completely exhausted all accumulated leave time (accrued sick leave and accrued leave) and who are not otherwise receiving any related compensable benefits such as disability, workers' compensation, or unemployment.

d) Eligibility for participation in the Bank begins upon the employee's original donation of at least 2 days, as defined by the employee's work day, of accumulated leave time to the bank. New full-time employees with a minimum of six (6) months of service and a minimum of five (5) days of accumulated leave time on the books can enroll voluntarily in the Catastrophic Leave Bank after their employment of 6 months. Except for new employees who sign up immediately after their probation period, there will be a 60 day waiting period for delayed entry into the Catastrophic Leave Bank program. Eligibility will continue, provided the employee donates at least one day of accumulated leave time each subsequent fiscal year; however, additional accumulated sick leave or accrued leave days may be donated up to a maximum of five days per fiscal year. To enroll, an employee must complete an application, and submit it to the Executive Director or the Executive Director's designee(s).

e) Donated accumulated leave time contributed to the pool becomes the property of the SCCS and may not be withdrawn, targeted for specific individuals, returned to an employee upon separation, retirement, or become part of the employee's estate upon their death.

f) Use of benefits from the Catastrophic Leave Bank is considered under the provisions of the Family and Medical Leave Act (FMLA), and any use is calculated

in the twelve weeks of leave provided under the Act.

2) Donations

a) Any employee who wishes to transfer a portion of their accumulated leave time must sign a statement indicating the number of days to be transferred. Employees will be given an opportunity to donate accumulated leave time to the Bank annually. Donation forms shall be approved by the Executive Director or The Executive Director's designee.

b) The minimum amount of accumulated leave time an employee may contribute is 1 day (as defined by the employee's work schedule). The donating employee must retain a minimum of five (5) accumulated leave days in their personal account at the time of the donation process.

3) Withdrawals

a) An employee or their designee must request leave from the Bank by completing an application and submitting it to the Executive Director or the Executive Director's designee(s). An employee may apply for leave from the Bank but cannot receive more than 25 donated sick leave days from the Bank in a twelve month period.

b) All requests must be accompanied by a physician's statement which includes the beginning date of the condition, and a description of the illness or injury. All requests must indicate the number of leave days requested and information supporting the request.

c) The Executive Director or the Executive Director's designee will render a decision to the employee within ten (10) business days after receipt of the request.

d) The amount, if any, of leave granted for each request will be determined by the Executive Director or the Executive Director's designee(s), but cannot exceed one-third of the balance in the Bank or a maximum of 25 working days, whichever is less. Any unused sick leave granted in such instances returns to the pool.

4) Appeal Process

a) Reasons for denial - An employee requesting use of the Catastrophic Leave Bank may have their leave usage audited. The audit may cover the two years preceding the employee's request. Patterns of absence indicating abuse will be reviewed, noted, and considered. Patterns of abuse are most often indicated by frequency, duration and time of absences.

b) In the event that an employee is denied entry into the Bank or is denied benefits from the Bank, the employee may appeal the decision to the Governing Board. Formal written letters of appeal should be submitted directly to the President of the Governing Board. A formal response to such an appeal shall be issued by The Governing Board within ten (10) business days following the Governing Board meeting at which the appeal was heard.

Executive Director Absences from Campus

The Executive Director shall notify the Governing Council, the school's and the Business Manager in advance of any scheduled absences from campus during a regular school day. In addition, the Executive Director shall specify a Level Three licensed staff member or administrative licensed staff member on campus to take the lead in case an emergency arises.

Part Time Employees

Employees scheduled to work less than 30 hours a week will not accrue leave. Employees scheduled to work 30 or more hours per week, but less than 40, shall accrue leave on a pro-rated basis.

Part time employees may only work more hours than their contract with prior approval from the Executive Director.

Family and Medical Leave

In accordance with the Family and Medical Leave Act of 1993, the SCCS has established a policy that will allow up to twelve weeks of unpaid leave in a twelve-month period:

- for an employee's own serious health condition that makes the employee unable to perform the functions of the employee's job;
- for a serious health condition of an employee's child, spouse, or parent where the employee is needed to care for that family member;
- upon the birth of a child to care for the child; or
- the placement of a child with an employee for adoption or foster care.

Any one of these reasons above is referred to as an "employee's serious health condition" in this policy.

Eligibility

In order to be eligible for family and medical leave an employee must have worked for the SCCS:

- For at least twelve months; and
- at least 1,250 hours during the year preceding the start of the leave.

Return to Work

Unless otherwise permitted by law, at the end of the approved family and medical leave, The employee will be offered restoration to the same position they held when leave commenced or to an equivalent position. The SCCS may choose to exempt certain highly compensated employees from this requirement and not return them to the same or an equivalent position.

An employee whose family and medical leave exceeds twelve weeks within a twelve-month period will not be guaranteed a job upon return from the leave, unless otherwise required by law. An employee who fails to return to work at the end of an approved medical leave will be considered as having voluntarily terminated.

The SCCS requires that upon returning from leave due to an employee's serious health condition, the employee must provide certification from their health care provider or that of their family member. If the employee is ill, when the employee is able to resume work their health provider must provide certification that the employee is fit for duty with regard to the serious health condition that caused the employee's need for family and medical leave.

Request for Leave

Employees must provide thirty days' prior notice if the leave is foreseeable. If an employee is unable to provide such notice, notice must be provided as soon as practicable.

An employee undergoing planned medical treatment will be required to make a reasonable effort to schedule the treatment to minimize disruptions to the SCCS 's operation.

Family and medical leave request forms are available from the Business Manager and completed and returned to the Business Manager for approval by the Executive Director.

Certification

An employee requesting a family and medical leave for a serious health condition must provide the SCCS with certification from a health care provider.

The Business Manager has certification forms for the health provider to complete. The forms must be fully completed.

The employee should furnish the required certification when requesting leave or soon after the leave is requested, but not more than fifteen (15) calendar days from the start of the requested leave, unless doing so is impractical under the particular circumstances. During the leave, the SCCS may also require that the employee obtain recertification of the medical condition supporting the leave.

The SCCS has the right to require an employee to obtain an opinion by a health care provider designated and paid for by the SCCS either before or during the leave. If there is a disagreement, a third health care provider will settle the dispute.

Disability/Workers' Compensation Benefits

Employees on a family and medical leave due to their own serious health condition may be eligible for payments from other sources such as workers' compensation, state disability, or disability insurance, if any. Employees should ask the Business Manager if they think they may be eligible for these benefits.

Intermittent Leave

If an employee requests intermittent leave, it may be necessary for the SCCS to transfer them to another position that will better accommodate an intermittent or reduced schedule.

Substitution of Paid Leave

Employees taking family and medical leave must use all of their available accrued and unused paid sick and personal days and vacation (if full time year around employee) as part of the leave. Once the employee's paid leave benefits are exhausted, the employee will continue for the duration of the family and medical leave without pay.

Benefit Continuation

The SCCS will continue to maintain group health insurance coverage for the employee and, where applicable, for their dependents during the family and medical leave, up to a maximum of twelve weeks in a twelve-month period. Employees must, however, arrange to pay the premium contributions they previously had deducted in order to continue group health or other insurance for themselves and, where applicable, their dependents during the family and medical leave. The employee will be required to arrange for and pay for other benefits while on leave without pay. Failure to make arrangements and to pay the premiums for benefits other than health insurance while on leave, by result in termination of those employee benefits.

If an employee fails to return to work at the end of the family and medical leave, the SCCS may require the employee to reimburse it for the amount the SCCS paid for the employee's health insurance premiums during the leave.

Military Leave

The Uniformed Services Employment and Reemployment Rights Act states:

A military leave of absence will be granted if an employee is absent in order to serve in Uniformed Services of the United States for a period of up to five years (not including

certain involuntary extensions of service). An employee who performs and returns from service in the Armed Forces, the Military Reserves, the National Guard, or certain public health service positions will retain certain rights with respect to reinstatement, seniority, lay-offs, compensation, length of service promotions and length of service pay increases, as required by applicable federal or state law. Other benefits, such as health insurance, do not continue while out on active service.

An employee participating in annual encampment or training in the US military Reserves or the National Guard will be eligible to receive the difference between what the employee earns from the government for military service and what they would have earned from normal straight-time pay on the job.

Whistleblower Protection

The definitions of 10-16C-2 NMSA (1978) are hereby incorporated into this section.

Any employee who believes in good faith that an unlawful or improper act or violation of school policy is occurring shall report the situation and evidence to the Executive Director unless the allegation is against the Executive Director, in which case it shall be reported to a SCCS Governing Board member. No staff member shall take any retaliatory action against an employee because the employee:

- communicates to the Executive Director or a Governing Board member information about an action or a failure to act that the employee believes in good faith constitutes an unlawful or improper act or violates school policy;
- provides information to, or testifies before, a public body as part of an investigation, hearing or inquiry into an unlawful or improper act, or violation of school policy; or
- objects to or refuses to participate in an activity, policy or practice that constitutes an unlawful or improper act or violation of school policy.

F. Community/Parent/Employee Involvement in Governance

F(1). Provide a **clear, comprehensive, and cohesive** plan that describes school structures that will provide meaningful parental, professional educator, and community involvement in the governance and operation of the proposed school.

SCCS believes that students learn best when their basic needs are met, they are safe and secure in their surroundings, and when learning is meaningful. The *whole* student approach recognizes that a child is part of a family, and that family is part of community. By partnering together, we understand and met the needs of each individual student. SCCS will implement multiple ways for parents, student and community to engage in our mission, vision, and purpose. These levels include school staff and leadership, parents, students, and the Governing Board.

Leadership Council The SCCS leadership council is composed of both teachers and administrative staff, and will meet monthly. Any member of the school community, including but not limited to students and parents, is welcome to attend to listen or speak regarding any school-related issue. Anyone wishing to speak at Leadership Council meetings will be required to submit their intention to the Executive Director for placement on the meeting's agenda. Meeting dates, once established, will be

published on the school's website and printed in the school's newsletter, which are emailed to families each month.

Parent Advisory Council (PAC) Throughout SCCS's Planning Year and during the first year of operation, SCCS form and implement a Parent Advisory Council (PAC). Because this group will be supported by parents who will contribute their time on a volunteer basis, this application doesn't specifically designate the structure and composition of the PAC, but rather allow engaged parents to develop the role and structure.

Parent-Teacher Organization In addition to the PAC, the founding team will encourage the formation of a Parent-Teacher Organization (PTO) in order to better serve the school through community input, school events and initiatives, and open communication across all facets of school operation. Parents involved the PAC or PTO will be vital in the launch of the school through their input and experiential contributions.

Student Council SCCS students will play a significant role in the school's development, and as such, the school will help form a Student Council to represent the student community. Within the first year of the school's opening, the Student Council will develop its policies and procedures, formally establishing itself as a voice of the student population. The Student Council will contribute to the operation of the school through active engagement with the student body at large, with the administration and staff, and the surrounding communities through student-driven initiatives and service learning.

Governing Board, The Governing Board (GB), which oversees and evaluates the operations of the school, will meet once per month, allowing for visitors to attend and listen or speak regarding any school-related issue. Such intentions will also require advanced notice for placement on the meeting's agenda to guarantee a scheduled time within the scope of the meeting. Without advanced arrangements, it cannot be guaranteed that those who want to speak will have the opportunity within the time constraints of the meeting in question. While any individual is welcome to speak in front of the GB at any time, based on appropriate notice as described above, parents and students who wish to raise business will be encouraged to first direct their business to the appropriate councils (Parent, Student Councils) for initial consideration.

Equity Council SCCS's Equity Council will serve as an advisory body to the school's Governing Board and ED in the areas of equity and culturally and linguistically responsive instruction. SCCS will follow the steps laid out by the NMPED in its response to the Martinez-Yazzie lawsuit decision in support of Native American, economically disadvantaged students, English Learners (ELs), and students with disabilities. Upon approval, the GB in collaboration with the ED will advertise for and subsequently select up to 15 local members for the Equity Council, establishing a diverse group representing the school and greater community, in particular students identified in the Martinez-Yazzie lawsuit, Black students, and other students identified as furthest from opportunity. Once established, trained, and on-boarded by an identified facilitator, the Equity Council will serve as an advisory body to the school's Governing Board and ED in the areas of equity and culturally and linguistically responsive instruction. Once established, trained, and on-boarded by an identified facilitator, the EC will create a definition of equity and begin the Needs Assessment process to better understand our specific school community and demographics. The Equity Council will complete the CLRI Inventory described in Section I.D.2 and will collaborate with the GB and school leadership in creating the CLR Framework for SCCS. In alignment with the Black Education Act of 2020 EA-RIO will also have a specific focus on the equitable education and support of Black students, including anti-racist policies and ongoing training opportunities for all teachers, school staff, and board members. Our school will engage in tribal consultation and work in partnership and collaboration with all tribal entities which represent our

students. The Equity Council, through ongoing relationship and discourse with the GB and ED will provide advisement to the school's governance body and management (ED). Advisements will identify a root cause of inequity in student experience and performance and the process of creating the advisement package to be delivered to the Board and ED will allow for the Equity Council to have a meaningful voice in determining school policies and decisions.

SCCS will actively work to incorporate family involvement within the scope of the school day. This begins with the Student Goal. SCCS recognizes the pressures and demands for time and effort placed on parents, parental support, and families and cannot be viewed as criteria for any decision-making. Any proposals that come from either the Parent or Student Councils will be directed at the Leadership Council for initial consideration. We value active engagement from community members, including teachers, parents, and students, and is open to input at all levels of Governing.

F. (2) Provide a **clear, comprehensive, and cohesive** plan to receive and process concerns and complaints from the community and parents.

Grievance and Complaint Policy

Sierra Community Charter School is a community of citizens including students, teachers, staff, administration, parents and community. One of the key pillars of character that SCCS seeks to foster in its students is Citizenship – each individual exercising their personal responsibility to make our community the best it can be.

But all of our effort at teaching such character traits in our students may prove to be in vain if those character traits are not first exemplified by our staff and our parents. Parents and staff must be models of good character even in the most difficult of circumstances. In any community, whether a school, a family, or a country, disagreements and disputes will arise from time to time. Being a citizen of any community carries with it a corresponding obligation to strive to resolve such disputes in the best way possible.

SCCS will strive to create the best educational environment possible within the legal, practical, and financial constraints placed on it. In this great endeavor, various parties have different legal rights and obligations, including the students, families, staff, the school itself, and the state of New Mexico. In the great tradition of checks and balances that defines so much of American Government, no one party is given ultimate power to “decide how it is” and to drive the educational environment to the exclusion of all other parties. This is as it should be. Unfortunately, from time to time, any of the various parties mentioned above may fail to properly fulfill their role. This policy defines how to address such situations.

References

New Mexico Public Education Department, Policy 10, Complaint Policy

SCCS's Organizational Chart

6.31.2.13.G.1 NMAC

6.10.3 NMAC

Forms

- SCCS Staff Acknowledgement of Grievance Policy Form

- SCCS Grievance Form

Definitions and Abbreviations

- ED: Executive Director
- Governing Board
- Parents meant to be interpreted broadly to include those having legal guardianship of a student.

Policy

This policy shall be used by students, parents, volunteers, school staff, and any others in addressing possible complaints or grievances at SCCS.

Resolution at the Local Level

The New Mexico Public Education Department requests that complaints be resolved at the local level whenever possible. The SCCS Governing Board (GB), administration, teachers, and staff understand SCCS's mission, our policies, our education goals, and our culture far better than outsiders and are in the best position to address complaints in the most efficient and effective manner. Therefore, it is essential that this policy be followed before outside parties are involved in any dispute. Parents failing to follow this policy risk having their complaints unaddressed, while staff members failing to follow it risk a personnel action.

Timeliness

Complaints must be initiated within 20 school days of the incident, or 30 calendar days, whichever is longer.

Grounds

While SCCS welcomes parent suggestions, a formal complaint can be brought to bear only under limited circumstances, including:

- A school policy is not being followed by a GB member, school staff, volunteers, students, or others while on campus
- Disregard to SCCS core values, the approved curriculum, or SCCS's mission is not being followed by a GB member, school staff, volunteers, students, or others while on campus.
- A law or administrative code is being violated by a GB member, school staff, volunteers, students, or others while on campus.
- An SCCS policy is incompatible with state or federal law, administrative code, or another SCCS policy.

In addition to one of the grounds above, the violation in question must have been witnessed either by the individual bringing the complaint or by the student or parents bringing the complaint.

Standing

Standing to bring a complaint is determined as of the date of the alleged violation.

Staff Termination

If the nature of the grievance is related to termination of a state-certified staff member who has been employed for three or more years, then the process specified in NMSA 22-10A-24 will be followed.

Guiding Principles

There are a number of principles that the SCCS administration shall adhere to during the investigation and handling of complaints at SCCS.

1. Presumption of Innocence.

Individuals or entities accused of a violation will be presumed innocent during any discussion or investigation. All violations shall be referred to as “alleged” until found otherwise.

2. Preponderance of Evidence.

When investigating an alleged violation, the standard that shall be used is not “proof beyond a reasonable doubt”, but a “preponderance of evidence”.

3. Exclusion of Hearsay.

Hearsay is neither grounds for a complaint, nor admissible as evidence in any investigation. Hearsay may be used during an investigation in the pursuit of evidence but, if unsubstantiated, shall not be considered as evidence.

Stages

There are multiple stages and opportunities for seeking resolution of an issue and resolving a complaint.

Stage 1: Comments. The SCCS GB and Administration welcome routine feedback from parents on the leadership and operation of the school, the staff’s performance, the education environment, and the overall performance of the school. Comments can be made by dropping a note in the suggestion box in the school office, by attending one of the GB’s Regular meetings and speaking during the Public Comment segment of the meeting, or by sending an e-mail to a teacher, a staff team lead, the ED or a GB member. (See below for more information on each of these.)

Stage 2: Informal Resolution. If a parent or staff member has a specific complaint that may involve a resolution, every effort should be made to resolve the complaint informally prior to filing a formal complaint, unless the complaint is of a particularly serious and urgent nature. Informal resolutions are preferred whenever possible, as they can typically happen much faster, have a smaller impact on the operations of the school and permit us to focus on the students’ education to the maximum extent possible. Informal resolution options include contacting a teacher, a supervisor, the ED, or a member of the GB. (See below for more information on each of these.)

Stage 3: Formal Grievance and Hearing. If the grievance cannot be resolved through the options listed above, students, parents, and staff have option of filing a formal grievance with the GB. A formal grievance involves a considerable amount of activity from a number of individuals, and typically takes some time to complete. (See below for more information on this.)

Stage 1: Comments

Suggestion Box The SCCS administration shall maintain a suggestion box in the school office. Parents, students, and staff members may place suggestions in that box. The suggestions may be anonymous or individuals may include contact information on the suggestion for follow-up questions or discussion. SCCS office staff shall check the suggestion box weekly. Any suggestions shall be distributed to the ED at a minimum, as well as staff, student organizations, volunteers or the GB, as appropriate, for possible consideration or action.

Public Comment during a GB Meeting A parent, staff member, or any member of the public may address the GB during the Public Comment segment during a GB’s Regular monthly meetings. Notice of these meetings is always made on the school website. During public comments, the GB may ask clarifying questions, could choose to explain an existing law or policy, or may volunteer to engage in

an informal resolution, but New Mexico law prohibits decisions from being made without the matter first being placed on the agenda and publicized in advanced.

Stage 2: Informal Resolution

Contacting a Teacher or Other Staff Members For questions, issues, or concerns regarding a class, student interactions, or a teacher, parents are encouraged to first contact their student's teacher. During the school day, teachers are often focused on lesson plans, classroom instruction, grading, classroom management, or other assigned duties.

For questions, issues, or concerns regarding other staff members or operations at the school, parents are encouraged to first contact that staff member, or the staff member responsible for the operation in question.

Some teachers and other staff members may be able to spontaneously make time during their day to talk with a parent, while others may request that the parent set up an appointment to talk or contact them via e-mail or by phone. New Mexico law prohibits parents and others from interacting with any school staff member in a way that interferes with the operation of the classroom, the education environment, or assigned duties, and requires parents and others to interact with school personnel in a way that is free from intimidation and abuse.

Please be prepared to give staff members a reasonable amount of time, such as two school days, to respond to requests, unless the matter is serious and urgent.

Contacting a Supervisor All staff members at SCCS, with the Exception of the ED, have a staff member supervisor, as specified by the ED in the school's organizational chart. If you have contacted a teacher or other staff member, made an honest and polite attempt at addressing the complaint, yet still believe that the grounds for the complaint persist (see "Grounds" above), then the next step is to contact that individuals' supervisor with the complaint. If the grounds for the complaint still persist, continue approaching supervisors and you will eventually arrive at the ED (see below).

Contacting the ED Whenever possible, students, parents, staff, and the public are to initially address their complaint to the staff member directly involved in the complaint. The ED should be approached only when these avenues have been exhausted, when the issue is an overall school issue and no other individual to approach can be reasonably identified, or if the matter is unusually serious and urgent. Individuals wishing to bring a complaint to the attention of the ED are encouraged to contact the school office and make an appointment. Please allow up to three (3) days for the appointment to be scheduled.

The ED may establish procedures to govern any of the informal Stage 2 steps involving school staff, to include requiring documentation, forms, signed statements, etc.

Contacting a Member of the Governing Board In cases where a complaint has been addressed to the appropriate individuals on the school staff, as described above, but the grounds for the complaint persist (see "Grounds" above), or when the complaint involves school policy or budgeting, the school's mission, or an unresolved issue with the ED, then the individual with the complaint is encouraged to contact one of the GB members informally before filing a Formal Grievance and requesting a hearing (below). While GB members on their own do not have the authority to set policy, make a directive to the school's administration, or decide any matter officially, individual GB members have frequently been able to successfully achieve understanding or mutually acceptable resolutions informally, within existing policy and duties.

GB members are permitted to make a good faith effort to explain existing policy, New Mexico Administrative Codes and Statutes, PED guidance, the school's mission, GB committee responsibilities and powers, and the publicly deliberated position of the GB itself, so long as the GB member in question makes it clear to the aggrieved that their individual opinion is not binding on the GB or on the school's operation.

Aggrieved individuals are encouraged to approach, via e-mail or phone, any GB member if they wish. If in doubt, a member of the GB's Enrollment and Outreach Committee is recommended.

Please note that GB members are volunteers. GB members will endeavor to respond within 3-5 days of being contacted, but this may not always be possible.

Stage 3: Formal Grievance and Hearing with the GB When other attempts at resolving a grievance have been exhausted, a formal grievance and request for hearing may be filed with SCCS's GB. (See the school's website for GB member e-mail addresses and committee memberships.) The formal grievance must:

- Be in writing or e-mail,
- State the grounds for the grievance (see "Grounds" above),
- State all evidence supporting the grievance,
- State the prior actions identified in this policy that were attempted in addressing the grievance,
- State the name of the individual witnessing the violation in question, and
- provide contact information.

The GB President will review the complaint and decide whether there is a valid basis for the complaint. The GB President may decline to hear the complaint, and the ED's decision will stand (if the ED was approached prior to approaching the GB) or no action will be taken (if the ED was not approached). The GB President shall notify the aggrieved in writing or e-mail of the decision to hear the complaint or not within one week of receiving the complaint. If the GB President decides to hear the complaint, the GB will follow the New Mexico Open Meetings Act in properly posting a meeting and listing the hearing on the agenda in advance. Please note that GB members are volunteers, often with full-time jobs and/or families. The GB will endeavor to schedule the hearing within 21 days of receiving the complaint, but this may not always be possible. The aggrieved will be notified of the date and time of the meeting. Failure to appear or to request rescheduling at least 72 hours in advance may result in summary dismissal of the grievance.

A formal GB Hearing is not a legal proceeding. The aggrieved is permitted to call (but cannot compel) witnesses, bring an advocate, or be represented by council, but notice of any of these must be given to the GB at least 72 hours prior to the scheduled date and time for the hearing. Failure to provide such notice may result in exclusion of these parties from addressing the GB during the hearing, or from participating in the hearing if privacy information is involved that warrants a non-public hearing of the grievance, to the extent permitted by the New Mexico Open Meetings Act.

Staff Stipulations Staff members shall exhaust the grievance options through a formal GB complaint before filing with external government agencies. A formal grievance can be filed by either mailing a printed letter containing the information required in this section to the "Governing Board President" in care of the school's postal address or e-mail.

Special Education

6.31.2.13.G.1 NMAC directs schools to "utilize an informal dispute resolution method. to resolve disagreements at the local level whenever practicable". This policy stands as that informal dispute

resolution method, with the addition that the IEP or SAT team be included as a **Stage 2 informal option**, where appropriate.

G. Student Recruitment and Enrollment

G.(1) Provide a **clear, comprehensive, and cohesive** outreach and recruitment plan

SCCS will adhere to all legal and required admission policies, and will be non-discriminatory in all curricula, academic programs, admissions policies, employment practices, and all operations; will not charge tuition, and will not discriminate in admission or deny participation in any program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional, or learning disability.

Sierra is a small rural community with one published paper and one local radio station. We will utilize both. In addition, we will post fliers at locations where all people visit such as local restaurants, the post office and grocery store. We will approach churches, asking for announcements in their church bulletin. We will post on various social media platforms and pages. We will utilize email outreach of local groups like the chamber of commerce and Main Street TorC. Word of mouth will be our greatest recruitment tool. Recruitment will be ongoing regardless of enrollment.

G. (2) Provide a **complete, comprehensive, and cohesive** plan to implement a lottery admission process.

Enrollment

Unlike regular public schools, public charter schools have limited seats and do not automatically accept all students interested in attending. At the SCCS, enrollment for a given school year begins during the second semester prior to that school year. The SCCS begins with a Children of Employees Enrollment Window, then a Sibling Enrollment Window, followed by a number of Open Enrollment Windows. Once the final Open Enrollment Window ends, enrollment becomes "First-Come, First-Served" for whatever seats remain open after depleting the waiting lists.

During the Open Enrollment Windows, when the number of students interested in attending exceeds the number of seats available, charter schools must hold a Lottery to ensure fairness in enrollment. If you are new to the SCCS and are interested in attending, you may either submit a Letter of Intent during an Open Enrollment Window or contact the school during the "First-Come, First-Served" enrollment to see if any seats remain open for your student's grade. See below for details.

Types of Enrollment

The SCCS has four types of enrollment.

1. Children of Employees -Charter schools are required by the State of New Mexico to give preferential enrollment for the following school year to children of employees. This happens during the Children of Employees Enrollment Window which opens in January.
2. Sibling Enrollment -Charter schools are required by the State of New Mexico to give preferential enrollment for the following school year to siblings of currently admitted students. This happens during the Sibling Enrollment Window which opens in mid-January. If there are more sibling Letters of Intent than there are available seats, siblings will be accepted into SCCS via a Lottery process (see below).
3. Open Enrollment- If there are seats available after the Sibling Enrollment & Lottery, a number of Open Enrollment Windows will be held throughout the second semester. During Open Enrollment, any student can apply to attend the school. If there are more Letters of Intent than there are available seats, then students will be accepted into the SCCS via a Lottery process (see below).
4. "First-Come, First-Served" - After the Open Enrollment Windows have completed, if seats remain available, then enrollment at the SCCS becomes "First-Come, First-Served."

Lottery Process

Charter schools have space for only a limited number of students. If there is enough room in a particular grade to accommodate all the categories of students above, then a Lottery drawing for enrollment is not necessary -- all students desiring admission will be accepted. A Lottery is only required for a particular grade if there are not enough seats to accommodate all categories.

Sibling and Open Enrollment Windows follow a similar process and have similar requirements. These are:

1. **Letters of Intent (LOIs)** Parents who desire to have their children enroll in SCCS must fill out a separate Letter of Intent for each child. If you do not have access to the Internet, or you require assistance, please contact the school office and speak to the Registrar. All LOIs must be **submitted** prior to the deadline to be entered into a given lottery. The SCCS shall not be held responsible for technical failures that may disqualify an LOI. You may email any questions or confirm receipt of an LOI.
2. **Attend an Information Meeting** During each Enrollment Window, we typically offer an Information Meeting, which parents are strongly encouraged to attend. These meetings are a way for parents, relatives, friends, and other community members to learn about the SCCS, our mission, vision, and purpose. If you are unsure whether the SCCS is a good fit for your child, we invite you to attend one of these meetings to learn more about the school and talk to parents and volunteers who have already chosen the SCCS.
3. **Enrollment Lottery** At the end of an Enrollment Window, a Lottery is held. Those students whose LOIs were submitted on time and have will have their names drawn electronically at random. Once all available seats for the student's grade level are filled, the remaining students will be placed on a waiting list in the order that their names were drawn.

Waiting lists do not carry over from school year to school year.

Legal Notices As required by federal and state law, the SCCS does not discriminate against any individual because of race, color, national origin, ancestry, religion, age, sex, sexual orientation or gender identity, spousal affiliation, veteran status, disability, physical or mental handicap or serious medical condition, need for special education services, homeless condition, or any other category protected by law in its student enrollment, employment, or other participation or access to school programs and activities.

H. Legal Compliance

H. Provide a **current, clear, comprehensive, and cohesive** Conflict of Interest Policy.

Conflict of Interest Policy

The purpose of this policy is to protect the interests of the SCCS by limiting the personal interests of the Governing Board and Executive Director as they exercise their duties. This policy is meant to supplement, but not replace, any applicable state and federal laws governing conflicts of interest.

References

- 22-10A-9 NMSA (rev 2010)

Definitions and Abbreviations

- Family member or relative: spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, sibling, sibling-in-law, or any other relative who is financially supported.
- Related entity: a business enterprise, nonprofit organization, or other entity with respect to which such Governing Board member, or a relative of such Governing Board member (i) has a direct or indirect financial interest; (ii) is an officer, director, or employee; or (iii) is otherwise in a position to control the management or decision-making of such entity.

Policy

All Board members have a duty of loyalty and a duty of care towards the SCCS. It is the responsibility of all Governing Board members to conduct themselves in accordance with the highest standards of integrity, honesty, and fair dealing to preclude conflict between the interest of the SCCS and the personal interests of the Governing Board member. Likewise, it is the responsibility of the school to conduct all its business and operations impartially in accordance with all laws and in conformity with the highest ethical and professional standards. All hiring and other transactions imposing financial or legal obligations on the school shall be made in the best interests of the school as the foremost consideration.

Persons Concerned

This policy is directed not only to Governing Board members and officers, but also to all employees who can influence the actions of the SCCS. For example, this would include all who make purchasing decisions, all persons who might be described as administrative or management personnel, or other employees who have proprietary information concerning the SCCS.

Conflicts of Interests Defined

Under no circumstances may Governing Board members or their family members be employees of the SCCS, or contract with the SCCS for professional services, goods or facilities, either directly or as employees, owners, directors, agents, or the like of a business or organization. A person shall not serve as a member of the Governing Board if the person or a family member is an owner, agent of, contractor with or otherwise has a financial interest in a for-profit or nonprofit entity with which the SCCS contracts directly, for professional services, goods or facilities.

A conflict of interest may also occur whenever a Governing Board member or SCCS employee permits the prospect of direct or indirect personal gain (or gain to a relative or Related Entity) to influence improperly his or her judgment or actions in the conduct of the SCCS. It is not practical to specify every action that might be considered to raise a conflict of interest. Consequently, Board members and SCCS employees should immediately disclose to the Governing Board any circumstance that may give rise to the appearance of a conflict of interest. The following situations have the potential for being an actual or apparent conflict of interest and must be avoided unless the Board Member or employee has brought the issue before the Board for consideration and the Board voted to approve it in an open meeting, pursuant to the section below on Deliberations and Voting on Conflict Issues:

- Using confidential information acquired by virtue of their association with the school for their individual or another's private gain.
- Influencing or having the appearance of influencing business with suppliers to the SCCS, which results in the financial benefit to a Governing Board member, his or her relatives or a Related Entity.
- Participating in selecting, awarding or administering a contract with the SCCS if the member, employee, or family member of the member/employee has a financial interest in the entity with which the school is contracting.
- Participating in deliberations/actions involving that member's or employee's family member or a Related Entity of the member/employee.

Deliberations and Voting on Conflict Issues

To avoid conflicts of interest and the appearance of impropriety, Board Members shall not participate in open meeting or Closed Session deliberations or votes relating to the discipline of (i) themselves; (ii) any relative of the Board Member; or (iii) any action/transaction between the SCCS and any family member or Related Entity of the Governing Board Member. "Closed Session" shall mean any portion of a Governing Board meeting that is properly closed to the public in accordance with the provisions of the Open Meetings Act.

The Executive Director shall not authorize (by approval of a Purchase Order or otherwise) or enter into any proposed transaction or take any action that falls within the definition of Conflict of Interest above unless and until the transaction/action has first been evaluated and approved by the Governing Board. The Governing Board may, but shall not be obligated to, approve a proposed action/transaction only if the Board concludes, after review of all pertinent data, that:

- The transaction is financially no less favorable to the school than would be available in in arm's length transaction between unrelated parties;
- No governing board member or employee well-being the position to influence decisions relating to any transactions between SCCS and any related entity; and
- The benefits to SCCS outweigh any appearance of a conflict of interest.

Violations of Conflict of Interest Policy

Upon discovery of a violation of this Conflict-of-Interest policy, the discovering party shall immediately notify the Governing Board President, the school administrator, and all Board Members. In the event the Governing Board decides that there has been a violation of the conflict-of-interest rules or other abuse of anyone's position at SCCS, the Governing Board shall determine appropriate action. A violation of this Conflict-of-Interest policy renders any contract entered into in violation of the policy voidable.

Per Diem and Mileage

Nothing in this policy shall prevent SCCS from paying compensation to a Board member in compliance with the New Mexico Per Diem and Mileage Act.

Nepotism

Neither the Governing Board nor the Executive Director shall initially employ or approve the initial employment in any capacity of a Governing Board member, a relative of a Governing Board member, or of a relative of the Executive Director (though the Governing Board may waive the nepotism rule for family members of the Executive Director). The Governing Board shall carefully consider the potential impact on the integrity, efficiency, discipline and public perception in the employment of any person who is related to or financially supported by the Executive Director or who is the parent of an SCCS student. Governing Board members who wish to seek employment with the school must resign from the Governing Board and wait one year from his/her resignation effective date prior to being offered or accepting employment with the school.

Misuse of Position

No Governing Board member will use his or her position to attempt to influence the decision of any school employee to grant special treatment to (a) the child or ward of such Governing Board member, (b) any relative of such Governing Board member, or (c) any "Related Entity". Every Governing Board member and every SCCS employee who is a parent or guardian of a SCCS student shall inform his or her child that they are required to follow all rules, policies and procedures applicable to SCCS students, that they are not entitled to special treatment by virtue of the relationship with a Board member or employee, and that any attempt to seek such special treatment may result in disciplinary action.

No individual Governing Board member, community member, staff member, or parent may direct the Executive Director in his or her duties. Governing Board members will respect confidentiality appropriate to issues of a sensitive nature and will adhere to all Federal and State laws regarding confidentiality of a student, employee, and other information in the school's custody.

Governing Board members' interaction with the public, press, or other entities must recognize the inability of any Governing Board member to speak for the Governing Board on behalf of the school unless explicitly authorized by the Governing Board at a public meeting and recorded in the minutes.

I. Evidence of Partnership/Contractor relationship (if applicable)

I.(1) If there is /are third party relationship(s) (partner organization, a contractor, foundation) that are essential to the existence of your charter school, governance, key instructional staff, or management functions, identify them (entity, person, contact information etc.).

Management Functions

K12 Accounting

Rebekah Runyan & Gowan Hayes

8650 Alameda Blvd NE STE 102E, Albuquerque, NM 8712

[\(505\) 433-5469](tel:5054335469)

rebekah@k12accounting.com
gowan@k12accounting.com

Food Service
Southwest Food Service
Rex Lish
9366 E Raintree Dr, Scottsdale, AZ 85260
(575) 621-8060
email:rex.lish@sfellc.org

Transportation and 21st CCLC Programing
AppleTree Educational Center
Amelia Wilcox
1300 South Broadway TorC, NM 87901
(575) 894-5646

Ancillary Services Amplified Therapy
Autumn Bruton
94 Box Canyon Road Cliff, NM 88028
(575)590-0824
autumnbruton@amplifiedtherapy.com

Nurse
Sierra Vista Hospital
800 East 9th Street TorC, NM 87901
(575)894-2111
support@svhnm.org

Behavioral Health Services TBD
There are several local options with experience working with TCMSD and other traditional public schools.

Volunteers
Sierra Joint Office on Aging
Foster Grandparent Program
Jennifer Gustin
575-297-4120
volunteerprograms2@senior-sjoa.org

Interns, On the Job Training, Specialized Training, Individualized Education Accounts
Workforce Innovation Opportunity Act (WIOA)
Department of Workforce Solutions Southwest Area
601 Sunset TorC, NM 87901
575-894-1263
www.employNM.com

When contracted services exceed \$60,000, and when required, we will go out to RFP. We will assure compliance with the procurement code and used vendors from CES, ACES, or RFP.

I.(2) If applicable, provide and attach as **Appendix D**, a proposed, **signed, clear, formal** agreement between the applicant and each third party relationship **OR** memorandum of understanding (MOU) between the applicant and each prospective third-party.

SCCS will contract with K12 Accounting, an experienced Business Management firm that has both an ACES and CES (Cooperative Educational Services) approved contract, for business management services. Upon approval we will provide a signed, clear, formal agreement.

J. Transportation and Food

J. (1) If applicable, state how the proposed school plans to offer transportation to its students.

For further information, please see the following link:

<https://webnew.ped.state.nm.us/bureaus/transportation/>.

Transportation Based on the rural nature of the district, over 4,000 sq miles, it would be very difficult for SCCS to purchase or even contract with enough transportation contractors to provide to and from. For examples, the communities of Winston and Kingston are 45 minute bus drive away. We do not know how many students will enroll from the community, but we know it could not cover the fixed cost to transport them. The distance between a route to transport students from Winston (the north side of the Gila) and Kingston (the south side of the Gila) is too far to share a bus.

At this time SCCS simply cannot afford provide transportation to and from school. When we move from planning to implementation, we will approach the TCMSD, seeking a contract for to and from school time transportation for SCCS students through the district contractors. If the district refuses to provide to and from transportation, we will determine the cost for to and from transportation and seek to meet the need. We know we will generate funds in year two. By then, we will have a better idea of needs based on actual enrollment. Until then, and only if TCMSD refuses to transport SCCS students, our current options include contracting with AppleTree Educational Center for transportation to and from activities. AppleTree Educational Center is the PED approved 21CCLC fiscal sponsor for Sierra County students (public, home school, and nonpublic schools). They provide PED approved transportation. We know contracting with them will assure compliance with the requirements the PED transportation bureau's standards. During year one parents from rural communities will be encouraged to carpool, ride share, etc. with families that work in town.

During year one and two, we will use PED approved SUVs to transport students during school day project-based learning projects. We will slowly build up this fleet to assure all students can participate in ongoing project-based learning.

J. (2) If applicable, provide a plan to offer food services to students (e.g., contracting with approved/appropriate food service vendors, providing free and reduced lunch).

Food SCCS will apply for the USDA (United States Department of Agriculture) National School Lunch Program to provide breakfast, lunch, and snacks. The revenue in the 21000 budgets will be built on the assumptions that the school would have 100% reimbursement rates due to the NM hunger initiative that all students will eat for free. Though we will assume that only 75% of the total population will eat all meals. Also, we will be using the 2022-2023 free reimbursement rates. Breakfast of \$2.11, Lunch of \$3.93, and snack of \$1.08. Students will go 190 calendar days per school year for a daily reimbursement rate of \$7.12 per student. This is then multiplied by 190, then by student enrollment, and then by .75 since not all students will eat. This is budgeted in Object code (53414) Other Services for contract service providing the meals and object code 56118 (Supplies) for supplies needed.

The current proposed facilities for use by SCCS do not have commercial kitchens, therefore we will contract with a third party to provide USDA school meals. When we move from planning to implementation, we will approach TCMUSD, seeking a contract for USDA school meals through the district's contracted school vendor. If the district refuses to provide meals to SCCS students, we will contract directly with Southwest Food Service, utilizing any number of existing commercial kitchens in the community for preparation. An example of an existing commercial kitchen serving USDA approved meals is AppleTree Educational Center. They provide USDA approved meals through the Child and Adult Food Program. During COVID, they worked with Southwest Food Service, who provided meals to AppleTree families. Both TCMUSD and AppleTree benefited from this partnership. AppleTree, serving as an essential service to essential workers, were able to continue services despite circumstances and TCMUSD was able to bill for hundreds of extra meals per week. This helped both sites offset fixed costs and provide needed services to the families who needed it most during difficult times.

We will apply for supplemental funding such as Farm to School and any other options to increase students' access to fresh fruits and vegetables as well as local grown and organic.

K. Facilities/ School Environment

Applicants must complete the required Facilities Master Plan Ed. Spec. Checklist form, referenced below as III M. (1), and submit it to the Public Schools Facilities Authority no later than **the published deadline in the month of April**. The Facilities Master Plan/Ed. Spec. Checklist form can be accessed on the PSFA website at:

nmpsfa.org/legacy/pdf/planning/Charter_School_FMPEd_Specs_Renewal_Program_August_2019.pdf

K.(1) **Complete, submit, and attach as Appendix E**, the Public Schools Facilities Authority (PSFA) approval of the proposed school's Facilities Master Plan Ed / Spec Checklist.

SCCS completed the required Facilities Master Plan Ed. Spec. checklist form and submitted it to the appropriate authority before the published deadline in April. The form is attached as Appendix E.

K. (2) Provide evidence that you have researched facilities/properties and **identified at least one appropriate, viable facility/property in the targeted geographic location.**

SCCS researched existing facilities/properties throughout Sierra County. This included researching eight existing sites. After researching the eight sites for compliance with standards, we conducted site inspections of four sites. This narrowed viable options down to three existing sites. The details of the identified properties are documents in the completed Facilities Master Plan Ed. Spec. checklist form. The form is attached as Appendix E.

Two of the three facility options know the facilities need changes before the opening of SCCS. We are in negotiations with a large donor, to remodel, etc. This includes adding a playground, fencing, and additional restrooms at the preferred elementary site. This includes fencing, outdoor seating, and some remodeling at the middle school site. Once we move to implementation we will form the foundation and begin raising additional funds to assist with the start-up as need.

III. Financial Framework

A. School Size

State the requested enrollment, grade levels to be served, and student/teacher ratio. Please note that this is a projected enrollment. If approved, actual funding will be determined by NMPED School Budget Bureau based on data regarding enrollment membership including, but not limited to, lottery applications submitted and registrations completed in spring of the implementation year.

Academic Year	Number of Students	Grade Levels	Student/Teacher Ratio
Year 1	144	9	1:16*
Year 2	144	9	1:16*
Year 3	186	9	1:16, 1:18, 1:20, 1:25*
Year 4	188	9	1:16, 1:18, 1:20, 1:25*
Year 5	196	9	1:16,1:20,1:25*
At Capacity (Enrollment Cap)	196	9	1:16,1:20,1:25*

*These ratios do not include the 4-6 EAs, 2 Sped Teacher who will be deployed as needed based on the needs of individual students.

B. Budgets

Please note that the PEC will ask the applicants to respond to questions on the budget during the Community Input Hearing. The applicants may have the personnel with the technical expertise with them at the table (and *should* have these people with them if these people were primarily responsible

for drafting a section). However, the applicants themselves should demonstrate knowledge and understanding of all areas of the budget.

B. (1) Provide, and attach as **Appendix F**, a completed 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet, using appropriate values and computations for each year of the five-year budget plan (use projected unit value and for special education, please budget the local district's percentage of special education unless the school has a sufficient justification for why it will have a larger population). State and federal funds, including but not limited to student funding, shall not be used to pay, compensate or reimburse contract management organization or education management organization, regardless of their organizational or tax-exempt status. Ensure that your worksheet **clearly demonstrates your understanding of, and your capacity to implement, New Mexico public school funding.**

The final 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet is attached as Appendix F. We understand these are projected State and federal funds, including but not limited to student funding, shall not be used to pay, compensate, or reimburse contract management organization or education management organization, regardless of their organizational or tax-exempt status.

We will seek additional funding from federal, state, and private sources to ensure we are able to fully implement our mission, vision, and purpose. This includes the establishment of a foundation benefiting SCCS. The founding team at SCCS completed the 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet based on projected enrollment found in **Section II.A.(1.)**. The local district's TCI Index and special education percentages found in the open book data were used in determining the multipliers to enter into the 910B5. SCCS will contract with K12 Accounting, an experienced Business Management firm that has both an ACES and CES (Cooperative Educational Services) approved contract, to review the projected 910B5 and provide feedback. The process of edit and review increased the founding team's understanding of, and our capacity to implement, New Mexico public school funding.

The 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheet is attached as Appendix F. We understand these are projected state revenues based on projected enrollment. We understand that state and federal funds shall not be used to pay, compensate, or reimburse contract management organization or education management organization, regardless of their organizational or tax-exempt status.

We will seek additional funding from federal, state, and private sources to ensure we are able to fully implement our mission, vision, and purpose. This includes the establishment of a foundation benefiting SCCS.

B.(2) Provide, and attach as **Appendix G**, a proposed five-year budget plan, fully aligned with the 910B5 SEG Revenue Worksheet that clearly supports the proposed school's mission and aligns with the proposed school's five-year growth plan, including staffing, facilities, educational program, and services. State and federal funds, including but not limited to student funding, shall not be used to pay, compensate or reimburse contract management organization or education management organization, regardless of their organizational or tax-exempt status. Ensure that your draft budget clearly demonstrates the financial capacity and long-term sustainability of the proposed school (consider your growth plan, including staffing, facilities, educational program, mission etc.).

The founding team at SCCS completed the proposed five-year budget plan. We submitted the completed draft to K12 Accounting for comment and review. The process of editing and review assured alignment with the 910B5 SEG Revenue Worksheet. The final document clearly supports the proposed school's mission and aligns with the proposed school's five-year growth plan, including staffing, facilities, educational program, and services We have contracted with K12accounting to assure compliance. They have experience working with charter schools of our size.

SCCS understands that state and federal funds, including but not limited to student funding, shall not be used to pay, compensate, or reimburse contract management organization or education management organization, regardless of their organizational or tax-exempt status.

Our draft five-year budget clearly demonstrates the financial capacity and long-term sustainability of the proposed school (consider your growth plan, including staffing, facilities, educational program, mission etc.)

We will seek additional funding from federal, state, and private sources to ensure we are able to fully implement our mission, vision, and purpose. This includes the establishment of a foundation benefiting SCCS.

B.(3) Provide a clear, comprehensive, cohesive, and reasonable budget narrative.

SCCS developed their five-year budget collaboratively with K12 Accounting to focus on the school's mission and education program. The budget uses a conservative approach that allows room for budget fluctuations and gradual growth. When developing the projected revenues and projected expenditures, the school chose conservative projections in the 910B5 for student counts, SPED membership, and Ancillary FTE based on the local District's percentages obtained through the open book database.

The budget will support the school's mission and the implementation of the whole student approach. Our budget includes revenue from a variety of potential sources, including the state of New Mexico, Title I, Title II, IDEA (Individuals with Disabilities Education Act), NSLP (National School Lunch Program), and potentially the federal Charter Schools Program grant.

Operational Funding

State Equalization Guarantee projected revenue was based on the 910B5 State Equalization Guarantee Revenue workbook provided, the school chose to assume that the unit value would remain the same over the five-year period and used the 2022–2023-unit value of \$6,241. We have also assumed the TCI with a conservative estimate of 1.08.

The special education population included in the 910B5 projections are based on open book data for the local school District. For SEG purposes, we were conservative to limit the number of C & D students. The Ancillary FTE was based on .032 per SPED student and is a conservative estimate over the average ancillary FTE cost of the local District.

As a school serving elementary students, SCCS will be eligible for the Fine Arts Education Act and Elementary PE Program units and these projected memberships have been included in the 910B5 projections.

Fund 11000- Function 1000- instruction

The focus of SCCS budget is staffing for teaching positions and educational assistants. This will help maintain class ratios and allow for implementation of the school's mission and vision.

This table below displays the total budget for teachers and EA's. This is based on an average salary of \$65,000 for teachers and EAs at \$25,000. Also included is a 2% year-over-year increase. The \$65,000 for teachers should provide flexibility within the budget since the teachers will be level 1, level II, and level III.

<i>Staff</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 5</i>
<i>Gen Ed Teachers</i>	9	9	9	9	9
<i>SPED Teachers</i>	2	2	2	2	2
<i>Gen EA's</i>	2	2	2	3	3
<i>SPED EA's</i>	2	2	2	2	2
<i>Total Costs</i>	<i>\$815,0000</i>	<i>\$831,300</i>	<i>\$847,926</i>	<i>\$891,413</i>	<i>\$909,241.50</i>

Other costs- Fund 11000- Function 1000- instruction

The object codes used are 53330 (Professional development), 53711 (Other Charges), 56112 (Other Textbooks) 56113 (Software), 56118 (General Supplies) & 57331 (fixed assets). The fixed assets line is being used for the reserve funds in the budget.

Fund 11000- Function 2100- Support Services Students

The table below displays the total budget for Counselors. This position is phased in and will not be funded until year 3. Also included is a 2% year-over-year increase.

<i>Staff</i>	<i>Year 1</i>	<i>Year 2</i>	<i>Year 3</i>	<i>Year 4</i>	<i>Year 5</i>
<i>Counselor</i>	0	0	1	1	1
<i>Total Costs</i>	0	0	<i>\$75,000</i>	<i>\$76,500</i>	<i>\$78,030</i>

Other Costs- Fund 11000- Function 2100- Support Services Students

Ancillary costs were considered when building the budget. These will be contract service positions and have a 2% year-over-year increase built in. The projected ancillary FTE revenue is \$156,025 and we have budgeted \$157,500 for ancillary costs in year 1 and have increased each following year.

Fund 11000- Function 2200- Support Services Instruction

The table below displays the total budget for Librarian. This position is phased in and will be funded until year 3. Also included is a 2% year-over-year increase.

Staff	Year 1	Year 2	Year 3	Year 4	Year 5
Librarian	0	0	1	1	1
Total Costs	0	0	\$65,000	\$66,300	\$67,626

Fund 11000- Function 2300- Administration

The table below displays the total budget for administration salaries. These positions include 1 executive director and 2 administrative assistants. Also included is a 2% year-over-year increase.

Staff	Year 1	Year 2	Year 3	Year 4	Year 5
Executive Director	1	1	1	1	1
Admin Assistants	2	2	2	2	2
Total Costs	\$185,000	\$188,700	\$192,474	\$196,323.48	\$200,249.95

Other Costs- Fund 11000- Function 2300- Administration

The object codes used are 53330 (Professional development), 53411 (Auditing), 53413 (Legal) 55400 (Advertising), 55811 (Board travel), 55812 (Board Training), & 55915 (Other Contract Services). This will cover the policy service dues.

Fund 11000- Function 2500- Central Services

The object codes used are 53414 (Other Services) and 53711 (Other Charges). The other services will cover the K12 Accounting contract. This is a full-service contract and provides both a business manager and assistant business manager for the school. The other charges are to cover the accounting software that will be used.

Fund 11000- Function 2600- Operation and Maintenance

The table below displays the total budget for a custodian. This position includes a 2% year-over-year increase.

Staff	Year 1	Year 2	Year 3	Year 4	Year 5
Custodian	1	1	1	1	1
Total Costs	\$30,000	\$30,600	\$31,212	\$31,836.24	\$32,472.96

Other Costs- Function 2600- Operation and Maintenance

Utilities costs are based on these assumptions. \$1000 per month for maintenance, water/sewage, & communication services. The communication services include phones and internet. \$2500 per month for electricity and natural gas. The utilities have increased 5% year over year to account for rising costs.

The object codes used are 56118 (General supplies) for custodial, and 56211 gasoline for vehicles.

Fund 11000- Function 2700- Student Transportation

The object code used is 57311 (Vehicles General) this is to purchase 2 SUVs in year 1 to help accommodate the mission and vision.

Employee Benefits

The employee benefits are based on everyone receiving full benefits, which will be higher than the actual cost of benefits. The list below shows the benefit category and the percentage of total salary for the benefit amounts. When combined this total for benefits is 52.91% of the overall salary. This benefit projection was used for all salaries and funds.

<i>Benefit Category</i>	<i>Percentage of Total Salary</i>
Educational Retirement	18.15%
ERA- Retiree Health	2%
FICA Payments	6.2%
Medicare Payments	1.45%
Health and Medical Premiums	20.00%
Life	.11%
Dental	1.50%
Vision	0.25%
Unemployment Compensation	2.00%
Workers Comp Premium	1.00%
Workers Comp Employer's Fee	.25%

Transportation Funding

SCCS will not be applying for transportation funding through NMPED until a viable contractor can be found. SCCS has a very rural population and will not be able to secure a bus contractor to accommodate its needs at this time.

Federal Funding

NSLP

SCCS will apply for the USDA (United States Department of Agriculture) National School Lunch Program to provide breakfast, lunch, and snacks. The revenue in the 21000 budgets will be built on the assumptions that the school would have 100% reimbursement rates due to the NM hunger initiative that all students will eat for free. Though we will assume that only 75% of the total population will eat all meals. Also, we will be using the 2022-2023 free reimbursement rates. Breakfast of \$2.11, Lunch of \$3.93, and snack of \$1.08. Students will go 190 calendar days per school year for a daily reimbursement rate of \$7.12 per student. This is then multiplied by 190, then by student enrollment, and then by .75 since not all students will eat. This is budgeted in Object code

(53414) Other Services for contract service providing the meals and object code 56118 (Supplies) for supplies needed.

Title I- Fund 24101

SCCS assumes that they will be a Title I school based on the Districts Title rate of 89% for free and reduced lunches. The local District receives an average of \$745.77 per student. We will assume a rate of \$400 per student to be extra conservative. We will be budgeting for an instructional assistant with a base of \$25,000 with a 2% raise per year. Plus, benefits using the same assumptions as above. While using object codes 56113 (Software) and (56118) general supplies to cover intervention software and supplies for family engagement nights, homeless set asides, and any other allowable expenditure.

Title II- Fund 24154

SCCS assumes that they will receive Title II funding. The local School District receives an average of \$105.18 per student. We will assume a rate of \$75 per student to be extra conservative. This will be budgeted under Object code (53330) for Professional development.

IDEA-B- Fund 24106

Based on information received from other charter schools with similar demographics, we assume the school will receive about \$1,000 per SPED student. We will budget for a SPED specialist contracted through the Southwest Regional Educational Cooperative. Additionally, we will be budgeted extra funds for a contracted psychologist. These will be budgeted under Object code 53215 (Psychologist-contracted) & 53218 (Specialist-contracted).

Charter School Program Grant- Fund 24146

SCCS will be applying for this grant to help support the anticipated one-time purchase needs of the charter. We will be utilizing the \$2,200 available for K-5 elementary students and \$2,000 for 6-8 middle school students. This will generate an anticipated amount of \$211,200 for elementary and \$96,000 for middle school for a total award of \$307,200 for the first two years. Keeping a conservative approach, we will budget \$250,000 in year 1, \$150,000 in year 2, and \$100,000 in year 3.

We will be utilizing these funds to:

acquiring supplies, training, equipment (including technology), and educational materials (including developing and acquiring instructional materials);

carrying out necessary renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repairs (excluding construction);

providing one-time, startup costs associated with providing transportation to students to and from the charter school;

carrying out community engagement activities, which may include paying the cost of student and staff recruitment; and

when such costs cannot be met by other sources, providing for other appropriate, non-sustained costs related to opening and preparing for the operation of a new charter school or expanding a high-quality charter school.

- With the startup year requiring the most amount of funding. We will utilize these funds to purchase instructional material, furniture, equipment needed, technology, and purchase an activity bus. These will be budgeted under function 1000 object code 56112 (Other textbooks), 57332 (Supply assets), function 2200 (Library and Audio-Visual), and function 2700 (Buses).

Local Grants

Spaceport funding- fund 26199

SCCC will assume that they will receive funding from the spaceport. We looked at the local districts amount in open books data and used that per pupil revenue to calculate the \$16,000 in funding yearly. This will be budgeted in Object code 55817 for student travel. This will support the mission of SCCC.

Capital Funding- Fund 31200- Public School Capital Outlay Expenditures.

SCCS developed a budget that is conservative and assumes a lease rate of \$700 per student that is less than the \$788 per student allowable under these funds. We also assumed that the cost would rise by 2% year over year. This has been allocated to object code 54610 for building leases.

Overall, SCCS built the budget based on conservative estimates and prioritizing funding for the school's mission and goals.

B. (4) Provide a **clear and meaningful** description of what budget adjustments will be made to meet financial budget and cash-flow challenges, or to address the failure to receive any anticipated funding sources.

The proposed annual budgets identify projected membership with incremental increases each year. If the membership is not realized, the school plans to reduce necessary costs to balance the current

year revenue with budgeted expenditures. If the shortfall is significant, the school will focus on salary and benefits since this is a sizable portion of the budget. However, the school will consider the student and teacher ratio when finalizing the budget reduction plan.

The Executive Director and business manager will meet regularly to review the budget, membership, cash flow, and school operations. The Business Manager will provide financial reports and recommend a plan to the Executive Director to address any changes that may require budget adjustment requests or purchasing changes to reduce or increase costs. The team will then identify a strategy that will be used to establish goals to be met by year-end. If the outcome requires BARS, the business manager will follow procedure and obtain Governing Council approval during monthly meetings which may require PED (Public Education Department) approval for transfer, increase, or decrease BARS.

SCCS founding team has the goal of recruiting and enrolling 144 students. The plan to accomplish this goal includes creating a strong media campaign in the community. While increasing the founding teams present during local meetings and events in the area. Throughout the process we will document the number of parents who submit enrollment interest forms, complete applications for the lottery, and accept their offers, so that we can acutely be aware of our projected and actual enrollment numbers.

If the first-year projects of 144 students are not met. We will continue to recruit and accept enrollment applications until we have reached our first-year goal of 144 students. If we still need to adjust, then we will look at reducing staff positions.

C. Financial Policies, Oversight, Compliance, and Sustainability

C.(1) Provide a description of the internal control procedures.

References

22-8-12.3 NMSA (rev 2010)
6.20.2 NMAC (rev 11-30-06)
2.2.2.12.A.(4).(b) NMAC (rev 3-16-15)
Government Accounting Standards Board (GASB), Statement 54

Definitions and Abbreviations

- CPO: Chief Purchasing Officer
- ED: Executive Director (Chief Procurement Officer)
- GB: Governing Board
- PO: Purchase Order
- PR: Purchase Requisition

Policy

The SCCS will adhere to the New Mexico Administrative Codes, 6.20.2.

Committees

The SCCS's GB will have standing Finance and Audit Committees with the membership and duties described in 22-8-12.3 NMSA.

The Finance Committee reports to the GB and has the responsibility and authority to provide advice and oversight to the SCCS's Business Manager regarding both budgeting and financial issues.

The Audit Committee reports to the GB, with responsibility and authority to work with the SCCS administration and the auditors to facilitate the yearly financial audit. Audit findings assessed against the school will be addressed and become part of the audit report. The SCCS will make every attempt to minimize the possibility of audit findings. The SCCS will respond to all audit findings through a corrective action report approved by GB. A corrective action plan will be submitted to NM PED upon request.

Financial Standards

The SCCS will follow the financial standards set forth in 6.20.2.13 NMAC. The SCCS Business Manager will prepare a yearly budget in accordance with statutory requirements, under the direction of the ED, and with input and oversight from the GB and the GB's Finance Committee. The GB must approve the budget prior to its submission. The Business Manager will prepare financial reports that will be presented at each regular GB meeting.

Purchasing

The SCCS will follow the purchasing requirements set forth in 6.20.2.17 NMAC.

Purchasing Requisition

A purchase requisition or equivalent must be submitted to the business office for review. The Business Manager will use this PR to verify that sufficient budget capacity and cash balance exist to make additional expenditure. If a sufficient budget and cash balance exist, the Business Manager will then assign a Purchase Order through the school's accounting software. The following are purchasing requirements:

- Single Item Cost exceeding \$5,000.00
 - Attach three (3) quotes if the amount to be purchased exceeds \$5,000. The quotes must include vendor name and telephone number. Be sure each quote is inclusive of all charges and freight. Insofar as the New Mexico Procurement Code only requires three (3) quotes if the amount to be purchased exceeds \$20,000, the requirement to obtain three (3) quotes for an amount which exceeds \$5,000, but does not exceed \$20,000, may be waived by the chair of the Finance Committee in situations where a determination is made by the chair that circumstances render it impractical or unfeasible to obtain three (3) quotes. Any such waiver is to be reported to the GB at the next regular meeting.
 - For planning purposes, allow 14 working days for processing, which does not include delivery time.
- Single Item Cost exceeding \$60,000 or more for Contracted Services and Tangible Items require Formal Bids: If the estimated or actual cost of a purchase exceeds these amounts, you must:
 - Establish funding
 - Prepare "draft" specification, which clearly identify the technical and performance requirements of the item or service required.
 - Identify any vendors who you know can supply the item or service required.

- Submit the requisition and “draft” specifications to the Business Office to obtain a formal bid. The business office will mail or otherwise distribute bid documents as well as publish public notice not less than ten calendar days prior to the date set forth for the opening of the bid.
- For purposes of planning, please allow at least 35 working days for processing and award, which does not include delivery time.

Purchase Order

A purchase order (PO) number will be assigned, and a PO will be prepared from the information provided in the purchase requisition. An original copy of the PO must be signed by the CPO and returned to the business office where it will be forwarded to the appropriate vendor.

Purchase orders that have been initiated but not issued should be voided in order to prevent duplicating PO numbers. One copy of the purchase order and any supplemental documentation will be maintained in the PO folder until the order is received and an invoice from the vendor is delivered.

Receiving

Once the goods are delivered, the Business Manager must inspect the items for visible damage in the presence of the carrier. Damaged goods should not be accepted. The Business Manager must also compare the quantities received to the quantities recorded on the packing list. Once this information is verified, the Business Manager must initial and date the packing list and submit it to the business office where it will be compared and attached to the open purchase order and original purchase requisition and filed in the Pending Invoice file until receipt of invoice.

For partial shipments or returned items, the business office will make a note on the open PO as to which items have been received and/or returned and attach a copy of the PO to the partial shipment packing list and file it in the Pending Invoice file until receipt of invoice. The original PO and PR will be kept in the Open PO file until the shipment is complete.

Invoices

Invoices will be received by the Business Manager. The Business Manager will review the vendor invoice for mathematical accuracy as well as compare terms, quantities and prices to the purchase order, packing list and purchase requisition. Differences must be resolved before payment is made. If a partial shipment was received, the vendor will only be paid for the items received. The original invoice will then be attached to the PO, packing list and PR. The Business Manager will then record the invoice into the school’s accounting software for payment.

Accounts Payable

An open payables list will be created and reviewed by the Business Manager on a weekly basis in order to select which vendors will be paid. The Business Manager will prepare and print the selected checks from the accounting database with the approved PO and supporting documentation and obtain proper signatures. Once two (2) authorized bank signatories have signed, the check stub will be attached to all supporting documentation and filed in the Vendor files in the business office.

The Business Manager will compare the check to the check register on a test basis to ensure that the following agree:

- 1) Check Number.
- 2) Payee.

3) Account Code.

4) Amount.

Responsibility of School Employees

Each staff member making a purchase must decide what performance requirements are needed. Brand names or personal preference should not be the determining factor. Pricing must be competitive. It is extremely important to plan purchases to allow adequate time for the business office to compare purchase needs to the budget and to meet legal requirements and delivery lead times. Staff should allow approximately two weeks for processing plus delivery time. Federal and State laws and regulations require that a purchase order must be issued before any product or service is purchased. All School funds, including activity funds, require a purchase order. Administrators and teachers may be personally accountable for purchases that do not comply with School requirements.

Internal Controls

Internal control consists of the plan of organization and all the related methods and measures adopted within a business to safeguard its assets from employee theft, robbery, and unauthorized use; and enhance the accuracy and reliability of its accounting records. This is done by reducing the risk of errors (unintentional mistakes) and irregularities (intentional mistakes and misrepresentations) in the accounting process.

Cash Controls

1. The Business Manager shall maintain cash balances per book.
2. The Office Manager shall maintain custody of cash in hand.

Please refer to the policies and procedures for cash receipts and cash disbursements in the Employee Fiscal Policies and Procedures Manual.

Bank Account Controls

1. Deposits are made by the Office Manager and are recorded by the Business Manager.
2. The Business Manager approves purchase requisitions when funds are available.
3. Purchase Orders are prepared by the PR and are given to the ED for final approval.
4. The Business Manager, who verifies the accuracy of the order in comparison to the PO, checks-in merchandise.
5. All printed checks, which are backed up by all required documentation, are signed by the ED or authorized GB Member.
6. All ACH (Automated Clearing House) bank transactions will have an initiator of the batch and a separate approver. The approver must be a signatory of the bank account(s).
7. Bank statements are maintained and reconciled by the Business Manager.
8. The Finance Committee reviews and approves all Bank Reconciliations and Adjusting Journal entries.
9. All checks require two (2) signatures of authorized bank signatories.

Cash Receipts

SCCS will issue a factory pre-numbered receipt for all money received. Checks must be endorsed at the time of receipt. The pre-numbered, duplicate receipts need to be controlled and secured by the Business Manager. The original copy of the receipt will be given to the payer; a duplicate receipt will be attached to the deposit slip copy and cash received for deposit. If a receipt is voided, all copies will be marked "VOID" and retained in the Voided Receipt File in the business office.

Deposits

Money received shall be deposited into the bank within 24 hours or one banking day, as outlined in NMAC 6.2.2.14.3, by the Office Manager and recorded in the school's accounting software by the Business Manager. The receipt copies along with the deposit slip will be used as the source from which to make entries into the Cash Receipts module of the SCCS's accounting software.

A cash receipts journal will be used for each fiscal year. It will begin July 1st and be closed as of June 30th.

Bank Reconciliation

The Business Manager, who is not responsible for receiving cash or issuing checks, will prepare the monthly bank reconciliation. Reconciliation will be reviewed and approved by the Finance Committee. Bank reconciliation will be signed and dated when reviews are completed. The Business Manager will prepare adjusting journal entries to adjust accounting records to actual based on the reconciliation's ledger as well as POs the adjusting journal entry to the general ledger.

Student Activities

An administrator, teacher, or GB member of the SCCS shall supervise all student activities that involve the receipt of money. Money received will be physically safeguarded in a locked file cabinet, safe, lockbox, or the like. Fund-raising monies shall not be used to pay any school expenses. The money received shall be recorded by the office assistant on a deposit slip and forwarded on to the office manager to be deposited into the bank within 24 hours of receipt. Using the deposit slip, the Business Manager will record the amount received into the appropriate revenue account in the school's accounting software.

Once enough money has been raised for the approved activity and the funds are needed, a purchase requisition must be completed in the usual manner in order to request distribution of funds. Disbursements of the funds will be approved by the Business Manager and prepared by the business office in the same manner as Accounts Payable.

Student Activity Fund Management

In general, Student Activity Funds are those funds that are owned, operated, and managed by students under the guidance and direction of an approved staff member for educational, recreational, and/or cultural purposes. The school Executive Director is authorized to approve the formation of all class organizations, clubs, and associations. All fund-raising activities must be approved by the school Executive Director and Business Manager prior to initiating the fund-raising activity.

Policy

1. Projects that raise student activity funds should contribute to the educational experience of students and not be in conflict with, but rather add to, the existing curriculum.
2. Student Activity Funds should, whenever possible, be spent for the benefit of those students currently enrolled in the school who have contributed to the accumulation of these funds.

3. Student activities should be conducted so that they offer minimum competition for any commercial concerns, while still benefiting the student body as a whole.

4. All Activity Fund receipts and disbursements must be documented in accordance with established cash receipts and cash disbursements procedures.

5. The school Executive Director, or their designee, is responsible for the management of the school's Activity Funds

6. The school Business Manager shall develop and maintain the procedures necessary to implement this policy in accordance with any applicable laws.

Application for New Student Activity Form

If a new student activity fund is required, an Application for new Student Activity Account must be filled out by the sponsor, approved by the Executive Director and submitted to the Business Office for approval. Once the Business Office has approved the form, the Business Manager will assign a new account number. A Copy of the form will be sent back to the sponsor with the new assigned account number, which must be referenced on all materials. No fund raising activities will be allowed until after the Finance Department has approved new funds.

Log of All Activities

A log of all approved activities is to be compiled and retained by the sponsor. This log will be used to identify fund raisers and use of funds on campus and to ensure procedures are being followed. The prior year and current year's log must be available to review upon request by auditors or Business Office personnel.

Asset Capitalization Purpose

To establish guidelines for the control of capital assets owned by the school. The purpose of the controls are to protect capital assets, preserve the life of capital assets, to avoid unnecessary duplication of assets on the school campus, to provide a guide for future replacement of assets, and to establish a basis for the amount of insurance coverage required.

Definition

Capital assets, for the purpose of this policy, are defined as tangible or intangible property owned by the school which meets the definition and minimum dollar amount for capitalization per asset category.

1. Furniture and equipment. Tangible personal property in excess of \$5,000 purchased or acquired by gift to be used for operational purposes such as desks, filing cabinets, copiers, musical instruments, laboratory equipment, and janitorial equipment

2. Computer software. Intangible property in excess of \$5,000 either purchased or acquired by gift that is designed to cause a computer to perform a desired function.

3. Computer equipment. Tangible computer equipment in excess of \$5,000, including laptops, desktops, routers, hubs and switches, etc., purchased or acquired by gift to be used for operational or instructional purposes. For capitalization purposes, computers are defined as a CPU, monitor and keyboard which go together as a package. Printers, which exceed \$5,000, shall be capitalized separately, while printers, which are less than \$5,000, shall be considered Supply Assets and recorded as such in the school's general ledger.

4. Library holdings. All library holdings purchased or acquired by gifts during the fiscal year are capitalized in aggregate at the end of the fiscal year using the cost-based method. The cost-based method approach entails the following:

- Acquisition costs reflect actual expenses for purchased library materials.
- Donations are capitalized at fair market value.
- A value is placed on items withdrawn from the inventory and that value is reflected in capitalization.

Donated Items

Donated items, valued at the threshold contained in this capitalization policy and which are items that the school otherwise would have bought and used in operations, shall be recorded in the school's general ledger account titled Fixed Assets (\$5,000 and over) at fair market value at the date of donation. Donated items, which are valued at less than the threshold contained in this capitalization policy, will be recorded in the school's general ledger account titled Supply Assets (less than \$5,000) at fair market value at the date of donation. Donated items, which are determined to have no fair market value, will not be recorded.

Depreciation Guidelines

Capital assets are recorded at original cost and depreciated over their estimated useful lives (with no salvage value). The SCCS defines capital assets as assets with an initial individual cost of more than \$5,000 and an estimated useful life in excess of one year. Donated capital assets are recorded at their estimated fair value at the date of donation. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expenses as incurred. Estimated useful life is management's estimate of how long the asset is expected to meet service demands. Straight-line depreciation is used based on the following estimated useful lives:

Property Category Life In Years

- Computer Hardware and Business Machines 3-5
- Instructional or short-term Software 3
- Copiers 3- 5
- Administrative or long-term software 6
- Communication Equipment 6

Disposition of Capital Assets

Capital assets which are obsolete, worn out, or no longer meet the requirements of the school, may be disposed of pursuant to NMSA (1978) 13-6-1 to 13-6-4, Sale of Public Property, transferred within the school campus to another department or classroom, or traded-in. A Fixed Asset Disposal Form must be completed in all cases for the disposition of any asset, including those, which are damaged by theft, and a Fixed Asset Relocation Form must be completed when assets are transferred from one location to another.

The Fixed Assets Disposal Form must be signed by the Business Manager, Executive Director, Network Administrator (for computer-related items only), and the Board President. Pursuant to NMSA (1978) 13-6-1 and 13-6-2, all licensed software and any electronic media (computer hard drives) must be completely erased before being disposed of. The Fixed Assets Relocation Form must be signed by the

Business Manager, ED and Network Administrator (for computer-related items only). The school Business Office will retain the approved forms to preserve the accuracy of the asset records.

C. (2) Identify the appropriate staff to perform financial tasks.

SCCS and K12 Accounting have been working collaboratively together in the preparation for the submission of this charter application. K12 accounting comes highly recommended as an expert in New Mexico Public School Finance and has a team of employees that serve public schools in New Mexico.

K12 accounting is a contracted service. K12 Accounting will assign both a highly qualified Business Manager and Assistant Business manager to work with SCCS team to provide high quality business management service.

The business manager will be responsible for:

Monthly

- Oversee Purchasing
- Oversee Accounts Payable including Travel & Per Diem
- Oversee Cash Receipts
- Oversee Bank Reconciliations
- Oversee Federal Programs
- Monitor Cash Flow
- Setup new vendors
- Setup new customers
- Maintains federal funds and reviews spending.
- Calculate indirect costs and enter journal entries.
- Submits Request for Reimbursement
- Journal entries as necessary
- Record, analyze and report financial transactions in accordance with General Accepted Accounting Principles (GAAP)
- Ensure compliance with applicable laws, regulations, and rules.
- Ensure compliance with Public Education Department General Administrative Regulations
- Provide the Governing Council/Board of Education with timely, accurate and relevant information in the form of a Finance Packet.
- Report to the Governing Council/Board of Education meetings.

Quarterly

- Provide all financial reporting to the New Mexico Public Education Department and required.

- federal agencies including, but not limited to, Cash Reports.
- Review Maintenance of Effort
- Medicaid Reimbursements
- Review Open PO Listing
- Prepare and present all Budget Adjustment Requests, as required.

Annually

- Review and create annual vendor contracts.
- Enter/Import new FY POs for recurrent expenditures.
- Oversee audit, provide auditors with all necessary materials, and respond to and clear all audit findings.
- Review federal awards from the prior year that need to be spent by 09/30.
- Reviews and approves 1099s.
- 1099 Electronic Submission
- Semi-Annual Time & Effort Certifications
- Grant applications
- Grant amendments
- Annual budget preparation
- Present budget to the public, Board of Education and New Mexico Public Education Department, and respond to any questions as needed.
- Analyze, develop, and implement policies, procedures and systems that improve the

District/School business operations in efficiency and effectiveness.

- Invest District funds and maintain and review reconciliation of all investments.
- Effectively handle employee and community complaints, problems and questions related to

The Assistant Business Manager will be responsible for:

Responsibilities:

1. Compile and maintain K12 Accounting-compliant records for:

- HR files for all employees
- Vendor files for all vendors
- Procurement files (as necessary)
- Payroll records
- Budget Adjustment Requests
- Grants & associated Requests for Reimbursement
- Governing Council Meeting Packets
- Other miscellaneous records

2. Manage/coordinate all HR and Payroll activities including, but not limited to:

- Collecting and entering timecards

- Collecting and entering employee leave

Print Payroll checks

- Reconcile Payroll Liabilities

3. Manage/coordinate all purchasing activities including, but not limited to:

- Process all Purchase Requisitions
- Place approved orders
- Process order receipts
- Enter invoices.
- Print A/P checks

4. Enter cash receipts

5. Maintain Capital Asset and Inventory records

6. Scan and upload all document to K12 Accounting Cloud storage

7. Support the following activities as necessary:

- Budget development
- Financial audit
- Fiscal Year End transition

8. Support Business Manager as necessary

C.(3) Provide a **clear, comprehensive, and cohesive plan** for how the Governing Body will provide proper legal and fiscal oversight.

Officers

The Officers of the Governing Board shall be a President, a Vice President, and a Secretary. The duties of the Officers are set forth herein. When the incumbent of an office is unable to perform the duties thereof or when there is no incumbent of an office (both such situations referred to hereafter as the “absence” of the Officer), the duties of the office shall, unless otherwise provided by the Board or these Bylaws, be performed by the next Officer set forth in the following sequence: President, Vice President, and Secretary.

Appointment and Tenure

All Officers shall be elected each year by the Board at its Annual Meeting for terms of one (1) year, (unless exigencies preclude such elections), with no maximum tenure or until their successors have been duly elected and qualified, or until their death, resignation or removal. Officers’ terms shall commence immediately following the Annual Meeting of the Board.

Resignations and Removal

Any Officer may resign at any time by giving written notice to the President or to the Secretary, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make

it effective. Any Officer may be removed by the Board whenever in its judgment the Officer fails to perform the duty of office or such other duties as appointed by the Board and the best interests of the School would be served thereby.

Vacancies

A vacancy in any office may be filled by the Board for the unexpired portion of the term of the officer being replaced.

Officers

1. **President:** The President of the Governing Board shall preside at all meetings and shall appoint committees with approval of the Governing Board. They shall have the right, as other members of the Governing Board, to make or second motions, to discuss questions, and to vote. The President of the Governing Board may not act for or on behalf of the Governing Board without prior specific authority from a majority of the Governing Board to do so. All communications addressed to the President shall be considered by him or her for appropriate action, which consideration may include consulting with legal counsel, and consideration by the Governing Board. The President shall sign legal documents as required by law and perform such other duties as may be prescribed by the Governing Board. It is the President's responsibility to ensure that Governance Board members uphold their commitments/responsibilities to the school. The President is responsible for compiling and communicating to the Secretary the topics for business to be placed on the agenda. The agenda shall incorporate all topics identified by the President or any other member of the Governing Board.

2. **Vice President:** The Vice President shall perform the duties of the President in the absence of the President or at the request of the President. In the event a vacancy occurs in the presidency, the Vice President will act in the capacity of the President until the office has been filled by a vote of the Board membership.

3. **Secretary:** The Secretary shall keep the minutes of the Governing Board meetings, subject to the direction of the President, assure that all notices are given in accordance with the provisions of the Charter, Governing Board policies and as required by law; shall countersign, when required, all authorized bonds, contracts, deeds, leases, or other legal instruments; and in general perform all duties incident to the office of Secretary and such other duties as from time-to-time may be assigned to the Secretary by the Governing Board. The Board may appoint a designee to assist with the responsibilities of the Secretary as described herein, including recording and transcribing the minutes of the meetings, posting notices and agendas and preparing packets for the Governing Boards' review. The Board Secretary will review the minutes prior to presentation to the Governing Board for approval. The Secretary shall be responsible for presenting the minutes to the Board at meetings.

Compensation

The officers shall not be compensated for their services; however, they may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.

Directors and Officers Insurance

The Governing Board may secure officers and directors insurance in excess of the coverage provided by the NM Public School Insurance Authority upon appropriate approval of the Governing Board and if provided for in the Charter school's approved budget.

Delegation

The Governing Board may delegate temporarily the powers and duties of any Officer, in case of such Officer's absence or for any other reason, to any other Officer, and may authorize the delegation by

any Officer of any of such Officer's powers and duties to any agent or employee subject to the general supervision of such Officer.

Standing Committees of the Governing Board

The Governing Board will have the authority to form the following committees based on the needs of the School:

1. **Advisory School Council:** (standing) SCCS shall create an Advisory School Council to assist the Executive Director with school-based decision-making and to involve parents in their children's education. The Advisory School Council shall be created and its membership elected in accordance with rules that will be adopted by the Governing Board. Membership on the Council shall reflect an equitable balance between school employees and parents and community members. At least one community member shall represent the business community, if such person is available. The Executive Director may serve as chair. The Executive Director shall be an active member of the School Council.

2. **Audit Committee:** (standing) The Audit Committee shall be constituted in accordance with NMSA 1978 §22-8-12.3. It shall consist of two Governing Board members, one volunteer member who is a parent of a student attending the charter school, and one volunteer member who has experience in accounting or financial matters. The Executive Director and Business Manager shall serve as ex-officio, nonvoting members of the committee. The Audit Committee shall:

- a) Evaluate the request for proposal for annual financial audit services (when applicable);
- b) Recommend the selection of the financial auditor (where applicable);
- c) Attend the entrance and exit conferences for annual and special audits;
- d) Meet with external financial auditors at least monthly after audit field work begins until the conclusion of the audit; audit;
- e) Be accessible to the external financial auditors as requested to facilitate communication with the Board and the Executive Director;
- f) Track and report progress on the status of the most recent audit findings and advise the Public Education Department on policy changes needed to address audit findings;
- g) Provide other advice and assistance as requested by the Board;
- h) Be subject to the same requirements regarding the confidentiality of audit information as those imposed by the Audit Act and rules of the state auditor; and
- i) Request of the administration or conduct independent spot checks of financial matters and report the results to the Governing Board.

3. **Finance Committee** (standing): The Finance Committee shall be constituted in accordance with NMSA 1978 §22-8-12.3. It shall assist the Board in carrying out its budget and finance duties. At least two members of the Governing Board shall serve on the Finance Committee. The Business Manager shall be required to attend all Finance Committee meetings. Specifically, the Finance Committee shall:

- a. Make recommendations to the Governing Board in the following areas: areas:
 - (1) Financial planning, including reviews of the school's revenue and expenditure projections;
 - (2) Review of financial statements and periodic monitoring of revenues and expenses;
 - (3) Annual budget preparation and oversight; oversight;
 - (4) Procurement; and
 - (5) Serve as an external monitoring committee on budget and other financial matters.

4. **Policy Committee** (optional): The Policy Development Committee is commissioned by and responsible to the Governing Board to assume the primary responsibility for matters pertaining to development of Governing Board policies.

5. **ad hoc committees**: The Governing Board has the authority to create ad hoc committees as deemed necessary. The policies and procedures that govern ad hoc committees will be determined as specified by the Governing Board action creating and approving the existence of any such committee, subject to the following: following:

a) Such committees shall be limited in power and scope to advisory functions; no decision-making authority of the Governing Board may be delegated to an ad hoc committee. Committee.

b) Such committees shall have a charter that clearly articulates the purpose, responsibilities, and membership of the committee.

Committee Selection and Membership:

1. **Election and Term**: Each committee shall have a chair determined by the Governing Board for a term of one year. Committee chairs may serve multiple terms. The members of each Committee may be chosen from time to time by the Governing Board or as otherwise permitted by the committee's charter, and shall serve for such period of time as the Governing Board shall from time to time determine or as stated in the committee's charter. The specific composition of the Audit and Finance Committees, however, shall be governed by the provisions of paragraphs A.2 and A.3 above.

2. **Meetings**: Committees may meet at such times and for such purposes as they shall from time-to-time determine. As permitted by the Open Meetings Act, committees involving less than a quorum of Governing Board members, and which serve in an advisory role only and which have no authority to make decisions on behalf of the Governing Board are not required to give public notice as they are not subject to the Open Meetings Act. Committees that are formed which do involve at least a quorum of Governing Board members or to which the Governing Board has voted to delegate the power to make decisions on its behalf shall be subject to the Open Meetings Act.

3. **Resignations and Removal**: Any chair of a committee may, at any time, resign by giving written notice to the Governing Board President or the Secretary. A member of a committee may, at any time, resign by giving written notice to that committee's chair unless otherwise specified therein, the acceptance of any such resignation shall not be necessary to make it effective. The Governing Board may remove any member of a committee whenever in its judgment the best interests of the School would be served thereby.

4. **Compensation**: Members of the committees shall not receive any compensation for their services; however, they may be reimbursed for reasonable expenses in accordance with the New Mexico Mileage and Per Diem Act.

Meetings of the Governing Board

All meetings of the SCCS Governing Board shall be held in accordance with the New Mexico Open Meetings Act, NMSA 1978 §§10-15-1, et seq. (as amended)

Meetings

1. The Governing Board shall have a Regular Meeting each month, as required by NMSA 1978 §22-5-12.

2. The Governing Board shall pass a resolution annually describing what notice of a public meeting is reasonable when applied to the SCCS Governing Board. The resolution shall describe appropriate notice and methods for posting agendas for regular, special and emergency meetings of the Board.

Special Meetings

Special meetings of the Governing Board may be called at the direction of the Governing Board. Such meetings are to be held at such time and place consistent with the Governing Boards annual resolution for conducting its public meetings.

Attendance via Telephone Conference Call.

Except to the extent otherwise provided by law, any meeting of the Governing Board may be attended by any or all of the Board Members by means of a conference telephone (or similar communications equipment) when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any other member of the Governing Board who speaks during the meeting. Such attendance shall constitute presence by the Governing Board member as if in person at such meeting and for purposes of determining a quorum. Any action taken by the Governing Board at such meeting shall constitute a valid action of the Governing Board.

Notice.

The Governing Board shall provide notice and post agendas in accordance with the New Mexico Open Meetings Act. Reasonable notice of the Governing Board shall include broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written requirement for such notice. Notice of meetings and the availability of meeting agendas shall be consistent with the Governing Board's annual resolution. Except in cases of emergency the Governing Board shall only act on matters identified on the agenda.

Emergency

An emergency meeting or agenda item is one necessitated by unforeseen circumstances that if not addressed immediately by the Governing Board, will likely result in injury or damage to persons or property or substantial financial loss to the public body.

Minutes

The Governing Board shall keep written minutes of all its meetings. The minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted. All minutes are open for public inspection. Draft minutes shall be prepared within ten working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present. Minutes shall not become official until approved by the Governing Board.

Confidential Matters of the Governing Board

The Governing Board recognizes that confidential information will be brought to the attention of individual Governing Board members and/or the Governing Board as a whole pertaining to, but not limited to, the following:

- A. Matters relating to the employment or dismissal of, or charges against, specific SCCS personnel;
- B. Matters relating to litigation or proposed litigation in which the Governing Board is or may become a party, or attorney-client communications; communications;
- C. Discussion of gifts, bequests, or donations where anonymity has been requested by the donor;

- D. Consideration of suspension, expulsion, or disciplinary action in connection with a student;
- E. Matters relating to the security of students, personnel, visitors, and/or school property; and
- F. Such matters that may arise and qualify as being confidential by law.

The Governing Board further recognizes that public disclosure of such information may result in injury to an individual or potential harm and possible liability to the SCCS and that the Governing Board members who must respect confidentiality of information that is privileged under applicable law. It is the policy of the Governing Board that Board members discuss or disclose confidential information only in connection with legitimate School business and only with individuals with a legitimate right to know.

Manner of Action

- A. Quorum: A majority of the seated Board Members, but no less than four (4), whether personally present or appearing telephonically shall constitute a quorum for the transaction of business at any meeting of the Governing Board.
- B. Financial Matters: The Governing Board shall approve all contracts up to the limit of the New Mexico Procurement Code, including that of the Executive Director. The Executive Director shall approve employee contracts.
- C. Manner of Acting: No action of the Governing Board shall be valid unless taken at a meeting at which a quorum as defined herein is present and which has been properly noticed pursuant to the New Mexico Open Meetings Act. NMSA (1978) §§10-15-1 et seq. (as amended).
- D. Majority Votes: throughout this document, majority vote indicates that a motion passes if it receives more than 50% of the votes cast. Unless otherwise stated, Governing Board decisions shall be made by majority vote.

Conflicts of Interest and Code of Ethics

- A. General Statement: It shall be the duty of each Governing Board member to voluntarily excuse them self from discussions of confidential information and abstain from voting on matters in which the Governing Board member has a personal or financial interest, including an interest by a member of the Governing Boards’ immediate family, or where the Governing Boards’ participation will or may compromise the confidential nature of the discussion. Failure to voluntarily remove themselves from such conflicts of interest may result in a vote to remove the members from the Governing Board. SCCS will implement and adopt the provisions of SB446 regarding conflicts of interest.
- B. Disclosure: Each Board Member agrees to complete and sign a Disclosure of Conflicts of Interest statement prior to accepting his/her position on the Board. In addition to this statement, Board Members shall annually update the disclosure statement and shall otherwise immediately notify the President of the Board when they become aware that an actual or potential conflict may exist.
- C. Conflict of Interest Policy: Each Board Member agrees to abide by the SCCS Conflict of Interest Policy adopted by the Governing Board.
- D. Code of Ethics: Each Board Member agrees to abide by the SCCS Code of Ethics adopted by the Governing Board.

Executive Director Selection

The Executive Director must hold a Level IIIB license or be able to obtain a Level IIIB license within two years. Preferred attributes for the position of Executive Director include: the ability to take charge of the academic program and recognize educational expertise; experience in leading an organization; a self-starter; a competent and dedicated teacher with established classroom experience; and a role model to other teachers. SCCS shall recruit individuals for the Executive Director position through a public process, such as by advertising in local and national newspapers and professional printed

media, referral, and through appropriate electronic recruitment mechanisms, or by engaging the assistance of a professional search firm.

MISCELLANEOUS

A. The SCCS Governing Board operations shall be compliant with the current statutes and administrative rules concerning charter school governing bodies.

B. Checks, Drafts, etc.: All checks, drafts, or other orders for the payment of money, and all notes or other evidence of indebtedness issued in the name of the school shall be signed by a minimum of two Officers, or agents of the school as designated by the Governing Board.

C. Books and Records: The Governing Board shall keep accurate and complete books and records of the actions of the Governing Board, which records shall be open to inspection by the members of the Governing Board at any time, or members of the public pursuant to the Inspection of Public Records Act, NMSA 1978 1421 et seq.

IV. Evidence of Support

A. Outreach Activities

A. Provide **clear, comprehensive, and cohesive** evidence that you have developed an effective and thoughtful outreach program.

The idea of an alternative educational option for Sierra County is not a new idea. Several of our founding members have been approached to address this need for many years. COVID drove the interest up. During the same time, after 22 years, the local private school closed their doors. While open, the school remained fully enrolled based on capacity and had a waiting list. The greatest issue in growth and sustainability was facility capacity and the cost of tuition to assure quality was greater than parent’s ability to pay. Our projected enrollment is based on the historical enrollment of the private school, their waiting list, and the decline in TCMSD enrollment post COVID. We believe this estimate is conservative based county birth rates vs. public school enrollment rates (23% difference), public school 1st grade enrollment vs. public school 12th grade enrollment (20% decline), based on national and state data indicating increased family interest in individualized educational learning for their students, and is based on the number of inquiries to our team for alternatives to TCMSD. SCCS hopes to attract those students who did not return to public school post-COVID.

The founding team engaged target population stakeholders in a variety of ways, across various platforms and in person. The major demographic and academic performance breakdown of the target population is described in detail in Section I.F3 - Anticipated Student Population.

B. Community Support

B. Provide **sufficient measurable**, quantifiable, and **qualitative** data-based evidence of abundant, broad-based support for the proposed school among residents in the targeted community. **DO NOT provide names or specific letters of interest from families or students.**

Historical Demonstration of Need

From 1999-2021 there was one nationally accredited K-12 Private School in Sierra County. The school remained fully enrolled based on capacity and had a waiting list. The greatest issue in growth and sustainability was facility capacity and the cost of tuition to assure quality was greater than parent’s ability to pay. Our projected enrollment is based on the historical enrollment of the private school, their waiting list, and the decline in TCMUSD enrollment post COVID. We believe this estimate is conservative based county birth rates vs. public school enrollment rates (23% difference), public school 1st grade enrollment vs. public school 12th grade enrollment (20% decline), based on national and state data indicating increased family interest in individualized educational learning for their students, and is based on the number of inquiries to our team for alternatives to TCMUSD. SCCS hopes to attract those students who did not return to public school post-COVID.

Key Community Stakeholder Meeting

In June of 2022 a group of predominate local business leaders who are also parents and grandparents, met to discuss the need for a school designed to meet the needs of students who were failing in the traditional school setting. They discussed a home school co-op, reopening the private school, and concluded that the most inclusive option was to apply for a charter. The group-initiated calls to their networks to gauge interest. The interest level was high. They formed the founding group.

Continued Interest from Parents

During the 2023-2024 school year, 27 unduplicated families have called AppleTree seeking to enroll their children in Manzano Christian School, a private school that used to operate within AppleTree’s 1300 S Broadway location. After informing families that Manzano is not providing in-person learning, they ask if the parents want their names added to a list of families interested in an alternative to TCMSC. The below list includes these families. Following the Letter of Intent, Rebecca Bartoo has maintained a list of individuals who have reached out to her directly. Below is a list of specific data;

23 Educators/Staff seeking information on employment

14 Local business members offering support from time, expertise, to donations

43 Unduplicated families representing 99 children under 8th grade have contacted a founder or other key stakeholder seeking to enroll their children. The ages/grades include;

Unduplicate d families expressing interest	kinder & under	1st	2n d	3rd	4th	5th	6th	7th	8th
43	32	7	8	9	11	7	5	7	6

Published notification to community

Following the submission of the Letter of Intent, the Sierra County Sentinel ran an informational article. The article ran on Feb 9th. Here is a link to the article.

<https://www.gpkmedia.com/search/?l=25&sort=relevance&f=html&t=article%2Cvideo%2Cyoutube%2Ccollection&app=editorial&nsa=eedition&q=charter+school>

Social Media Information

Parent social media post Following the news paper article, a parent posted a link to the Notice of Intent on the most predominate local social media platform. Here is the link to the Facebook post.

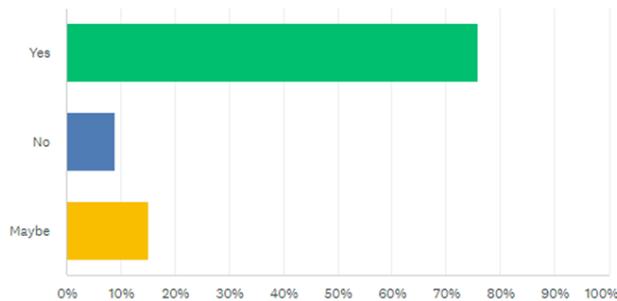
https://www.facebook.com/groups/1573310946221168/?hoisted_section_header_type=recently_seen&multi_permalinks=3452818398270404

The post received 47 comments and 9 shares. For context, that post was the highest performing post on the page for that quarter. Of the comments Facebook allows us to view, twelve comments were excited about a charter. Twenty-five comments were objective comments or the author was seeking more information. Two people expressed concerns about taking money away from TCMSD. Five people expressed their frustration with the public education system in general. In addition to comments, 66 people expressed their opinions by pressing the “button” features. Fifty-seven people expressed support by “thumbs-up”. Six people pressed the “heart” button. Two people pressed the “wow” button and one person pressed the “sad face.”

Founder Social Media Post Community Survey It is not uncommon to hear talk about a potential charter at community events such as Gymkhana, 4H, church, TorC Fiesta, TCMSD end of the year ceremonies, 2nd Saturday Art Hop. In response, the founder posted a Survey Monkey on the predominate local social media page. The survey was open for a week. The survey was open for a week. The filter allowed only one survey per respondent. 225 unduplicated individuals responded to the survey. 76% believe that a charter school would benefit Sierra County. 15.11% Are uncertain. 8.89% DO not believe a charter school would benefit Sierra County.

Would Sierra County benefit from a K-8 free, open enrollment Charter School?

Answered: 225 Skipped: 0



ANSWER CHOICES	RESPONSES
Yes	76.00%
No	8.89%
Maybe	15.11%

Overall interest- Considering the size of the County, the local interest in a charter is very high. Interest exceeds TCMSD reported engagement by parents and the public on issues such as the 4 day school week, closed campus during lunch, 4 point grade scale, and the number of community members who opted to review the new social studies curriculum.

C. Community Relationships

C. Clearly demonstrate that you have developed **meaningful and strategic** networking relationships or resource agreements with local community agencies, groups, or individuals. (not including formal partnership agreements that are integral to the proposed school's operations, as described in Section II. I (1) of this application.)

Our founding members are known and respected in our community and throughout our Southwest Region. When there is a community need, many reach out to our founders to meet that need. Parents sought out our founders, asking if they would help create a charter designed with the 21st CCLC students in mind. Our founders represent Sierra County families. They are community leaders, and own local businesses. They have been developing meaningful and strategic networking relationships for years. As a result, they knew just who to call for contract services and what buildings existed that could be utilized by SCCS. They are connected to community donors and existing services providers, assuring we can provide comprehensive resources and referrals to meet the needs of students outside of the school day. They are seasoned fundraisers for the local hospital and various non-profits. They are founders of other key non-profits and serve on various local and state boards.

They engage in local civic organizations. They have personal relationships with our state and local elected officials.

Our founders utilized their existing meaningful and strategic networking relationships to partner with various contracts such as K12 Accounting for business services. Gowen Hayes saw our request for business office services and recognized a founder's name from when he served as a state 4H officer with the founder's child. A founder who is familiar with USDA meals, picked up the phone and called Rex at Southwest Food Service. That founder is familiar with USDA school meals through past program management of various meal service contracts. One founder engaged with the NM Food Security Task Force during their time in public office. Another founder, before retiring from TCMUSD, served as the TCMUSD 21stCCLC coordinator and is familiar with AppleTree and their staff. They knew exactly who to contact to see if AppleTree would assist with transportation and 21st CCLC services. We are aware of Amplified Therapy through their FIT services, contracts with other public and charter schools, and because a founder served on a statewide, governor appointed board with the owner/operator of Amplified Therapy. When we realized, we would need to contract for a nurse, a founder called up the CEO at the local critical access hospital. They serve on Rotary together and the founder knew that the hospital is looking to increase community partnerships and outreach.

Ongoing project based learning is a key part of SCCS. The will require robust community partnerships and volunteers. We have contacted the following organizations who are aware of our intent and are prepared to provide support during project based learning.

Transportation and 21st CCLC Programing
AppleTree Educational Center
Amelia Wilcox
1300 South Broadway TorC, NM 87901
(575) 894-5646

Ancillary Services Amplified Therapy
Autumn Bruton
94 Box Canyon Road Cliff, NM 88028
(575)590-0824
autumnbruton@amplifiedtherapy.com

Nurse
Sierra Vista Hospital
800 East 9th Street TorC, NM 87901
(575)894-2111
support@svhnm.org
Behavioral Health Services

Volunteers
Sierra Joint Office on Aging
Foster Grandparent Program
Jennifer Gustin
575-297-4120
volunteerprograms2@senior-sjoa.org

Interns, On the Job Training, Specialized Training, Individualized Education Accounts
Workforce Innovation Opportunity Act (WIOA)

Department of Workforce Solutions Southwest Area
601 Sunset TorC, NM 87901
575-894-1263
www.employNM.com

Gila National Forest, Black Range District Office
1804 N Date St. TorC, NM 87901
575-894-6677

The Gila National Forest Black Ranger District is located in Eastern and Southwest NM. The Black Range Mountains stand as a landmark. Elevations range between 4,200 ft. and 10,000 ft. creating a diverse flora and fauna for explorers in the region. Sierra Community Charter School plans on outdoor learning trips to the Gila National Forest Black Range to learn about ecosystems, habitats, and animals that live there.

Bureau of Reclamation, Elephant Butte Field Division
4696 NM-51 TorC, NM 87901
575-894-6661

New Mexico State Parks
Hwy 187 TorC, NM 87045
575-743-3942

Elephant Butte Lake, State Parks, and the BLM are all located in Sierra County. It is the largest state park in NM with over 200 miles of shoreline. At SCCS we plan to explore the lake, Elephant Butte Dam and hydroelectric facility, and the Rio Grande River that flows into and out of the lake. There are a variety of species of fish, birds, and other animals surrounding the lakes that are an example of our unique, diverse geographical location in Sierra County. We will explore and learn about the local habitats through outdoor learning experiences.

Caballo Lake State Parks is located south of Elephant Butte Lake and is another beautiful reservoir and piece of the irrigation district that feeds into the agricultural valley that runs further south. It is a local lake that is available to explore more plants, animals, and habitats for students through outdoor learning activities. The Elephant Butte Lake and Caballo Lake also represent a unique piece of history from the Works Progress Administration through President Roosevelt.

Community Peer Workers, Peer Support Workers, Family Support Services, Homeless Support
The Olive Tree
807 Fir Street, TorC NM 87901
575-937-2944
lisa.daniel@olivetreenm.org

Support for 4H youth development, project books, field trips, project based learning, presentations
Sierra County Extension Office
2101 Broadway TorC, NM 87901
Diane Ham/Sara Marta
575-894-2375
diham@nmsu.edu / skmarta@nmsu.edu

Ag In The Classroom, ICAN, free resources and publications, classroom presentations
New Mexico Department of Ag
2101 Broadway TorC, NM 87901
Jeni Neeley
jenineeley@nmsu.edu

Interns, volunteers grant resources, rolling water trainer
Sierra Soil and Water Conservation District
2101 S. Broadway TorC, NM 87901
575-894-2212
jennie@sierrasoil.org

Many more partnerships are in development and will be formalized when SCCS is approved to proceed. Examples include NM Veterans Home, TorC Main Street, Sierra Vista Nursing Home, TorC Chamber of Commerce, Elephant Butte Chamber of Commerce, NM Veterans Service Organizations, Friends of Elephant Butte and more.

V. Applicant Remarks

Additional Remarks: The applicant team is invited to provide additional remarks, not to exceed 500 words. This section will not be rated by the Peer Review Team.

ENTER APPLICANT RESPONSE HERE:

Until a week ago, the Five-Year Budget Plan was from 2022-2023. Thank you to Melissa for providing an updated form before the deadline. It was very difficult to complete the budget because we couldn't find clear directions on figuring HB33, SB 9, a proper place to input for Space Port Levi-Sierra, Forest Reserve Fund, and how to factor New Charter School Funds. In the final days we were able to connect with K12 Accounting, a life saver.

Appendices D- Proposed Agreements. SCCS will use K12 Accounting and have attached that agreement. The other agreements are still under negotiations; therefore, they are not attached. We are in conversations with each of the other proposed contractors. They are aware of our application and are available to engage with PED during the next stage of the process.

We are waiting until the next stage to develop a website, phone, logo, etc.

VI. Appendices and Attachments

	Appendix Description	File Naming Convention	Attached (Check if Yes)
A	II-A1 Governing Body Bylaws	A School Name Bylaws	<input checked="" type="checkbox"/>
B	II-C3 Head Administrator Job Description	B School Name Head Admin	<input checked="" type="checkbox"/>
C	II-D2 Job Descriptions for Certified, Licensed, and Other Key Staff	C School Name Job Descriptions	<input checked="" type="checkbox"/>
D	II-I2 Proposed Agreements Governing Third Party Relationships and Memoranda of Understandings (MOUs) (*Required if applicable*)	D School Name MOUs	<input checked="" type="checkbox"/>
E	II-L1 PSFA-Approved Projected Facility Plan Documentation	E School Name Facility Plan	<input checked="" type="checkbox"/>
F	III-B1 Five Years of 910B5 State Equalization Guarantee (SEG) Computation Revenue Estimate Worksheets	F School Name 910B5	<input checked="" type="checkbox"/>
G	III-B2 Five-year Budget Plan	G School Name Budget Plan	<input checked="" type="checkbox"/>
H	III-C1 Internal Control Procedures	H School Name Internal Control	<input checked="" type="checkbox"/>