

**This document aligns with the Performance Framework adopted by the Public Education Commission
October 20, 2023**

Indicator 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

Indicator 3.C. Business Rules:

- School complies with all requirements in the CSD's Annual Compliance Checklist for the current fiscal year, published on the PEC and CSD web pages by July 1 annually.
- To confirm compliance with PED requirements and statutes/rules enforced by PED, CSD will request data from other PED bureaus/divisions to verify compliance.
- CSD will verify compliance with the contract during the annual site visit and annual report process.
- To update the compliance requirements each year:
 - CSD will only update the list of compliance requirements as required by the PED, PEC or state and federal law.
 - PEC adopts the updated list by June 30 of each year.

Indicator 3.C. Rating:

Meets Standard: In compliance with all requirements, is timely with submissions and does not have to resubmit due to errors.

Working to Meet Standard: In compliance with all requirements but may be late with submissions and may have to resubmit due to errors in the initial submission.

Does Not Meet Standard: Out of compliance with one or more requirement or one or more compliance requirement is not submitted.

Process: The CSD will monitor compliance through a) input provided by other bureaus and divisions within PED, b) desktop monitoring, c) on-site review, and d) through other notifications and information received about the school's non-compliance [according to the timeline below](#):

1. The CSD compiles a list of compliance item and submits the list to PEC the Friday before the May meeting. It will include any new legislative changes, rules and PED requirements made that year.
2. The PEC discusses the list at the May and June work sessions and approves it at the June meeting.
3. The list is published on the PEC web page prior to July 1; CSD will send a reminder to each state charter school.
4. Before September 1, each school shall submit to CSD an assurance letter and governing board minutes showing review and discussion of the Compliance Requirements document.
5. Based on [the Ratings Standards](#), CSD will rate each item, providing an explanation for any ratings of Partially Compliant or Out of Compliance.
6. As part of the annual report process, the CSD will provide an overall rating for 3.C Compliance with Legal Requirements, in accordance with the Performance Framework.

2024-25 Annual State Charter School Compliance Requirements

CSD monitors compliance requirements by a combination of: CSD desktop monitoring, other PED bureaus reporting to CSD, site visit document review and focus groups and rates each requirement **In Compliance**, **Partially Compliant** (if submission was late or had to be resubmitted due to errors), **Out of Compliance**, or **N/A**. CSD may not conduct a desktop review of every requirement in every school year. If CSD does not review a requirement, or the relevant PED bureau does not report to CSD regarding that requirement, the CSD may request an assurance from the school's governing board that those requirements have been met. Ratings for those requirements will be **In Compliance by Assurances**.

| Compliance Area | Standard | Resources | Deadline | Primary Monitoring Source (Additional monitoring may be done as needed and CSD may rely on the School Assurance) | CSD Rating | Explanation and monitoring conducted if a school is given a rating of "partially compliant" or "out of compliance" |
|---|---|---|--|---|--|--|
| Contract | Mission Statement | Contractual Mission Statement Promoted and | Charter Contract | Annual Site Visit Date | | |
| | Enrollment and Grade Levels | Enroll and serve students within the enrollment cap and grade-levels authorized | Charter Contract | Annual Site Visit Date | Nova data reports | |
| | Amendments and | Timely submission of Amendment requests and | Amendments and | 28 or 14 days prior to PEC | CSD desktop monitoring | |
| Federal and State Statutes, Administrative Code, and PED Guidance | College and Career | Next Step Plans (NSP) (grades 8-12) | 6.29.1.9J(2) NMAC ; NSP | During last 60 days of SY | CCRB reporting to CSD | |
| | Curriculum and Instruction | MLSS Self-Assessment and Implementation | NMPED MLSS Guidance Tool | Per C&I directive | C&I reporting to CSD | |
| | | Literacy Plan completed timely and implemented | 22-13-32 NMSA 1978 | Per Literacy Bureau directive | Literacy Bureau reporting | |
| | Data Validation | Timely validation of 40, 80, 120 day and end of | NOVA Guidance | Provided annually by IT | IT reporting to CSD | |
| | Education Personnel | Valid and appropriate educator licensure and Signed contracts and evaluations of all licensed school employees | 22-10A-5 NMSA 1978 ; Licensure Guidance | Annual Site Visit Date | Nova data reports; | |
| | | Beginning Teacher Mentorship Program implemented | 6.60.10 NMAC | Educator Growth and Development Guidance | Educator Growth reporting site visit focus groups | |
| | Language and Culture | Accurate and timely screening, identification and services provided to English Learners | 6.29.5 NMAC ; EL Guidance | Ongoing | Nova reports; LCD reporting; site visit focus | |
| | Identity, Equity and Transformation | Compliance with the Black Education Act (BEA); no substantiated Anti-Racism, Anti-Oppression Portal or federal level complaints | 22-23C NMSA 1978 ; BEA Guidance | Ongoing | IET reporting | |
| | | Equity Council | Equity Council | Ongoing | LCD reporting | |
| | Indian Education (for schools meeting definition under 6.35.2.7 NMAC) | Compliance with the Indian Education Act | 22-23A NMSA 1978 ; | Ongoing | IET reporting | |
| | | Conduct tribal consultation | 6.35.2 NMAC ; Indian Education Division Guidance | Twice annually, by November | Tribal authority reporting | |
| | | Needs assessment including accountability tool | | October 15 every 3 years | | |
| | | Systemic framework for improving educational Tribal Education Status Report | | Published on website annually | IET reporting | |
| | Safe and Healthy Schools | Compliance with Attendance for Success Act and Submission of Attendance Improvement Plan | 22-12A NMSA 1978 | Annual Site Visit Date | Assurance and Safe & Health Schools Bureau reporting | |
| | | Menstrual Products in School Bathrooms | 22-1-15 NMSA 1978 | Annual Site Visit Date | | |
| | | Safe Schools Plan submitted timely and | 6.12.6 NMAC | Every 3 years by December 31 | | |
| | | Student Wellbeing and Competency Survey | Student Wellbeing and | Late fall (Nov.-Dec.) per Safe & | | |
| | School Improvement | Attendance Policy and Improvement Plan | 22-12A-7 NMSA 1978 | Review policy at Annual Site | | |
| | | NM DASH Plan Annual and 90-day plans | NM DASH Resource | School-specific (Deadlines) | PSB reporting; CSD review | |
| | School Policies developed and implemented | Open Meetings Act (OMA) Policy and Annual | OMA Compliance Guide | Annual Site Visit Date | CSD desktop monitoring | |
| Complaint Policy for families and staff | | 6.10.3 NMAC | | | | |
| FERPA and IPRA policies | | 14-2 NMSA 1978 ; 20 | | | | |
| Conflict of Interest and Nepotism Policy | | 22-8B-10B and 22-8B-5 | | | | |
| Student Discipline Policy | | 22-5-4.3 NMSA 1978 ; | | | | |
| Special Education | Tobacco, Alcohol, Drug-Free Policy and Medical Cannabis policy | 6.12.4 NMAC ; 6.12.10 NMAC | | | | |
| | Compliance with all agency, state and federal Special Education laws, rules, guidance, and no substantiated State or Federal Special Education Complaints | Special Education Law ; | | Special Education Division reporting | | |
| Governance | Governing Board Meetings wbecasting and archivin | 6.31.2 NMAC | | | | |
| | | SB137 (2023) | Beginning July 2024 | | | |