

**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**

PEC 2023 Performance Framework Indicator 3C Compliance with Legal Requirements is rated **Meets Standard** if all requirements on the checklist are rated **In Compliance** or **In Compliance by Assurances**  
**Working to Meet Standard** if one or more requirements are rated **Partially Compliant** but no requirements are rated **Out of Compliance**  
**Does Not Meet Standard** if one or more requirements are rated **Out of Compliance**

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"
<b>Contract</b>	<b>Mission Statement</b>	Contractual Mission Statement Promoted and Implemented	<a href="#">Charter Contract</a>	Annual Site Visit Date		
	<b>Enrollment and Grade Levels</b>	Enroll and serve students within the enrollment cap and grade-levels authorized	<a href="#">Charter Contract</a>	Annual Site Visit Date	Nova data reports	
	<b>Amendments and Notifications</b>	Timely submission of Amendment requests and notifications	<a href="#">Amendments and Notifications Policies</a>	28 or 14 days prior to PEC meeting as listed on form	CSD desktop monitoring	
<b>Federal and State Statutes, Administrative Code, and PED Guidance</b>	<b>College and Career Readiness</b>	Next Step Plans (NSP) (grades 8-12)	<a href="#">6.29.1.9J(2) NMAC; NSP Guidance</a>	During last 60 days of SY (grades 8-11); before graduation (grade 12)	CCRB reporting to CSD	
	<b>Curriculum and Instruction</b>	MLSS Self-Assessment and Implementation	<a href="#">NMPED MLSS Guidance Tool</a>	Per C&I directive	C&I reporting to CSD	
		Literacy Plan completed timely and implemented	<a href="#">22-13-32 NMSA 1978 and NMAC 6.30.17</a>	Per Literacy Bureau directive	Literacy Bureau reporting to CSD	
	<b>Data Validation</b>	Timely validation of 40, 80, 120 day and end of year (EOY) data	<a href="#">NOVA Guidance</a>	Provided annually by IT	IT reporting to CSD	
	<b>Education Personnel</b>	Valid and appropriate educator licensure and cleared background checks for all employees and volunteers	<a href="#">22-10A-5 NMSA 1978; Licensure Guidance</a>	Annual Site Visit Date	Nova data reports; Licensure reporting	
		Signed contracts and evaluations of all licensed school employees		<a href="#">Educator Growth and Development Guidance</a>	Site visit document review; Educator Growth reporting	
		Beginning Teacher Mentorship Program implemented	<a href="#">6.60.10 NMAC</a>	<a href="#">Educator Growth and Development Guidance</a>	Educator Growth reporting site visit focus groups	
	<b>Language and Culture</b>	Accurate and timely screening, identification and services provided to English Learners	<a href="#">6.29.5 NMAC; EL Guidance</a>	Ongoing	Nova reports; LCD reporting; site visit focus groups	
	<b>Identity, Equity and Transformation</b>	Compliance with the Black Education Act; no substantiated Anti-Racism, Anti-Oppression Portal or federal level complaints	<a href="#">22-23C NMSA 1978; BEA Guidance</a>	Ongoing	IET reporting	
		Actively engaged Equity Council	<a href="#">Equity Council Guidelines</a>	Ongoing	LCD reporting	
	<b>Indian Education (for schools meeting definition under 6.35.2.7 NMAC)</b>	Compliance with the Indian Education Act	<a href="#">22-23A NMSA 1978; 6.35.2 NMAC; Indian Education Division Guidance</a>	Ongoing	IED reporting	
		Conduct tribal consultation		Twice annually, by November	Tribal authority reporting	
		Needs assessment including accountability tool		October 15 every 3 years	IED reporting	
		Systemic framework for improving educational outcomes		Published on website annually by January 15		
	Tribal Education Status Report		Annually by September 30			
	<b>Safe and Healthy Schools</b>	Compliance with Attendance for Success Act and Submission of Attendance Improvement Plan, Attendance Policy and Improvement Plan submitted timely and implemented	<a href="#">22-12A NMSA 1978</a>	Annual Site Visit Date	Assurance and Safe & Health Schools Bureau reporting	
		Menstrual Products in School bathrooms	<a href="#">22-1-15 NMSA 1978</a>	Annual Site Visit Date		
		Safe Schools Plan submitted timely and implemented	<a href="#">6.12.6 NMAC</a>	<a href="#">Every 3 years by December 31 (Schools with SSPs due December 2024)</a>		
Student Wellbeing and Competency Survey Administration (Grades 3-12)		<a href="#">Student Wellbeing and Competency Survey Guidance</a>	Late fall (Nov.-Dec.) per Safe & Healthy Schools deadline			
<b>School Policies developed and implemented</b>	NM DASH Plan Annual and 90-day plans submitted timely	<a href="#">NM DASH Resource Library</a>	School-specific (Deadlines sent to LEAs)	PSB reporting; CSD review of DASH plans		
	Open Meetings Act (OMA) Policy and Annual Statement posted on the school website	<a href="#">OMA Compliance Guide</a>	Annual Site Visit Date	CSD desktop monitoring		
	Complaint Policy for families and staff in place and implemented	<a href="#">6.10.3 NMAC</a>				
	FERPA and IPRA policies in place and implemented	<a href="#">14-2 NMSA 1978; 20 U.S.C. § 1232g</a>				
	Conflict of Interest and Nepotism Policy in place and implemented, including disclosures of conflicts of interest	<a href="#">22-8B-10B and 22-8B-5 NMSA 1978</a>				
	Student Discipline Policy in place and implemented	<a href="#">22-5-4.3 NMSA 1978; 6.11.2 NMAC</a>				
	Bullying policy in place and implemented	<a href="#">6.12.7 NMAC</a>				
<b>Special Education</b>	Compliance with all agency, state and federal Special Education laws, rules, guidance, and no substantiated State or Federal Special Education Complaints	<a href="#">Special Education Law, Rule and Guidance</a>		Special Education Division reporting		
<b>Governance</b>	Governing Board Meetings webcasting and archiving	<a href="#">6.31.2 NMAC</a> <a href="#">SB137 (2024)</a>	Beginning July 2024			