

New Mexico Public Education Department... Program Technical Assistance Guide and Subrecipient Program Monitoring Tool

Nita M. Lowey

21st Century Community Learning Centers Program

Final Draft

Community Schools and Extended Learning Time Bureau

Purpose

The main purpose of this technical assistance guide and program monitoring tool is to improve the quality of New Mexico's 21st Century Community Learning Center (CCLC) programs.

Improving the quality of the 21st CCLC programs in New Mexico is not only a transparent process, but a collaborative one. When subrecipients participate in the program monitoring process, they have the opportunity to share promising practices with the NMPED, who can then share those promising practices with other eligible entities. In addition, the subrecipients have the opportunity to reflect on areas in which they need to improve and through concerted conversations and coaching, they can identify the specific steps they need to complete in order to be considered in compliance with Federal statutes, regulations, and the terms and conditions of the subaward.

As part of the continuous improvement process, the NMPED uses the feedback and information gathered from the monitoring process and monitoring tool to:

- provide targeted technical assistance to subrecipients on program-related matters;
- provide professional development opportunities for subrecipients, subcontractors, and NMPED staff members; and
- create additional technical assistance and guidance materials.

Applicable Definitions

Child (Student) with a Disability

Child with a disability means a child evaluated in accordance with §§ 300.304 through 300.311 of the Individuals with Disabilities Education Act (IDEA) as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

[34 CFR §300.8](#) Child with a disability.

In New Mexico, a child with a disability includes a child age three through nine who is evaluated as being developmentally delayed and who, because of that condition needs special education and related services.

Developmentally delayed means a child age three through nine or who will turn age three at any time during the school year with documented delays in development which are at least two standard deviations below the mean on a standardized test instrument or thirty percent below chronological age and who in the professional judgment of the IEP team and one or more qualified evaluators needs special education and related services in at least one of the following areas:

communication development, cognitive development, physical development, social or emotional development, or adaptive development.

Paragraph (3) of Subsection (B) of Section [6.31.2.7](#) NMAC.

Eligible Entity

Eligible entity means a local educational agency, community-based organization, Indian tribe or tribal organization, another public or private entity, or a consortium of 2 or more agencies, organizations, or entities.

ESEA Section 4201(b)(3).

English Learner

ENGLISH LEARNER.—The term “English learner”, when used with respect to an individual, means an individual—

- A. who is aged 3 through 21;
- B. (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- C. (C)(i) who was not born in the United States or whose native language is a language other than English;
 - (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- D. whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—
 - (i) the ability to meet the challenging State academic standards;
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

ESEA Section 8101(20).

ESEA

ESEA means the Elementary and Secondary Education Act (ESEA) of 1965 as amended by the Every Student Succeeds Act (ESSA).

[ESEA](#).

Federal Award

Federal award means the Federal financial assistance that a recipient receives directly from a Federal awarding agency or indirectly from a pass-through entity.

[2 CFR §200.1 "Federal award"](#).

Federal Awarding Agency

Federal awarding agency means the Federal agency that provides a Federal award directly to a non-Federal entity.

[2 CFR §200.1 "Federal awarding agency"](#).

Grantee

Grantee means the legal entity to which a grant is awarded and that is accountable to the Federal Government for the use of the funds provided. The term “grantee” does not include any secondary recipients, such as subgrantees and contractors that may receive funds from a grantee pursuant to a subgrant or contract.

[34 CFR §77.1\(c\)](#).

Homeless children and youths

The term “homeless children and youths”–

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)) of the McKinney-Vento Homeless Assistance Act); and

(B) includes–

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C)) of the McKinney-Vento Homeless Assistance Act);

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

McKinney-Vento Homeless Assistance [Act](#).

Individualized Education Program

Individualized Education Program or IEP means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with IDEA B §§300.320 through 300.324.

[34 CFR §300.22 “Individualized Education Program”](#).

Non-Federal Entity (NFE)

Non-Federal entity means a State, local government, Indian tribe, Institution of Higher Education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

[2 CFR §200.1 "Non-Federal entity"](#).

Pass-through Entity (PTE)

Pass-through entity means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

[2 CFR §200.1 "Pass-through entity"](#).

Performance Goal

Performance goal means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate.

[2 CFR §200.1](#).

Period of Performance (Performance Period)

Period of performance means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. Identification of the period of performance in the Federal award per [§ 200.211\(b\)\(5\)](#) does not commit the awarding agency to fund the award beyond the currently approved budget period.

[2 CFR §200.1 "Period of performance"](#).

Recipient

Recipient means an entity, usually but not limited to non-Federal entities that receives a Federal award directly from a Federal awarding agency. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

[2 CFR §200.1 "Recipient"](#).

Special Education

Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education.

In New Mexico, special education may include speech-language pathology services.

Paragraph (20) of Subsection (B) of [6.31.2.7](#) NMAC.

Subaward

Subaward has the same meaning as subgrant.

[34 CFR 77.1\(b\)](#) "Subaward".

Subgrant

Subgrant means an award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to an eligible subgrantee. The term includes financial assistance when provided by contractual or any other form of legal agreement, but does not include procurement purchases, nor does it include any form of assistance that is excluded from the definition of "grant or award" under 34 CFR Part 77.

[34 CFR §77.1\(c\)](#).

Subgrantee

Subgrantee means the government or other legal entity to which a subgrant is awarded and that is accountable to the grantee for the use of the funds provided.

[34 CFR §77.1\(c\)](#).

Subrecipient

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

[2 CFR §200.1](#) "Subrecipient".

Supplementary Aids and Services

Supplementary aids and services means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with IDEA §§300.114 through 300.116.

[34 CFR §300.42](#) "Supplementary aids and services".

Transportation (Related Service)

Transportation includes –

- i. Travel to and from school and between schools;
- ii. Travel in and around school buildings; and
- iii. Specialized equipment (such as adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

[34 CFR 300.34\(c\)\(16\)](#) Transportation.

Federal Program Monitoring Requirements for Recipients and Subrecipients and Performance Measures

Federal law requires the Federal awarding agency (ED) to design a program. The program must be designed with clear goals and objectives that facilitate the delivery of meaningful results consistent with the Federal authorizing legislation of the program. Program performance shall be measured based on the goals and objectives developed during program planning and design.

[2 CFR §200.202](#).

The Federal awarding agency (ED) must measure the recipient's (NMPED) performance to show achievement of program goals and objectives, share lessons learned, improve program outcomes, and foster adoption of promising practices.

[2 CFR §200.301\(a\)](#).

Program Performance Measures – Federal

In 1993, the Government Performance Results Act (GPRA) was designed to improve management throughout the Federal government. Federal agencies were required to develop a five-year strategic plan with long-term goals and performance measures. Each educational program has its own GPRA measures. Each year, ED analyzes the measures to evaluate the programs and ED's GPRA measures are reported to Congress annually in the Annual Performance Report.

Nita M. Lowey 21st Century Community Learning Centers Government Performance and Results Act (GPRA) Measure Indicators.

GPRA Measure Indicators	Grade Levels	Performance Measured/Data Type
1. Percentage of students in grades 4-8 participating in 21st CCLC programming during the school year and summer who demonstrate growth in reading and language arts on state assessments. Percentage of students in grades 4-8 participating in 21st CCLC programming during the school year and summer who demonstrate growth in mathematics on state assessments.	4-8	State Assessment, Reading and Language Arts State Assessment, Mathematics
2. Percentage of students in grades 7-8 and 10-12 attending 21st CCLC programming during the school year and summer with a prior-year unweighted GPA of less than 3.0 who demonstrated an improved GPA.	7-8 10-12	GPA
3. Percentage of students in grades 1-12 participating in 21st CCLC during the school year who had a school day attendance rate at/or below 90% in the prior school year and demonstrated an improved attendance rate in the current school year.	1-12	Attendance
4. Percentage of students in grades 1-12 attending 21st CCLC programming during the school year and summer who experienced a decrease in in-school suspensions compared to the previous school year.	1-12	In-school Suspension
5. Percentage of students in grades 1–5 participating in 21st CCLC programming in the school year and summer who demonstrated an improvement in teacher-reported engagement in learning.	1-5	Engagement in Learning

Source: U.S. Department of Education Office of Elementary & Secondary Education ([OESE](#)).

New Mexico Goals and Performance Measures

The goals and performance measures provide direction for the 21st CCLC programs in NM.

21st Century Community Learning Centers Program Primary Goals School Year 2022-26

New Mexico's 21st CCLC selected statewide student outcomes and performance measures at each community learning center.

1. Maintain and improve student academic achievement in language arts and math.
 - Of students earning a passing grade after the first grading period, 75% will maintain a passing grade by the close of the academic year.
 - Of students earning below a passing grade after the first grading period, 50 percent will raise their grades by the close of the academic year.
2. Design and deliver a 21st CCLC program to meet the needs of all constituent groups.
 - Of all survey participants, 85 percent will agree or strongly agree what the 21st CCLC program offered in their community is high quality.
3. Implement a program that engages students.
 - The program will meet 75 percent of the target enrollment goal each academic year.
 - The program will maintain an average attendance rate at 75 percent throughout the academic year for enrolled classes.

As part of the assurances included in the Request for Proposal (RfP) and annually thereafter, subrecipients are required to review the goals and performance measures and work with the local 21st CCLC team to develop an action plan to meet the goals by the close of the academic year.

Monitoring Requirements

All pass-through entities must monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward and that subaward performance goals are achieved.

[2 CFR §200.332\(d\)](#).

The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity.

[2 CFR §200.329\(a\)](#).

Each State shall have procedures for reviewing and approving applications for subgrants and amendments to those applications, for providing technical assistance, for evaluating projects, and for performing other administrative responsibilities the State has determined are necessary to ensure compliance with applicable statutes and regulations.

[34 CFR §76.770](#)

New Mexico's Program Monitoring Tool

Purpose

The purpose of this monitoring tool is to:

- Assist the NMPED and CSELT Bureau in meeting their recipient responsibilities under Federal laws;
- Verify if subrecipients are meeting the terms and conditions of the subaward;
- Determine if subrecipients are meeting performance goals;
- Determine if subrecipients are meeting performance expectations;
- Provide oversight of the authorized activities; and
- Ensure subrecipients are in compliance with Federal statutes and regulations.

The program monitoring tool includes nine (9) critical elements and is organized into two (2) categories: Program Management and Program Leadership.

Program Management

- A. Program Vision, Mission, and Primary Goals.
- B. Program Leadership, Staffing, and Professional Learning
- C. Program Environment and Setting
- D. Sustainability of the 21st Century Community Learning Center Program

Program Leadership

- E. Program Progress
- F. Student Programming
- G. Community Engagement and Collaboration
- H. School Partnerships
- I. Parent and Family Engagement
- J. Community School Framework

Each critical element includes New Mexico's guiding principles and the U.S. Department of Education's applicable Critical Elements.

Fiscal Monitoring Tool: Definitions of Indicators of Success, Evidence and Examples, and Performance Levels and Implications

Indicators of Success

Indicators of success are compiled from Federal regulations, Federal and State Statutes, State rules, NMPED's policies and procedures, and NMPED's protocol for monitoring the State's 21st Century Community Learning Centers. In addition, these indicators include known best practices and quality indicators that when implemented with fidelity, lead to quality outcomes for the 21st CCLC programs and the students and families they serve.

Evidence and Examples

Evidence and examples are documents, exhibits, and artifacts that allow the subrecipient to demonstrate compliance with regulations, statutes, rules, and NMPED guidance. These are items subrecipients should be able to readily produce for the monitoring team.

For each indicator of success, there is a list of the types of documents, artifacts, etc. that are considered as acceptable evidence of compliance. For many of the indicators of success, there are required documents that must be included and reviewed. These documents are marked as "Required" on the program monitoring tool. Any evidence provided should consist of materials or artifacts that clearly document program policies, procedures, or activities that demonstrate compliance with that requirement.

The evidence for each indicator of success should be the most recent examples. If evidence does not exist yet for the current program year, evidence can be included from the previous fiscal year. However, in this circumstance, documentation of current program efforts pertaining to the indicator of success must be provided even though it does not demonstrate complete compliance.

Note: Evidence and examples should not include any personally identifiable information about students and families (names, addresses, disability information, etc.) and confidential information about employees or subcontractors (social security numbers, license numbers, etc.).

Performance Levels and Implications

Compliant Meets all of the components of the Federal regulations, Federal and State Statutes, State Rules, NMPED policies, procedures, guidance, and RfP #10-92400-20-26337 requirements.

Partial Compliance with Recommendations and Action Plan Meets most of the components of the Federal regulations, Federal and State Statutes, State Rules, NMPED policies, procedures, guidance, and RfP requirements. Areas of need are addressed through an action plan developed by the subrecipient and sent to the CSELT Bureau for approval.

Noncompliance with an Action Plan Meets some or none of the components of the Federal regulations, Federal and State Statutes, State Rules, NMPED policies, procedures, guidance, and RfP requirements. Areas of need are addressed through an action plan developed by the subrecipient in conjunction with the CSELT Bureau and approved by the NMPED.

Using the Program Monitoring Tool

The program monitoring tool is used as part of the NMPED's and CSELT Bureau's desk-top monitoring procedure, virtual monitoring review procedures, or during an on-site monitoring visit. The tool can be completed independently by the NMPED's and CSELT Bureau's staff, in collaboration with the subrecipient's staff and partners, or as part of the subrecipient's self-assessment (Indicator of Success and Evidence and Examples sections only).

The CSELT Bureau and its partners use the tool to guide the review of the subrecipient's documents, policies, and procedures. In addition, the tool leads the discussions with applicable personnel (staff, families, subcontractors) and is used as part of the observation of the 21st CCLC program, operations, and staff.

The CSELT Bureau reviews all of the evidence, examples, and information gathered before (checklists, self-assessments), during, and after (follow up and clarification) the subrecipient monitoring process. Then, the CSELT Bureau makes its final determination.

Within 15 business days, the CSELT Bureau provides the subrecipient with a written report. The report includes promising practices, recommendations for improvement, and any areas of noncompliance (with legal citations). When it is determined that the subrecipient has areas of noncompliance under Federal or State laws, the CSELT Bureau is required to notify the subrecipient of any deficiencies in accordance with [2 CFR §200.332\(d\)\(2\)](#).

For those subrecipients who have *partial compliance with recommendations and an action plan*, they are required to complete an action plan with the steps necessary to address the deficiencies along with the adoption of the recommendations.

For those subrecipients who have *noncompliance with an action plan*, because of the number and depth of deficiencies, they are required to work together with the CSELT Bureau to develop an action plan. The action plan includes the steps that are necessary to address the deficiencies.

Within 10 business days, the subrecipient must submit the action plan to the CSELT Bureau for approval.

The subrecipient is responsible for implementing the steps in the action plan. The subrecipient must correct the noncompliance as soon as possible. The CSELT Bureau monitors the subrecipient's progress in meeting the action plan steps and reviews updated information to determine if the recommendations have been implemented and the noncompliance has been corrected. Once the noncompliance has been corrected, the subrecipient is notified in writing by the CSELT Bureau.

Failure to meet action plan steps, implement recommendations, and correction of noncompliance

There are multiple actions the NMPED can take when the subrecipient does not correct the noncompliance. The NMPED supports resolving the noncompliance at the lowest level possible in order to continue the 21st CCLC programming for students and families, without interruption. However, the NMPED is the recipient of the 21st CCLC program funds and is responsible for the fiscal and programmatic oversight and implementation of the grant in accordance with Federal statutes and regulations.

Continued noncompliance is addressed through a Corrective Action Plan (CAP) developed and issued by the CSELT Bureau. The purpose of the CAP is to:

- Correct identified deficiencies; and
- Produce recommended improvements.

Any continued noncompliance is considered as part of the subrecipient's risk in accordance with [2 CFR §200.332\(b\)](#) which may result in:

- Providing the subrecipient with training and technical assistance on program-related matters; and
- Performing on-site reviews of the subrecipient's program operations;
- Arranging for agree-upon procedures engagements as described in [2 CFR §200.425](#).

[2 CFR §200.332\(e\)](#).

Specific award conditions

If the above actions are determined to be ineffective in compelling compliance, based on an analysis of factors in accordance with [2 CFR §200.208\(b\)](#), specific award conditions may be assigned based upon the subrecipient's:

- risk evaluation under [2 CFR §200.206\(b\)\(2\)](#) which includes any items such as
 - financial stability;
 - management systems and standards;
 - history of performance;
 - audit reports and findings; and
 - ability to effectively implement requirements.
- history of compliance with the general or specific terms of Federal award (21st CCLC);
- ability to meet expected performance goals as described in [2 CFR §200.211\(a\)](#); or
- responsibility determination.

Additional Federal award conditions may include items such as the following:

- withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given performance period;
- requiring additional, more detailed financial reports;
- requiring additional project monitoring;
- requiring the non-Federal entity to obtain technical or management assistance; or
- establishing additional prior approvals.

[2 CFR §200.208\(c\).](#)

If additional requirements are going to be imposed, the NMPED must notify (in writing) the subrecipient as to:

- the nature of the additional requirements;
- the reason why the additional requirements are being imposed;
- the nature of the action needed to remove the additional requirement, if applicable;
- the time allowed for completing the actions, if applicable; and
- the method for requesting reconsideration of the additional requirements imposed.

[2 CFR §200.208\(d\).](#)

In accordance with [2 CFR §200.208\(e\)](#) any additional requirements must be promptly removed once the conditions that prompted them have been satisfied.

Other Allowable Conditions Regarding Noncompliance

Suspension of Funds and Withholding of Funds

If the NMPED determines that the noncompliance cannot be remedied by the conditions applied, the NMPED may take one or more of the following actions, as appropriate in the circumstances:

- Temporarily withhold cash payments pending correction of the deficiency or more severe enforcement action.
- Disallow (that is deny, both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspend or terminate the Federal award.
- Initiate suspension or debarment proceedings as authorized under [2 CFR Part 180](#) and Federal awarding agency regulations.
- Withhold further Federal awards for the project or program.
- Take other remedies that may be legally available.

[2 CFR §200.339](#) and Paragraph (2) of Subsection (A) of 6.21.2.10 NMAC.

New Mexico law allows the suspension of payments, in whole or in part, under an applicable program if the department (NMPED) has reason to believe that there has been substantial failure to comply with any such requirements:

- the department shall not suspend such payments until fifteen (15) days after the department provides an opportunity to show cause why such action should not be taken;
- no suspension shall continue in effect longer than sixty (60) days unless the department within such period provides the notice for a hearing.

Under New Mexico law, payments can be withheld, in whole or in part, under any such program if the department finds, after reasonable notice and opportunity to be heard before an impartial hearing officer, that the subgrantee has failed substantially to comply with any such requirements; any withholding of payments shall continue until the department is satisfied that there is no longer a failure to comply substantially with any such requirements.

Subparagraph (b) and Subparagraph (c) of Paragraph (2) of Subsection (A) of 6.21.2.10 NMAC.

Hearing Procedures for the Suspension or Withholding of Federal Funds

New Mexico Hearing Procedures

1. When a hearing is required under these rules or other applicable Federal requirements, the New Mexico Secretary of Public Education shall appoint an impartial hearing officer to conduct the proceeding. The impartial hearing officer shall be an impartial decision-maker who has not taken part in the investigation and who is not under the supervision of a department employee who did and who shall not have personal, economic, or professional interest in the outcome of the hearing other than the proper application of Federal laws, regulations, and policies.
2. The following procedures shall apply:
 - a. a written notice of hearing;
 - b. an opportunity for the aggrieved party to be heard; and
 - c. a prohibition of ex parte contacts between one party and the impartial hearing officer.
3. The impartial hearing officer shall issue a written decision that includes findings of fact and conclusions of law.

Subsection (B) of 6.21.2.10 NMAC.

Appeal Procedures for the Suspension or Withholding of Federal Funds

Nothing in the NMAC shall abrogate any right to appeal to the Secretary of the United States Department of Education or other appropriate Federal agency as provided for by Federal statute or regulation.

Subsection (C) of 6.21.2.10 NMAC.

Termination of an Award

The Federal award may be terminated in whole or in part as follows:

- By the NMPED if the subrecipient fails to comply with the terms and conditions of the Federal award.
- By the NMPED, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities.
- By the NMPED, with consent of the subrecipient, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.
- By the subrecipient upon sending the NMPED written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the NMPED determines in the case of partial termination that the reduced or modified portion of the subaward will not accomplish the purposes for which the Federal award was made, the NMPED may terminate the Federal award in its entirety; or
- By the NMPED pursuant to termination provisions included in the Federal award.

[2 CFR §200.340\(a\)](#).

The NMPED must provide the subrecipient a notice of termination in accordance with [2 CFR §200.341\(a\)](#).

Effects of Suspension and Termination

Costs to the non-Federal entity (subrecipient) resulting from financial obligations incurred by the non-Federal entity during a suspension or after termination of a Federal award or subaward are not allowable unless the Federal awarding agency or pass-through entity (NMPED) expressly authorizes them in the notice of suspension or termination or subsequently. However, costs during suspension or after termination are allowable if:

- a. The costs result from financial obligations which were properly incurred by the non-Federal entity before the effective date of suspension or termination, are not in anticipation of it; and
- b. The costs would be allowable if the Federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect.

[2 CFR §200.343](#).

Opportunities to Object, Hearings, and Appeals

Federal Requirements

The NMPED must comply with any requirements for hearings, appeals or other administrative proceedings to which the subrecipient is entitled under any statute or regulation applicable to the action involved.

[2 CFR §200.342.](#)

When taking certain actions, the NMPED must provide the subrecipient an opportunity for a hearing. A subrecipient may request a hearing if it alleges that any of the following actions by the State education agency (NMPED) violated a State or Federal statute or regulation;

- Ordering, in accordance with a final State audit resolution determination, the repayment of misspent or misapplied Federal funds; or
- Terminating further assistance for an approved project.

[34 CFR §76.783.](#)

State Requirements

New Mexico Requirements for Subgrantees Aggrieved by Final Letter of Determination or Notice of Intended-Action

An opportunity for a hearing must be provided to any subgrantee or subrecipient aggrieved by a final action of the department (NMPED) and alleging a violation of state or Federal laws, rules, regulations, or guidelines governing the applicable program (21st CCLC) with regard to the department's:

- i. disapproving or failing to approve its application or program in whole or in part;
- ii. failing to provide funds in amounts in accord with the requirements of laws and regulations;
- iii. ordering, in accordance with the department's audit resolution determination, the repayment of misspent or misapplied federal funds; or
- iv. terminating further assistance for an approved program.

Subsection (A) of 6.21.2.9 NMAC.

Hearing Procedures

1. Request for hearing: The subgrantee shall request in writing the hearing within thirty (30) days of the date of the final letter of determination or notice of intended action.
2. Availability of records: The department shall make available, at reasonable times and places, to each applicant or subgrantee all records of the department pertaining to the review or appeal the applicant is conducting, including records of other applicants.

3. Hearing: Within thirty (30) days after the department receives a request for a hearing pursuant to this section, the department shall hold a hearing on the record and shall review its action or proposed action. The following procedures shall apply:
 - a. a written notice of hearing to all parties;
 - b. an opportunity for all parties to participate in the hearing;
 - c. prohibition of ex parte contacts between one party and the impartial hearing officer;
 - d. an impartial hearing officer, who has not taken part in the investigation and who is not under the supervision of a department employee who did, shall be appointed by the Secretary of Public Education;
 - e. the right of the parties to appear with counsel;
 - f. the right to present oral and written evidence and to conduct cross examinations;
 - g. the right to submit proposed findings of fact and conclusions of law; and
 - h. the compiling and availability of a record upon which the impartial hearing officer's recommend findings of fact, conclusions of law, and decisions are made.
4. Ruling
 - a. No later than ten (10) days after the hearing, the department shall issue its written ruling, including findings of fact and reasons for the ruling.
 - b. If the department determines that its action or proposed action in whole or in part was contrary to federal or state statutes, regulations, and guidelines governing the applicable program, the department shall rescind its action or proposed action in whole or in part.
5. Appeal to the Secretary: If the department does not rescind its final action or proposed action after a review under this section, the applicant may appeal to the secretary. The applicant shall file a notice of the appeal with the secretary within twenty (20) days after the applicant has been notified by the department of the department's ruling.

Subsection (B) of 6.21.2.9 NMAC.

Repayment

State Requirements

Repayment of misspent or misapplied federal funds, as determined through the audit resolution determination, shall be made from nonfederal sources or from federal funds, no accountability for which is required to the federal government.

Subsection (C) of 6.21.2.9 NMAC.

Federal Requirements

Payments made for costs determined to be unallowable ([disallowed costs](#)) by either the Federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the Federal agency that determined the costs are unallowable unless Federal statute or regulation directs otherwise.

[2 CFR §200.410](#).

Prospective Funding

Continuation Awards

Continuation means continuing a subgrant from one year to the next through the original period of performance. The NMPED provides one year of funding at a time in accordance with the *sustainability support structure* (as noted in RfP 10-92400-20-26337). Each year, the subrecipient receives a non-competitive continuation award for each subsequent year of the period of performance. Continuation is based upon the availability of funds, project performance, and compliance with progress and financial reporting requirements.

Source: 21st Century Community Learning Centers Program Non-Regulatory [Guidance](#), updated October 19, 2023.

New Mexico's Continuation Award Policy

The NMPED may make a continuation award for a [budget period](#) after the first budget period of an approved multi-year project if:

1. There is sufficient 21st Century Community Learning Center program funds available.
2. The subrecipient has made substantial progress in achieving the primary goals and performance measures at each community learning center.
3. The subrecipient has submitted all required reports including, but not limited to
 - a. EZReports per the RfP and assurances;
 - b. Four agency approved surveys (fall and spring);
 - c. Spring action plan;
 - d. Sustainability Plan;
 - e. Continuation report; and
 - f. Semi-annual report.
4. The subrecipient participates in the continuous quality improvement (CQI) cycle.
5. The subrecipient participates in the required professional development and training activities.
6. The subrecipient has maintained financial and administrative management systems that meet the financial management requirements under [2 CFR §200.302](#) and internal controls in accordance with [2 CFR §200.303](#).
7. The subrecipient has corrected noncompliance in a timely manner or is making significant progress in meeting the steps in the action plan.
8. Continuation of this project is in the best interest of the NMPED.

New Mexico's Continuation Award Procedure

The decision to continue the award is determined by the CSELT Bureau Director in consultation with the Administrative Services Division (ASD) and senior leadership, if applicable. When making this decision, the CSELT Bureau Director considers the recommendations from the bureau's Deputy Director along with data and information gathered from the:

- Risk assessment;
- Desk-top, virtual, and on-site monitoring;
- Program monitoring tool;
- Fiscal monitoring tool;
- Student outcomes;
- CQI team; and
- External evaluators.

When issuing continuation awards, the CSELT Bureau considers the subrecipient's remaining funds from the previous year. This may result in the reduction of the continuation award if the subrecipient did not fully expend the funds from the previous year.

Note: If it is determined to not issue a continuation award, the subrecipient must be afforded due process and a right to a hearing with an impartial hearing officer in accordance with Federal and State laws as described above.

Renewability of Awards

ESEA Section 4203(a)(8)(A) requires that the State educational agency make awards for programs for a period of not less than three (3) years and not more than five (5) years.

ESEA Section 4204(j) stipulates that renewability can occur at the end of the original period of performance and is allowable under certain terms. However, New Mexico law Section [13-1-150](#) NMSA, 1978 indicates that professional service contracts may not exceed four (4) years, including all extensions and renewals.

The 21st Century Community Learning Center Request for Proposal (RfP) Term of Agreement indicates that the agreement shall be for one (1) year, with the option to renew for a period of four (4) additional one-year options. The agreement shall not exceed five (5) years, including extensions and renewals.

New Mexico Public Education Department (NMPED)

Community Schools and Extended Learning Time (CSELT) Bureau

Nita M. Lowey 21st Century Community Learning Centers

Subrecipient Program Monitoring Tool

The Program Monitoring Tool is intended to assist the CSELT Bureau monitoring team as they conduct desk-top reviews, virtual monitoring visits, or on-site monitoring visits. In addition, the tool is intended to be used when meeting with the subrecipient's staff of the local Nita M. Lowey 21st CCLC programs. The tool is used to determine compliance with Federal and State statutes, Federal regulations, State rules, and department policies and procedures. Lastly, the tool informs staff of any needed quality improvements.

Basic information	
Subrecipient:	Date of Subrecipient Monitoring:
Subrecipient Address:	Type of Subrecipient Monitoring: <input type="checkbox"/> Desk-Top <input type="checkbox"/> Virtual Visit <input type="checkbox"/> On-site
Subrecipient Phone Number:	
Project Director Name:	Project Director email:
Fiscal Year of Award:	Amount of Award:
LEA(s) (school district(s) supported):	
Feeder School(s):	
Subrecipient staff interviewed and providing evidence:	CSELT Bureau staff conducting monitoring:

A. Program Vision, Mission, and Primary Goals

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient’s/eligible entity’s 21st Century Community Learning Center program has a well-defined student focused vision, mission, and goals developed in collaboration with students, families, community partners, and school personnel.

Program Management			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>A1. The program targets schools where the majority of the students participating in the program and receiving services, attend a school that provides schoolwide Title I services. Forty (40) percent or more of the student population qualify for Free and Reduced Price Lunch (FRPL).</p> <p>ESEA Section 1114. RfP requirement. 6.19.8 NMAC.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Title I school level data “Required” <input type="checkbox"/> FRPL or CEP data “Required” <input type="checkbox"/> School designation category <input type="checkbox"/> STARS data <input type="checkbox"/> Title I school waiver <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>A2. The program targets students who are enrolled in CSI and TSI schools. Students participate in the program and receive academic support that</p>	<ul style="list-style-type: none"> <input type="checkbox"/> School designation category “Required” <input type="checkbox"/> 90 day plan “Required” <input type="checkbox"/> Program plan 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations 	

<p>aligns with the school's improvement plan.</p> <p>ESEA Section 1111(d). ESEA Section 4204 (i)(1)(A)(i)(I). 6.19.8 NMAC. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Lesson plans <input type="checkbox"/> Student progress data <input type="checkbox"/> Individual student plans <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Noncompliant with action plan 	
<p>A3. The program provides services and programming for target populations (Over 10% Native American, McKinney-Vento (students experiencing homelessness), students with disabilities, English learners, and students achieving in the lowest quartile).</p> <p>ESEA Section 4204(i)(1)(A)(II). ESEA Section 4205 (a)(5)(6).</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Student demographics Required <input type="checkbox"/> Student enrollment data Required <input type="checkbox"/> Student attendance data <input type="checkbox"/> STARS data <input type="checkbox"/> Individualized Education Programs (IEPs) <input type="checkbox"/> Evidence of students with disabilities provided supplementary aids and services, including instructional assistants <input type="checkbox"/> Student achievement data disaggregated by 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

RfP requirement.	<p>ESEA subgroups “Required”</p> <p><input type="checkbox"/> Other</p>		
<p>A4. The program uses targeted recruitment strategies to ensure that it provides services to a significant portion of students with the greatest need for academic support and youth development.</p> <p>ESEA Section 4204(i)(1)(A)(II). ESEA Section 4204(i)(1)(A)(ii). RfP requirement.</p>	<p><input type="checkbox"/> Student referral forms “Required”</p> <p><input type="checkbox"/> Communication with parents and families “Required”</p> <p><input type="checkbox"/> Recruitment policy within internal program handbook</p> <p><input type="checkbox"/> Communication with teachers and school staff (guidance counselors, social workers, nurses)</p> <p><input type="checkbox"/> Parental communication</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	
<p>A5. The program provides academic and other services to at least the minimum number of students, 75% of the target enrollment each academic year, as described in the RfP.</p>	<p><input type="checkbox"/> Attendance records</p> <ul style="list-style-type: none"> <input type="checkbox"/> Average daily attendance <input type="checkbox"/> Total students served <p>“Required”</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	

<p>ESEA Section 4205(b)(1)(A). RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Attendance records verifying regular attendees <input type="checkbox"/> Other 		
<p>A6. The program provides services for at least 8 hours per week for a minimum of 30 weeks.</p> <p>ESEA Section 4204(b)(2)(iii). ESEA Section 4205(b)(1)(A). RfP requirements.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Weekly activity schedule (out-of-school time) showing programming and hours “Required” <input type="checkbox"/> Materials used to communicate weekly schedule to families and students <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>A7. The program provides an additional 240 instructional hours (equivalent to 34 additional school days).</p> <p>ESEA Section 4205(b)(1)(A). RfP requirements.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> School calendar with days of operation clear, including start and end dates, and closure dates “Required” <input type="checkbox"/> Communication with families and students <input type="checkbox"/> Attendance records <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

Referenced Statutes, Regulations, and Rules:

ESEA Section 1114 - Schoolwide Programs.

ESEA Section 1111(d) - School Support and Improvement Activities.

ESEA Section 4204 (i)(1)(A)(i)(I) - Students who primarily attend CSI and TSI schools.

ESEA Section 4204(i)(1)(A)(ii) - Families of students who attend CSI and TSI schools.

ESEA Section 4204(b)(2)(iii) - Dissemination of information about the community learning center.

ESEA Section 4204(i)(1)(A)(II) - Enrolling students who may be at risk for academic failure.

ESEA Section 4205(a)(5) and (6) - Services for individuals with disabilities and programs for English learners.

ESEA Section 4205(b)(1)(A) - Need for before and after school programs.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

New Mexico Administrative Code, [6.19.8](#) NMAC, School Differentiation and Support.

Final Draft

B. Program Leadership, Staffing, and Professional Learning

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/eligible entity has strong leadership and a team of qualified staff and volunteers in place.

Program Management			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>B1. The leadership and staff (employees and subcontractors) are qualified and fulfill job description requirements. Leadership and staff are background checked. Required training provided on ethical misconduct, child abuse and neglect, professional responsibilities, sexual abuse and assault, and substance abuse.</p> <p>ESEA Section 4203(a)(6). 6.60.8 NMAC. 6.60.11 NMAC. 6.50.18 NMAC.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Position descriptions and relevant qualifications “Required” <input type="checkbox"/> Records of hiring procedures <input type="checkbox"/> License (if applicable) <input type="checkbox"/> Background checks “Required” <input type="checkbox"/> Evidence of mandated training provided “Required” <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>B2. The leadership and staff (employees and subcontractors) are fully</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Attendance records from two agency required in person trainings “Required” 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations 	

<p>prepared to provide program services.</p> <p>ESEA Section 4203(a)(6). ED's Monitoring Review Protocol II.11. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Agendas, presentation materials, training guides, sign-in sheets from at least two (fall & spring) quality professional development sessions "Required" <input type="checkbox"/> Professional development plan and schedule <input type="checkbox"/> Evidence of sufficient planning time and regular staff meetings <input type="checkbox"/> Staff handbook <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Noncompliant with action plan 	
<p>B3. If the program uses volunteers, the subrecipient recruits and uses qualified individuals to support the authorized activity. The program meets the 30% volunteer goal each month. Volunteers are background check prior to volunteering. Volunteers receive required training on ethical misconduct, child abuse and neglect,</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Roster of volunteers, including roles and responsibilities "Required" <input type="checkbox"/> Volunteer database <input type="checkbox"/> Volunteer policy for recruiting and vetting <input type="checkbox"/> Evidence of recruitment and vetting of qualified persons 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>professional responsibilities, sexual abuse and assault, and substance abuse.</p> <p>ESEA Section 4204(b)(2)(M). 6.29.1 NMAC. 6.50.18 NMAC. 6.60.11 NMAC. RfP requirement.</p>	<p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Volunteer background checks <input type="checkbox"/> Sign-in sheets and training materials from required trainings <input type="checkbox"/> Volunteer schedule and hours “Required” <input type="checkbox"/> Other 		
<p>B4. A Program Director is employed and oversees site coordination and supports program implementation at each center.</p> <p>RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Position description with number of weekly hours and number of sites “Required” <input type="checkbox"/> Organizational chart “Required” <input type="checkbox"/> Time and effort <input type="checkbox"/> Achievement of outcomes data <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>B5. Ongoing professional development is provided for all involved in program implementation. Professional development includes the NMPED required professional learning and site specific training based on a needs</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Professional development plan “Required” <input type="checkbox"/> List of attendees with session descriptions and dates of attendance “Required” <input type="checkbox"/> Sign-in sheets 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>assessment. Staff receive evaluations or reviews at least annually and are provided appropriate professional development based upon those reviews.</p> <p>ESEA Section 4203(a)(6). <i>ED's Monitoring Review Protocol II.11.</i> NMOST Guiding Principle 8: Staffing & Professional Development. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Regular staff meeting documentation <input type="checkbox"/> Evidence of employee and staff evaluations or reviews "Required" <input type="checkbox"/> Other 		
<p>B6. The program is appropriately staffed for the age of the students and the activities provided. Class sizes should not exceed 15 students per paid instructor or less than 7 students per paid instructor. Paid classroom aide is provided if classroom ratio exceeds 1:10 and if a student's IEP specifically requires it as part of the supplementary aids and services.</p> <p>34 CFR §300.22. 34 CFR §300.42. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> List of staff assignments and duties "Required" <input type="checkbox"/> Evidence of staff to studio ratios "Required" <input type="checkbox"/> Classroom roster <input type="checkbox"/> Family handbook <input type="checkbox"/> IEP for student with disability "Required" <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

Referenced Statutes, Regulations, and Rules:

ESEA Section 4203(a)(6) - ongoing technical assistance and training.

ESEA Section 4204(b)(M) - use of volunteers.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Individuals with Disabilities Education Act (IDEA) [34 CFR Part 300](#).

New Mexico Administrative Code Paragraph (8) of Subsection (C) of [6.29.1.9](#) NMAC, Standards for Excellence, General Provisions.

New Mexico Administrative Code [6.50.18](#) NMAC, Use of Volunteers in Schools and School Districts.

New Mexico Administrative Code [6.60.6](#) NMAC, Continuing Licensure for Licensed Educators in New Mexico.

New Mexico Administrative Code [6.60.11](#) NMAC, Required training Program for School District Personnel, School Volunteers, and Contractors.

New Mexico Out-of-School Time Network ([NMOST](#)) Guiding Principles: Staffing & Professional Development.

C. Program Environment and Setting

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient’s/eligible entity’s program ensures students feel safe, supported, and welcomed.

Program Management			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>C1. All programs and activities take place in a safe and easily accessible facility. Outdoor space and equipment are appropriate and safe for the ages and abilities of the students.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of safety policies and procedures <ul style="list-style-type: none"> ○ Evidence that building is secured during program hours (i.e. doors are locked or monitored, families and volunteers are supervised when in building, etc.) ○ Documentation of procedures for tracking students during program hours, including during dismissal, transportation times, and early and late pick-up ○ Check-in and check-out 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

	<ul style="list-style-type: none"> ○ Identification badges “Required” □ Team Member (staff) Handbook □ Evidence of a Learning Center Safety Plan that includes procedures for <ul style="list-style-type: none"> ○ Fire evacuation ○ Shelter-in-Place ○ Lock down “Required” □ Records of drills specific to the program □ Documentation of facility accessibility <ul style="list-style-type: none"> ○ School map with program areas ○ Evidence of compliance with the Americans with Disabilities Act (ADA) requirements “Required” □ Evidence program has access to building spaces that are adequate for the activities being provided 		
--	--	--	--

<p>ESEA Section 4204(b)(2)(i). ED's Monitoring Review Protocol II.5. NMOST Guiding Principle 1: Environmental Safety. RfP requirement.</p>	<ul style="list-style-type: none"> ○ List of spaces used for program activities ○ List of activities and schedule with room locations <p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Site inspection records including food safety inspections required under USDA and the NM Environment Dept. <p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Equipment inspection records <input type="checkbox"/> Other 		
<p>C2. Students participating in the program travel safely to and from the center and home. Safe transportation is not a barrier to participation for any students.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of transportation plan that includes <ul style="list-style-type: none"> ○ Provider's role and responsibility ○ Insurance ○ Pickup and drop off procedures <p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Background checks for employees who transport students <p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Documentation that transportation options are 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>ESEA Section 4204(b)(2)(A)(ii). 6.41.2 NMAC. 6.41.4 NMAC. ED’s Monitoring Review Protocol II.4. RfP requirement.</p>	<p>communicated to families (e.g. registration form, family handbook, etc.)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Evidence of process to regularly assess the transportation needs of all potential participants <input type="checkbox"/> Transportation service documents (agreement with LEA, bus or van companies) <input type="checkbox"/> Students with disabilities’ IEPs if specialized transportation required “Required” <input type="checkbox"/> Evidence of communication with school’s or LEA’s homeless liaison “Required” <input type="checkbox"/> Other 		
<p>C3. The program provides an emotionally safe learning environment with meaningful inclusion for students.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Procedures and protocols that ensure a safe and secure center environment “Required” <input type="checkbox"/> Communication that is understandable and accessible with students, families, and staff regarding protocols 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>ESEA Section 4204(b)(2)(A)(i). RfP requirement.</p>	<p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Student surveys “Required” <input type="checkbox"/> Code of Conduct <input type="checkbox"/> Behavior policy with positive reinforcement techniques “Required” <input type="checkbox"/> Lesson plans (Social Emotional Learning) <input type="checkbox"/> Students’ classroom behavior choices data <input type="checkbox"/> Other 		
<p>C4. Program environment is welcoming and supportive of students and their families.</p> <p>ESEA Section 4204(b)(2)(A)(i). RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Student and family survey data “Required” <input type="checkbox"/> Evidence of implementation of PBIS, SEL, or culturally and linguistically responsive practices “Required” <input type="checkbox"/> Evidence that language used on official program materials is inclusive <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>C5. Program provides USDA approved food (CACFP supper or afterschool snack program) and water for students.</p> <p>Section 4205 (a)(4). RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of meals and snacks being provided “Required” <input type="checkbox"/> Meal or snack counts <input type="checkbox"/> PED or ECECD reviews “Required” <input type="checkbox"/> Student surveys 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>C6. Subrecipient has a non-discrimination policy. Procedures are in place to file a formal complaint or a civil rights complaint.</p> <p>2 CFR §200.300(a). 6.10.3 NMAC.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of policy “Required” <input type="checkbox"/> Documentation of procedure “Required” <input type="checkbox"/> Handbook 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

Referenced Statutes, Regulations, and Rules:

ESEA Section 4204(b)(2)(A)(i) - Program takes place in a safe and easily accessible facility.

ESEA Section 4204(b)(2)(A)(ii) - Travel safely to and from center to home.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Code of Federal Regulations [2 CFR §200.300\(a\)](#), Statutory and national policy requirements.

New Mexico Administrative Code [6.10.3](#) NMAC, Complaint Procedure.

New Mexico Administrative Code [6.41.2](#) NMAC, School Bus Inspections.

New Mexico Administrative Code [6.41.4](#) NMAC, Standard for Providing Transportation for Eligible Students.

New Mexico Out-of-School Time Network ([NMOST](#)) Guiding Principles: Environmental Safety.

D. Sustainability of the 21st Century Community Learning Center Program

U.S. Department of Education’s Critical Element I: Subgrants to eligible entities on a competitive basis.

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/Eligible Entity maintains and implements its Agency approved Sustainability Plan.

Program Management			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>D1. The subrecipient’s sustainability plan identifies three sustainability strategies, the responsible parties for strategy completion, and timeline for strategy completion. The plan is updated annually.</p> <p>ESEA Section 4204(b)(2)(K). ESEA Section 42039a)(8)(B). ED’s Monitoring Review Protocol 1.16. RfP requirement.</p>	<p><input type="checkbox"/> Sustainability plan “Required”</p> <p><input type="checkbox"/> Evidence of progress on plan, including</p> <ul style="list-style-type: none"> • Sustainability planning committee (e.g. list of members, schedule of meetings, meeting minutes, etc. • Records of community outreach events, communications, and fund-raising activities • Documentation of additional funding sources secured to support program <p>“Required”</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	

<p>D2. Plan includes the amount of local, State, and Federal programs that are being leveraged to expand and sustain the activities the program supports.</p> <p>ESEA 4204(b)(2)(C). ED’s Monitoring Review Protocol II.9.</p>	<p><input type="checkbox"/> Records demonstrating coordination with at least one other Federal, state, or local funding source “Required”</p> <p><input type="checkbox"/> List of jointly-funded and planned activities, including dates</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	
<p>D3. Program creates other partnerships that enhance sustainability and quality of services. Opportunities are leveraged and tracked.</p> <p>NMOST Guiding Principle 7: Administration & Organizational Development. RfP requirement.</p>	<p><input type="checkbox"/> Documentation of partnerships “Required”</p> <p><input type="checkbox"/> Evidence of commitments from partners</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	

Referenced Statutes, Regulations, and Rules:

ESEA Section 4204(b)(2)(K) - Preliminary plan.

ESEA Section 4203(a)(8)(B) - Plan describing how activities will be funded after funding ends.

ESEA 4204(b)(2)(C) – effective use of public resources.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement)

New Mexico Out-of-School Time Network ([NMOST](#)) Guiding Principles: Administration & Organizational Development.

E. Program Progress

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/eligible entity collects and reviews high quality measures of students’ success and uses the data for decision making and continuous quality improvement.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>E1. The program is regularly evaluated for progress towards meeting the 21st CCLC primary goals. Evaluation results are used to refine, improve, and strengthen the program or activity, and to refine the performance measures.</p> <p>ESEA Section 4203(a)(14). ESEA Section 4203(a)(14)(B). ESEA Section 4205(b)(2). 2 CFR §200.329(b). 2 CFR §200.332(d). 34 CFR §76.722.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Copy of most recent evaluation report “Required” <input type="checkbox"/> Evidence of program improvement efforts <ul style="list-style-type: none"> ○ Evidence of implementation of evaluation plan (meeting schedule, minutes, list of evaluation team members, etc.) ○ Documentation of changes made to program or to performance measures in response to 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p><i>ED's Monitoring Review Protocol II.16 and II.17.</i> RfP requirement.</p>	<p>evaluation results</p> <p>“Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Updated 90 day plan for CSI and TSI schools <input type="checkbox"/> Other 		
<p>E2. The public is made aware of the availability of evaluation results.</p> <p>ESEA Section 4205(b)(2)(B)(ii). <i>ED's Monitoring Review Protocol II.18.</i> RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of communication of availability of results, such as: <ul style="list-style-type: none"> ○ Website notice ○ School or governing board meeting notices ○ Report summary with distribution list ○ Results published in newspaper or social media “Required” <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>E3. The program regularly, and in a timely manner, enters required data into <i>EZReports</i> (statewide evaluation system).</p> <p>ESEA Section 4203(a)(14)(B).</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Deliverables calendar <input type="checkbox"/> Policies and procedures that support regular and timely data submissions 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>ESEA Section 4205(b)(1)(E). 34 CFR §99.31. 34 CFR §76.722. RfP requirement.</p>	<p><input type="checkbox"/> FERPA compliant data sharing agreement with school(s) “Required” <input type="checkbox"/> Other</p>		
<p>E4. The subrecipient participates in the Continuous Quality Improvement (CQI) processes. This includes biannual surveys, the Spring Action Plan(s), and end-of-year report/Continuation Proposal.</p> <p>ESEA Section 4203(a)(14)(A). ESEA Section 4205(b)(1)(D) and (E). <i>ED’s Monitoring Review Protocol II.19.</i> NMOST Guiding Principle 9: Evaluation for Continuous Quality Improvement. RfP requirement.</p>	<p><input type="checkbox"/> Survey data “Required” <input type="checkbox"/> Spring Action Plan(s) “Required” <input type="checkbox"/> Continuation proposal “Required” <input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan</p>	
<p>E5. The data submitted is high quality, complete, valid, and reliable.</p>	<p><input type="checkbox"/> Submission reports “Required” <input type="checkbox"/> System generated error reports <input type="checkbox"/> Program level data <input checked="" type="checkbox"/> Site level data <input type="checkbox"/> Survey return rates</p>	<p><input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan</p>	

<p>ESEA Section 4205(b)(1)(A) and (E). 34 CFR §76.722.</p> <p>RfP requirement.</p>	<ul style="list-style-type: none"> ○ 50% families ○ 80% students ○ 100% staff ○ 75% teachers <p>“Required”</p> <p><input type="checkbox"/> Other</p>		
<p>E6. The program reviews the 21st CCLC goals and performance measures at least annually. The site-based team creates an action plan to meet the goals by the close of each academic year.</p> <p>ESEA Section 4205(b)(2)(B)(i). ESEA Section 4205(b)(1)(D). RfP requirement.</p>	<p><input type="checkbox"/> Current action plan up-to-date “Required”</p> <p><input type="checkbox"/> Previous action plan “Required”</p> <p><input type="checkbox"/> Team meeting agenda, sign-in sheets, notes, etc.</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	
<p>E7. The program evaluations provide clear evidence of the positive impact on a significant portion of regular attendees and their families.</p>	<p><input type="checkbox"/> Program evaluation report</p> <p><input type="checkbox"/> Evidence of academic progress made by students participating (e.g. grades, test scores)</p> <p><input type="checkbox"/> School attendance or behavior data for regular attendees</p> <p><input type="checkbox"/> Teacher survey data</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	

ESEA Section 4205(b)(1)(D). ESEA Section 4205(b)(2)(B).	<input type="checkbox"/> Student and family survey data <input type="checkbox"/> Other		
--	---	--	--

Referenced Statutes, Regulations, and Rules:

ESEA Section 4203(a)(14) - Evaluation of the effectiveness of programs and activities.

ESEA Section 4205(b)(2) - Periodic evaluation.

ESEA Section 4205(b)(2)(B)(ii) - Evaluation made available to the public upon request.

ESEA Section 4203(a)(14)(A) - Performance indicators and performance measures.

ESEA Section 4205(b)(1)(D) and (E) - Measures of student success and necessary data collection.

ESEA Section 4203(a)(14)(B) - How data collected.

ESEA Section 4203(a)(14)(B) - Public dissemination of the evaluations of programs and activities.

ESEA Section 4205(b)(1)(A) and (E) - Assessment of objective data and data collection of measures of student success.

ESEA Section 4205(b)(2)(B)(i) - Use of evaluation results to refine, improve, and strengthen program or activity.

ESEA Section 4205(b)(2)(B) - Use of evaluation results.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Code of Federal Regulations [2 CFR §200.329\(b\)](#) - Monitoring and reporting program performance.

Code of Federal Regulations [2 CFR §200.332\(d\)](#) - Requirements for pass-through entities.

Education Department General Administrative Regulations (EDGAR) [34 CFR §76.722](#), Subgrantee reporting requirements.

Family Educational Rights and Privacy (FERPA) [34 CFR §99.31](#), Disclosure of information and prior consent.

New Mexico Out-of-School Time Network ([NMOST](#)) Guiding Principles: Evaluation for Continuous Quality Improvement.

F. Student Programming

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient’s/eligible entity’s program offers a broad array of programming that connects academic learning to the real world and uses a variety of instructional methods. Program reinforces content introduced during the traditional learning day and provides real-world applications of content through academic enrichment opportunities, extracurricular enrichment opportunities, college and career connections, and youth development. Students have a voice in programming options and have authentic possibilities to choose their programs and activities.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>F1. Program offers a broad array of activities that advance student achievement and support student success. The activities are based upon an assessment of objective data regarding the need for before and after school (or summer recess) programs and activities in the schools and community.</p> <p>ESEA Section 4205(a). ESEA Section 4205(b)(1)(A). <i>ED’s Monitoring Review Protocol II.3.</i></p>	<ul style="list-style-type: none"> <input type="checkbox"/> Menu of programs and activities “Required” <input type="checkbox"/> Needs assessment identifying need for particular program or activity “Required” <input type="checkbox"/> Program schedule <input type="checkbox"/> Student attendance data <input type="checkbox"/> Student roster <input type="checkbox"/> Volunteer schedule 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>F2. Program participants regularly engage in at least one type of academic enrichment programming. Academic enrichment programs aligned with challenging State academic standards. Academic enrichment program aligns with the regular academic program of the school and the academic needs of participating students. Programming supports the performance indicators and measures.</p> <p>ESEA Section 4205(a)(1). ESEA Section 4205(b)(1)(D). <i>ED's Monitoring Review Protocol II.3.</i> Section 22-2C-3 NMSA, 1978.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Weekly activity schedule (before and after school) with academic enrichment offerings clearly marked. “Required” <input type="checkbox"/> Description of core academic enrichment offerings. <input type="checkbox"/> Lesson plans include State academic standards “Required” <input type="checkbox"/> Lesson plans include local curricula designed to improve student academic achievement “Required” <input type="checkbox"/> Lesson plans align with the regular academic program <input type="checkbox"/> Student roster <input type="checkbox"/> Student attendance data <input type="checkbox"/> Individual programs based on individual student assessment results “Required” <input type="checkbox"/> Evidence of consultation with school staff re: students and curriculum 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
--	---	--	--

RfP requirement.	<input type="checkbox"/> Agency approval of program <input type="checkbox"/> Other		
<p>F3. Program participants regularly engage in at least one extracurricular enrichment opportunity. Programming connects academic learning to the real world through hands-on, project-based applications. Extracurricular enrichment opportunity aligns with the regular academic program of the school and the academic needs of participating students. Opportunities support performance indicators and measures.</p> <p>ESEA Section 4205(a). <i>ED's Monitoring Review Protocol II.3.</i> RfP requirement.</p>	<input type="checkbox"/> Weekly activity schedule (before and after school) with extracurricular enrichment offerings clearly marked "Required" <input type="checkbox"/> Description of extracurricular enrichment opportunities "Required" <input type="checkbox"/> Student roster <input type="checkbox"/> Student attendance data <input type="checkbox"/> Lesson plans align with the regular academic program <input type="checkbox"/> Evidence of consultation with school staff re: students and curriculum <input type="checkbox"/> Agency approval of program "Required" <input type="checkbox"/> Other	<input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan	
F4. Each day of the program, college and career readiness components are intentionally	<input type="checkbox"/> Weekly activity schedule (before and after school) with college and career	<input type="checkbox"/> Compliant	

<p>integrated into the program along with extracurricular enrichment activities. Connections to college and careers activities are designed to both educate and inspire students to achieve goals beyond high school. Extracurricular enrichment activities align with the regular academic program of the school and the academic needs of participating students. Activities support performance indicators and measures.</p> <p>ESEA Section 4205(a)(14). ESEA Section 4205(b)(1)(D). RfP requirement.</p>	<p>readiness offerings clearly marked “Required”</p> <ul style="list-style-type: none"> <input type="checkbox"/> Description of college and career connections <input type="checkbox"/> Student roster <input type="checkbox"/> Student attendance <input type="checkbox"/> Lesson plans align with the regular academic program “Required” <input type="checkbox"/> Evidence of consultation with school staff re: students and curriculum “Required” <input type="checkbox"/> Agency approval of program <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>F5. Program provides youth development programming that is integrated into enrichment activities or provided to students during specialized weekly sessions. Programming fosters positive youth development. Programming aligns with the regular academic program of the school and the academic</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Weekly activity schedule (before and after school) with youth development offerings clearly marked “Required” <input type="checkbox"/> Description of youth development programming “Required” <input type="checkbox"/> Student roster <input type="checkbox"/> Student attendance 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>needs of participating students. Programs support the performance indicators and measures.</p> <p>ESEA Section 4205(a)(7) and (12) ESEA Section 4205(b)(1)(D). <i>ED's Monitoring Review Protocol II.3.</i> RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Lesson plans align with the regular academic program <input type="checkbox"/> Evidence of consultation with school staff re: students and curriculum <input type="checkbox"/> Agency approval of program <input type="checkbox"/> Other 		
<p>F6. The program uses best practices, including evidence or research-based practices, to provide educational and related activities that will complement and enhance academic performance and achievement, connect to the real world, integrate college and career readiness, and provide positive youth development.</p> <p>ESEA Section 4205(b)(1)(C). ESEA Section 8101(21). RFP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation that the best practice meets one of the 4 tiers of evidence under the ESSA “Required” <input type="checkbox"/> Description of best practices being implemented by program <input type="checkbox"/> Documentation that best practices are being implemented (lesson plans, activity plans, professional development for staff) “Required” <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>F7. Students participating in the program are involved in choosing or providing input into program activities.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documented process of seeking input from students 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations 	

<p>ESEA Section 4205(b)(2)(B)(i). RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Evidence that results of student surveys are used to refine, improve, and strengthen the program or activity “Required” <input type="checkbox"/> Program records demonstrate opportunities for students to make choices about the activities in which they participate (e.g., daily or weekly schedule, etc.) “Required” <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Noncompliant with action plan 	
--	--	--	--

Referenced Statutes, Regulations, and Rules:

ESEA Section 4205(a) - Authorized Activities.

ESEA Section 4205(b)(1)(A) - Measures of Effectiveness – based on objective data.

ESEA Section 4205(a)(1) - Authorized Activities – academic enrichment.

ESEA Section 4205(b)(1)(D) Measures of Effectiveness – alignment to regular program.

ESEA Section 4205(a)(14) - Career Technical Education.

ESEA Section 4205(a)(7) and (12) - Authorized Activities – cultural programs and drug and violence prevention programs.

ESEA Section 4205(b)(1)(C) - Measures of Effectiveness – evidence-based research.

ESEA Section 4205(b)(2)(B)(i) - Use of Results – used to refine, improve, and strengthen program or activity.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

ESEA Section 8101(21) - Definition of Evidence Based.

Section [22-2C-3](#) NMSA, 1978. Academic content and performance standards.

Final Draft

G. Community Engagement and Collaboration

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/eligible entity engages and collaborates with community stakeholders.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>G1. The program is carried out through a partnership with at least one community-based organization and other public or private entities where appropriate.</p> <p>ESEA Section 4204(b)(2)(H). RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of at least (1) partnership each semester “Required” <input type="checkbox"/> List of partners and description of contributions <input type="checkbox"/> Evidence of involvement of partners in providing program services (e.g. program schedule, communication advertising offerings led by partners, etc.) “Required” <input type="checkbox"/> Records of meetings with partners or of advisory board meetings that involve partners <input type="checkbox"/> Evidence of diverse partnerships that reflect the 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

	community served by the program		
	<input type="checkbox"/> Other		
G2. Information about the 21 st CCLC (including its location) is disseminated to the community in a manner that is understandable and accessible. ESEA Section 4204(b)(2)(A)(iii). <i>ED's Monitoring Review Protocol II.6.</i> RfP requirement.	<input type="checkbox"/> Dissemination examples (e.g. social media, website, newspapers, school newsletter, fliers, school board or governing council meeting minutes) “Required” <input type="checkbox"/> Informational and recruitment materials in languages other than English, if applicable <input type="checkbox"/> Other	<input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan	

Referenced Statutes, Regulations, and Rules:

ESEA Section 4204(b)(2)(H) - partnership between LEA, CBO, and another entity.

ESEA Section 4204(b)(2)(A)(iii) – information dissemination.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

H. School Partnerships

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient’s/Eligible Entity’s partnership with the participating school is characterized by active collaboration and communication.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>H1. The program is carried out in active collaboration with the school(s) the students attend. Collaboration includes sharing of relevant data among the schools. Data sharing is in compliance with applicable laws relating to privacy and confidentiality.</p> <p>ESEA Section 4204(b)(2)(D)(i). 34 CFR Part 99. <i>ED’s Monitoring Review Protocol II.8.</i></p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of collaboration between program and day school, such as: <ul style="list-style-type: none"> ○ Evidence of regular communication with school admin. and staff about program (e.g. meeting agendas or minutes, communication) ○ Teacher surveys or other tools used to gather feedback from day school teachers ○ Records of program staff involvement in day school activities (e.g. 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

	<p>minutes from school-based improvement team meetings, grade level meetings, etc.)</p> <p>“Required”</p> <p><input type="checkbox"/> Records of school personnel involvement in program (e.g. evidence of day school staff serving on 21st CCLC advisory board, as volunteers, or as activity leaders)</p> <p>“Required”</p> <p><input type="checkbox"/> Other</p>		
<p>H2. The subrecipient provides timely and meaningful consultation with appropriate officials of private schools about opportunities and availability of equitable services for students enrolled in private schools.</p> <p>ESEA Section 8501(a)(1), (3)(A). RfP requirement.</p>	<p><input type="checkbox"/> Annual assurances</p> <p><input type="checkbox"/> Records of consultation with private schools within a 20 minute drive radius</p> <p>“Required”</p> <p><input type="checkbox"/> N/A – no private schools in attendance area</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p> <p><input type="checkbox"/> Noncompliant with action plan</p>	
<p>H3. The academic services are clearly aligned with the school’s instruction and challenging State and local standards. Services are aligned with local curricula that are</p>	<p><input type="checkbox"/> Lesson plans and activity plans show alignment to standards and identified learning objectives</p> <p>“Required”</p>	<p><input type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Partial compliance with recommendations</p>	

<p>designed to improve student academic achievement.</p> <p>ESEA Section 4204(b)(2)(D)(ii). ESEA Section 4205(a)(1). ESEA Section 4203(a)(14)(A). <i>ED's Monitoring Review Protocol II.8.</i> Section 22-2C-3 NMSA, 1978.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Examples of curriculum or instructional approaches aligned with school day program or state and local standards <input type="checkbox"/> Documentation of communication or collaboration between day school staff and program staff regarding alignment of 21st CCLC activities and day school instruction <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Noncompliant with action plan 	
<p>H4. The program's and activity's measures of student success, align with the regular academic program of the school, the academic needs of participating students, and include performance indicators and measures. Student success and improvement is tracked over time. (Performance indicators and measures include State assessment results, improved attendance during school day, better classroom grades, regular (or consistent) program attendance, and on time</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Evidence of the program and activities aligning with day school <ul style="list-style-type: none"> o Lesson plans o Activity plans o Weekly schedule "Required" <input type="checkbox"/> Documentation of data from performance indicators and measures reviewed with school staff <ul style="list-style-type: none"> o Meeting agenda o List of attendees o Notes "Required" <input type="checkbox"/> Evidence of results were used to refine, improve, and strengthen program or 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>advancement to the next grade).</p> <p>ESEA Section 4205(b)(1)(D). ESEA Section 4203(a)(14)(A). ESEA Section 4205(b)(2)(B(i)). <i>ED's Monitoring Review Protocol II.8.</i></p>	<p>activity, and to refine performance measures “Required”</p> <p><input type="checkbox"/> Other</p>		
---	---	--	--

Referenced Statutes, Regulations, and Rules:

ESEA Section 4204(b)(2)(D)(i) – active collaboration with the schools.

ESEA Section 4204(b)(2)(D)(ii) – alignment with challenging State academic standards and local academic standards.

ESEA Section 4205(a)(1) – alignment of program with State academic standards and local curricula design.

ESEA Section 4203(a)(14)(A) – description of performance indicators and performance measures.

ESEA Section 4205(b)(1)(D) – measures of student success alignment.

ESEA Section 4205(b)(2)(B(i)) – use of results.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Section [22-2C-3](#) NMSA, 1978 Academic content and performance standards.

ESEA Section 8501(a)(1), (3)(A) – equitable services for students in private schools.

Family Educational Rights and Privacy (FERPA) [34 CFR Part 99](#).

I. Parent and Family Engagement

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/Eligible Entity treats parents and families as essential partners in the program’s efforts to support youth.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>II. The program provides opportunities for families to engage in their children’s education. Information about the center’s operations is provided to community members in a manner that is understandable and accessible.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of family recruitment “Required” <input type="checkbox"/> Schedule of family engagement events for current year, including a description and purpose of each activity (literacy and other educational services) “Required” <input type="checkbox"/> List of other 21st CCLC sponsored family engagement opportunities (e.g., committees, advisory board, field trips, etc.) <input type="checkbox"/> Documentation of a minimum of (2) adult learning opportunities per semester “Required” 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>ESEA Section 4201(a)(3). ESEA Section 4204(b)(2)(F). ESEA Section 4205(a)(10). <i>ED's Monitoring Review Protocol II.6.</i> RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Evidence that identified barriers to family participation are addressed by the program (e.g. child care, transportation, alternative scheduling) <input type="checkbox"/> Family survey data <input type="checkbox"/> Family Handbook <input type="checkbox"/> Other 		
<p>I2. The program has parents and guardians actively involved in planning and implementing the program.</p> <p>RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Documentation of families attending events that highlight, in an interactive way, student work and learning, at least (1) each semester "Required" <input type="checkbox"/> Evidence of family advisory board or meetings in which families provide input "Required" <input type="checkbox"/> Evidence of alignment between family engagement activities and the identified needs of students and families <input type="checkbox"/> Volunteer records of family members (e.g. 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

	invitations to volunteer, volunteer logs, etc.) <input type="checkbox"/> Other		
--	--	--	--

Referenced Statutes, Regulations, and Rules:

ESEA Section 4201(a)(3) – active and meaningful engagement.

ESEA Section 4204(b)(2)(F) – schoolwide programs and their families.

ESEA Section 4205(a)(10) – parenting skills programs.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Final Draft

J. Community School Framework

U.S. Department of Education’s Critical Element II: SEA uses standards, assessments, monitoring, and evaluation to hold subgrantees accountable.

New Mexico’s Guiding Principle: Subrecipient/Eligible Entity actively works together with the schools, community, families, and students to meet the Community School Framework.

Program Implementation			
Indicators of Success	Evidence & Examples	Performance Level	Notes
<p>J1. The program utilizes the school’s needs assessment, asset map, vision, and input from the community through listening sessions and data collection to select the interventions. Integrated Student Supports (ISS) address non-academic and out-of-school barriers to learning. The ISS intervention being implemented is an evidenced-based strategy or best practice that supports students, families, and communities in ensuring student success.</p> <p>Section 22-32-2 NMSA, 1978. Section 22-32-6 NMSA, 1978. 6.30.15 NMAC. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Needs assessment <input type="checkbox"/> Asset map <input type="checkbox"/> Listening sessions notes <input type="checkbox"/> Data collection <input type="checkbox"/> Documentation that the evidence-based strategy or best practice meets one of the 4 tiers of evidence under the ESSA “Required” <input type="checkbox"/> ISS are culturally and linguistically responsive 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>J2. The program utilizes the school’s needs assessment, asset map, vision, and input from the community through listening sessions and data collection to select the interventions. Collaborative Leadership and Practice (CLP) builds a culture of professional learning, collective trust and responsibility using strategies that, at a minimum, include a site-based leadership team and a community school coordinator. The CLP intervention being implemented is an evidenced-based strategy or best practice that support students, families, and communities in ensuring student success.</p> <p>Section 22-32-2 NMSA, 1978. Section 22-32-6 NMSA, 1978. 6.30.15 NMAC. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Needs assessment <input type="checkbox"/> Asset map <input type="checkbox"/> Listening sessions notes <input type="checkbox"/> Data collection <input type="checkbox"/> Family survey data <input type="checkbox"/> Documentation that the evidence-based strategy or best practice meets one of the 4 tiers of evidence under the ESSA “Required” <input type="checkbox"/> Student survey data <input type="checkbox"/> School staff survey data <input type="checkbox"/> Site-based leadership team agenda, minutes, and roster <input type="checkbox"/> Community school coordinator job description and roles and responsibilities <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>J3. The program utilizes the school’s needs assessment, asset map, vision, and input</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Needs assessment <input type="checkbox"/> Asset map 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant 	

<p>from the community through listening sessions and data collection to select the interventions. Expanded and Enriched Learning Time and Opportunities (EELTO) include before-school, after-school, weekend, summer, and year-round programs. The programs provide additional academic support, enrichment activities, and other programs provided by partners. Partners include IHEs, health-care providers, and businesses. The EELTO interventions being implemented are evidenced-based strategies or best practices that support students, families, and communities in ensuring student success.</p> <p>Section 22-32-2 NMSA, 1978. Section 22-32-6 NMSA, 1978. 6.30.15 NMAC. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Listening sessions notes <input type="checkbox"/> Data collection <input type="checkbox"/> Family Surveys <input type="checkbox"/> School staff surveys <input type="checkbox"/> Attendance data <input type="checkbox"/> Documentation that the evidence-based strategy or best practice meets one of the 4 tiers of evidence under the ESSA “Required” <input type="checkbox"/> Other 	<ul style="list-style-type: none"> <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	
<p>J4. The program utilizes the school’s needs assessment, asset map, vision, and input from the community through listening sessions and data collection to select the interventions. Active Family</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Needs assessment <input type="checkbox"/> Asset map <input type="checkbox"/> Listening sessions notes <input type="checkbox"/> Data collection 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations <input type="checkbox"/> Noncompliant with action plan 	

<p>and Community Engagement (AFCE) promotes healthy interactions. People from diverse backgrounds are empowered partners that promote a vision of student success. Schools function as neighborhood hubs. Courses, activities, and services are offered for parents, caregivers, and community members. The AFCE interventions being implemented are evidenced-based strategies or best practices that support students, families, and communities in ensuring student success.</p> <p>Section 22-32-2 NMSA, 1978. Section 22-32-6 NMSA, 1978. 6.30.15 NMAC. RfP requirement.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Family surveys <input type="checkbox"/> Description of course offerings for adults and schedule (2 sessions/semester) “Required” <input type="checkbox"/> Documentation that the evidence-based strategy or best practice meets one of the 4 tiers of evidence under the ESSA “Required” <input type="checkbox"/> Schedule of courses <input type="checkbox"/> Agenda or syllabus for courses <input type="checkbox"/> Roster of adult participants (correlated with participating students in program) <input type="checkbox"/> Participant evaluations of courses and activities <input type="checkbox"/> Other 		
<p>J5. The program allows for a broader use of the school, including neighborhood events, community activities,</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Rental/Usage agreements <input type="checkbox"/> Activity schedule “Required” 	<ul style="list-style-type: none"> <input type="checkbox"/> Compliant <input type="checkbox"/> Partial compliance with recommendations 	

<p>school and community advocacy, and civic life.</p> <p>Subsection (B)(1) of Section 22-32-6.</p> <p>Subparagraph (1) of Paragraph (C) of 6.30.15.8 NMAC.</p> <p>RfP requirement.</p>	<p><input type="checkbox"/> Communication such as social media, newsletter, fliers, website, etc. “Required”</p> <p><input type="checkbox"/> Other</p>	<p><input type="checkbox"/> Noncompliant with action plan</p>	
--	--	---	--

Note: For supporting Indicators of Success and Evidence and Examples of the Community School Strategy, see sections:

Integrated Student Supports – Program Vision, Mission and Primary Goals, Program Environment and Setting, Student Programming, and School Partnerships.

Collaborative Leadership and Practice – Program Leadership, Staffing, and Professional Learning, Community Engagement and Collaboration, and Parent and Family Engagement.

Expanded Learning Time and Opportunities – Student Programming, Community Engagement and Collaboration, School Partnerships, and Parent and Family Engagement.

Active Family and Community Engagement – Community Engagement and Collaboration, School Partnerships, and Parent and Family Engagement.

Referenced Statutes, Regulations, and Rules:

Section [22-32-2](#) NMSA, 1978. Purpose (Community Schools Act).

Section [22-32-6](#) NMSA, 1978. Community school framework; community school coordinator.

New Mexico Administrative Code (NMAC), [6.30.15](#) NMAC. Community Schools.

ESEA Section 4204(b)(2)(N) - other information and assurances the State educational agency may reasonably require (RfP requirement).

Promising Practices

Successful practices observed with this Out-of-School Time (OST) Program:

Promising Practices

Recommendations to Strengthen Practice(s)

Areas that are partially compliant but need some improvement:

Recommendations

Summary of Actions to be taken

Based on areas of partial compliance and noncompliance:

Overview of Noncompliance				For CSELT Bureau Staff Only			
Indicators of Success	Summary of Finding	Supporting Documentation Needed	Timeline	Date Received	CSELT Analysis	CSELT Decision	Date Resolved

The subrecipient must complete an action plan to address the recommendations and to correct the areas of noncompliance. Findings of noncompliance must be corrected as soon as possible.

Please email the action plan to _____ at _____
_____ no later than _____.

The CSELT Bureau will review and approve the action plan. It is the subrecipient’s responsibility to complete the action steps, in accordance with the timelines, and send the supporting documentation and evidence to the CSELT Bureau. Upon receipt, the CSELT Bureau will review the documentation and evidence to determine if the noncompliance has been corrected or if additional documentation and evidence are needed.

Failure to correct the noncompliance in a timely manner can result in the NMPED taking any of the actions described in the **Failure to meet action plan steps, implement recommendations, and correction of noncompliance** section above, in order to compel compliance. The CSELT Bureau will issue a letter of compliance when all of the findings have been corrected.