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**Collins Lake Outdoor School New Charter School Application  
August 21, 2025, Public Education Commission (PEC) Meeting  
Charter Schools Division (CSD) Recommendation**

**Collins Lake Outdoor School** proposes to open a school serving 35 students in grades K-4 within the boundaries of the Mora Independent School District (MISD).

**Peer Review**

A peer review team composed of New Mexico administrators, educators, and business officials reviewed the application and then conducted an interview to assess the capacity of the applicant team to open a public charter school.

Peer Review Team Ratings	Meets the Standard	Approaches the Standard	Does Not Meet the Standard
Number of Indicators	13	28	11

The peer review team rated the following indicators Does Not Meet the Standard: Governance Structure, Governing Board Qualifications, Governing Board Recruitment, Third Party Relationship, Appendix D (Evidence of Partnership/Contractor Relationship), Food Services, Evidence of Researched Facility, 5 Year Budget Plan, Internal Control Procedures, Appropriate Financial Staff, and Governing Board Fiduciary Oversight.

The peer review team **does not recommend** Collins Lake Outdoor School (CLOS) for approval at this time.

**Community Input**

At the community input hearing held on July 8, 2025, 13 members of the community spoke in favor of the school, and 21 letters of support were received. No one spoke in opposition and no letters of opposition were received. No one from MISD appeared at the hearing to speak either in favor or in opposition. Steve Smaby indicated that he has spoken with the MISD superintendent, and she was not opposed. The CSD notified the superintendent when the

application was received; she replied indicating that she was aware of the application but did not communicate that MISD was either opposed or in favor.

Community members in favor of the school cited the benefits of outdoor learning on behavior, engagement, and development; the hands-on science instruction at the Collins Lake Autism Center (CLAC) ranch, including topics like geology, hydrology and fire ecology; the importance of culturally and environmentally relevant education in rural areas; unique learning opportunities based on natural sciences and post-wildfire ecological recovery. Family members whose children had spent time at the CLAC ranch spoke about their children, particularly those on the autism spectrum, thriving in the outdoor learning environment. They cited intellectual, social, physical, and emotional growth from time spent at the ranch. The ranch currently functions as a multipurpose educational and therapeutic hub, serving homeschoolers and public school students, including significant numbers of neurodiverse students.

Dr. Becky Kappus of New Mexico Highlands University (NMHU) attended the hearing and confirmed NMHU's partnership with the school and commitment to providing mentoring for new teachers and staff professional development at no cost to the school.

### CSD Analysis

The CSD's main concern with this application is the financial viability of a school generating State Equalization Guarantee (SEG) funds for only 35 students. If the PEC approves the application, the school will have financial support from the CLAC, whose board has provided a resolution pledging support up to \$500,000.00 during the first five years the school is open, after which time the school would need to be self-sustaining. With an enrollment cap of 35 limiting SEG funds, this is unrealistic.

Mr. Smaby and the founding team have indicated in their application and capacity interview that they would like the school to expand its grades served to K-8 and increase its enrollment cap to 72, but NMSA 22-8B-6 Section H limits an *initial* application for a charter school to no more than 10% of the total enrollment of the school district within which it proposes to locate if that district's total enrollment is fewer than 1,300 students. **MISD enrollment as of 120 day for 2024-25 was 370 students** (up from the 350 showing in the PED Nova report run by CSD when the school submitted its notice of intent to apply). The intention of the law is to protect small districts from sudden and significant decreases to their SEG funding. The letter of the law does not prevent more gradual decreases from subsequent charter school enrollment cap increases, but the intent of the law is not to allow a small "foot in the door" cap which is then raised significantly. It would not be responsible for CSD to recommend approval of a fiscally-unsustainable 35-student cap with fiscal stability to be attained only by a subsequent doubling of that cap.

On the other hand, much of the community interest in the proposed school comes from the homeschool community, with additional interest from families in the Las Vegas City Schools district and other nearby districts. If significant numbers of students not currently enrolled at MISD enroll at the proposed school, these students would not decrease MISD's SEG. Nevertheless, because a public charter school must conduct a lottery and admit students as they apply and are randomly selected, the possibility remains that the school could in theory end up enrolling mostly students currently attending MISD schools. If the PEC approves the school, and if the school applies for an enrollment cap increase for a second term, actual

enrollment trends would need to be analyzed to determine the home districts of students attending the school.

The peer review team identified deficiencies in the application around budget and funding, and the CSD recommendation below includes recommended conditions to address these.

The peer review team rated the application Does Not Meet for Third Party Relationship, but the applicant team has assured CSD that it will provide a Memorandum of Understanding (MOU) with its partners, CLAC and NMHU.

The peer review team rated the application Does Not Meet for facility because the proposed facility consisted of two yurts rather than a traditional school building. The yurts are substantial structures, suitable for student activities and instruction, but the school will have space in an actual building owned by the CLAC and lease to the school for the amount of lease reimbursement the school will receive. The school will use the yurts and the outdoor areas for outdoor instruction, but will have an actual building approved by the Public School Facilities Authority (PSFA). A representative of PSFA visited the school in late July and has indicated that the school's plan is likely be approved.

Because mission-specific goals are integral to the very idea of a charter school, the CSD would add a condition related to this area, which was rated Approaches by the peers.

The CSD will provide technical assistance and support as needed by the founding team during the school's Implementation Year (IY).

### **CSD Recommendation**

The CSD recommends Collins Lake Outdoor School for **approval with the following conditions**, in addition to completion of the IY Checklist, which is required of all PEC-authorized schools:

- The school may not apply for emergency supplemental funds from PED. If the school cannot fund all legally and contractually required functions from SEG, supplemented by grants (federal, state, or other) and support from third parties, the board must surrender its charter.
- 910B-5: SEG calculations should match MISD unless there are specific commitments by student families with specific learning needs; plan for budget reconciliation that items specified in the budget if the school does not meet the expected enrollment.
- 5-year budget plan: Textbooks, software and general supplies must be allocated in the budget. Professional development (PD) including mentoring new teachers must be allocated in the budget unless an MOU with NMHU is in place to provide PD at no cost.
- Appropriate financial staff: the full scope of duties of the office assistant/manager must be identified including oversight of payroll, interfacing with the contracted financial services, and budgeting overview of BARs and reimbursements; Chief Procurement Officer (CPO) must be identified.
- Food service: identify an area to serve and provide food, clarify which funds are being used to provide food service.
- Facility: PSFA approval for planned facility.

- Third-party Relationships: MOU with CLAC for financial support; MOU with NMHU for professional development and new teacher mentorship.
- Governance: ensure the board has properly constituted finance and audit committees, has a plan to receive all required training, and no board member should also be a board member of CLAC, school foundation, or any other third party with which the school has an MOU.
- Mission-specific goals: develop goal(s) with clear metrics and associated rubrics to evaluate student progress toward targets related to mission.