

New Mexico Public Education Commission



New Mexico Charter School Performance Framework

Approved by the PEC: ~~October 20, 2023~~

Updated: ~~February 16, 2024~~

For *[insert school name]*

For the charter term: *[insert charter term]*

~~Charter Schools Division~~
Public Education ~~Department~~Commission
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School Selection Academic Framework Options & Mission Goals

The school selects the following academic performance options:

Option 1: For schools that are comfortable relying on the state assessment system (VISTAS) and do not want to submit additional data.

Option 2: For schools that wish to have the option of providing supplemental performance data and agree to provide the student-level data.

Option 3: For schools that wish to make their own performance framework that does not rely on state performance system (VISTAS) and agrees to provide all of the student-level data to produce the outcomes.

A school that chooses Option 3 may do so for Indicators 1A, 1B.

A school may propose to PEC if they wish to be held to 2.C.2. instead of 2.C.1

		State Accountability System
Option	Selection (Choose 1)	Description
<u>1.A.1</u>	<input checked="" type="checkbox"/>	<u>Note: No additional information required since state accountability system is used</u>
<u>1.A.2</u>	<input checked="" type="checkbox"/>	<u>The school may use the supplemental proficiency and growth data as set forth in the indicator</u>
<u>1.A.3</u>	<input checked="" type="checkbox"/>	<u>The school's overall performance on the state accountability system is replaced with the PEC-approved performance system attached to this document.</u>

Commented [1]: See below. Approved by PEC.

Commented [2]: CSD: I do not think it belongs here; I don't like the way it is in the currently approved version, which repeats too much information; it should be at the end and should be more concise

Commented [3R2]: PEC: Move outside of this document. This is a one-pager to provide to schools up for renewal.

Commented [4]: See sample first page summary.

Commented [5R4]: PEC: Do not add the summary within this document. Move to a one-pager.

Naomi: Changed language from "will" to "may" for option 2.

Outcomes for Student Growth		
Option	Selection (Choose 1)	Description
1.B.1	<input checked="" type="checkbox"/>	<u>Note: No additional information required since state accountability system is used</u>
1.B.2	<input checked="" type="checkbox"/>	<u>The school may use the supplemental proficiency and growth data as set forth in the indicator.</u>
1.B.3	<input checked="" type="checkbox"/>	<u>The school's overall performance on the state accountability system is replaced with the PEC-approved performance system attached to this document.</u>

Mission Specific Goals

The school has identified one/two mission specific goals. A tracking sheet has been negotiated to score this goal annually and is attached to the contract documentation.

Condition: n/a

<u>Condition:</u>	
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Commented [6]: PEC: Move to one-pager. Remove from this document.

Commented [7]: PEC: Do not add any new language. Less is more with revisions.

Introduction

The New Mexico Charter Schools Performance Framework supports the Public Education Commission (PEC), state-authorized charter schools, and the Charter Schools Division (CSD) in answering a series of three questions posed by an approach called [Results-Based Accountability](https://clearimpact.com/results-based-accountability/)TM: How much did each charter school do? How well did they do it? Is anyone better off as a result?¹ This process resulted in measures that include both *school-specific performance indicators* that give schools flexibility in capturing how their mission is being operationalized and fulfilled and *universal performance indicators* applied across all state-authorized charter schools. These universal performance indicators capture the PEC’s priorities surrounding standard quality processes and outcomes across all schools in its portfolio.

The Performance Framework provides a roadmap for the annual evaluation of the performance of state-authorized charter schools and is a material term of the charter schools’ contracts, as stated in NMSA §22-8B-9.1 (1978).

How the Performance Framework Is Used

As the authorizer of state-chartered schools, the PEC uses the Performance Framework as the primary tool for school monitoring and accountability. The PEC, in collaboration with the CSD, has designed the New Mexico Performance Framework to be more than just that. In addition to providing transparent criteria by which the PEC will consider to make informed charter authorization decisions, the Performance Framework is also intended to support all parties with the following:

- 1) Understanding where schools are strong and where they need support,
- 2) Supporting schools’ internal continuous improvement efforts,
- 3) Identifying and celebrating promising practices and programs, and
- 4) Providing the PEC and individual schools with data and stories that help communicate a meaningful and positive narrative about New Mexican students, communities, and schools.

Statutory Requirements for the Performance Framework

This document meets the requirements of New Mexico Statutes Annotated §§ 22-8B-9 and 9.1, NMSA 1978, and will allow the PEC and CSD to effectively monitor school performance in a transparent and clear manner. According to § 22-8B-9(B.11), “the process and criteria that the chartering authority intends to use to annually monitor and evaluate the fiscal well-being, overall governance, and student performance of the charter school, including the method that the chartering authority intends to use to conduct the evaluation as required by Section 22-8B-12 NMSA 1978.”

¹ <https://clearimpact.com/results-based-accountability/>

Commented [8]: JHB Comment: Can the introductory text be moved to the end? The actual document starts several pages into the document.

Commented [9R8]: PEC: Leave where is.

Commented [10]: CSD: It should remain at the beginning; the 2019 PF has an even lengthier introduction; this one is concise in comparison.

Commented [11R10]: PEC agrees with CSD -- Keep introduction at the start.

Further, the following is required for a performance framework:

§ 22-8B-9.1. Performance Framework

- A. The performance provisions in the charter contract shall be based on a Framework that clearly sets forth the academic and operations performance indicators and performance targets that will guide the chartering authority's evaluation of each charter school. The Performance Framework shall be a material term of the charter school contract and shall include performance indicators and performance targets for, at a minimum:
- (1) student academic performance;
 - (2) student academic growth;
 - (3) achievement gaps in both proficiency and growth between student subgroups;
 - (4) attendance;
 - (5) recurrent enrollment from year to year;
 - (6) if the charter school is a high school, post-secondary readiness;
 - (7) if the charter school is a high school, the graduation rate;
 - (8) financial performance and sustainability; and
 - (9) governing body performance, including compliance with all applicable laws, rules, and terms of the charter contract.
- B. Annual performance targets shall be set by each chartering authority in consultation with its charter schools and shall be designed to help each charter school meet applicable federal, state, and chartering authority expectations as set forth in the charter contracts to which the authority is a party.
- C. 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.
- D. The performance framework shall require the disaggregation of all student performance data collected in compliance with this section by student subgroup, including gender, race, poverty status, special education or gifted status, and English language learner.
- E. The chartering authority shall collect, analyze and report all data from state assessment tests in accordance with the performance Framework set forth in the charter contract for each charter school overseen by that chartering authority.

NMAC 6.2.9.11 – 6.2.9.13 provides further direction regarding how this Performance Framework and the performance indicators will be incorporated into the CSD annual reports and possibly form the basis for corrective action issued by the PEC to the school.

Framework, Categories, and Performance Indicators

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

For each performance indicator, the PEC has determined the performance measure and performance criteria. For a number of performance indicators in the Academic Framework, the PEC has embedded school choice in selecting performance measures. This provides flexibility for a school to demonstrate academic performance that is directly aligned with its mission, vision, and educational program and meets the needs of its families.

Annual Evaluation and Reports

Schools will receive an annual evaluation based on their performance on all three areas of the Performance Framework combined (Academic, Organizational and Financial). The annual evaluation provides the PEC and the public with information about the school's overall performance in the previous school year. The evaluation provides the school with useful information on their performance and transparency into their strengths and areas for improvement. The purpose of providing this evaluation is to set clear expectations, promote continuous improvement and provide clear results contained in the school's record of performance as required by NMAC 6.2.9.11.

The CSD may recommend, and the PEC may provide a notice of exemplary performance, a notice of satisfactory performance, a notice of unsatisfactory performance or a notice of uncorrected unsatisfactory performance based on the Annual Report. A school may receive a notice of unsatisfactory or uncorrected unsatisfactory performance for any indicator that scores below a "Meets Performance Expectations" even if a school earns an overall evaluation rating of "On Track for Expedited Renewal" or "On Track for Renewal."

PEC will then accept the annual reports, issue corrective action as it deems necessary during the term of the charter contract and make a decision on renewal at the end of the charter term on the full record of performance and consistent with § 22-8B-12, NMSA 1978 and NMAC 6.2.9.11, 12, 13, 16 and 17.

Commented [12]: JHB Comment: Possibly start with this page and move pages above to the end?

Commented [13R12]: PEC disagrees; leave as is.

Overall Evaluation		
Tier Status	Likely Renewal Outcome ²	Description
Tier 1	On Track for Expedited Renewal	The school earns Meets or Exceeds for all performance indicators in all frameworks.
Tier 2	On Track for Renewal	The school earns a Meets or Exceeds in all performance indicators in the Academic Framework and earns Working to Meet or Meets for all performance indicators in the Financial and Operational Frameworks.
Tier 3	On Track for Renewal with Conditions or Possible Non-Renewal	The school earns Working to Meet in one or more performance indicators of the Academic Framework but does not meet the criteria for Does Not Meet Performance Expectations .
Tier 4	Not on Track for Renewal	Earns a Does Not Meet in 1.A or 1.B. or in three (3) or more performance indicators of the Academic Framework. OR The school earns (8) eight or more Does Not Meet ratings across the Academic, Organizational, and Financial Frameworks.
	Not Applicable	The school is in its first year of operation. Data will be displayed for each applicable measure for informational purposes only.

² While the Overall Evaluation provides a likely renewal outcome to provide transparency and clarity on the performance of a school, the designations are intended as an acknowledgment of positive performance or a warning and should trigger action on the part of the school to improve its performance. Actual non-renewal is a determination made by PEC only at the time of renewal based on a school's record of performance across the entire contract term.

Individual Performance Indicator Ratings

Each Performance Indicator will receive one of the following ratings based on the criteria established. Failure of the school to provide data will result in a "Does Not Meet" Performance Expectations.

Performance Indicator Rating	Definition
Exceeds Performance Expectations * Academic Framework Only*	The school's outcomes are exemplary in this academic performance indicator.
Meets Performance Expectations	The school's outcomes meet expectations in this performance indicator.
Working to Meet Performance Expectations	The school is showing inconsistencies in the performance indicator that may warrant oversight to ensure outcomes are met.
Does Not Meet Performance Expectations	The school is not meeting the expectations in the performance indicator, which warrants oversight ensure outcomes are met.
Not Applicable	Academic and Organizational Frameworks: The school is in its first year and lacks sufficient data to be rated. Financial Framework: The school is in its first two years of operation and lacks sufficient data; financials will be reviewed, however, and feedback provided.

The Performance Framework is scored according to business rules approved by the PEC and posted here: <https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/>

- Commented [14]: CSD: agree with this addition
- Commented [15R14]: PEC agrees to include the link

Part I: Academic Framework

The PEC and CSD provide a fair and equitable academic oversight process for the public charter schools within PEC's portfolio. Therefore, this Academic Framework embeds choice for each school in determining the assessments used. Each school will negotiate with the PEC to include mission-specific measures and optional assessments. Results for each performance indicator will be determined annually and included in an overall performance rating.

Option ³	Performance Measure	Performance Criteria
1.A. State Accountability System: The school ensures students meet or exceed the expectations established by PED for all New Mexican students, including sufficient academic achievement and academic growth. ⁴		
1.A.1.	The school's overall performance on the state accountability system as compared to all other public schools.	<p>Exceeds: 76th to 99th percentile</p> <p>Meets: 51st to 75th percentile</p> <p>Working to Meet: 26th to 50th percentile</p> <p>Does Not Meet: 25th percentile or below (intervention category)</p>
1.A.2.	The school's overall performance on the state accountability system, AND Supplemental proficiency and growth data ⁵ using PED-approved nationally and/or state-normed assessments ⁶ or, under special circumstances, with PEC-approved rationale, nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as	<p>Exceeds: 76th to 99th percentile on the state accountability system</p> <p>OR</p> <p>51st to 75th percentile on the state accountability system AND, based on the school's assessment and growth measure⁸, at least 80% of students meet one or more of the following proficiency or growth criteria⁹ in both reading and math:</p> <ul style="list-style-type: none"> • At or above grade level (or grade level equivalent) • Meet their growth target • Show the equivalent of one year's worth of growth • Other, as defined by the testing company

Commented [16]: JHB Comment: I think it was confusing to schools to have footnotes with information in this document and also in the Business Rules. I think anything like a business rule should go into the Business rules.

Commented [17]: CSD: I'd like to review all footnotes alongside business rules to see what is duplicated and can be cut and what needs to stay.

Commented [18R17]: PEC agrees to remove any footnote that exists in the business rules.

Commented [19]: JHB: SODA asked if a school could show Growth and/or Proficiency through the sub-scorings of Vistas. Is this possible?

Commented [20R19]: Add to business rules: For 1.A.2 -- EITHER Vistas for both math and ELA/reading OR reading and math on supplemental assessment.

Commented [21R19]: Data collection templates do not allow for Vistas.

³ One option will be chosen by each school for 1.A., 1.B., and 2.A. only. Options 1.A.1. and 1.B.1 are the default options; schools may negotiate options 1.A.2., 1.A.3. 1.B.2., and 1.B.3. during contract negotiations. The academic performance indicators negotiated as part of the charter contract and associated performance framework are intended to remain unchanged for the duration of the charter contract.

⁴ If the school selects Option 1.A.2. or 1.A.3. and fewer than 85% of students identified to be tested are tested on school-specific assessments, the results are considered invalid, and the school defaults to Option 1.A.1. If testing data are not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school defaults to Option 1.A.1. If the school wishes to change assessments or growth targets, it is considered a material change of the contract and requires PEC approval prior to the change through a contract amendment.

⁵ In using the alternative assessment measure, the same students tested under the state accountability system will be tested under the alternative assessment measure as well. A school may negotiate with the PEC to test more students under the alternative assessment measure, but, in all cases, those students tested under the state accountability system will also be assessed under the alternative assessment measure.

⁶ As determined by the PED Assessment Bureau: <https://webnew.ped.state.nm.us/bureaus/assessment/>

⁸ As defined in the charter contract and meets the terms defined by the testing company.

⁹ These criteria also apply to the "Meets" and "Working to Meet" criteria for this option.

	agreed to in the school's charter contract. ⁷	<p>Meets: 51st to 75th percentile of all schools on the state accountability system</p> <p>OR</p> <p>26th to 50th percentile on the state accountability system AND, based on the school's assessment and growth measure, at least 60% of students meet one or more of the proficiency or growth criteria.</p> <p>Working to Meet: 26th to 50th percentile of all schools</p> <p>OR</p> <p>25th percentile of all on the state accountability system AND, based on the school's assessment and growth measure, at least 50% of students meet one or more of the proficiency or growth criteria.</p> <p>Does Not Meet: Does not meet the criteria established for "Exceeds," "Meets," or "Working to Meet."</p>
1.A.3.	The school's overall performance on the state accountability system is replaced with a PEC-approved performance system using PED-approved nationally normed assessments ¹⁰ or, under special circumstances, with PEC-approved assessments that are nationally and/or state-normed with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract. ¹¹	<p>The school must negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC.</p> <p>Exceeds: ≥ 80% of possible points</p> <p>Meets: < 80% but ≥ 65% of possible points</p> <p>Working to Meet: < 65% but ≥ 50% of possible points</p> <p>Does Not Meet: < 50% of possible points</p>
		<p><u>The school must negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC.</u></p> <p>Exceeds: ≥ - 75.1% of possible points</p> <p>Meets: < 50.1% but ≥ 75% of possible points</p> <p>Working to Meet: < 25.1% but ≥ 50% of possible points</p> <p>Does Not Meet: < 25% of possible points</p>
<p>1.B. Outcomes for Student Groups: The school ensures the following student groups demonstrate academic excellence through individual growth: male, female, low-income, English learners, students with disabilities, and race/ethnic groups: Native American, White, Black, Asian, and Hispanic.</p>		

Commented [22]: JHB Comment: Re-enrollment schools may need a different type of model: The hard-wired scoring levels are very high for a re-enrollment school. They may want different sections of the PF changed as well (like 1.C. Participation and 2.B. recurrent enrollment. Does any other type of school want to use Option 3 or it is too prescriptive?

Commented [23R22]: "Re-engagement schools" is the correct term.

Commented [24R22]: Change language to allow Option 3 to allow schools to also negotiate 1.C. But PEC determines whether they agree.

Commented [25]: CSD: I think Naomi's change addresses?

Commented [26R25]: This change provides consistency between 1.A.1 and 1.A.3

Commented [27]: JHB Comment: This is not consistent with the business rules or Option 1.A.1

Commented [28R27]: Clarification: This scoring is not consistent with the scoring criteria for 1.A.1 (above).

Commented [29]: ND said: Updated to match the same scale as Option 1. This was a drafting error, not a decision-point.

Commented [30R29]: PEC Agrees with this change.

⁷ Note 4 applies.

¹⁰ Note 6 applies.

¹¹ Note 4 applies.

1.B.1.	The school's performance on the state accountability system for student groups with ten (10) or more students using the state-generated rating, if applicable. ¹²	<p>Exceeds: In reading and math, each student group has ana median (Student Growth Percentile) SGP of at least 60</p> <p>Meets: In reading and math, each student group has ana median SGP of at least 45</p> <p>Working to Meet: In reading and math, at least half of student groups have ana median SGP of at least 35</p> <p>Does Not Meet: In reading and math, over half of the student groups have ana median SGP of below 35</p>
1.B.2.	The school's performance on the the state accountability system by special student groups, AND Growth data ¹³ using PED-approved nationally normed assessments ¹⁴ or, under special circumstances, with PEC-approved rationale, nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract. ¹⁵	<p>Exceeds: In reading and math, each student group has ana median SGP of at least 60 OR at least 70% of students meet their growth target on the school-based accountability system</p> <p>Meets: In reading and math, each student group has ana median SGP of at least 45 OR at least 60% of students meet their growth target, as per their assessment guidelines</p> <p>Working to Meet: Does not meet the criteria for Meets or Exceeds, but the school's performance is higher than identified in Does Not Meet</p> <p>Does Not Meet: In reading and math, over half of the student groups have ana median SGP of below 35 OR over half of the student groups have fewer than 30% of students meet their growth target, as per their assessment guidelines</p>
1.B.3.	The school's performance on the state accountability system for student groups is replaced with a PEC-approved performance system using PED-approved nationally	<p>The school must negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC.</p> <p>Exceeds: $\geq 80\%$ of possible points</p> <p>Meets: $< 80\%$ but $\geq 65\%$ of possible points</p>

Commented [31]: PEC agrees

Commented [32]: CSD: late in the game to point this out, but NMSA 22-8B-9.1 A. (3) PF requirements include achievement gaps in both proficiency and growth for student subgroups; PF 1B only addresses growth; Jody's initial templates allowed student to meet by showing proficiency or growth but templates were revised to require growth only to align with PF 1B1 and 1B2 add median before each instance of SGP
11-12 1B3 comment: not consistent

Commented [33R32]: As stated above, it's also legally allowed.

Commented [34R32]: PEC disagrees and wishes to keep 1.B as just growth.

Commented [35]: Remove the scale.

¹² When a school does not have at least 10 (ten) students in any state-recognized student group, the school receives no score for that group, which does not impact positively or negatively their overall outcome for this performance indicator. If the school has ten (10) or more eligible students in a student population and tests fewer than 85% of the students, the untested students will be considered "not meeting their growth target" and will impact the overall percentage for that student group.

¹³ Note 5 applies.

¹⁴ Note 6 applies.

¹⁵ If the school has ten (10) or more eligible students in a student population and tests fewer than 85% of the students, the untested students will be considered "not meeting their growth target" and impact the overall percentage for that student group. If fewer than 85% of **ALL** students are tested on the school-specific assessments, the results are considered invalid, and the school defaults to Option 1.B.1. If testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school defaults to Option 1.B.1. If the school wishes to change assessments or the growth targets, it is considered a material change of the charter contract and requires PEC approval through a contract amendment.

<p>normed assessments¹⁶ or, under special circumstances, with PEC-approved assessments that are nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract.¹⁷</p>	<p>Working to Meet: < 65% but ≥ 50% of possible points Does Not Meet: < 50% of possible points</p>
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Commented [36]: CSD: I think Naomi's change addresses?

Commented [37]: JHB Comment: This is not consistent with the business rules

Commented [38R37]: Correction: This is not consistent with how 1.B.1 and 1.B.2 work. Jody and I suggest that we make 1.B.3 consistent with 1.B.2 in scoring.

¹⁶ Note 6 applies.

¹⁷ Note 12 applies.

		<p><u>ND proposed to strike the item above and replace with this</u></p> <p><u>Exceeds: In reading and math, each student group has a median SGP of at least 60 OR at least 70% of students meet their growth target on the school-based accountability system</u></p> <p><u>Meets: In reading and math, each student group has a median SGP of at least 45 OR at least 60% of students meet their growth target, as per their assessment guidelines</u></p> <p><u>Working to Meet: Does not meet the criteria for Meets or Exceeds, but the school's performance is higher than identified in Does Not Meet</u></p> <p><u>Does Not Meet: In reading and math, over half of the student groups have a median SGP of below 35 OR over half of the student groups have fewer than 30% of students meet their growth target, as per their assessment guidelines</u></p>
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Commented [39]: This is taken directly from 1.B.2 and align with the data collection templates.

1.C. Participation Rate: The school assesses student progress and achievement annually.	
The school complies with state and contractual assessment requirements.	<p>Participation in all state-wide assessments:</p> <p>Exceeds: ≥ 95% of all students AND of every student group</p> <p>Meets: ≥ 95% of all students</p> <p>Working to Meet: < 95% but ≥ 85% of all students</p> <p>Does Not Meet: < 85% of all students</p>
Option 3 – for re-engagement alternative education campuses only	<p>Participation in assessments used for 1.A.3:</p> <p>Exceeds: ≥ 95% of all students AND of every student group</p> <p>Meets: ≥ 95% of all students</p> <p>Working to Meet: < 95% but ≥ 85% of all students</p> <p>Does Not Meet: < 85% of all students</p>
2.A. Mission Goals: The school's education program effectively supports mission implementation, student academic success, and overall student well-being that supports the community in which they serve. ¹⁸	
2.A.1.	<p>Provide ONE Mission-Specific Goal that covers and assess all students at the school related to the School mission.</p> <p>Within the charter contract, briefly describe what the school is doing to meet its mission and how it will be measured¹⁹ to demonstrate that students are better off as a result.</p> <p>Supporting Narrative: Using Results-Based Accountability (RBA) as a model, reflect on the following questions: How much did the school do? How well did the school do? Is anyone better off as a result? How do you know?</p> <p>Exceeds: exemplary performance as set forth in this Performance Framework</p> <p>Meets: meets performance as set forth in this Performance Framework</p> <p>Working to Meet: earns working to meet performance as set forth in this Performance Framework</p>

Commented [40]: PEC does not want to allow for flexibility in state assessment participation.

Formatted Table

¹⁸ If fewer than 85% of students identified to be tested are tested on the mission-specific assessment, the results are considered invalid, and the school's mission goal will be considered "Does Not Meet." If the testing data is not provided to CSD for review by the timeline established by CSD, the results are considered invalid, and the school's mission goal will be considered "Does Not Meet." If the school changes assessments or the way in which the measure is calculated, it is considered a material change of the charter contract and requires prior PEC approval.

¹⁹ All students at the school should participate in the mission of the school, so the goal should cover and assess all students at the school. The assessment can vary by grade and certain assessments can be more rigorous than others (i.e. if a school's mission culminates in a senior-year capstone project, the senior year assessment can be the most rigorous, and the assessments of 9-11 grade students could be assessed showing that they are gaining the building blocks necessary to be successful in their senior year capstone project such as learning and practicing interview skills needed for the capstone project.)

	do it? Is anyone better off as a result? How do you know?	Does Not Meet: does not meet performance as set forth in this Performance Framework
2.A.2.	Schools may optionally add a second Mission-Specific Goal into their charter contract that follows the guidance under the same guidelines as for Option 2.A.1. The school will receive a rating for each goal.	
2.B. Education Program Implementation: The school's education program fulfills a need in the community in which they serve, as documented in their charter contract and PEC-approved amendments.		
	The school is implementing the program as outlined in its charter contract.	<p>During the annual site visit conducted by CSD:</p> <p>Meets: All elements of the education program as outlined in the charter contract are implemented when CSD does its annual site visit review.</p> <p>Working to Meet: Due to lack of observable evidence, CSD is unable to confirm that all elements of the education program as outlined in the charter contract are implemented at its annual site visit review, but the school is able to submit evidence within 90 days of the review to confirm implementation.</p> <p>Does Not Meet: One or more elements of the school's education program as outlined in the charter contract are not implemented when CSD does its annual site visit review nor submitted within 90 days of the review.</p>
2.C. Conducive Learning Culture: The school's culture meets the needs of the community in which it is located and equitably encourages all students to thrive in their learning environment.		
	Eligible student re-enrollment (recurrent enrollment) in the school from the 40 th day count of the previous school year to the 40 th day count of the current school year. ²⁰	<p>Percentage of eligible students who re-enroll:</p> <p>Exceeds: ≥ 90%</p> <p>Meets: < 90% but ≥ 80%</p> <p>Working to Meet: < 80% but ≥ 70%</p> <p>Does Not Meet: < 70%</p>

²⁰ The combined re-enrollment rate for all eligible students for elementary, middle, and high school grade bands. For each school, "eligible students" are defined by enrolling at the start of the previous school year (or Year 1) in one of the "starting grades." Starting Grades are: K, 1, 2, 3, 4, 6, 7, 9, 10, and 11. Students enrolling at the start of the previous school year in grades 5, 8, or 12 will not be considered in this measure, as students tend to switch schools for middle and high school and leave high school after 12th grade. A "re-enrolled student" is an "eligible student" who is enrolled in the school in the fall of the current year. CSD may take into consideration extraordinary circumstances and evaluate schools based on information as provided.

~~Option 2:~~ ~~Option 3:~~ The ~~quarterly/trimester/semester~~ average re-enrollment rate for eligible students within the school year.²¹

²¹ Eligible students for ~~this metric~~ ~~Option 3~~ are students who are counted on “count day” in a quarter/~~trimester/semester~~ and have not graduated, moved out of state or area, been incarcerated, become ill or died before the count day or the next quarter/~~trimester/semester~~.
Performance Framework Approved ~~10.20.23~~, Updated ~~2.16.24~~10/2023

Part II: Organizational Framework

The PEC and CSD are dedicated to providing a fair and equitable organizational oversight process for the state charter schools within PEC's portfolio. Therefore, this details the organizational requirements of state charter schools. Results for each performance indicator will be determined annually and included in an overall performance rating. The Organizational Framework has three categories and six performance indicators designed to encourage transparent, compliant public schools.

Commented [41]: PEC: No additional changes should be made at this point to the framework.

Performance Indicator	Performance Measure	Performance Criteria
3.A. Governing Body Membership, Training, and Responsibilities: The governing board effectively oversees the school's management to ensure that the school is financially responsible, compliant with applicable laws, and fulfilling its mission and the academic success of students.		
3.A.1. Membership	The number of governing council members stays within the range designated in the school's bylaws.	<p>Meets: The number of governing council members stays within the range designated in bylaws during the school year, or if it drops below, all vacancies are filled within 45 days (or 75, with an extension provided by the CSD)</p> <p>Does Not Meet: The number of governing council members during the school year is below the number designated in bylaws for more than 45 days (or 75 with extension)</p>
3.A.2. Training	All members of the governing body, and new members who have served for at least six months, have completed all training hours required by CSD and PEClaw by the end of the fiscal year.	<p>Meets: All members of the governing body and new members who have served for at least six months on the school's board have <u>have</u> completed all training hours required by CSD and PEClaw <u>by law</u> by the end of the fiscal year.</p> <p>Working to Meet: At least 80% of required total training hours combined for the governing body, and new members who have served for at least six (6) months have <u>have been</u> completed all training hours <u>as</u> required by CSD and PEClaw by the end of the fiscal year.</p> <p>Does Not Meet: The school did not meet the criteria for Working to Meet.</p>
3.A.3. Meeting Transparency and Documentation	The school is in compliance with publicly posting meetings, minutes, and calendar of meetings.	<p>Meets: The school provides an accurate board calendar. For EVERY meeting in which a quorum of the governing body is present, the school (1) publicly posts a notification with the agenda at least 72 hours prior to the meeting and (2) publicly post on their website a board-approved copy of the minutes within ten (10) days after approval, which must occur at their next regularly scheduled board meeting.</p>

Commented [42]: CSD: agree

Commented [43R42]: PEC: Disagree

Commented [44]: This was discussed at length and the six month requirement added intentionally. I disagree with striking.

Commented [45R44]: PEC: Disagrees with proposed change

		<p>Working to Meet: The school provides an accurate board calendar. For at least 75% of the board meetings in which a quorum of the governing body is present, the school (1) publicly posts a notification with the agenda at least 72 hours prior to the meeting and (2) publicly post on their website a board-approved copy of the minutes within ten (10) days after approval, which must occur at their next regularly scheduled board meeting.</p> <p>Does Not Meet: The school fails to provide an accurate board calendar. For more than 25% of the meetings in which a quorum of the governing body is present, the school did not (1) publicly post notification with agenda at least 72 hours prior to the meeting or (2) publicly post a board-approved copy of the minutes within ten (10) days after the approval.</p>
<p>3.B. Equitable Enrollment Process: The school ensures that all families have the opportunity to learn about, apply to, and enroll in the school.</p>		
Non-discriminatory Enrollment Process	The school has an Enrollment Policy consistent with Lottery Guidance and with two distinct sections: Lottery Form/Lottery Process and Enrollment/Registration	<p>Meets: The school’s Enrollment Policy is consistent with the Lottery Guidance criteria on the CSD website or lottery/enrollment laws and rules, if promulgated.</p> <p>Does Not Meet: The school does not have an Enrollment Policy, or the Policy does not meet all of the Lottery Guidance criteria or lottery/enrollment laws and rules, if promulgated.</p>
<p>3.C. Compliance with Legal Requirements: The school creates a safe environment and is in compliance with the charter contract, federal and state statutes and rules, and PED guidelines unless waivers preserving charter autonomy are in place.</p>		
Annual Compliance Requirements	List of Annual Compliance Requirements, as approved annually no later than July 1 by PEC, and distributed by CSD to schools by that time.	<p>Meets: In compliance with all requirements, is timely with submissions and does not have to resubmit due to errors.</p> <p>Working to Meet: In compliance with all requirements but may be late with submissions and may have to resubmit due to errors in the initial submission.</p> <p>Does Not Meet: Out of compliance with one or more requirement or one or more compliance requirement is not submitted.</p>

Part III: Financial Framework

The PEC and CSD are dedicated to protecting school autonomy while holding public charter schools within PEC’s portfolio to high standards. The Financial Framework has four performance indicators. Results for each performance indicator will be determined annually and included in an overall performance rating.

Performance Measure	Performance Criteria
4.A. Days of Cash on Hand: The school demonstrates its financial health by having sufficient cash to ensure operations can withstand an immediate need.	
The school has the cash available to pay bills that meet or exceed the expectations established by PEC.	The school’s unrestricted days cash ratio is: Meets: ≥ 60 days OR > 30 days with a positive increase in the most recent fiscal year Working to Meet: > 30 days but does not meet the criteria for “Meets” Does Not Meet: ≤ 30 days
4.B. Annual Financial Audit: The school follows the Generally Accepted Accounting Principles (GAAP), financial management, and internal controls.	
The results of the financial audit demonstrate that the school meets basic expectations of financial oversight.	Meets: The school’s received audit has an unqualified opinion, is devoid of significant deficiency and material weakness findings, and does not include a going concern disclosure. Working to Meet: The school does not meet the criteria for “Meets” but demonstrates improvement from the previous year’s audit. Does Not Meet: The school’s received audit has a qualified opinion, includes a significant deficiency or material weakness finding, has a going concern disclosure, or the school does not submit a financial audit.
4.C. Financial Reporting and Compliance: The school demonstrates its ability to oversee public funding designated for New Mexico’s students.	
The school and its governing board effectively establish and approve the budget and meet all financial reporting and compliance requirements. (NMSA 22-8-6.1 and 10)	Meets: The school submits all budget request documents and budget approval documents to the PED according to PED’s established deadlines; submits quarterly reports according to PEDs established deadlines without frequent, repeated errors; and publicly posts all required reports. Working to Meet: Sometime during the fiscal year, the school was required to do

	<p>monthly reporting; OR the school does not meet the criteria for "Meets" but does not meet the criteria for "Does Not Meet."</p> <p>Does Not Meet: The school consistently fails to submit required budget documents or reports according to PED's established deadlines; submits reports with frequent, repeated errors; or fails to publicly post required reports.</p>
<p>4.D. Fiscal Oversight: The school and its governing board effectively provide fiscal oversight by establishing, approving, and monitoring annual budget execution and safeguarding the financial health and activities of the school.</p>	
<p>The school has employed financial expertise and/or contracts with a licensed business manager and licensed procurement officer.</p> <p>The governing board:</p> <ol style="list-style-type: none"> 1. has adopted and maintains financial-related policies. 2. reviews financial reports and statements, including a statement of net position, a budget to an actual statement of revenues, expenditures, and changes in fund balance, and a cash flow statement at all meetings. 3. annually reviews the audited financial statements, related reports, and management letters and ensures all findings are addressed. 4. has an audit committee that fulfills its requirements as described in statute. 5. has a finance committee fulfills its requirements as described in statute. <p>At least annually, the finance committee: _tests internal audit controls.</p>	<p>Meets: The school and board provide evidence of compliance with the requirements of all seven indicators during the fiscal year.</p> <p>Working to Meet: The school and board provide evidence of compliance with the requirements of at least five of the seven indicators during the fiscal year.</p> <p>Does Not Meet: The school did not meet the criteria for Working to Meet.</p>
<p>4.E. Enrollment Variance: The school's budgeted enrollment is close to its actual enrollment, requiring no or slight budget revisions.</p>	
<p>The school makes accurate enrollment assumptions, resulting in a budget that is sound.</p>	<p>Enrollment variance (actual enrollment/budgeted enrollment) is:</p> <p>Meets: ≥ 95%</p> <p>Working to Meet: < 95% but ≥ 85%</p> <p>Does Not Meet: < 85%</p>

School Selection Academic Framework Options & Mission Goals

The school selects the following academic performance options

State Accountability System		
Option	Selection (Choose 1)	Description

1.A.1	<input type="checkbox"/>	Note: No additional information required since state accountability system is used
1.A.2	<input type="checkbox"/>	The school will use the following supplemental proficiency and growth data:
1.A.3	<input type="checkbox"/>	The school's overall performance on the state accountability system is replaced with the following PEC approved performance system:

Outcomes for Student Growth		
Option	Selection (Choose 1)	Description

1.B.1	<input type="checkbox"/>	Note: No additional information required since state accountability system is used
1.B.2	<input type="checkbox"/>	The school will use the following supplemental proficiency and growth data:
1.B.3	<input type="checkbox"/>	The school's overall performance on the state accountability system is replaced with the following PEC approved performance system:
	Selection	Conducive Learning Culture
2.C	<input type="checkbox"/>	The re-enrollment metrics are replaced with:

Condition Compliance Plan: N/A

Condition:	No condition
Plan for Compliance:	

Mission Specific Goals

The school has identified 1 OR 2 Mission specific goals set forth below

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Mission Goal(s)

All students at the school should participate in the mission of the school, so the ONE goal should cover and assess all students at the school. The assessment can vary by grade and certain assessments can be more rigorous than others (i.e. if a school's mission culminates in a senior-year capstone project, the senior year assessment can be the most rigorous, and the assessments of 9-11 grade students could be assessed showing that they are gaining the building blocks necessary to be successful in their senior year capstone project such as learning and practicing interview skills needed for the capstone project.)

Commented [46]: PEC: Do not delete Mission Goals and do not reduce to one goal.

Commented [47]: CSD: strongly disagree with this change; a K-12 school should be able to have one goal for HS students and one for elementary, etc. This dictate seems like micromanaging how schools evaluate their success.

Commented [48R47]: JHB Comment: It was moved here and is redlined. The supporting narrative was placed in a description box in the mission goal, but was discussed or negotiated in any draft.

2.A. Mission Goals: The school's education program effectively supports mission implementation, student academic success, and overall student well-being that supports the community in which they serve.⁴⁶

Within the charter contract, briefly describe what the school is doing to meet its mission and how it will be measured to demonstrate that students are better off as a result.

Supporting Narrative: Using Results-Based Accountability (RBA) as a model, reflect on the following questions: How much did the school do? How well did the school do it? Is anyone better off as a result? How do you know?

Supporting Narrative: Using Results-Based Accountability (RBA) as a model, reflect on the following questions: How much did the school do? How well did the school do it? Is anyone better off as a result? How do you know?

Exceeds: exemplary performance as set forth in this Performance Framework

Meets: meets performance as set forth in this Performance Framework

Working to Meet: earns working to meet performance as set forth in this Performance Framework

Does Not Meet: does not meet performance as set forth in this Performance Framework

Commented [49]: CSD: change not redlined; it could go in a footnote. Where does the school provide the supporting narrative?

2.A.1.	Within the charter contract, briefly describe what the school is doing to meet its mission and how it will be measured to demonstrate that students are better off as a result.
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2.A.2.	Schools may optionally add a second Mission-Specific Goal into their charter contract that follows the guidance under the same guidelines as for Option 1. The school will receive a rating for each goal.
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UTILIZE THE GOAL AND SCORING TEMPLATE PROVIDED FOR EACH GOAL

Commented [50]: NRD: I'm not sure when this section was added and by whom, but this should be in the business rules, not the framework. This confused the framework as it addresses the process. I suggest removing this entire section.

Also, I think that schools should be allowed to create their own templates. You do not know yet all of the possible assessments that exist—or school configurations. I would not limit yourselves.

Complete if the School has selected 1.A.2 and 1.B.2. [Complete all blue boxes]

Commented [51]: CSD:
I'd like to propose a streamlined section at the end where schools choose options and goals; it can be done in fewer pages by referring to framework sections above rather than copying whole sections.

1.A.2	<p>The school's overall performance on the state accountability system,</p> <p style="text-align: center;">AND</p> <p>Supplemental proficiency data using PED-approved nationally and/or state-normed assessments or, under special circumstances, with PEC-approved rationale, nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract.</p>	<p>Exceeds: 76th to 99th percentile on the state accountability system</p> <p style="text-align: center;">OR</p> <p>51st to 75th percentile on the state accountability system AND, based on the school's assessment and growth measure, at least 80% of students meet one or more of the following proficiency or growth criteria in both reading and math:</p> <ul style="list-style-type: none"> ● At or above grade level (or grade level equivalent) ● Meet their growth target ● Show the equivalent of one year's worth of growth ● Other, as defined by the testing company <p>Meets: 51st to 75th percentile of all schools on the state accountability system</p> <p style="text-align: center;">OR</p> <p>26th to 50th percentile on the state accountability system AND, based on the school's assessment and</p>
		<p>growth measure, at least 60% of students meet one or more of the proficiency or growth criteria.</p> <p>Working to Meet: 26th to 50th percentile of all schools</p> <p style="text-align: center;">OR</p> <p>25th percentile of all on the state accountability system AND, based on the school's assessment and growth measure, at least 50% of</p>

		<p>students meet one or more of the proficiency or growth criteria.</p> <p>Does Not Meet: Does not meet the criteria established for "Exceeds," "Meets," or "Working to Meet."</p>
	<p>School specific information: Supplemental proficiency and growth data to be used:</p> <p><u>Identify if a PEC template already exists for this type of assessment, it will be used by the School annually as the Reporting template here:</u> https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/</p> <p><u>If not, a new PEC approved Reporting Template will be created. In order for PEC to create this Reporting Template, please identify</u> how this assessment determines the targets (which reports run at which times of year):</p> <ul style="list-style-type: none"> ● At or above grade level (or grade level equivalent) ● Meet their growth target ● Show the equivalent of one year's worth of growth <p>Other, as defined by the testing company</p>	
1.B.2.	The school's performance on the state accountability system by special student groups,	Exceeds: In reading and math, each student group
	<p style="text-align: center;">AND</p> <p>Supplemental proficiency and growth data using PED-approved nationally normed assessments or, under special circumstances, with PEC-approved rationale, nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract.</p>	<p>has an SGP of at least 60 OR at least 70% of students meet their growth target on the school-based accountability system</p> <p>Meets: In reading and math, each student group has an SGP of at least 45 OR at least 60% of students meet their growth target, as per their assessment guidelines</p> <p>Working to Meet: Does not meet the criteria for Meets or Exceeds, but the school's performance is higher than</p>

		<p>identified in Does Not Meet</p> <p>Does Not Meet: In reading and math, over half of the student groups have an SGP of below 35 OR over half of the student groups have fewer than 30% of students meet their growth target, as per their assessment guidelines</p>
	<p>School specific information: <u>Supplemental proficiency and growth</u> Growth data (by special student groups) to be used:</p> <p><u>Identify</u> if a PEC template already exists for this type of assessment, it will be used by the School annually as the Reporting template here: https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/</p> <p><u>If not, a new PEC approved Reporting Template will be created. In order for PEC to create this Reporting Template, identify</u> how this assessment determines the targets (which reports run at which times of year):</p> <ul style="list-style-type: none"> ● At or above grade level (or grade level equivalent) ● Meet their growth target ● Show the equivalent of one year's worth of growth ● Other, as defined by the testing company 	

Complete if the School has selected 1.A.3 and 1.B.3 [Complete all red boxes]

1.A.3	The school's overall performance on the state accountability system is replaced with a PEC-approved performance system using PED- approved nationally normed assessments or, under special circumstances, with PEC-approved assessments that are nationally and/or state-normed with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract.	The school must negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC. Exceeds: ≥ 80% of possible points Meets: < 80% but ≥ 65% of possible points Working to Meet: < 65% but ≥ 50% of possible points Does Not Meet: < 50% of possible points
<u>For 1.A.3, provide points for each of the items set forth below equaling 100 total points. The scoring immediately above will be used for the assessment of this indicator</u>		
NMSA 22-8B-9.1.A. (1) student academic performance; (2) student academic growth;		
Supplemental proficiency and growth data to be used: <u>Identify</u> If a PEC template already exists for this type of assessment, it will be used by the School annually as the Reporting template here: https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/ <u>Identify</u> If not, a new PEC approved Reporting Template will be created. In order for PEC to create this Reporting Template, <u>identify</u> how this assessment determines the targets (which reports run at which times of year): <ul style="list-style-type: none"> ● At or above grade level (or grade level equivalent) ● Meet their growth target ● Show the equivalent of one year's worth of growth Other, as defined by the testing company		
NMSA 22-8B-9.1.A. (6) if the charter school is a high school, post-secondary readiness;		
<u>Identify</u> If a PEC template already exists for this type of assessment, it will be used by the School annually as the Reporting template here: https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/		

	If not, a new PEC approved Reporting Template will be created. In order for PEC to create this Reporting Template, identify how the school will assess post-secondary readiness and how the indicator will be scored:	
	NMSA 22-8B-9.1.A. (7) if the charter school is a high school, graduation rate;	
	Identify how the school will calculate graduation rate. NOTE: State Graduation rate, unless school has only a special education population	State Graduation rate, unless school has only a special education population
	NMSA 22-8B-9.1.A. (3) achievement gaps in both proficiency and growth between student subgroups;	
1.B.3.	The school's performance on the state accountability system for student groups is replaced with a PEC-approved performance system using PED-approved nationally normed assessments or, under special circumstances, with PEC-approved assessments that are nationally and/or state-normed assessments with explicit growth targets and business rules for calculating the growth target as agreed to in the school's charter contract.	The school must negotiate a performance scale that is comparable to Option 1 and, based on 100 points, approved by PEC. Exceeds: ≥ 80% of possible points Meets: < 80% but ≥ 65% of possible points Working to Meet: < 65% but ≥ 50% of possible points Does Not Meet: < 50% of possible points
	For 1.B.3, provide points for each of the items set forth below equaling 100 total points. The scoring immediately above will be used for the assessment of this indicator.	
	Supplemental proficiency and growth data for student groups to be used: (you may provide several goals looking at growth and distribute the 100 points throughout the various goals.) Identify if a PEC template already exists for this type of assessment, it will be used by the School annually as the Reporting template here: https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/performance-review-and-accountability-system-and-performance-frameworks/ If not, a new PEC approved Reporting Template will be created. In order for PEC to create this Reporting Template,	

Identify how this assessment determines the targets (which reports run at which times of year):

- At or above grade level (or grade level equivalent)
- Meet their growth target
- Show the equivalent of one year's worth of growth

Other, as defined by the testing company