

Enrollment Cap Amendment Request Form

The Charter Contract, was entered into by and between the New Mexico Public Education Commission, and **EXPLORE ACADEMY** effective 1 of JULY, 2014. **EXPLORE ACADEMY** was approved for a **FIVE** Charter Contract.

[SCHOOL NAME] Charter Contract currently states:

ENROLLMENT CAP: 500

AUTHORIZED GRADE LEVELS: 6-12

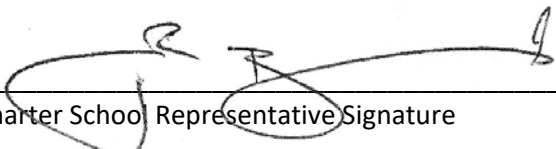
[SCHOOL NAME] requests consideration from the Public Education Commission (PEC) to change the terms of its Charter Contract, Section 8.01(a)(i), as follows:

PROPOSED ENROLLMENT CAP: 600

ENROLLMENT CHANGE: ☒ **INCREASE** ☐ **DECREASE**

EXPLORE ACADEMY Enrollment Cap amendment request is hereby submitted by, **JUSTIN BAIARDO** following eligibility criteria:

- ☒ Received no lower than a "C" letter grade in any of the past three years, or in all of the past three years for which a Tier evaluation is available, have been identified as Tier 2 or better in the Academic Performance Framework; and
- ☒ Has not had its board of finance revoked within the last three years; and
- ☒ If the fiscal year has started or will start prior to the request being considered by the PEC, the amendment request will be effective only in the subsequent fiscal year; and
- ☒ The school's governing board is in compliance with all reporting requirements.



Charter School Representative Signature

04/23/19
Date

EXPLORE ACADEMY Enrollment Cap amendment request was reviewed and voted upon by the Public Education Commission and is hereby:

☐ **APPROVED**

☐ **DENIED**

Chair, Public Education Commission

Date

Enrollment Cap Amendment Request

The *Enrollment Cap Amendment Request* is used to change the number of students the school is approved to serve *as described in the charter contract*.

An enrollment cap is **not** effective until approved by the PEC.

Enrollment cap requests must be submitted for approval at least two months prior to the school's enrollment period.

Schools shall only be eligible to submit an *Enrollment Cap Amendment Request* if the school is on a 2018 or post- 2018 contract. Schools using the pre-2018 contract who seek to submit an *Enrollment Cap Amendment Request* may do so concurrently with or after requesting that the commission negotiate with them to enter into a new contract using the 2018 template.

To determine whether your charter school is eligible to expand (**increase** the enrollment cap) using the *Enrollment Cap Amendment Request*, review the performance of the school. The expansion process is open to any charter school if the school has:

- Received no lower than a "C" letter grade in any of the past three years, or in all of the past 3 years for which a Tier evaluation is available, have been identified as Tier 2 or better in the Academic Performance Framework; and
- Has not had its board of finance revoked within the last three years.

The *Enrollment Cap Amendment Request* must be submitted at least two months prior to the school's enrollment period for any changes to be effective for the subsequent school year.

The *Enrollment Cap Amendment Request* must be submitted timely so that it may be processed within the timeframe provided in the PEC policy and implemented starting at the beginning of the next fiscal year (consideration at the June meeting is the latest possible consideration for an amendment to become effective in the next fiscal year).

If the fiscal year has started or will start prior to the request being considered by the PEC, an amendment request will be effective only in the subsequent fiscal year, if it is approved.

An administratively complete *Enrollment Cap Amendment Request* submitted by a charter school that meets the eligibility criteria shall be placed on the agenda of the next regular PEC meeting if the complete request was received at least 28 days prior to the meeting, or at the subsequent meeting if the complete request was not received at least 28 days prior to the next regularly scheduled meeting.

- A finding that the Charter School is not in compliance with governance reporting and training requirements **will result in a delay** in consideration of the request until the school comes into compliance, or if the school does not come into compliance, until the last meeting within the contractual timeline for a decision from the PEC.
- All performance data (academic, organizational, and financial) for the last three years including any outstanding complaints or investigations will be provided to the PEC for its consideration of the amendment request.

Requests to decrease the enrollment cap will be placed on the consent agenda of a regular PEC meeting. Any request may be removed from the consent agenda either before the scheduled PEC meeting or during the scheduled PEC meeting. If an item is removed from the consent agenda and school representatives are not available, the item will be added for consideration at the next scheduled PEC meeting.

A recommendation for approval from the CSD does not guarantee the request will be approved by the PEC. The PEC is the final decision maker and is not obligated to accept the recommendations of the CSD.

The recommendation from the PEC's authorized representatives and the PEC's decision to approve or deny an *Enrollment Cap Amendment Request* to increase the enrollment cap will be based on the following considerations, which will be weighed to determine if the applicant has the capacity to implement the requested expansion and ensure continued success in all applicable performance measures:

| |
|---|
| Has the applicant adequately met its mission; |
|---|

| |
|---|
| Is the applicant's academic performance stable or improving; |
| Has the applicant demonstrated financial stability and good financial management (this will include a review of the financial audits for the past 3 years); |
| Has the applicant adequately met its organizational performance requirements; |
| Has the applicant demonstrated community need, support, and satisfaction; and |
| Has the applicant demonstrated capacity to successfully implement the requested expansion. |

If you have questions about completing the form or uploading documents, contact charter.schools@state.nm.us.
Complete all required fields and attachments (denoted by "*").

Form Fields

| Field | Instructions |
|-----------------------------|--|
| Current Information* | Identify the Current Enrollment Cap approved for the charter contract. 500 |
| Proposed Change* | Enter the Enrollment Cap being requested, ensuring it is supported by the documented capacity of the facility/facilities identified. 600 |

Attachments

Approved Board Minutes*

Attach evidence that the requested change has been approved by the Charter School Board.

Narrative*

Attach a narrative that responds to the following prompts:

□ (Decrease and Increase) Describe the rationale for this request.

Explore Academy seeks to increase its student cap from 500 to 600, allowing the school to enroll up to 600 students starting in the 2019-2020 academic year. This enrollment cap increase will allow the school to accomplish several important tasks: to serve more students and families, many of whom are currently on waiting lists for each grade level, to expand its academic program to bring greater student choice and increased program offerings, and to operate its annual budget with more flexibility, including the capacity to increase funding for student experiences, academic materials, and operational needs. As the school’s facility is currently able to hold, by code, over 1000 students (1,093, see E-Occupancy Certificates), the proposed capacity increase does not approach the maximum allowed capacity.

Explore Academy has shown growing academic success since its opening in 2014. Each year, the demand for the Explore Learning model increases as more students and families submit interest forms and seek to enroll. This year, there is a waiting list at all grade levels, with middle school grade levels showing the highest numbers of students waiting for a spot to open. By December 2018, there were already more students in grades 6 and 7 who had applied than there are spaces for 2019-2020 with the current waiting list for 6th grade exceeding 200 students at the time of this writing. As a school formed by and operated by teachers, seeing the waiting lists and having to turn away students is a difficult process. The staff and administration has the desire to serve more students, to offer the model to more families, but are unable to open any more spaces due to the 500-student cap currently in place. Currently, the waitlist for each grade level is as follows:

| Grade | Students on Waitlist |
|-------|----------------------|
| 6 | 219 |
| 7 | 75 |
| 8 | 66 |
| 9 | 61 |
| 10 | 33 |
| 11 | 18 |
| 12 | 11 |

Based on these waitlist counts, Explore could enroll three complete 6th grade classes (at the current 80-student limit) in addition to nearly full second classes of grades 7 and 8. This demonstrates a demand for the school and stable enrollment, but it is also important to realize that Explore Academy has not advertised to students or families this year. In previous years, there were direct mailers and internet advertisements, etc. to increase enrollment and reach more families. This year, however, the site reached its cap at all grade levels and then developed long waitlists without one single advertising initiative. If advertising initiatives were reinstated, the number of students and families who would potentially seek enrollment would likely increase dramatically.

In addition to the waiting list and the additional 100 students that Explore Academy desires to serve each year, the increase in student population would also have other benefits. Explore Academy has developed its facility to meet the needs of its students and program over the last few years. The site, with its newly added cafeteria and increased number of classrooms, is designed to accommodate 600 students. With the current school population cap of 500, the site will never hold the number of students it is capable of accommodating. With an increase in the student capacity, the full potential of the facility can be reached.

The Explore Learning model is based largely on student choice and educational diversity. With an increase to 600 students, the accompanying increase in teachers will allow the school to expand its academic program to include more

flavor diversity and greater choice for all students enrolled. This increase in academic diversity can mean expanded higher-level academic major offerings for upperclassmen as they prepare for college, more course offerings at grades 8-11 to allow students to choose from a greater variety of core content flavors, and greater variety of educational opportunities that can only be achieved through the increase in teaching staff and the wealth of knowledge that the new teachers will undoubtedly bring to the school and its academic program.

The student increase will also allow greater flexibility in the annual budget. Currently, with lease payments and operational costs, the school is solvent and financial secure; however, this stability is achieved through limiting many activities, programs, materials, etc. that would otherwise be of great benefit to the students and staff. Additionally, looking toward next year with the funding and salary changes that are being implemented, the budget and its limitations will likely result in more programmatic restrictions. With additional students enrolled through a 100-student cap increase, the budget would allow for greater flexibility, easing the burden of the facility lease payment, allowing the purchase of more instructional materials for the engaging flavor options being offered to students, and creating more opportunities for student activities such as field trips and academic experiences that are limited with the current budget situation.

□ (Increase Only) Provide a detailed staffing plan consistent with each Staffing Chart submitted with this request. Describe how the staffing (administrative, instructional, and non-instructional), enrollment, and target population needs will be addressed by the following processes:

- o Recruitment;**
- o Hiring; and**
- o Training.**

The requested increase in enrollment will require only a small change to staffing to accommodate the 100-student increase that will be spread across several grade levels. For each core content, one extra staff member will be added to maintain current class sizes and provide increased program diversity as mentioned above. The school will advertise openings for math, English, science, and social studies through a multimodal approach, much like it does every year and is currently doing for the next year. The school uses various platforms to advertise for teaching positions, including online job boards (Indeed.com, etc.), social media (Facebook, etc.) and the school's website to provide open job postings and additional information and resources for applicants. The school also benefits from tremendous word-of-mouth recommendations from staff, students, parents, and community members that have brought some amazing educators to apply. The school has seen a wealth of applications for our open positions each year and it is confident that it can expand each core content area by one additional staff member to accommodate the requested cap increase. Going into next year 2019-2020, the school already has openings in each core content to accommodate the phase-in of grade 8 as well as to replace positions based on teachers retiring from the profession. The school has received many applications, composed of high quality teachers who seek to work at Explore Academy and embrace the educational model. This hiring process can be easily adjusted to hire teachers for a 600-student campus. Additionally, the school has received dozens of applications for educational assistants each year, so increasing the number of EAs we have on campus is an achievable staffing goal.

For hiring and training, the school's administrative team has developed a detailed onboarding plan for new teachers. Starting as soon as they are notified and welcomed to the team (a process in progress currently and through July), there are training sessions scheduled for new staff through their content team to prepare them for the upcoming year. Using the school's employee handbook as well as its designed training modules (digitally accessed anywhere through Google Classroom), new hires are given information on a steady basis that helps them begin their course development as well as learn about the educational model of Explore Academy and how it all functions including pedagogy, instructional practices, data collections, scheduling, etc. The school has planned staff orientation days for the beginning of the year prior to the first day of school so that all staff have individual and group time to prepare for the school year. This also provides time for returning staff to assist and mentor new staff.

This school year, an instructional coach was also introduced to the campus to assist with mentoring, teacher training and support, and curriculum guidance. The instructional coach is an experienced Explore Academy teacher with years of experience in assessment, instruction, curriculum, mentorship programs, and the Explore Learning model. From now through August, this position is transitioning into a director of instruction position that will allow her to organize staff training sessions with core department heads and administration, support new teachers as they navigate the onboarding process, and provide materials and resources for all teachers on staff. Explore Academy values teacher training and preparation, so there is considerable time and energy devoted to properly training and supporting both new staff and returning staff each year. There are comprehensive staff training sessions built into the start of each school year to provide training to new and returning staff. New staff are given extra time to work one on one with administration, department/content experts, and the director of instruction. The training for new hires includes some of the following training topics within the comprehensive staff onboarding modules:

- Explore Learning model
- Flavor-based instruction and seminar design
- Frontloading and other instructional practices
- Seminar-style instruction
- Inquiry teaching models
- Formative vs. summative assessment and exit exams
- Standards-based grading
- Student support systems
- Google and other Explore Academy technology practices

☐ **If changes to staffing are not needed, provide an explanation.**

n/a

☐ **(Increase Only) Provide a detailed description of how the Charter school will meet the enrollment targets identified in each Enrollment Matrix submitted. Include the following:**

- o **A plan for meeting targets;**
- o **Necessary advertising and/or promotion to meet the targets;**
- o **Number of returning students; and**
- o **Anticipated new student enrollment.**

There will be no need to advertise or promote the school in order to meet the enrollment targets set out in the Enrollment Matrix. As mentioned above, the school has waiting lists at all grade levels going into the 2019-2020 school year. This projection takes into account all the students who are not returning, the backfilling at each grade level, and the new enrollment at grade 8 (phase in grade). If the enrollment cap is raised to 600, the students needed to reach the grade level projections will come from the students waiting for an open spot at each grade level. Currently, the school will be at capacity and will fully enroll each grade level, resulting in 500 students enrolled from grades 6-12. With the cap increase, grades 6-8 will increase by 20 students each, while grades 9-12 will increase by 10 students each. This increase at each grade level will come from the students at each grade level on the waiting lists. There is also the ability to increase grades 6 and 7 by more than 20 students in the event that the backfilling at upper grades does not seem feasible.

☐ **(Increase Only) Identify the concrete resources, if any, needed for implementation. Consider the changes needed to curriculum, assessment, and instruction to implement this request. Provide the rationale for your response. If the response indicates that resources are not needed to implement the request, explain why.**

Implementation of the enrollment increase from 500 to 600 would not require extensive changes or additional concrete resources. The curriculum, assessment, and instruction will remain identical. The facility is built out for 600 students and all materials including seating, outdoor space, restrooms, etc. are set up to accommodate this enrollment load. The academic and operational systems in place, such as the At-Risk list, the apparel ordering form, lunch system, etc. are all set up to accommodate 600 students easily.

The addition of four teachers, one per core content area, would normally require more training and support to ensure that new staff are prepared for their positions. However, since there are new hires for the grade 8 phase in for 2019-2020, the training and support systems are already in place for onboarding the new teaching staff successfully. The addition of four teachers will not require more resources or materials other than creating their school accounts, purchasing their school technology, ensuring they are scheduled for and attend the new-teacher training sessions, and reviewing their seminar planning materials on required submission dates. There are also dedicated returning staff in each department who are ready to be assigned as mentors to new staff to further support their transition into the school's academic program systems.

Occupancy Documentation (Increase Only)

For the proposed facility, clearly label and provide the following documents:

- ☐ **Documentation of the capacity load of the facility to document capacity that can sustain projected growth in enrollment. Hand-drawn images will not be accepted.**

The e-occupancy certificates are attached, which show the capacity for all three phases of the building's construction (although the school is one single building)

- ☐ If an additional facility will be utilized:

- ☐ A Certificate of Occupancy, approved for educational use; *OR* An assurance that the school will not occupy any space until the school possesses a Certificate of Occupancy and provides the same to the PEC;
- ☐ NMCI letter from the PSFA; *OR* An assurance that the school will not occupy any space until the school possesses a NMCI letter from the PSFA and provides the same to the PEC;
- ☐ Documentation of the capacity load of the facility to document capacity that can sustain enrollment requested (hand-drawn images will not be accepted) ; *OR* An assurance that the school will not occupy any space that does not have a sufficient capacity load to sustain the enrollment requested and provides documentation of the capacity load to the PEC; and
- ☐ Proposed lease (as relevant), lease purchase agreement (as relevant), or purchase contract (as relevant) and an affidavit verifying compliance with legal requirements of Section 22-8B-4.2 NMSA 1978; *OR* An assurance that the school will not occupy any space that does not meet the ownership and leasing requirements of Section 22-8B-4.2 NMSA 1978.

Additional Information (Increase Only)

Attach each of the following documents:

☐ **Enrollment Matrix**

- o Detail the current and targeted number of students served per grade for the subsequent three Fiscal Years both in the primary educational program and the requested additional educational program.

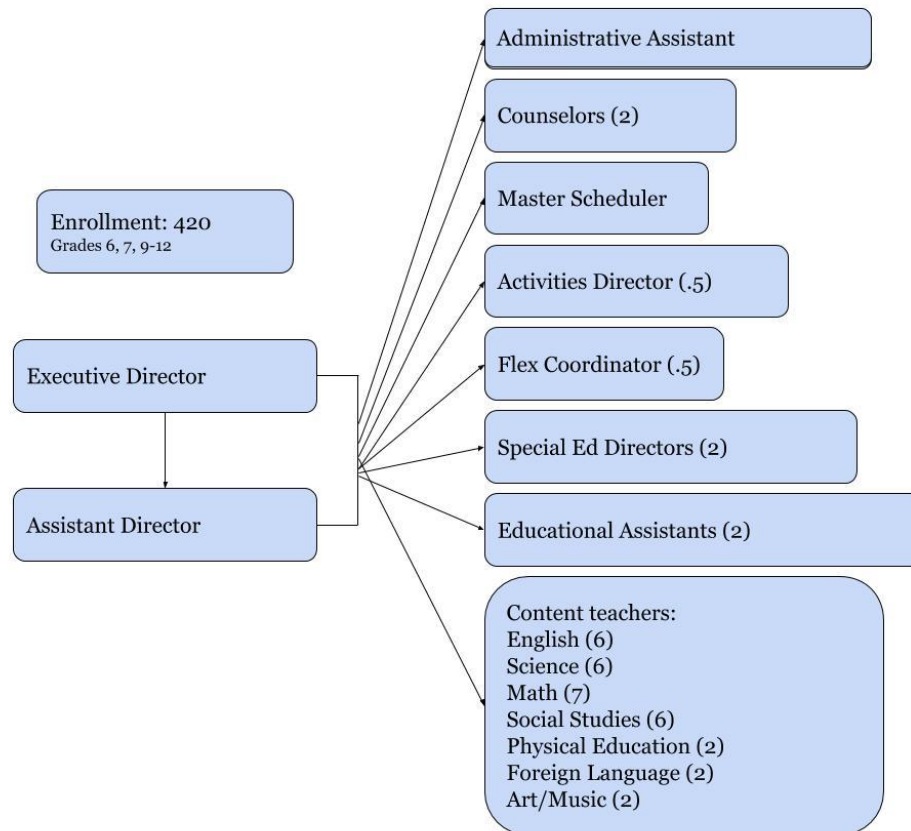
| CURRENT EDUCATIONAL PROGRAM ENROLLMENT | | | | | |
|--|------------|--------------|------------|--------------|------------|
| 2019-2020 | | 2020-2021 | | 2021-2022 | |
| 6 | 80 | 6 | 80 | 6 | 80 |
| 7 | 80 | 7 | 80 | 7 | 80 |
| 8 | 80 | 8 | 80 | 8 | 80 |
| 9 | 80 | 9 | 80 | 9 | 80 |
| 10 | 70 | 10 | 70 | 10 | 70 |
| 11 | 60 | 11 | 60 | 11 | 60 |
| 12 | 50 | 12 | 50 | 12 | 50 |
| Total | 500 | Total | 500 | Total | 500 |

| REQUESTED EDUCATIONAL PROGRAM ENROLLMENT | | | | | |
|--|------------|--------------|------------|--------------|------------|
| 2019-2020 | | 2020-2021 | | 2021-2022 | |
| 6 | 100 | 6 | 100 | 6 | 100 |
| 7 | 100 | 7 | 100 | 7 | 100 |
| 8 | 100 | 8 | 100 | 8 | 100 |
| 9 | 90 | 9 | 90 | 9 | 90 |
| 10 | 80 | 10 | 80 | 10 | 80 |
| 11 | 70 | 11 | 70 | 11 | 70 |
| 12 | 60 | 12 | 60 | 12 | 60 |
| Total | 600 | Total | 600 | Total | 600 |

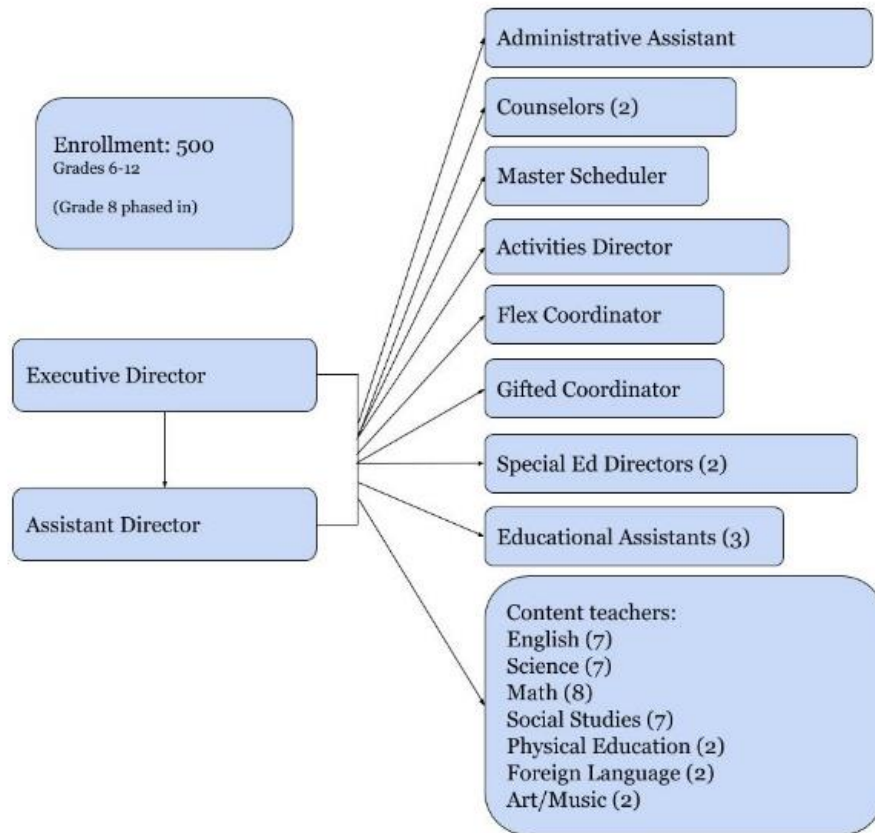
□ **Staffing Chart**

- o Identify the current and anticipated staffing information for the subsequent three Fiscal Years both in the primary educational program and the requested additional educational program

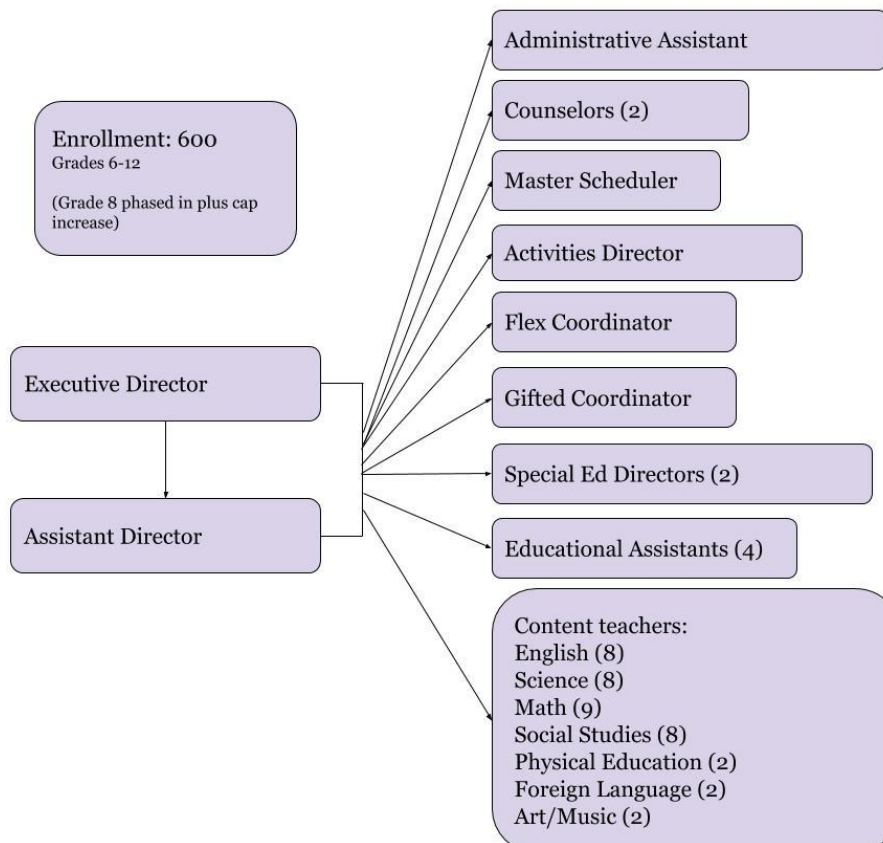
Current Educational Program Staffing Chart 2018-2019



Current Educational Program Staffing Chart 2019+



Requested Educational Program Staffing Chart 2019+



Certificate of Occupancy

City of Albuquerque
Planning Department
Building Safety Division

This Certificate, issued pursuant to the requirements of Section 115.3 of the Albuquerque Uniform Administrative Code, certifies that at the time of issuance this structure was in compliance with the above code and other technical codes and city ordinances regulating building construction or use.

Building Address 5100 Masthead St NE

Zip 87109

Portion of Building Tenant Improvement – Phase 1

Use Classification

Commercial Project

Bldg. Permit No. 2018-09918

Occupancy Group E

Type of Construction

II-B Fully Sprinkled

Land Use Zone N/A

Owner of Building

Justin Baiardo

Address: 5100 Masthead St NE, Albuquerque NM 87109



By: Victoria Tena

V Land Clark
Chief Building Official

Date: August 20, 2018

IBC Code Year: 2015

POST IN A CONSPICUOUS PLACE

MAXIMUM OCCUPANT LOAD: 655

Certificate of Occupancy

City of Albuquerque
Planning Department
Building Safety Division

This Certificate, issued pursuant to the requirements of Section 15.3 of the Albuquerque Uniform Administrative Code, certifies that at the time of issuance this structure was in compliance with the above code and other technical codes and city ordinances regulating building construction or use.

Building Address 5100 Masthead St NE

Zip 87109

Portion of Building Addition - Phase II

Use Classification Commercial Project Bldg. Permit No. 2018-28855

Occupancy Group E Type of Construction II-B Fully Sprinkled Land Use Zone N/A

Owner of Building Justin Baiardo Address: 5100 Masthead St NE, Albuquerque NM 87109

By: Victoria Tena

Date: December 21, 2018

V Land Clark
Chief Building Official

IBC Code Year: 2015

POST IN A CONSPICUOUS PLACE

MAXIMUM OCCUPANT LOAD: 178

Certificate of Occupancy

City of Albuquerque
Planning Department
Building Safety Division

This Certificate, issued pursuant to the requirements of Section 115.3 of the Albuquerque Uniform Administrative Code, certifies that at the time of issuance this structure was in compliance with the above code and other technical codes and city ordinances regulating building construction or use.

Building Address 5100 Masthead St NE

Zip 87109

Portion of Building Commercial Renovations – Phase III

Use Classification

Commercial Project

Bldg. Permit No. 2018-42853

Occupancy Group E

Type of Construction

II-B Fully Sprinkled

Land Use Zone N/A

Owner of Building

Justin Baiardo

Address: 5100 Masthead St NE, Albuquerque NM 87109



By: Victoria Tena

V Land Clark
Chief Building Official

Date:

December 28, 2018

IBC Code Year: 2015

POST IN A CONSPICUOUS PLACE

MAXIMUM OCCUPANT LOAD: 260

EXPLORE ACADEMY CHARTER SCHOOL

Minutes – Governing Council Meeting (Regular)

Tuesday, March 12, 2019 - 5:30 p.m.

I. PROCEDURAL AGENDA

This meeting of the EA Governing Council was called to order at 5:30 p.m., by Vice-Chair Ralph Montano. A quorum of the GC was present, as follows: Ralph Montano, John Garletts, David Kulb and Ray Barton III. Jessie Pickard was excused. Staff: Justin Baiardo (Principal) and Ashley Wolfel (Bus. Mgr.).

- Mr. Kulb **motioned** & the GC approved the agenda of March 12, 2019.
- Mr. Garletts **motioned** & the GC approved the minutes of Feb. 12, 2019.

II. PUBLIC COMMENT - There were no public comments.

III. FINANCE REPORT

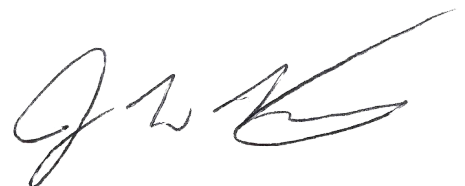
Ms. Wolfel presented the E.A. financial statements for February, 2019. Statements included: Revenues and Expenses, Bills and Disbursements, Bank Reconciliation and Outstanding Checks. In addition, two BARS (#23-I and #24-IB) were presented and explained.

- Following discussion, Mr. Barton **motioned** and the GC approved the financial statements, including the two BARS, as presented.

IV. E. A. SCHOOL BUSINESS & REPORTS

A. ADMINISTRATIVE

Mr. Baiardo updated the GC on the current EA enrollment status for SY2019-20. He indicated that the waiting list for the entering 6th grade alone, was now around 200 students. The current activity is centered around filling-in all of the applications which are siblings to existing EA students.

A handwritten signature in black ink, appearing to be 'J. Barton', is located in the bottom right corner of the page.

Mr. Baiardo provided updated information on EA Network Development. Based on discussions with both the school's attorney and business services provider, it appears that there are now three potential organizational models for the network. Each model has both pros and cons, which were presented. Extensive discussion and analysis followed, especially regarding the desire to respond to the community demand for the EA educational model. The consensus from the discussion was to continue with the current strategic planning direction in developing a second EA campus.

Mr. Baiardo led a discussion relating to the EA Strategic Plan. In order to move the planned strategic initiatives forward in a timely manner, certain timeframes must be met. Most of these timeframes involve state approvals and financing requirements. Following a power-point presentation, which included a detailed review of regional planning data and EA family sourcing data, the GC indicated a desire to proceed with approval of the necessary applications for an expansion of the EA educational model.

- Mr. Barton **motioned** and the GC authorized the preparation and submission of an application to the state, as an amendment to the charter contract. The application should provide for expansion to a second EA school site on the westside of Albuquerque, with a student enrollment cap of 700 students.
- Mr. Barton **motioned** and the GC authorized the preparation and submission of an application to the state, as an amendment to the charter contract. The application should provide for a student enrollment cap increase of 200 more students, at the current Masthead campus.

B. INSTRUCTION

Mr. Baiardo provided an update on the "Student Achievement Metric" which was discussed at the last meeting of the GC. He presented some tracking data regarding the "Subject Mastery Metric" (i.e. Students need to achieve an 80% student performance to pass each class). Since high school students and middle school students have a different reporting timeframe, two separate metrics were tracked and reported. Then, these two metrics were merged and averaged, creating a school-wide metric. The GC engaged in a detailed discussion regarding the metrics and their implication for academic planning.

V. GOVERNANCE COUNCIL REPORT / BUSINESS

Mr. Barton provided an update about the gathering of market information, for charter school administrators. He also reported that the state has confirmed the completion of the required board training for 4 of the 5 board members.

VI. GENERAL DISCUSSION AND ADJOURNMENT

After a general discussion of current issues, there being no other business for the Governing Council, Mr. Montano **motioned** and the GC approved adjournment at 7:05 p.m.

Note: Unless otherwise noted, all actions by the GC are by a unanimous vote.