

Part E - Governing Board Training (March 12, 2018)



Carinos de los Ninos Charter School Board Training

March 12, 2018

Driving student success in New Mexico by supporting both excellent authorizing practices and charter schools that provide innovative, quality education.

Training Agenda

8:00 am – 8:10 am: Introductions, Norms, and Objectives

8:10 am – 9:10 am: Open Government Requirements

9:10 am – 10:10 am: Charter School Governing Body Ethics and Responsibilities

10:10 am – 12:10 pm: Understanding and Evaluating Academic Data

1:00 pm – 2:00 pm: Understanding and Overseeing Organizational Performance

2:00 pm – 4:50 pm: Fiscal requirements and oversight pursuant to the Public School Finance Act

4:50 pm – 5:00 pm: Reflection on the day and next steps

Introductions, Norms, and Objectives

Introduction

- Why do I serve on the Carinos school board?
- What impact do I want my work to have?
- How am I dedicating myself and my skills to ensure that I have this impact?
- How have I fallen short as a board member and failed to fully dedicate my skills and myself?
- How can (and will) I improve my service to the board so I know that I am meeting my obligations?

Introductions, Norms, and Objectives

Norms

- Be respectful
- Be open-minded
- Be present
- Assume best intentions
- Ask questions to understand and clarify understanding

Introductions, Norms, and Objectives

Objectives

- Board members will have a much stronger understanding of their role as the primary and ultimate entity responsible for Carinos' performance
- Board members will have and understanding of their major responsibilities and will be able to identify where the Carinos' board has failed to meet these responsibilities
- Board members will understand the school's academic performance over the past several years and understand that that performance is not acceptable and has not been trending in the right direction
- Board members will understand Carinos' overall performance, be able to identify past failures, and consider the appropriate steps as time moves forward

Open Government Requirements

Agenda

- Holding meaningful and accessible public meetings
- Board meeting observations and concerns
- Planning to make changes to board meeting practices

Open Government Requirements:

Holding Meaningful and Accessible Public Meetings

The basic premise of sunshine legislation is that... 'the people are the only legitimate foundation of power, and it is from them that the constitutional charter ... is derived.'

Government is and should be the servant of the people, and it should be fully accountable to them for the actions which it supposedly takes on their behalf."

--U.S.C.C.A.N. § 2183, 2186 *interpreting* Federalist #47.

Open Government Requirements:

Board Meeting Observations and Concerns

- Is the public welcome to Carinos board meetings and are meetings implemented to be accessible to them?
- Are notices and agendas transparent and understandable?
- Does the process for public comment make the public feel able to address the board?
- Does the board meet the requirements of the OMA, in spirit? To the letter of the law?

Open Government Requirements:

Board Meeting Observations and Concerns

- Is discussion meaningful such that public business is *truly* being conducted in public?
- In board discussion and minutes, it is clear why recommendations are made and why decisions/agreements are arrived at?
- Are minutes made available to the public in a meaningful/timely manner?

Open Government Requirements:

Planning to make changes to board meeting practices

- How can this board be more respectful of the public and encourage/facilitate participation?
- How can this board ensure discussion of public matters is truly conducted in public and the reasons for actions are clear to members of the public?
- How can communication of board actions/decisions be made more transparent?

Charter School Governing Body Ethics and Responsibilities

Agenda

- Primary responsibilities of a school board
- Specific instances of board failures
- Planning for how to move forward and meet board responsibilities

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Why does the board exist?
 - Represent the owners of the school
 - Ensure outcomes the owners want
 - Ensure bad things don't happen
- What does the board do?
 - Govern
 - Evaluate and oversee
 - Strategic planning
 - Policy

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 - Policy

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Board
 - Recruit new membership with necessary skills and knowledge
 - Support and develop skills and knowledge of all board members
 - Manage itself – meetings, reporting and compliance
 - Regularly engage in self evaluation/reflection

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Administrator
 - Hire and establish compensation
 - Establish performance goals and expectations, including reporting requirements
 - Honestly and rigorously evaluate performance through outcomes
 - Provide and/or support professional growth and improvement
 - Rehire or terminate, depending on best interest of school

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Finance
 - Establish and enforce performance and reporting expectations
 - On a regular and consistent basis evaluate all financial information for red flags/concerns
 - Be on the lookout for fraud, waste, and abuse
 - Annually evaluate the effectiveness of financial decisions

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Academics
 - Establish and enforce performance and reporting expectations
 - Demand understandable and comprehensive explanations from school leader about academic program decisions
 - Annually evaluate the effectiveness of academic program decisions by evaluating performance against performance expectations

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Strategy and Policy
 - Establish school mission, vision, and strategic plan
 - Establish all required policies and ensure policies align with school mission, vision, and strategic plan
 - Regularly evaluate school compliance with established policies
 - Evaluate effectiveness and/or appropriateness of all policies on a regular basis and revise as necessary
 - Develop and approve new policies as required

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

- Organizational Performance/Legal Compliance
 - Establish and enforce clear expectation for legal compliance
 - Regularly evaluate legal compliance and quality of organizational performance
 - As necessary, evaluate or investigate allegations of legal non-compliance and address violations when required

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

Ask Hard Questions

“I will never again sit on a board and fail to ask hard questions when they are warranted. I don’t care who doesn’t want to hear the questions, or who thinks I’m a jerk. Vote me off the board if you want to, I’m not going to stop asking questions and raising issues on matters that concern me, especially financial matters. If that means I rain on someone else’s parade, then they’d better bring their umbrella.”

Charter School Governing Body Ethics and Responsibilities :

Primary Responsibilities of a School Board

Functional Phases of a Governing Council

1. Start-Up
2. Transition / Adolescence
3. Highly Effective Board

Dysfunctional Phases of a Governing Council

- Stagnant Phase
- Defunct Phase

Charter School Governing Body Ethics and Responsibilities :

Specific Instances of Board Failures

- **Administrator evaluation**
 - December 20, 2017 agenda item “approval of set goals”
 - Evaluation scheduled for same meeting
 - Evaluation of above expected
- **Allegations of wrongdoing**
 - September 2017 vote – “not to investigate”
- **Financial oversight**
 - Months of late financial reports
 - No accountability for late reports
- **Board governance**
 - Substantial and consistent board turnover
 - Board members voting without required training
 - 30 minute board meeting

Charter School Governing Body Ethics and Responsibilities:

Planning for How to Move Forward and Meet Board Responsibilities


- How might aboard calendar help? What would be on it?
- What board policies might you need to implement?
- What time of committee structure might help?
- What membership needs does you board have? What about the governing structure/officers?

Understanding and Evaluating Academic Data

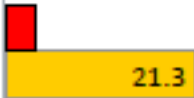
- Assume responsibility for ensuring that students are achieving at the highest levels
- In partnership with the school leader, monitor student achievement by reviewing and analyzing external, standardized tests and internal assessments, deeply understanding the factors affecting performance data and sharing updates with the full board
- Verify that school administrators use student data constructively and routinely to inform decisions
- Insist on targeted changes to the academic program if student achievement is lagging
- Visit other high-performing schools to inform the committee's work

Understanding and Evaluating Academic Data

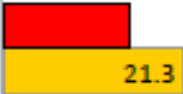
2017

Current Standing Are students performing on grade level? Did they improve more or less than expected?	 4.65	40	F
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2016

Current Standing How did students perform in the most recent school year? What percent of students are on grade level? Did students improve more or less than expected?	 21.3	<table> <tr> <th>Grade</th><th>School Points</th><th>Possible Points</th></tr> <tr> <td>F</td><td>3.35</td><td>40</td></tr> </table>	Grade	School Points	Possible Points	F	3.35	40
Grade	School Points	Possible Points						
F	3.35	40						

2015

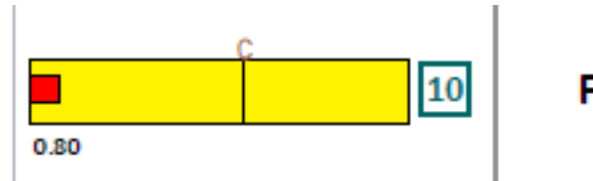
Current Standing How did students perform in the most recent school year? Students are tested on how well they met targets for their grade level.	 21.3	<table> <tr> <th>Grade</th><th>School Points</th><th>Possible Points</th></tr> <tr> <td>D</td><td>15.08</td><td>40</td></tr> </table>	Grade	School Points	Possible Points	D	15.08	40
Grade	School Points	Possible Points						
D	15.08	40						

Understanding and Evaluating Academic Data

2017

School Improvement

Is the school as a whole making academic progress?



2016

School Growth

Did the school as a whole improve student performance more or less than expected?



2015

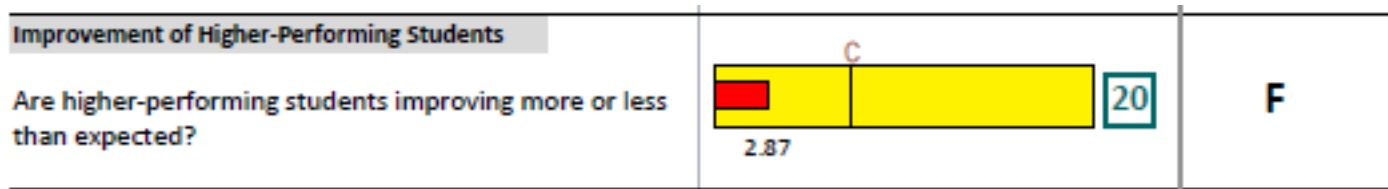
School Growth

In the past 3 years, did the school as a whole increase performance? For example, did a schoolwide reading program advance reading scores over the prior years?

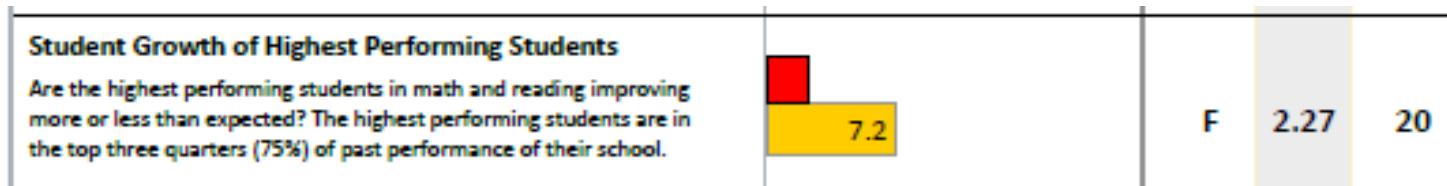


Understanding and Evaluating Academic Data

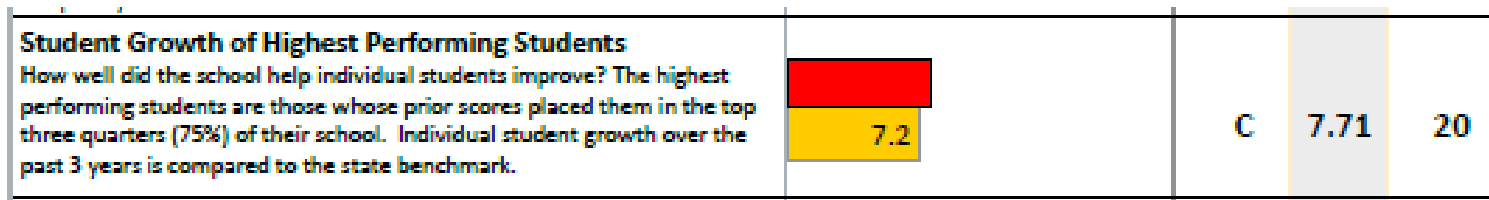
2017



2016

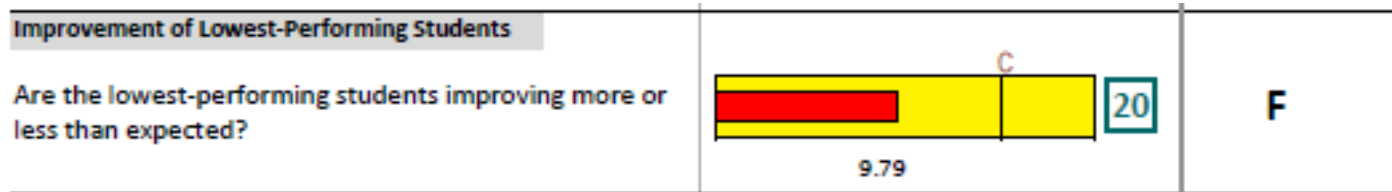


2015

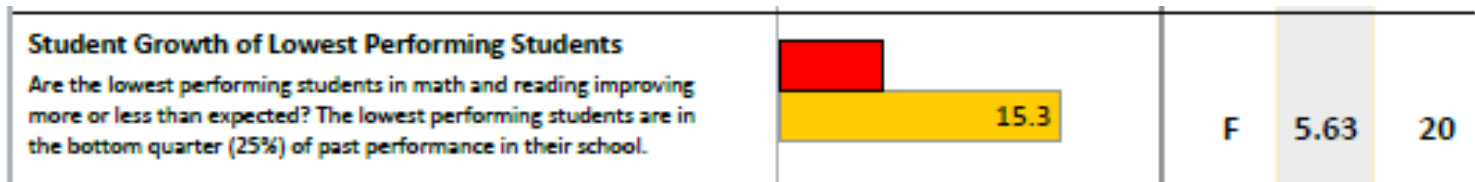


Understanding and Evaluating Academic Data

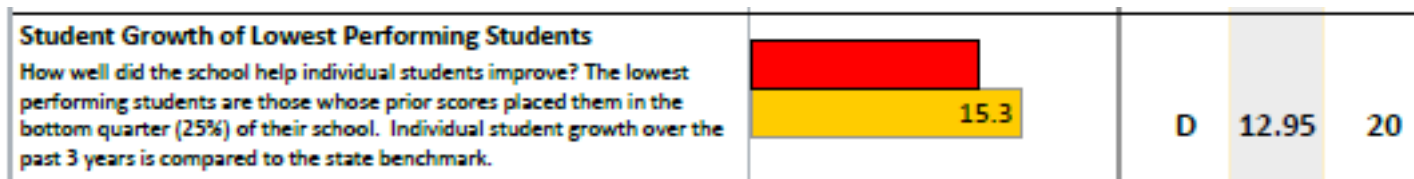
2017



2016



2015



Understanding and Evaluating Academic Data

2017



2016

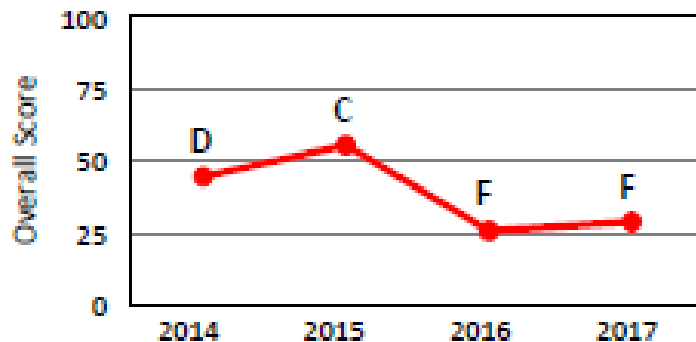


2015



Understanding and Evaluating Academic Data

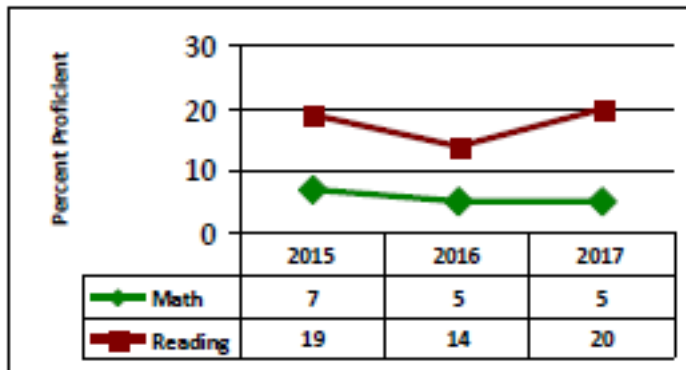
This School's History



Note for Families

If your student is enrolled in a school that has earned two "F" grades in the last four years, state law allows you to transfer your child to a school with a higher school grade. Please call (505)-827-4527 to learn more. For information about other schools in your community, please visit the School Grading web page at <http://ped.state.nm.us/SchoolGrading>.

Understanding and Evaluating Academic Data



Proficiencies Over Time

Students are performing on grade level with Proficient or Advanced scores.

		All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hisp	Asian	Am Indian			
<i>Reading</i>	Proficient (%)	20	24	16	-	-	19	-	-	18	≤ 20	17
	Points Proficiency	2.48										
	Points Student Growth	1.59										
<i>Math</i>	Proficient (%)	≤ 5	≤ 10	≤ 10	-	-	≤ 5	-	-	≤ 5	≤ 20	≤ 10
	Points Proficiency	0.20										
	Points Student Growth	0.39										

Understanding and Evaluating Academic Data

School History		Student performance over time can show the success of interventions and school reform. Students who score Proficient or Advanced are considered to be performing at grade level.										
		All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Reading Proficiency	2017 (%)	20	24	16	-	-	19	-	-	18	≤20	17
	2016 (%)	14	13	15	-	-	13	-	-	14	6	11
	2015 (%)	19	21	18	-	-	20	-	-	20	12	23
Math Proficiency	2017 (%)	≤5	≤10	≤10	-	-	≤5	-	-	≤5	≤20	≤10
	2016 (%)	5	6	3	-	-	5	-	-	5	7	5
	2015 (%)	7	9	5	-	-	7	-	-	5	15	5

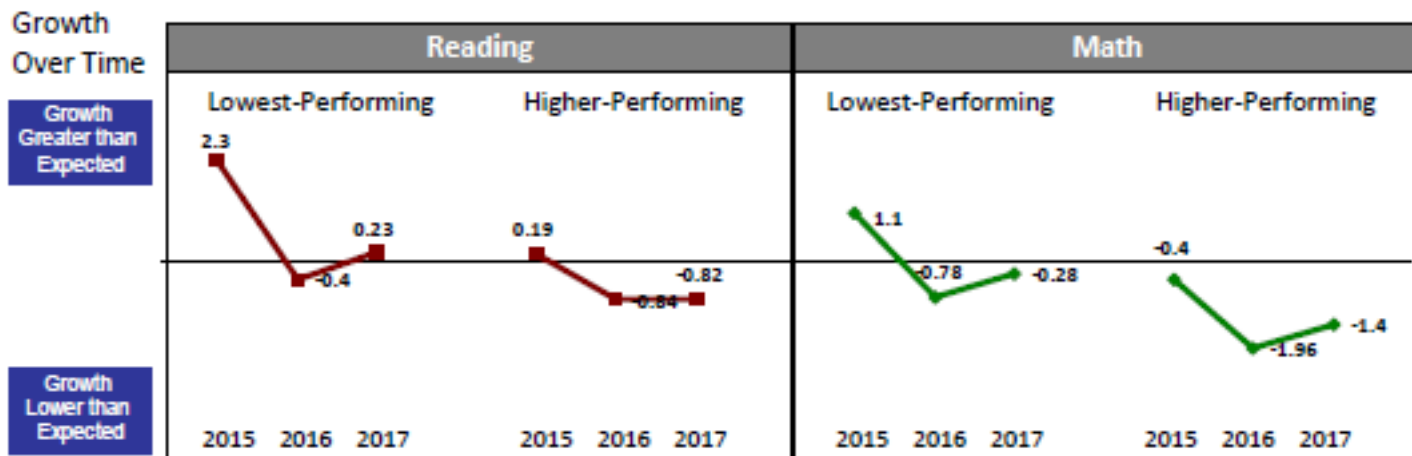
Understanding and Evaluating Academic Data

	<i>Reading</i>	<i>Math</i>
Growth Index	-1.03	-2.43
Points	0.76	0.04

Growth can be negative or positive. When it is positive, the school performed better than was expected when compared to other schools with the same size, mobility, and prior student performance.

	School Overall	Student Groups									
		F	M	White	Afr American	Hisp	Asian	Am Indian	Econ Disadv	Students with Disabilities	English Language Learners
Reading Growth											
Higher-Performing Points	-0.82 2.07	0.01	0.09	-	-	0.06	-	-	0.01	0.16	0.19
Lowest-Performing Points	0.23 5.91	0.44	-0.05	-	-	0.23	-	-	0.17	-	-
Math Growth											
Higher-Performing Points	-1.40 0.81	-0.02	-0.26	-	-	-0.18	-	-	-0.24	0.47	-0.14
Lowest-Performing Points	-0.28 3.88	0.08	-	-	-	-0.20	-	-	-0.20	-	-

Understanding and Evaluating Academic Data



Understanding and Evaluating Academic Data

Student Attendance		Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
	All Students	F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Average (%)	93	92	94	96	-	93	-	-	93	92	94
Points	4.90										

Surveys		Students answer survey questions on topics such as classroom teaching and expectations of students. The survey contains 10 questions with answers from 0 (Never) to 5 (Always) for a maximum score of 50. For students in grades KN-2, a parent or family member completes the survey.									
Score (Average)	34.00										
Points	3.78										
Number of Surveys	90										

Understanding and Evaluating Academic Data

Participation

All enrolled students must take the yearly state tests. If a school tests less than 95% of their students, the school's letter grade is reduced by one grade.

Reading (%)	96
Math (%)	96

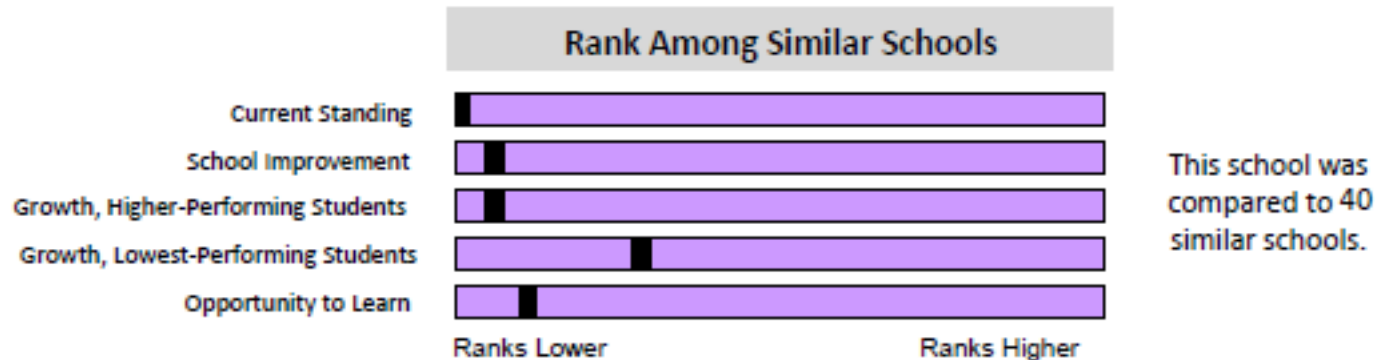
School exempt from penalty because of size

Understanding and Evaluating Academic Data

Additional Information

Similar Schools

This shows how an elementary school compares with other elementary schools, or how a middle school compares with other middle schools that have similar student demographics.



A listing of these schools is posted at <http://ped.state.nm.us/SchoolGrading/SimilarSchools>.

Understanding and Evaluating Academic Data

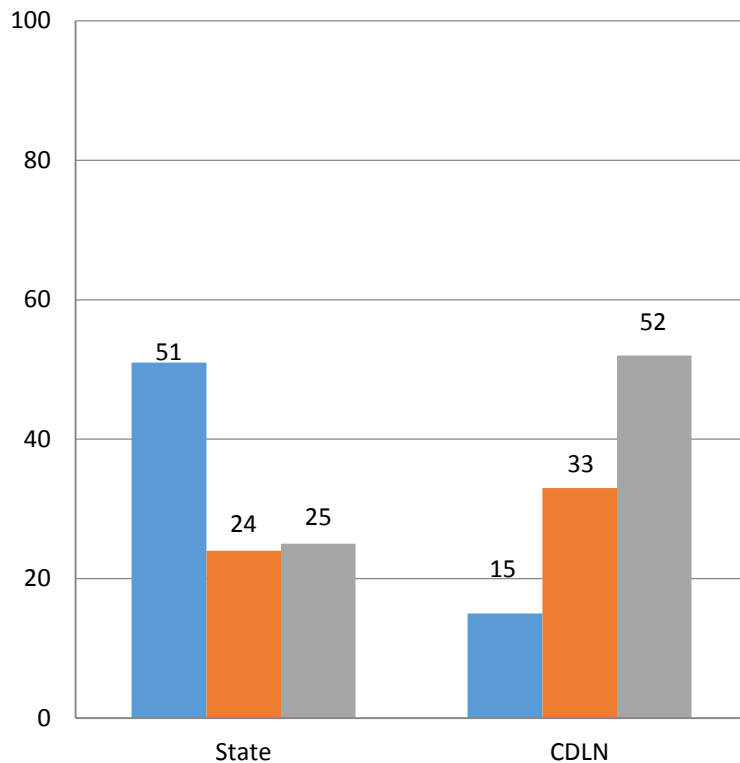
	Total # of Teachers	# of Teachers that returned in following or later year	% of Teachers that returned the following or a later year	Number of Teachers rated Minimally Effective or Ineffective	% of Total teachers that are Minimally Effective or Ineffective
1314 Teachers	16	7	44%	4	25%
1415 Teachers	10	5	50%	3	30%
1516 Teachers	8	1	13%	4	50%
1617 Teachers	7	2	29%	2	29%
1718 Teachers	5*				
<i>* Only 1 of these 5 returned from prior year</i>					

Understanding and Evaluating Academic Data

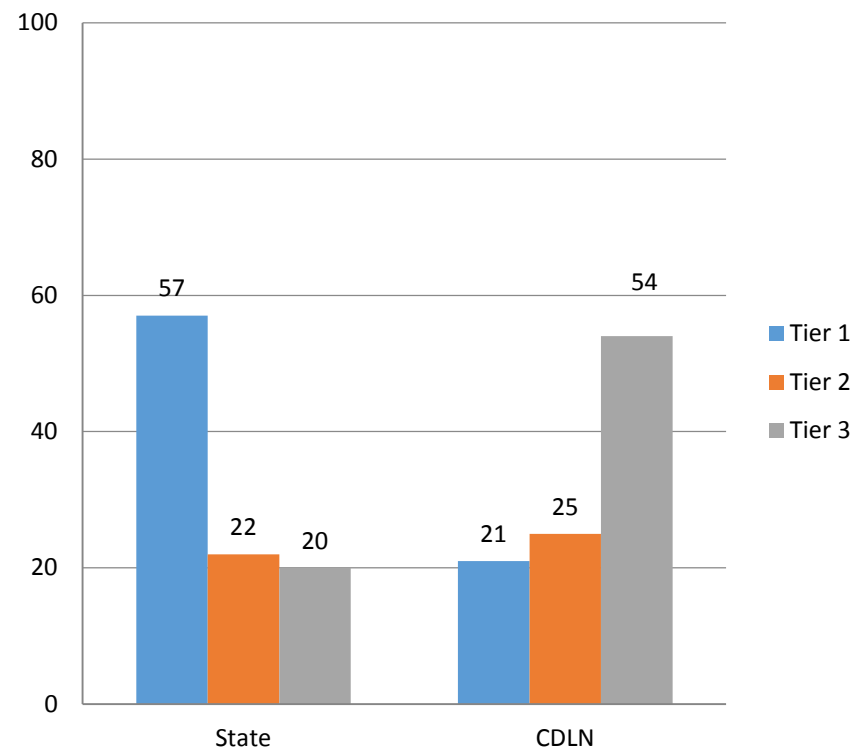
Comparing State and CDLN English Language Proficiency Levels, 2016 and 2017						
	Overall Proficiency Levels—in Percentages					
	Entering (Level 1)	Beginning (Level 2)	Developing (Level 3)	Expanding (Level 4)	Bridging (Level 5)	Reaching (Level 6)
2016 State	11%	15%	31%	27%	14%	3%
2016 CDLN	8%	29%	38%	17%	8%	0%
2017 State	14%	24%	44%	16%	1%	0%
2017 CDLN	36%	23%	36%	5%	0%	0%

Understanding and Evaluating Academic Data

**2017-2018 Beginning of Year (September)
Istation Results by Tier**



**2017-2018 Middle of Year (January) Istation Results
by Tier**



Understanding and Evaluating Academic Data

- Demographics Aren't Destiny
 - Unexpected Schools
 - Systems
 - Professional Development
 - Planning
 - Assessment
- IDEA Charter School

Understanding and Overseeing Organizational Performance

- First, **pay up**.
 - If you are a single-site, independent charter school, your business manager should be the second highest paid employee after the principal, although their salaries also can be on par with each other.
 - Business managers may report to the principal but should have access to the board.
 - Ideally, they should meet monthly with the board chair or treasurer and present at board meetings.

Understanding and Overseeing Organizational Performance

- **Second, manage performance.**
 - Rather than simply create a laundry list of key performance indicators (KPIs) to monitor performance, high-performing organizations align their metrics to their overall mission and values.
 - Reporting on an agreed set of metrics is one step.
 - Ensuring proper resources and other supports, such as time from the board treasurer and business manager professional development, is another step.
 - Then the metrics must be woven into a performance evaluation process that provides actionable feedback to the business manager.
 - “What gets measured gets managed.”

Understanding and Overseeing Organizational Performance

Value Driver: Create an Environment Conducive to Learning

Key Metrics

Number of building, health code or safety violations.

100% of certificates up to date (occupancy, elevator).

Work orders exceeding 3 days.

School hours lost to facilities issues.

% of monthly calendar events submitted by deadline.

Stakeholder satisfaction survey results about facility.

Student surveys: "I feel safe at school."

Number of workers' comp claims.

Average time between incident and claim.

Understanding and Overseeing Organizational Performance

Value Driver: Maintain Organizational Strength and Long Term Viability

Key Metrics

Number of external reports submitted on time.

Number of e-mail notices of late or incorrect submission received.

Number of formal notices of late or incorrect submission received.

Unscheduled network downtime.

Number of errors identified in internal audit of student data records.

Number of funding applications completed.

Percent approval of timesheets by deadline.

Number of manual checks cut.

Average expense reimbursement time from time of submission.

Number of audit reclassifications and adjustments.

Number of contracts amended to increase amounts.

Percent of expenditures on school site.

YTD revenue and expense vs. budget.

Percent of monthly financial reviews attended by business manager and principal.

Percent of financial reports submitted to board accurately and on time.

Percent of annual budget added to reserves.

Dun & Bradstreet credit rating.

Clean audit; number of issues in management letter.

Understanding and Overseeing Organizational Performance

- Read the Carinos contract
 - p 7-9
 - p 13-14 (section 3.04, 4.01, 4.02)
 - p 33-36
- Read the Carinos Performance Framework
 - What do you *assume* the school is doing?
 - What do you *know* the school is doing?

Understanding and Overseeing Organizational Performance

Meets Standard:

The school meets the standard if it satisfies each of the criteria statements described for the indicator OR if the authorizer currently has no evidence or information to indicate the school does not meet the criteria statements.

Working to Meet Standard:

There is evidence to indicate the school does not satisfy the criteria statements described for the indicator AND within 30 days after receiving a notification of non-compliance, the school submitted evidence to demonstrate immediate correction of any outstanding matters AND/OR submitted a corrective action plan to prevent future occurrences of the same concern.

Does Not Meet Standard:

There is evidence to indicate the school does not meet the criteria statements described for the indicator and the school failed to submit evidence of correction and/or a corrective action plan within 30 days of notification OR the school failed to implement the corrective action plan OR the non-compliance is repeated from the prior evaluation.

Charter Schools with Financial Concerns

David Craig, Director
School Budget and Finance Analysis Bureau

Introduction

- GOALS
 - Receive an overview of state education finance
 - Learn how programmatic decisions influence finances
 - Identify common pitfalls in charter school financial operations
 - Understand expectations and fiscal responsibilities of the head administrator, as well as oversight requirements for Governing Body
 - Learn required financial reporting requirements
 - Other Information

Overview of State Education Finance

- Schools are primarily funded through a statutorily created public school funding formula.
- The **funding formula** calculates the costs of your educational program and the amount you will receive from the state to help offset these costs.
- This state portion is termed the **State Equalization Guarantee (SEG)**, and this distribution will account for the majority of your operational revenue.
- Correctly calculating the elements included in the **program cost** calculation is essential to proper budget development and financial oversight.
- Charter schools receive very little outside of the SEG (some receive Impact Aid and there are some nominal SB-9/HB-33)

Overview of State Education Finance

- The public school funding formula details are provided in the *Public School Finance Act* (22-8-1 NMSA 1978).
- It is available online through the Legislature's website at:
<http://public.nmcompcomm.us/nmpublic/gateway.dll/?f=templates&fn=default.htm>
- Other resources are available on the School Budget and Finance Analysis website at:
<http://ped.state.nm.us/div/fin/school.budget/2016/How%20New%20Mexico%20Schools%20Are%20Funded%204-7-16.pdf>
- Please read the law and be familiar with its contents!

Programmatic Decisions that Influence Finances

- Staffing
 - What is the pupil teacher ratio you want versus what you can afford?
 - What are you going to outsource versus what are you going to hire employees for?
- Instructional Materials
 - Do you have unique (but expensive service delivery models)?
- Food Service/Transportation
 - Are you providing and can you afford it? Is it in your charter?
- Facilities
 - What's your plan? Are you going to be in a public facility? How much of your operating budget is devoted to it and how much is it impacting your education program?
- Administrative Expenses
 - What is your administration's organization chart?
 - Are you right sizing these expenditures (what's your target/how do you know if you are overspending on administration)

Common Pitfalls

- Membership Projections. Projections must be:
 - data driven and based upon some verifiable source documents (see Manual of Procedures for Public School Accounting and Budgeting);
 - conservative (the biggest problem folks in their first year get into financially is they have a disconnect between what they think their school will serve and what actually comes in the door, resulting in a huge decrease in revenues that may have already been expended or encumbered).
 - HIGH STAKES IN THE FIRST YEAR. Once you get off-track it's hard to get on track.

Common Pitfalls

- Enrollment growth projections. Primarily in second and all subsequent years, projections should:
 - Also be conservative as decreases in SEG occur when the growth does not occur;
 - Err on the side of not projecting growth; forces conservative spending.
 - Be real. Everyone hopes that they will have the program they envisioned in their application. No one does.
 - You are what you are. I don't care if you have 200 letters of intent, a waiting list of 100 extra kids or how many market studies from for-profit firms that are telling you what you want to hear with student growth. When the rubber hits the road, if you have 40 kids on 40th day year over year and 5 teachers it's time to get real about spending.
 - In many communities there is no massive pool of underserved kids anymore. This is a mature school choice environment. Many times you are competing with other school districts, charter schools and private schools for kids.

Common Pitfalls

- Failure to right size expenditures to revenues
 - When membership declines spending must as well
 - When teacher training and experience declines, spending declines must follow
 - Decisions about staffing are unavoidable – and should be happening yearly
 - Tough conversations about the size of spending when revenues decline are not being made between Governing Bodies and Head Administrators in some schools
 - Using the Operational Fund to supplement spending on capital outlay (particularly unfavorable lease purchase arrangements),

Common Pitfalls

- Failure to address the capital outlay issue until its way too late (and often disruptive to program delivery)
 - Schools will often open up with a dream, staffing and pedagogy; but that's it.
 - Schools find that available space is limited and expensive
 - From a financial perspective it is ideal to have the building situation figured out prior to opening
 - Capital costs can cut into funds for programming, which is not ideal
 - We shouldn't have to cut back on our services to kids because adults didn't get real about how they were going to get from dream to delivery.
 - You are what you are; the building fairy isn't coming – set realistic goals and hold yourself accountable to meet them.

Common Pitfalls

- Spending way too much (no nice way to put it)
 - If you aren't having to make tough choices during the year and at budget time, you need to look at whether or not you are overextended.
 - Nearly every charter school spends almost everything it has and says it needs more.
 - Need is subjective – when I compare our charter schools' needs to school districts requiring emergency supplemental the needs discussed are very, very different.
 - You can close the year without spending all you have – this is okay to do.
 - Do you know how to read a budget versus actual report?
 - How do you know if you have overspent in an area?
 - How much money do you need to end the school year with to ensure a successful start to the next year?
 - What areas are hot spots for you?
 - Do you have a plan to reduce spending?

Expectations

- Who is responsible for the financial management of the school?
- The head administrator of the charter school holds ultimate responsibility for the day-to-day finances of the school. The governing body also has responsibilities for financial oversight.
- If a business officer mismanages the charter school funds who is responsible?
- The head administrator and, ultimately, the governing body.

By opening a charter school you have indicated to the authorizer that you are already have a working knowledge of all of the elements we have discussed today. The expectation is that you already know all of the education finance information necessary to operate a successful charter school.

Expectations

- It is critical that you understand that whether an employee of the school or contractor, the school business officer works for the head administrator.
- The head administrator must oversee and manage the business office function and report to the governing body.
- Head administrators are expected to have the familiarity with school finance, budget and accounting principles necessary to do so (see previous slide).

Required Financial Reporting

- At a minimum, charter schools should provide the following reports monthly to the Governing Council, in addition to required procurement and payroll documents:
 - a high-level budget status report that allows quick identification of where budget availability has changed;
 - a cash report (see **Manual of Procedures for Public School Budgeting and Accounting (PSAB)**);
 - a voucher report showing all checks issued (including voids) and a brief explanation of expenditures; and
 - a budget adjustment request (BAR) report that summarizes the monthly BAR requests it has made of the Bureau as well as notable maintenance BAR's.
- These monthly reports need to be prepared in a manner that would be easily understood by a reasonable person without a financial background or experience.
- [http://ped.state.nm.us/div/fin/school.budget/Local Gov FinancialReporting.html](http://ped.state.nm.us/div/fin/school.budget/Local_Gov_FinancialReporting.html)
- It is the charter school's (and your) responsibility to communicate complicated school budget and education finance issues in a simplified manner.

Required Financial Reporting

- Pursuant to Section 6.20.2.10 NMAC 1978 Subsection C, school districts and charter schools are required to submit periodic financial reports to the department monthly or quarterly at the discretion of the department.
- These reports are the revenue, expenditure, tax levy receipt report, and cash report.
- Reports are to be submitted in a format specified by School Budget. Currently, this means via OBMS, and email for the cash report and tax levy receipt form.
- The default periodic status is quarterly. Required reporting frequency may be changed by the department at any time during the year, and the School Budget and Finance Analysis Bureau (the Bureau) is required to notify a school district or charter school in writing of any change in reporting frequency. Generally, the reporting status will change as a result of the need to monitor for additional financial risks.
- The determination of elevated risk comes from a number of data points, including but not limited to: large decreases cash reserves, over-expenditure of budget authority, numerous financial audit findings, non-responsive or combative responses to PED requests for financial information, or a lack of timeliness in required quarterly reporting.

Required Financial Reporting

- When you don't submit required financial reporting by the deadline – you are breaking the law!
- When you run negative fund balances in the Operational fund – you are breaking the law(s)!
- When you run negative fund balances in other funds you have violated generally accepted accounting practice.
- When you fail to maintain a general ledger that foots to the bank and audited amounts you have violated generally accepted accounting practice.
- Exceeding budget authority above the function level violates generally accepted accounting practice.
- Failure to adhere to generally accepted accounting practices is a violation of rule (and law)!

PLEASE DON'T VIOLATE THE LAW! IT IS A GENERAL CONDITION OF YOUR CHARTER CONTRACT THAT YOU WILL NOT VIOLATE THE LAW!

Required Financial Reporting

Monthly Reporting

- Must receive written notice.
 - In the past this has been via mail; now it is going to be via certified mail and email.
 - It will explain the move to monthly reporting.
- Requirements:
 - the same as quarterly reporting except more frequent;
 - May include additional reports, though this is infrequent.
- When is an entity brought off of monthly reporting?
 - Monthly reporting ceases when the reason you went on is rectified; and
 - When we are confident in your cash flow and position.

Other Information: Board of Finance Suspension

- What is a Board of Finance?
- Sets up the ability for a state chartered charter school to bank and manage its own funds instead of the County Treasurer doing so.
- A Board of Finance may be suspended by the Secretary of Education for mismanagement, improper recording or improper reporting of public school funds under its control (22-8-39 and 22-2-1 NMSA 1978).
- This tends to be reserved for fraud, waste or abuse or gross negligence.
- Low standard; high bar.
- A Board of Finance Suspension
 - Is the last step in a long road of financial due process;
 - should be a tacit admission that the charter school is unable to operate its own finances.
- A Board of Finance suspension has many additional repercussions, up to and including a revocation hearing.

Other Information: Professional Development/ Technical Assistance

- Professional development opportunities are limited; really need to self research and know this information prior to getting started.
- The annual Spring Budget Workshop hosted by NM PED and NMASBO is a good place to start.
- Organizations offering professional development include:

The NM PED Charter Schools Division

<http://ped.state.nm.us/ped/CharterSchoolsOpportunities.html>

New Mexico Association of School Business Officials

<http://www.nmasbo.org/i4a/pages/index.cfm?pageid=1>

New Mexico Coalition of Charter Schools

<http://nmccs.org/>

Other Information: Resources

- The PED School Budget and Finance Analysis Bureau's website
<http://ped.state.nm.us/div/fin/school.budget/index.html>
- The Manual of Procedures for Public School Accounting and Budgeting.
<http://ped.state.nm.us/div/fin/school.budget/PSAB/index.html>
- Governmental Accounting Standards Board
<http://gasb.org/>

Other Information: Resources

- Proper operating budget development requires a working knowledge of the **Uniform Chart of Accounts**, the accounting strings for revenues and expenditures and can easily link revenue fluctuations to shifts in expenditures.
- A manual (Supplement v3.0 (March 2016)) that explains the accounting strings in the UCOA is available on the School Budget and Finance Analysis Bureau's website:
- <http://ped.state.nm.us/div/fin/school.budget/index.html>

Reflection on the day and next steps

Pre-work is being provided to prepare all board members to meaningfully participate in the training and utilize the time to plan for next steps and actions to take moving forward. All board members must complete all pre-work before attending the training.

March 12, 2018

- 8:00 am – 8:10 am: Introductions, Norms, and Objectives
- Why you serve
 - How you fulfill board demands
- 8:10 am – 9:10 am: Open Government Requirements
- Carinos Board Meeting Observations and Concerns
 - Holding Meaningful and Accessible Public Meetings
 - Planning to make changes to board meeting practices
- 9:10 am – 10:10 am: Charter School Governing Body Ethics and Responsibilities
- Primary responsibilities of a school board
 - Specific instances of board failures
 - Planning for how to move forward and meet board responsibilities
- 10:10 am – 12:10 pm: Understanding and Evaluating Academic Data
- Carinos A-F School Letter Grades
 - Carinos school wide NMTeach Data
 - Carinos Interim Assessment Data
 - Carinos EL Assessment Data
 - Planning to improve academic oversight and performance
- 1:00 pm – 2:00 pm: Understanding and Overseeing Organizational Performance
- 2017 Site Visit Report
 - 2018 Site Visit Report
 - Major legal requirements
 - Developing reporting requirements for Administrator’s monthly board report
- 2:00 pm – 4:50 pm: Fiscal requirements and oversight pursuant to the Public School Finance Act
- Financial Oversight Tool Kit
 - FY2017 and FY2018 financial issues and concerns
 - Immediate next steps regarding school finances
- 4:50 pm – 5:00 pm: Reflection on the day and next steps

This Pre-work is being provided to prepare all board members to meaningfully participate in the training and utilize the time to plan for next steps and actions to take moving forward. All board members must complete all pre-work before attending the training.

Introductions, Norms, and Objectives

1. Prepare a 60-90 second response that addresses these questions:
 - a. Why do I serve on the Carinos school board?
 - b. What impact do I want my work to have?
 - c. How am I dedicating myself and my skills to ensure that I have this impact?
 - d. How have I fallen short as a board member and failed to fully dedicate my skills and myself?
 - e. How can (and will) I improve my service to the board so I know that I am meeting my obligations?

Open Government Requirements

1. **Read (at least 3 times) the governing body observations completed by CSD. Consider the following guiding questions as you read these evaluations:**
 - a. What weaknesses and concerns were identified by the evaluators?
 - i. Why were these identified as weaknesses?
 - ii. Did we understand that these were weaknesses prior to receiving the evaluation?
 - iii. Why did these identified weaknesses occur?
 - iv. How can these weaknesses be corrected?
 - b. What strengths were identified by the evaluators?
 - i. How were these strengths developed in our board?
 - ii. How can we leverage these strengths as we work to strengthen areas identified as weaknesses?
2. **Read each of the following (at least 3 times)**
 - <https://www.nmag.gov/oma-and-ipra-nm-sunshine-laws.aspx> (all)
 - <https://www.nmag.gov/uploads/files/Publications/ComplianceGuides/Open%20Meetings%20Act%20Compliance%20Guide%202015.pdf> (Pages numbered 6-34, and 45-48)and consider the following guiding questions as you read:
 - a. What are the purpose of the open meeting act and the inspection of public records act?
 - b. Do these acts apply to the board of Carinos?

- c. Does the board meet the purpose of these two acts in the way it conducts its meetings and manages its documents?
- d. How can the board more effectively meet the purposes of these two acts?
- e. What information must be included in meeting notices and how far in advance must notices be provided?
 - i. How often does a board need to determine what method it will use to provide notice of its meetings to the public?
 - ii. What was the effect of the 2013 amendment to the Open Meeting Act? Does Carinos meet that requirement? How do I know that?
 - iii. Can you add action items or change action items after the 72 hour deadline for posting notice?
 - iv. Describe a circumstance when an agenda item is too vague to allow discussion or action?
 - v. What is the standard for adequately describing items on your agenda?
- f. What is an emergency meeting?
 - i. What requirements for reporting come with conducting an emergency meeting?
- g. What information must be recorded in board minutes? When must draft minutes be available to the public? Does Carinos meet this requirement? How do you know? When must a board approve minutes?
- h. When can a board discuss business in a closed session?
 - i. What is included in the "limited personnel matters" exception? When will these matters *not* be discussed in a closed session?
 - ii. Describe some staffing matters that **cannot** be discussed in a closed session.
 - iii. Can action (i.e. votes) be taken in a closed session?
 - iv. What actions must be taken (during the meeting) and/ or information must be recorded (in the minutes) when the board holds a closed session?
- i. Should you confer privately with other board members (e.g. pass notes, send emails, or send texts) about board business?
- j. Must you allow members of the public to speak at your meetings? Should you?
- k. What is a rolling quorum? How do you avoid these?
- l. When must a committee of a board conduct their committee meeting in public? How can you avoid this situation?

3. Identify at least three specific changes the school board can/should make to improve the manner in which it meets the spirit of the open government requirements.

Governing Body Ethics and Responsibilities

- 1. Read excerpts from Charter Board University (at least 3 times) and answer each of the guiding questions:
 - a. Chapter 6 - Determining *Why* Your Board Exists
 - i. What is the three tiered purpose of charter boards?
 - ii. Who are the school's *owners*?

- iii. What groups/people are often misperceived to be the school's owners?
- iv. What are the four things the author says your school needs to deliver on?
- v. Who does the author say is responsible when students are displaced and when there is financial misfeasance?
- vi. Why does the author say boards "don't 'ask'"? What does he say they should do? What is the difference?
- vii. What statement from the school administrator should be a red flag? Why?
- b. Chapter 8 – Governing is Like Parenting
 - i. What does the author say board members who want to build world-class charter schools will do?
 - ii. Why is governing a school a much more complex task now than it has been in the past?
 - iii. What kind of expertise mentioned in this chapter is represented on your board? What is not?
 - iv. Identify some resources that were provided in this chapter to help you as a board member develop your governance skills and knowledge.
 - v. What is the purpose of an annual retreat? Has your school ever conducted an annual retreat like those described in this chapter? If not, why not?
 - vi. Describe your personal thoughts about training, development, and professional growth. Does your board do a good job of prioritizing this?
- c. Chapter 13 – Student Performance and Finances
 - i. What is *administrivia*? What is the origin of that made up word?
 - ii. What are some of the topic the author identifies as worth of board time/discussion?
 - iii. According to the author, should boards discuss the *HOW* of achieving expected student outcomes? When discussing *how*, what should boards also discuss and what is the purpose of those discussions for the board?
 - iv. Why do most charter schools close? What does this mean for your school?
 - v. What two things should boards understand about finances?
 - vi. What are the three categories of "mistakes" charter boards make? Which of these have you or your other board members made?
- d. Chapter 20 – Dos and Don'ts of the Board/Executive Relationship
 - i. What is imperative for the board to do when it comes to hiring the school leader? Why?
 - ii. What are the three things the board should do when dealing with the school leader?
 - iii. What should be the basis of the school leader's evaluation? Explain the difference between outcomes and inputs. What does your school currently use to evaluate the school leader?
 - iv. What are the three things the board should avoid doing when dealing with the school leader?
 - v. In what way should the board deal with complaints that come to it?

- e. Chapter 25 – Ask Hard Questions
 - i. What is one way to define “hard questions”? How good are you at asking these types of questions? Give an example.
 - ii. What happened in the story when the board didn’t receive financial reports for multiple board meetings? How might this problem have been caught sooner? Who was ultimately responsible for it happening? Who did the author blame?
 - iii. What did the author blame himself for?
 - iv. Who suffered as a result of these board members’ failures to ask hard questions? How might this be similar to Carinos?
2. Read the [Governance Best Practices for Highly Effective Charter Boards](#) and answer the following questions:
- a. Who is ultimately responsible for a school’s success or failure?
 - b. What are the two things the board actively manages? In doing so, what are the things that the board focuses on?
 - c. Who is responsible for managing the board?
 - d. What are the Phases of Development that boards typically encounter?
 - i. What phase do you think the Carinos board is currently in?
 - ii. Explain your rationale for why Carinos is in that Phase?
 - iii. What phase do you want the Carinos board to be in? How will it get there?
 - e. What are “Dysfunctional Phases of a Board”?
 - i. What is the impact of being in the stagnant phase?
 - ii. What is the impact of the defunct phase?
 - 1. What can send a school into the defunct phase?
 - 2. What questions should be asked when considering closure?
 - 3. Consider these questions in the context of Carinos?
 - f. What four things is the annual school leader performance evaluation a tool for?
 - g. What are the characteristics of a highly effective board chair?
 - i. What actions should the board chair take?
 - ii. What are the duties of the board chair?
 - iii. What are the personal qualities that are needed in a highly effective board chair?
 - iv. How should the board chair manage board meetings?
 - v. What is the board chair’s role with regards to the school leader? Community? Other board members?
 - h. Why are “effective meetings” important?
 - i. The author says that most boards meet formally for only 20 hours per year. Is this how much time your board spends meeting? (More? Less?)
 - ii. Does the author think that this is plenty of time for boards to get everything done that they need to do? Why or why not?
 - iii. What are great board meetings characterized by? How many of your board meetings could be characterized as “great”? Explain why and provide examples.
 - iv. What type of material needs to accompany the board agenda and when should that material be distributed to board members?

1. Are you receiving background and supporting material at least 5 days in advance of board meetings?
2. What kind of materials and information are you receiving to support discussion at board meetings?
3. When are you receiving this information and materials?
- v. Does your board use the guiding questions on page 15 to determine what to include on its agenda and to guide board discussions?
- vi. What four things does the board need to do to ensure quality decision making?
- i. What are the responsibilities of the Finance Committee?
 - i. How often should this committee meet?
 - ii. What do high-performing Finance Committees do?
 - iii. The author says boards should consider if it needs both a finance committee and an audit committee. Does this align with New Mexico law? What does New Mexico law require in regards to these two committees?
- j. What does the author suggest a Governance Committee can/should do?
 - i. Does your school have anyone fulfilling this responsibility?
 - ii. What does a high-performing governance committee do?
- k. What does the author suggest an Academic Excellence Committee can/should do?
 - i. What should this committee do if academic achievement is lagging?
 - ii. What slippery slope does an Academic Excellence Committee need to avoid?
 - iii. How often should this committee meet?
 - iv. What is this committee's overall purpose?
 - v. What types of visits do high performing academic excellence committees make?
- l. Why might an annual board calendar be helpful? Does your school have one?
- m. In the example agendas, what do these boards spend the greatest amount of time on?
- n. Compare the sample meeting minutes to your board minutes. What is similar? What is different?
3. Read the article about Michael Feinberg, consider these questions:
 - a. What actions did the KIPP board take when allegations arose against Ms. Feinberg?
 - b. In addition to referring the allegations to other entities, did they take their own action?
 - c. What actions did the investigators take to conduct a comprehensive investigation into the allegations?
 - d. Are there any indications that these concerns might have been raised/caught much earlier?
 - i. What potential indications are there?
 - ii. Why might those concerns not have been previously addressed?
 - e. Board members and colleagues are having a hard time reconciling the findings of the investigation and the man they know.
 - i. Why?
 - ii. Should this (or did this) impact the action that was taken?
4. **Identify at least three specific changes the school board can/should make to improve the manner in which it fulfills its governance and ethics responsibilities.**

Understanding and Evaluating Academic Data

1. Read the articles and answer the questions below:
 - a. Demographics Aren't Destiny
 - i. What does the author mean by "unexpected schools"?
 - ii. What are the practices that many of the unexpected schools adopt in relation to professional development, planning, and assessments?
 - iii. How often are teachers in Malverne Senior High School observed annually? What do they do with those observations?
 - iv. What is the importance of *systems* in unexpected schools?
 1. What are systems?
 2. What types of systems are present in unexpected schools?
 3. How are these systems created—what do they *require*?
 - b. IDEA Success and How IDEA Public Schools Is Closing the Achievement Gap
 - i. How was IDEA selected for this award? What were the selection criteria?
 - ii. What is the demographic make-up of IDEA's 24,000 students?
 - iii. In 2015, what were IDEA's academic results for its students?
 1. Proficiency in English, Math, and Science?
 2. ACT scores?
 3. Graduation rate?
 4. College acceptance?
 5. College graduation?
 - iv. What is IDEA's approach to teacher training?
 - v. What is IDEA's mission?
 - vi. Why did IDEA launch a pre-K program? What was the impact after the first year of the pre-K program?
 - vii. How does the school address achievement gaps among its older students? What are the results of the CSI program?
 - viii. What did the school do in response to reports of IDEA alumni struggling in college?
 1. Why? What is the philosophy behind the program?
 2. What are the program requirements?
 3. Do all students participate? Why?
2. Consider this question: What do these articles tell you about the students at Carinos and Carinos' academic performance?
3. Review all pages on the school's report cards for the past 3 years, which are available here: <http://aae.ped.state.nm.us/>
 - a. What is the school's three year trend for proficiency and growth?
 - b. What are the proficiency levels in math and reading?
 - c. What are the school's growth scores? What does this mean?
 - d. What are the school's attendance rates? Are there any subgroups that have particularly low attendance rates?

- e. What does the Opportunity to Learn survey say about the quality of the school's educational environment?
- 4. **Identify at least three specific changes the school board can/should make to improve the manner in which it fulfills its academic oversight.**

Understanding and Overseeing Organizational Performance

- 1. Read "How to Achieve a High Performing Back Office" read both parts 1 and 2.
 - a. In this article, the term "business manager" is used to reference what different job titles/responsibilities?
 - b. What types of complex operational needs do charter schools have?
 - c. What is the ultimate outcome of effective operational expertise and fine-tuning?
 - d. What is performance management?
 - e. What are the two "value drivers" that the article discusses that are related to organizational performance?
 - i. How do these values connect day to day operational matters to academic performance?
 - f. What is the biggest problem with performance evaluation?
 - i. Has Carinos suffered from this problem?
 - ii. How can this problem be corrected?
 - g. What did Peter Drucker say about the things that get measured?
- 2. Read the PEC's current Organizational Performance Framework and the PEC's Proposed Revised Organizational Performance Framework.
 - a. What is the PEC saying should get measured based on the measures it has included in these frameworks?
 - b. Does your board measure these items? How? What evidence/data does it use?
 - c. What is the difference between the current framework and the proposed revisions?
- 3. Read the feedback that was provided to the school in the 2017 Site Visit Report and the 2018 Site Visit Report.
 - a. What issues/concerns do these reports raise about organizational performance?
 - b. Were these addressed in a timely manner? Why? Why not?
 - c. How can the board address these?
 - d. Which issues are the highest priority? Why?
- 4. **Identify at least three specific changes the school board can/should make to improve the manner in which it fulfills its responsibilities related to overseeing operational performance.**

Fiscal Requirements and Oversight

- 1. Read the Fiscal Oversight Toolkit and answer the following questions:
 - a. What are the three things boards should do regarding common financial issues?
 - i. What should boards do first?
 - b. Who on the board has fiduciary responsibility for the school's financial stability and integrity?

- i. What five things must the board do to ensure this?
 - ii. Has the Carinos board met its responsibilities in this area?
- c. Who has more information about and a greater degree of authority over the school's finances? The PED, the PEC, or the school and its board?
- d. What are the two major types of financial issues charter schools experience?
 - i. Describe each of these and how they arise.
 - ii. Which is most common?
 - iii. Has Carinos experienced either of these? Which? Explain.
- e. The article states that in some state charter schools receive less money than traditional school districts. Is this true in New Mexico? Why or why not?
 - i. Explain how charter schools are funded in NM.
- f. What are examples of charter school financial fraud that are discussed in the article?
 - i. Have any of these been seen in NM?
 - ii. Is it possible to eliminate the risk of these occurring?
 - iii. What can mitigate the risk?
- g. In regards to financial oversight related to Health and Sustainability
 - i. How can Boards strengthen a school's resilience to internal and external risks?
 - 1. Which of these 4 practices is Carinos fully implementing?
 - 2. What practices are weaknesses for Carinos?
 - ii. Which of the "identification" measure does your board currently use to evaluate financial performance?
 - 1. How many non-NACSA measures are there?
 - 2. How can you evaluate *each of these*?
 - iii. How involved should the board be in managing financial issues?
 - 1. Which of these practices has the Carinos board implemented in light of current financial issues?
- h. What practices should boards use to prevent fraud?
 - i. What two elements are necessary to preventing fraud?
 - ii. What nine practices does the article discuss?
 - 1. Which of these is Carinos doing effectively?
 - 2. How do you know?
 - iii. What are the constant themes in instances of financial fraud?
 - 1. Does the presence of the indicators in the article confirm fraud? If not what does it require?
 - 2. What are the indicators that there may be fraud?
 - a. What should you be looking for in your school's financial records?
 - b. What should you be aware of in your school's fiscal practices?
 - c. What do you do upon initial allegation or suspicion of fraud?

- d. How do you investigate potential fraud?
- 2. **Identify at least three specific changes the school board can/should make to improve the manner in which it fulfills its financial oversight.**

Pelayo, Icela, PED

From: Poulos, Katie, PED
Sent: Wednesday, February 28, 2018 11:01 PM
To: doccata3@gmail.com; leo.marquez63@yahoo.com; Carla Mtz.; bigdaddyisaac60@yahoo.com; Father Terry Brennan
Cc: Pierce, Laurel, PED; Pelayo, Icela, PED; Brown, Melissa, PED; Cotton, LaKiesha, PED
Subject: Carinos Governing Board Training March 12
Attachments: Carinos Training Agenda.pdf; Carinos Pre-Work.pdf; Charter Board University Excerpts.pdf; Paper-Goverance-Best-Practices-for-Highly-Effective-Charter-School-Boards.pdf; Feinberg Article.pdf; How IDEA Public Schools Is Closing the Achievement Gap.docx; IDEA Success.pdf; Demographics Arent Destiny.pdf; How to Achieve a High Performing Back Office P1.pdf; How to Achieve a High Performing Back OfficeP2.pdf; Fiscal Oversight Toolkit - Boards (1).pdf; Current Organizational Performance Framework.pdf; Proposed Revisions to Organizational PF.pdf; 2018CarinosSiteVisitReport.pdf; 2017CarinosSiteVisitReport.pdf; 2017 School Grade.pdf; 2015 School Grade.pdf; 2016 School Grade.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Carinos board members,

Please find attached an agenda and pre-work for the training I will be conducting for the Carinos board on March 12th. Please ensure you **complete all pre-work prior to the training.**

Please confirm receipt of this email. Let me know if you have any questions about these documents/materials.

Warm regards,

Katie

Katie Poulos
Director of Options for Parents and Families
NM Public Education Department
300 Don Gaspar
Santa Fe, NM 87501
c: (505) 469-0373
o: (505) 827-6532
www.ped.state.nm.us

Driving student success in New Mexico by supporting excellent authorizing practices and charter schools that provide innovative, quality education.

The Starting Line for Your Board:

Determining Why It Exists

When I conduct charter school board development sessions, I often begin by asking, “Why does your board exist?” I usually hasten to emphasize that I’m not asking why their school exists, but why *their board* exists. This is the same as asking what the board’s purpose is. Here’s a sample of the answers I generally receive:

- to govern the school
- to make policies
- to establish a budget and review financial statements
- to approve curriculum
- to approve hiring and firing decisions
- to conduct strategic planning
- to oversee the school
- to offer suggestions to school management/be a sounding board
- to be the final arbiter of serious student discipline cases
- to evaluate the school’s executive
- to represent various stakeholders (e.g., teachers, community members, parents, students)
- to raise money
- to establish and operate committees

While (some of) the preceding answers have a ring of plausibility to them, they are in fact, all incorrect. Boards of course, do all these things,

but *doing* and *being* are two different things. Giving answers like those would be the equivalent of my answering the question, “Why do you work out?” by saying that my purpose is to jog, to lift weights, to buy good running shoes, to wear sunscreen, etc. In actuality, my purpose is to enjoy a long life free of unnecessary medical problems. That is, my purpose is to accomplish some things and avoid other things. So it is with the board’s purpose. All the components of my answer are simply the methods I use to accomplish my purpose, just as the answers in the bullet list are methods or processes the board uses to accomplish its purpose.

The right answer to the question of the board’s purpose has three parts according to Dr. John Carver, prolific governance author and inventor of Policy Governance® (about which I will say more in Chapter 11).¹² When a board understands his three-part answer, a paradigm shift will take place in its thinking. Here are the three parts: (1) Your board exists to represent the owners of the school. (2) Your board exists *to ensure* that the school accomplishes that which the owners want. (3) Your board exists *to ensure* that things that shouldn’t occur in the school, don’t occur. (Carver defines the things that shouldn’t occur as those things which are illegal, imprudent or unethical.)

To reduce that definition to as few words as possible, the reason your board exists is to make sure, on behalf of the school’s owners, that all students learn *and* that nothing illegal, unethical or imprudent is allowed to exist in the school. That’s it.

Now let’s unpack that definition part by part.

The first part of the definition states that a board exists to represent the owners’ interests. To represent the owners’ interests, however, you must first identify who they are and what they want. In equity organizations, the owners would be easily identified--they are shareholders. Boards

of equity corporations are supposed to represent the shareholders' interests.

In charter schools, however, there are no shareholders. Many people erroneously conclude that charter school stakeholders, i.e., the parents, students, teachers, founder(s), or management companies own the school.¹³ There's no question that the concerns of the school's stakeholders, including, customers (parents and students), employees (teachers and others), and vendors (management companies) must be considered by the board, but boards don't exist to represent stakeholders.

So if not the founder(s), teachers, students, parents, and management companies, who owns charter schools? If the board doesn't understand the correct answer, it is likely to be confused in any number of situations. The board of one client school, for example, was told by the founder that it needn't be concerned with developing a leadership succession plan because he had already named his successor in his will. "Yeah, that's not really how we name successors to lead public schools in America," I explained. The board was puzzled because it didn't know who the real owners of the school were.

I contend that the owners are the people whose money it is you're using to pay the bills--in other words, the taxpayers in your state.¹⁴ The parents, teachers, students, and founders may constitute a subset of the owners but they do not represent the entire ownership. Ultimately, your charter school board exists to represent the taxpayers in your state. Every board member, whether they know it or even whether they agree with it, is on the board to represent the interests of those taxpayers.

There's no question that concerns of the school stakeholders, including customers (parents and students), employees (teachers and others), and vendors (management companies) must be considered by the board but boards don't exist to represent stakeholders

The board of one client school, for example, was told by the founder that it needn't be concerned with developing a leadership succession plan because he had already named his successor in his will. "Yeah, that's not really how we name successors to lead public schools in America," I explained. The board was puzzled because it didn't know who the real owners of the school were

If your bylaws say otherwise, for example, that the board will be composed of three teachers, two parents, two community members, an ex-officio student, and a partridge in a pear tree, your board is inviting discord in its meetings and divisions in the school community because board members will arrive at their first and last board meetings, and every meeting in between, thinking that they are there to represent the interests of the stakeholders they view as their constituents. They're not. (In no small part, the failure by conventional public school boards to make the ownership distinction also partly explains why things routinely go awry. Just ask Alan Bersin.)

The second part of the definition states that the reason a board exists is to ensure that the school accomplishes that which the owners want. Now, since we can't pack all the taxpayers from your state into the room where your board meets, we'll have to use a substitute metric for what they want. I think that the charter, i.e., the contract between you and your authorizer, is a suitable proxy. We could even go as far as saying that the authorizer speaks for the owners because at the end of your contract period, the authorizer will be responsible for determining whether your charter is renewed.

Beyond the requirements stated in your charter, though, isn't it obvious what the taxpayers want, at least broadly speaking? They want high-performing, safe schools that operate legally and ethically, along with proper use and accountability for the funding schools receive. Your board's job is to ensure your school delivers those things.

Happily, there are many ways to produce high-performing schools. One of the great things about chartering is that it allows groups to be creative in building such schools. For example, Delaware Military Academy, a high-performing charter school, is the first Naval Junior ROTC High School to exist in the country. On the opposite coast is High Tech High, also a high-performing school, but more like a casual community college in its approach to learning. Both are exemplars of superior student performance, but they go about it in two different ways. Chartering schools makes their innovative approaches possible.

The third element of why charter school boards exist is to make sure that nothing illegal, unethical, or imprudent occurs in the school. This has a wide variety of implications including, but not limited to, the proper spending and accounting of funds, the proper treatment and safety of employees, students, and parents, the proper maintenance of school facilities, etc.

Thus, when you read in the newspaper, as the nation did in 2004, that 10,000 charter school students were displaced overnight in California due to management company malfeasance and financial improprieties, you know exactly who was responsible--the boards. Yes, the management company executives broke laws, but part of the very reason *the board exists is to ensure that those things don't happen.*

"Well," a former board member of one of the schools said to me a year or two after, "we asked for financial statements but we never got them."

"Well," I replied, "there's the problem. Boards don't 'ask' for anything. Boards direct." The board should simply have directed management to produce the financials and when they weren't forthcoming in a reasonable interval, the board should have either directed its attorney to secure the reports or terminate the contract with the management company. There's no *asking* involved. Ever.

By the way, whenever management says, "Don't you trust me?" every red flag in your mind should be raised. (See Chapter 25, *The Danger of Failing to Ask Hard Questions*.) Governance is not about trust--it's about accountability.

How a board ensures that accountability is discussed throughout this book, but the starting line is for your board to understand why it exists. When it understands that its purpose is to represent the owners, good governance will fall into place more easily.

Thus, when you read in the newspaper, as the nation did in 2004, that 10,000 charter school students were displaced overnight in California due to management company malfeasance and financial improprieties, you know exactly who was responsible--the boards.

For Further Evaluation

Set aside 30 minutes in a board meeting to thoughtfully discuss the following questions:

1. Whom does your board think it represents?
2. Do your bylaws reflect that the board exists to represent the school's owners, or merely stakeholder groups in the school?
3. Would you characterize the board as spending more time discussing the owners' interests or stakeholder interests?
4. Consider adopting the following: "The board of ABC Charter School hereby resolves that it will govern on behalf of the owners of this school (the taxpayers of your state) rather than stakeholders in the school." Whenever future board conversations deviate from this, remind the board of its resolution.

Additional Resources

The idea of the board existing to represent the owners was devised by Dr. John Carver, the inventor of Policy Governance. Although *Charter School Board University* is not a book about Policy Governance, this book uses many of the constructs that underlie Policy Governance. To understand Policy Governance, your board should read Dr. Carver's watershed book, *Boards That Make a Difference*, available at booksellers everywhere. Also be sure to visit the Carvers' Web site at www.CarverGovernance.com.

What Governing and Parenting Have in Common

I have often thought to myself that being a governing member of a charter school board is a lot like being a parent: The responsibilities of both are gargantuan, and you come to both jobs without any real training or preparation. (In the case of parenting, I should say, the job comes to you.) But just as conscientious parents seek advice from other effective parents, read books on parenting, and attend workshops, board members who want to build world-class charter schools will do the same. “Spoken like a guy who writes and speaks on governance,” you say. Guilty as charged, but allow me to make my case.

I’ll begin by commenting on the fact that governing a modern public school is a complex task. The board’s skills must be suitably developed to be equal to the tasks at hand. The following excerpt from *The Five Dysfunctions of Charter School Boards* speaks to this complexity.

There was a time when a school board could do its job with little or no expertise required. A hundred years ago, if you could read and cipher, you probably would have been considered well-qualified to help govern a school.

Not anymore.

These days, schools are complex organizations. The list of things about which charter school board members should have a working knowledge includes, but is not limited to, the following:

*A wise board
recognizes the
need for training to
develop its skills.*

- No Child Left Behind Act (NCLB)
- Individuals with Disabilities Education Act (IDEA)
- Sizable amounts of state-level public school code including your state's charter school requirements
- Financial reporting
- Contractual agreements
- Funding, construction, and maintenance of school buildings
- Employment law
- Management companies
- Student achievement and performance measures
- The governance process
- Policy development
- Fund development
- Negotiating skills
- Union tactics
- The politics of school choice
- Marketing
- Media relations

And the list really could go on. What's my point? It's that specialized knowledge and skill sets are required to govern a charter school. A wise board recognizes the need for training to develop its skills. The remainder of this chapter discusses four easy ways to do that.

First, look around your board and identify the experts sitting at the table. One person might be able to train the board on how to understand financial statements. Another person might be able to give the board a quick summary of pertinent governance laws, such as the Open Meetings Act in your state. Someone else might know a lot about property development, land costs, etc. Your executive should be an expert on educational matters to say the least.

As discussed in Chapter 15, *The 30/30/30 Agenda*, it is perfectly legitimate for the board to allocate part of its time in regular meetings to board development. You can ask different experts on your board to

conduct those development sessions. Although I recommend that the focus of the board's self-development time be spent on governance, it is also valuable to use some time for the board to learn about education related matters.

Second, just as you are reading this book, there are other books and resources you can study *outside* of board meetings. Not sure what to read? There are numerous resources listed in this book alone. Here's a quick bullet list of what we might call my top eight for board members:

1. *Charter School Board University (second edition)* by Brian L. Carpenter
2. *The Seven Outs: Strategic Planning Made Easy for Charter Schools* by Brian L. Carpenter
3. *Boards That Make a Difference* by John Carver
4. *Reinventing Your Board* by John Carver
5. *The Knowledge Deficit* by E. D. Hirsch, Jr.
6. *Charter Schools: Creating Hope and Opportunity for America* by Joe Nathan
7. *No Excuses: Closing the Racial Gap in Learning* by Abigail Thernstrom and Stephan Thernstrom
8. *Sweating the Small Stuff: The New Paternalism and Inner City Schools* by David Whitman

Looking for something shorter than a book? The National Charter Schools Institute publishes several monographs a year. These can be downloaded at www.CharterInstitute.org and reproduced free of charge.

Third, it is likely that your state has an active charter school association. Most of them hold annual training conferences. These are usually very inexpensive to attend, and have a wide variety of sessions, including sessions for board members. Be sure to find out when your association's conference is held so that you can put it on your calendar far in advance.

Be sure to register and reserve your hotel room in advance because some

conferences sell out a reserved block of rooms at a discounted rate months before the conference. Also, as long as your board votes its approval, the cost of attending can and should be paid by the school unless otherwise prohibited by law in your state. A board that doesn't budget funds for board training isn't taking its development very seriously.

Fourth, your board may want to consider holding an annual retreat. The beauty of a retreat, if properly facilitated, is it allows the board to shift its focus from some of the more mundane aspects of governance (and there are definitely some of those) to a more strategic level. Usually boards allocate part of their time for a strategic review of the school's performance, and part of their time for board development. Some boards are even able to host their retreats off campus. As long as the costs are reasonable, it's a legitimate part of running the school.

By the way, a board retreat is a great time to welcome new board members. At their first meeting they will come away with a big picture sense of where the school is and where it is headed, as well as some sound governance training. Of course, you know who you can call to facilitate the retreat.

For Further Evaluation

Set aside 30 minutes in a board meeting to thoughtfully discuss the following questions:

1. Has your board ever held a retreat where developing its own governance capacity was the topic?
2. Does your board regularly allocate specific time on the agenda to developing its skills?
3. Does your board read and discuss books on governance?
4. Does your board expect the executive and faculty to continuously update their knowledge and skills? (Hint: The correct answer is, "Absolutely!") If yes, don't you think it's a bit hypocritical of some boards to expect this of their executive and faculty, but not exemplify the attribute themselves?

A board that doesn't budget funds for board training isn't taking its development very seriously.

Two Things That Really Matter:

Student Performance and Finances

Here's a little board effectiveness experiment you can conduct at your next regular meeting. Without telling anyone what you are doing (because it will alter the outcome), draw a line down the middle of a sheet of paper to create two columns. In one column, keep track of the amount of time the board spends discussing finances and student achievement. In the other column, record the time spent discussing everything else.

More than likely, regardless of the length of the meeting, you will discover that the board spent a majority of its time talking about things in the second column, i.e., things not pertaining to finances or student growth and achievement.

Whenever I do this experiment, I typically find that boards spend less than 20% of their meetings talking about student achievement. Instead, they wander all over the proverbial map, discussing just about every imaginable topic, except the two things that are among the most essential to good governance--ensuring that the right outcomes are achieved and that the money isn't being improperly handled.

What kinds of things do charter school boards typically talk about? One of the most fatuous scenarios I witnessed in the past few years was a board that discussed the depth of post holes for a new playground fence.

The list below contains a few more items I've either seen discussed or heard about.²⁶ Not a word of this stuff was made up:

- style of socks for students (i.e., crew socks versus calf-length)
- the relative merits of open-toed footwear for female faculty members
- purchasing toilet paper (Adding illegality to vapidty, this discussion was also a likely violation of the Open Meetings law because it reportedly took place in executive session.)
- classroom paint colors
- chair styles for the administrative offices
- restroom usage schedules of the lower school
- whether to permit cupcakes at classroom parties
- overflow parking
- square footage of office space

One of my favorite stories took place years ago at a school for which I was the newly hired superintendent. In my first board meeting (about 30 days into the job), the board spent a considerable amount of time--maybe 45 minutes--discussing a small sign in front of one of the school's three campuses that needed repainting. I was astonished at how much discussion otherwise intelligent people were willing to devote to such a trivial thing. No detail was too small as to be unworthy of the board's time as it bandied about colors, letter styles, potential contractors and project time frames. Ironically, though I had only been on the job a month, I had already put this item on a long list of things to do. No matter, the board wanted to chew on this so I sat back and bemusedly watched.

Someone once dubbed such details like repainting signs as "administrivia"--partly because these details are administrative in nature (i.e., *not governance*) and partly because they are trivial (for more on this, review the previous chapter).

Why do I say trivial? Let me answer that with a question: In a school with 1,000 students, is it critical to their education or safety that the sign be painted white instead of tan or that such-and-such a contractor do the job instead of another? Or how about this: In 10 years, which will be more important? That the sign's lettering was Bookman Old Style, or that the kids in the school had access to good books? Instead of blathering on about a sign, the board could have, for example, used those 45 minutes to brainstorm a funding plan to acquire a secondary school library--something which, incidentally, the school did not have at the time.

Thus, the *opportunity cost* of discussing sign painting was actually quite expensive.

Besides access to libraries, what other things related to student performance are worthy of board time to at least understand (not to be confused with voting on)? Here are a few ideas:

- How standardized testing works and what it tells us about student performance, along with what it fails to tell us;
- Alternative methods of assessment, such as those proposed by Project Based Learning;
- How value-added testing works;
- How the curriculum works in support of the board's outcome goals;
- The difference in meaning between a highly qualified teacher and a highly effective one;
- What research tells us about charter school performance;
- How different teaching methods are effective with various students;
- How children with special needs are accommodated in your school, along with how the Individualized Education Plan (IEP) process works;
- How student assessment data is used by ultra-successful schools to accelerate student growth and achievement;

- What Adequate Yearly Progress means, and where your school is, relative to it;
- The important worldview assumptions embedded in your curriculum and program;
- Special programs used by schools to boost reading scores;
- What scientific research tells us about how reading is effectively taught, and so on.

Astute readers are already asking themselves, “But I thought you said the board shouldn’t discuss the *how* questions, as explained in Chapter 7.” This is an excellent question that has a three-part answer. First, most of the items in the list above pertain to student achievement, a topic which is hardly trivial. Second, discussing *how* questions should always be linked to outcomes, either present or future. Third, being informed about processes (how questions) is not the same as debating their merit or voting to approve them.

Let’s move on. Besides spending time discussing student growth and achievement, the board should also consider the school’s finances an important matter worth *learning to understand*. That’s because cash is the lifeblood of your school. If you don’t think so, see how long your teachers are willing to keep teaching without a paycheck.

This is not to say that you should spend more time discussing finances than you do student growth and achievement. I’ve seen boards wading into financial details to a level that is dysfunctional. But failing to understand how money comes in and goes out can get a charter school in trouble--fast. In fact, as I pointed out in Chapter 4, financial trouble is the reason why two-thirds of all dissolved charter schools closed.

Concerning oversight of charter school finances, I think the most frequent mistakes made by boards fall into one of three categories. First, few people, sometimes no one on charter school boards, understand how to read and interpret financial statements. If that describes you or your board, the board should make getting training an immediate priority.

In fact, as I pointed out in Chapter 4, financial trouble is the reason why two-thirds of all dissolved charter schools closed.

Second, many boards routinely take the word of one board member that the statements accurately reflect the financial position of the school. The rest of the board doesn't ask any questions or attempt to understand trends or forecasts. The board members think to themselves, "Well, I don't really know what all this means, but our treasurer seems to." It's great to have a treasurer that understands financial statements, but it is better when the entire board does. After all, the whole board will vote to accept them.

Third, and the most dangerous mistake of all, is when a board fails to require timely, accurate, and comprehensible (as well as sufficiently comprehensive) financial reporting from management. Sometimes board members will say things like, "Oh, we trust our executive." Other schools protest, saying things to me like, "We've asked for them but we still haven't received them." As I explained in Chapter 6, boards don't "ask" management for anything--boards direct.

Irrespective of whether the school employs an executive in the traditional sense or contracts with a management company, every board should require regular, accurate, comprehensible financial statements. Failing to do so is an abrogation of basic governance responsibilities. See Chapter 25 to learn about a heart-rending case where the board "trusted" its executive and didn't require regular reporting.

The topic of providing knowledgeable oversight of the school's financial matters is so important that I devote the next chapter to a basic explanation of financial reports. For now, let's summarize by reiterating that financial oversight is an important topic worthy of regular discussion by the board. Along with student performance, it represents one of two things that should always be at the top of the board's discussion priorities.

For Further Evaluation

Set aside 30 minutes in a board meeting to thoughtfully discuss the following questions:

1. What percentage of total meeting time does your board typically spend discussing student achievement?
2. Does your board require regular, accurate, comprehensible financial reports from your management? Does your board receive them?
3. How many people on your board know how to interpret financial statements?

Additional Resources

A monograph titled, *Let's Do the Numbers*, can be downloaded and reproduced free of charge from the Institute's Web site, www.CharterInstitute.org

The Board/Executive Relationship:

Three Dos and Don'ts

Hiring an executive is one of the most important responsibilities a charter school board has. Accordingly, the impact on the school of that one individual, good or bad, will be far-reaching. A talented executive can lead the school to dizzying heights of achievement, while a mediocre executive will mire the school's performance in a bog of confusion. A downright lousy executive can put the school out of business. Given this profound impact, it is imperative that the board hire the best executive the school can afford, which is why I devoted Chapter 19 to describing the qualities I think are essential to being an effective school executive.

Once your board has recruited a talented executive, however, it must learn how to work with him or her. During the honeymoon phase of the board-executive relationship (usually lasting the first six to 10 months), everything typically runs smoothly. Once people begin to become accustomed to one another, however, it's not uncommon for minor disagreements to arise. In time, these can spiral out of control, causing hard feelings and resentment for board members and executives alike. In too many cases, the relationship deteriorates and the board replaces the executive, often within 36 months of initially hiring him or her.

I find that, more often than not, many of the initial disagreements can be prevented if the board will follow a few simple guidelines. This chapter

is not exhaustive, but it explains three things the board should do to navigate this intersection, as well as three things the board should avoid doing.

Three Things the Board Should Do

1. Speak with one voice.

Consider a hypothetical board of nine members. It's a given that as individuals, the board members will have a wide range of opinions on everything pertaining to the school. So how can an executive simultaneously satisfy all nine? Under one condition only: when the board directs the executive with one voice--an incontrovertible principle of good governance.

In practice, this has multiple implications. Among them, individual board members (and committees of the board), as explained in Chapter 16, must recognize that they only possess authority when a lawful quorum is present and a motion is being introduced or voted on. Accordingly, individuals should *never* direct the executive or staff.

By rigorously upholding the one-voice principle, the board makes it easier for the executive to do his or her job, and thereby making it likely that he or she will want to stick around.

2. Evaluate the executive only against predefined criteria (i.e., existing policies).

In organizational life, the organization's performance is synonymous with the executive's performance. Thus, when the board is evaluating the school's executive, the criteria used are *how well* the outcomes prescribed by the board were achieved *and* that those outcomes occurred within the limitations on the executive's authority articulated by the board in policy.

By rigorously upholding the one-voice principle, the board makes it easier for the executive to do his or her job, and thereby making it likely that he or she will want to stick around.

A good executive will welcome board evaluation of his or her performance when that evaluation is based on predefined criteria.

3. Reward achievement.

Executives are not immune to this universal principle governing human behavior: if you want more of something, reward it. Thus, if your executive's performance is outstanding, convey the board's appreciation in some tangible form.

Three Critical Things the Board Should Avoid Doing

1. Avoid interfering with the executive's management responsibilities.

Interfering with management responsibilities creates numerous problems in schools. Among those problems:

- It demoralizes executives and their teams by sending a no-confidence signal.
- It breaks down the lines of authority. Eroding these boundaries gives staff the impression that the executive is not really in charge and that his or her authority can be circumvented.
- It generally makes problems worse due to lack of expertise.
- It diminishes the board's ability to hold the executive 100% responsible for all operational matters.

If you're uncertain about whether a particular matter is a management responsibility, see Chapter 7.

2. Avoid Monday-morning quarterbacking.

Monday-morning quarterbacking refers to the practice of sitting in a board meeting with individual members saying things like, "Well, I would have done this or that in that situation." It is irritating

as well as irresponsible board behavior. It borders on interfering with management responsibilities.

The truth is, like the lesson that Damocles learned in the famed Greek legend bearing his name, you don't know what you would have done until you're the one under the sword. Being a board member does not give you the right to judge the executive's actions whenever the situation suits you.

As a former school executive, you can take my word for this: Your executive has enough people second-guessing his or her decisions in the course of everyday leadership. Your executive will benefit more by board members expressing confidence (unless policy has been violated) rather than second-guessing his or her decisions. Transgress this point as a board too often, and your executive will saddle up and ride elsewhere.

3. Avoid becoming a complaint processing center.

Some charter school boards allow their members to act as complaint processing centers. The consequences of doing this are the same as the preceding points, plus, as a board member, your email and telephone will be signaling you nonstop.

When a parent or teacher complains to you as a board member, your response should be something like this:

"First, Mary, I need to tell you that while I'm not disinterested in your concern, I need you to understand something up front. As an individual board member, *I don't possess any authority to do anything about your situation.* Only the whole board has authority to respond to your concern. But the board's policy is that it will not respond to anything that the executive hasn't first addressed or attempted to resolve."

Nine times out of ten, you will find that people haven't gone to the executive. When they do, the problem will generally be easily resolved. It is a rare circumstance that a board would need to overrule its executive's decision because he or she violated existing policy.

The preceding guidelines are consistent with other governance principles explained in this book. Adhering to them as a board will contribute much in cultivating a long-term, beneficial relationship with your school's executive. Ignore them to the detriment of your school because no executive worth his salt will work very long for a board that treats him improperly. The day and age of "We're the board so you must tolerate all our dysfunctional behavior" is long gone. Multitalented executives have an endless stream of opportunities. When the stream runs dry, they simply scout out another one.

The day and age of "We're the board so you must tolerate all our dysfunctional behavior" is long gone. Multitalented executives have an endless stream of opportunities. When the stream runs dry, they simply scout out another one.

For Further Evaluation

Set aside 30 minutes in a board meeting to thoughtfully discuss the following questions:

1. Does your board speak with one voice only to the executive?
2. Does your board evaluate the executive only against predefined criteria?
3. Does your board reward the executive for superior organizational performance?
4. Does your board avoid interfering with management responsibilities?
5. Does your board avoid Monday-morning quarterbacking?
6. Does your board avoid become a complaint processing center?
7. Consider introducing a similarly worded motion at your next meeting:

"The board of ABC Charter School hereby resolves to respond to parent complaints only after our executive has addressed them or attempted to resolve them."

The Danger of Failing to Ask Hard Questions

This chapter is a personal story that I've shared many times. It's about what happens when board members don't ask the questions that might make others uncomfortable.

The story begins with an international relief agency that invited me to serve a three-year term on its board of directors. Believing in the urgency of their mission, I was delighted to immediately accept the invitation. I also thought that my years of service on boards and as an executive would add some value to the organization. Eventually, it did--but not at all as I imagined at the outset.

The board convened twice yearly in spring and fall meetings that ran from Friday evening through midday Sunday. We generally met at retreat centers with board members flying in from around the country to attend. (Since it was a private organization, there was no requirement that it meet a minimum number of times per year, or that its meetings be public.) Members that had to fly, did so on their own dime. This fact alone indicated to me that every board member was passionately devoted to the mission of the organization.

I sat attentively and quietly through the entire first fall weekend meeting. There were staff reports, discussions on interesting problems in the field, and considerable talk about strategic planning. Every board member was given a sheaf of supporting documents as a prelude to each discussion.

But something was conspicuous by its absence from the meeting and the documents: No financial reports.

This unsettled me, but being new, I didn't want to make a nuisance of myself by pressing the point. "Besides," I assured myself, "most of the rest of this board is made up of doctors, some of whom have served on this board for decades. They must know the score. Who am I to question their oversight?" After the first meeting concluded, I politely voiced my concern to the board chair. He welcomed the question, but explained to me that the executive director was new; consequently the organization was still in transition. He said the reports would probably be presented at the spring meeting (six months hence). I accepted his answer at face value.

The spring meeting came and went. No financials there either. Not wanting to seem like I was coming on too strong, I again said nothing in the board meeting. But again, I spoke to the board chair off to the side. "The office is getting a new computer system," he explained. "The executive director thinks we will be up and running by the fall meeting." I was less satisfied than I had been the previous fall, but I accepted his answer.

At the next fall meeting, the executive director announced that he had hired a new bookkeeper and that he was still training her. He expressed confidence that the organization would have financial statements by the following spring meeting.

During the next spring meeting, the agenda was more interesting than usual. Various staff members presented fascinating reports of foreign projects conducted on behalf of the organization. The board also wrestled with knotty problems, such as the relationship between the in-country nationals and the American staff members. Unfortunately, the computers had been down and there were no financial reports.

Finally, at the fall meeting of my second year, a financial audit was submitted, giving the organization a clean bill of health. This was

somewhat surprising to me, since I had never seen a financial report. My apprehensions were running at an all-time high, but I didn't express them because, well, we had successfully come through an audit.

Prior to my final spring meeting on the board, a series of bizarre events rapidly unfolded. The short version of these events is as follows. A staff member called a board member to express concern that the board might not be aware that the executive director had sold \$100,000 worth of the organization's assets on the open market in order to improve cash flow. The executive committee suspended the executive pending investigation. Because I lived in the same town where the organization was headquartered, and because I had some law enforcement experience, I ended up playing a pivotal role in the investigation.

Upon investigating the circumstances, we figured out the executive director had embezzled more than \$100,000 cash over two or three years. He did this through a somewhat sophisticated method involving multiple bank accounts. He deposited the stolen money in, no kidding, a Swiss bank account. This was money that had been contributed by people to feed starving people in Haiti and to provide for their medical needs.

Our executive director had used this money to buy himself, among other things, a new car. I was disgusted--with myself.

"How can it be," I wondered to myself in the aftermath of the FBI investigation, "that as an experienced board member and executive myself, this could happen right under my nose?"

Sure, the executive director was smooth. He fooled a lot of people for quite a stretch. He even fooled a professional auditor whom I knew and respected. The FBI agent sent to investigate told me not to worry about it. "This kind of thing happens all the time," he said.

But I did worry about it. I wondered why the board should exist at all if it can't even prevent theft of the organization's own resources by its executive. I couldn't shake the feeling that I had personally failed.

In fact, I had. I sat through almost three years of board meetings and never asked any hard questions, all the while, the executive almost succeeded at scuttling the organization. Even worse, while I was worrying about my reputation and that other board members might consider me a nuisance, children in another part of the world that should have been fed went hungry. I'll never know for certain, but it seems likely that some who needed lifesaving medical treatment didn't get it. Instead of ensuring that our organization was buying rice or medicine for destitute people, I allowed our executive director to pay off his Visa card because I wouldn't ask the questions that make people uncomfortable.

This lesson about board responsibility is one of the hardest I've ever experienced. I still feel deeply saddened at the thought of other people in hunger or pain because I didn't press the board to ensure that the executive was properly managing the organization's finances.

But I can guarantee this: I will never again sit on a board and fail to ask hard questions when they are warranted. I don't care who doesn't want to hear the questions, or who thinks I'm a jerk. Vote me off the board if you want to, I'm not going to stop asking questions and raising issues on matters that concern me, especially financial matters. If that means I rain on someone else's parade, then they'd better bring their umbrella.

In closing this story, I have just one question for your consideration: Do you ask hard questions?

GOVERNANCE BEST PRACTICES

FOR HIGHLY EFFECTIVE CHARTER SCHOOL BOARDS



CharterBoardPartners

great boards for great schools

Exceptional Governance: A Board's Responsibility

If you've seen a charter school that was clearly advancing on its mission and increasing academic achievement, you can be certain that a high performing board is hard at work in partnership with the school leader. If you've seen a charter school failing to achieve its goals, however, chances are an underperforming board is behind the scenes. Time and again, there is an irrefutable connection between the effectiveness of the board of directors and the success of the school.

By law, charter school boards are held accountable by the authorizer, the state, the federal government, and the public to ensure that the school is operating in accordance with its original purpose and doing so in a responsible manner. Legally, the buck stops with the board, and, therefore, ensuring board competency is not just the right thing to do, it's a legal responsibility.

But a board's legal and fiduciary responsibilities are just the beginning. A charter school board cannot be truly effective and meet all Charter Board Partners' standards unless it has also focused on exemplary governance practices. These practices, when combined, create a core foundation and synergy that allow the board to advance on mission and ensure high student achievement.

A high performing charter school board focuses on student achievement, acts strategically, recruits an exceptional school leader, raises and uses resources wisely, and fulfills all compliance expectations, but it only **manages** two things: the school leader, and itself. Charter school boards must manage themselves by investing in proven governance best practices regarding board composition, committee structure, meetings, and dynamics.

Life Cycles of Charter School Boards

Just like human beings, every charter school and respective board of trustees has a developmental life cycle, beginning with its founding and growing into maturity. The role of the board and its capacities will change throughout a school's life cycle. Not every school evolves through its life cycle in the same way or at the same pace; but if a school stagnates in any one phase, it can be detrimental to the students and their achievement. The key here is to acknowledge where a Board is in its lifecycle and work towards continuous improvement, setting a high bar for effectiveness.

Also, boards must be aware of the timeline associated with their current charter term. For example, in Washington, D.C. charters must be renewed every 15 years but there's a formal, important DC Public Charter School review every five years. These critical benchmarks in a charter school's life cycle serve as drivers as well as opportunities for board reflection on progress and mission advancement.

Phases of Board Education

Following are the phases of development that boards typically encounter, and although we offer timeframes often associated with each phase, it's important to note that each school evolves at a unique pace.

PHASE I: STARTUP

Board Characteristics:

- ▶ When most charter schools are started, a founder and small group of passionate, handpicked supporters are driven by a vision of educational excellence, academic achievement and bringing a lifetime of opportunity to the kids in a community. A founding group actively engages in the initial

This is a particularly exciting time for boards since they have the chance to establish effective governance practices (systems, structures, and policies) from day one. If done well, the long-term effect is that boards can move toward excellence much quicker.

planning and formation of the school, including applying for its charter, filing for incorporation, applying for its 501(c)(3) status, and planning for the creation of a board of directors.

- ▶ Once the charter is approved, many members of the founding group will become members of the school's Board of Trustees, along with new recruits. At this early point, the board, in effect, is a hands-on, *working board* that both governs and assists with operations since minimal staff is in place. With the mission and vision in the forefront, the board will be asked to do anything and everything to help get the school off the ground, from seeking facilities to house the school to developing programs to raising money.

PHASE II – TRANSITION / ADOLESCENCE

Board Characteristics:

- ▶ As the school starts to grow, so does the board. More systems are put into place, both operationally and governance-wise, including school leader performance evaluation, job descriptions for board members, and a committee structure.
- ▶ At this point, the board may still be involved in operations to some degree because the staff is still lean, but it begins to transition to a governing board.
- ▶ More emphasis and time are spent on planning, strategy, and building a stronger infrastructure.
- ▶ The board often grows in size as well as in diversity during this phase, moving beyond the original founders and board members of the school.
 - ◆ The founders still have a significant voice, but the board begins to position itself more in a collective decision-making framework, often causing some level of friction with the founders.

It is not uncommon for this phase to become a turbulent time where the school leader and board members wrestle with increased diversity of thought and changing roles, authorities, and decision-making systems.

PHASE III – HIGHLY EFFECTIVE BOARD

Board Characteristics:

- ▶ A charter school board becomes highly effective once it has effectively addressed the challenging issues that arise during the transition phase.
- ▶ A highly effective board has sound governance practices in place that allow it to work efficiently and focus on that which matters most.
- ▶ It has a high level of confidence and trust in the school leader and seeks a variety of ways to get information from multiple sources.
- ▶ This board understands the value of recruiting a strategically composed and diverse board.
- ▶ It has a strong, functioning committee and task force structure in place to advance the work of the board.
- ▶ It adopts performance evaluation systems at all levels of the institution.
- ▶ The highly functional board is no longer involved in the operations of the school and has created systems to allow it to effectively provide appropriate oversight.
 - ◆ It spends most of its time on strategic issues, building the school's reputation, and fundraising.
- ▶ It takes time to reflect, self evaluate, and implement changes in order to remain a high-performing board driven by mission.

Dysfunctional Phases of a Board

Boards don't always move smoothly through the phases outlined above, and rather than driving its own renewal of leadership, strategy, and energy to reach the highest level of performance, at some point, the charter school could either move into a Stagnant or Defunct Phase.

THE STAGNANT PHASE

When history and routine take over, it is not uncommon for charter schools boards to quietly shift into complacency, flirting with a slippery slope that can lead to the Stagnant Phase. This phase can occur at any time, but often kicks in several years after the school has reached the transition phase, but it can also occur earlier if the board has not effectively moved from being founder-driven to board-driven.

Board Characteristics:

- ▶ Board work becomes routine, energy begins to wane, school achievement either flat lines or drops, and an over-reliance on systems and processes prevails.
- ▶ Funding sources tend to end their support, and turnover is common on the board and at the staff level.
- ▶ The downward slide can quickly reach a crisis stage or it can slowly eat away at the school for years.

Outlook:

One of three things inevitably will occur in this phase:

- ▶ A number of board members and the school leader may recognize the warning signs and take action to successfully reenergize the institution. Disengaged board members are 'retired', new leadership with new energy and strategies are recruited, and a renewed sense of purpose and mission are reactivated. It is hard work, but coming through the Stagnant Phase will lead a charter school toward being highly effective with greater wisdom, vision, and energy.
- ▶ The board and staff may recognize the symptoms but are unable to revive the organization. The school may have dropped too far into financial debt, enrollment may already be headed in a tailspin, staff and faculty may be leaving at an unmanageable pace, or the recruitment of new board members with passion,

energy, and connections may be unsuccessful. In this situation, the school enters the Defunct Phase.

- ▶ The board and/or staff fail to take action and the authorizer forces the school into the Defunct Phase.

THE DEFUNCT PHASE

Board Characteristics:

- ▶ If a charter school slides into the Stagnant Phase and the board is unable or unwilling to move into renewal, the board will be faced with the decision of merger or closure.
- ▶ Sometimes this decision is driven by external factors, perhaps by the authorizer or through a lack of funds to continue operations. Other times, the board will be faced with a decision.
- ▶ While considering closure, all pertinent data should be considered, including:
 - ◆ Has the school's population been declining significantly?
 - ◆ Has the board shown the will and/or ability to initiate great change?
 - ◆ Is the school leader capable and willing to implement great change?
 - ◆ Has the school's public reputation fallen beyond repair?
- ▶ Making the decision to close a charter school is a difficult decision, but it is the right decision if the school no longer has the investment of the board or the community or cannot serve students to the high standards they deserve.

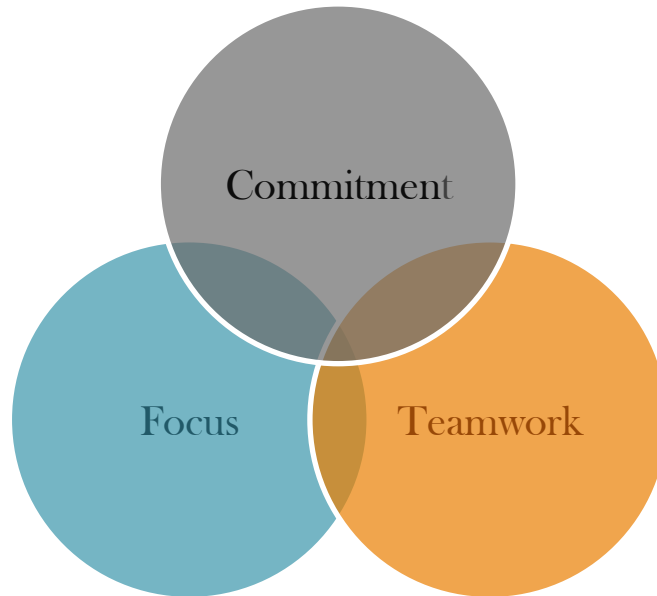
The Board's Relationship with the School Leader

Research in the education sector clearly confirms that employing a strong, highly competent leader increases a charter school's ability to succeed. A board not only hires a talented school leader but ideally builds an effective, productive, and trusting relationship with the school leader, working in constructive partnership on behalf of the students and academic achievement. Building this relationship between the school leader and the board of directors is a critical lever of success for every charter school.

A high performing board both supports the school leader and holds her accountable to mutually agreed upon expectations. Roles and responsibilities are clearly defined and annual goals are clearly established. The annual school leader performance becomes a tool for accountability, progress assessment, discussion, and support. evaluation (*See the CBP School Leader Evaluation tool for more information.*)

A board must champion its leader, building trust and encouraging candor and open communications. Collectively, board and staff come together to address challenges, both proactive and reactive. In particular, the relationship between the board chair and school leader sets the bar for the rest of the board; if this is a strong, candid, and supportive relationship, then the board as a whole is likely to function in a similar manner. If it isn't, the relationship between the entire board and school leader is likely to suffer. In addition, a truly high-performing partnership allows for proactive planning for both board and staff leadership transitions.

HIGHLY EFFECTIVE BOARD CHAIRS



TWELVE KEYS TO DISTINGUISH ONESELF AS A BOARD CHAIR

1. Coach the board like a team
2. Lead in partnership with the School Leader
3. Focus the board on that which is most important
4. Be a great meeting facilitator
5. Remain neutral rather than advocate for a position
6. Marshall consensus of opinion
7. Address problems in timely and effective way
8. Communicate effectively
9. Engage board members to take ownership for the work of the board and show appreciation
10. Value transparency and operate accordingly (full personal/ professional disclosure)
11. Be reflective and self-aware
12. Always operate according to *what's best for the school*

QUALITIES OF HIGHLY EFFECTIVE BOARD CHAIRS

Personal Qualities

- ▶ Has a passion for governance and inspires others
- ▶ Is approachable and available
- ▶ Is a good listener and communicator
- ▶ Shows integrity, respect, and humility
- ▶ Is a strategist and visionary thinker
- ▶ Encourages open communication and constructive debate

Commitment to the Board

- ▶ Engages board members to take ownership of board's work
- ▶ Celebrates board members' hard work and achievements
- ▶ Promotes board development and governance best practices
- ▶ Commits to leading an effectively run board
- ▶ Upholds legal and ethical standards of conduct
- ▶ Ensures board plans proactively for the succession of board members and officers

Commitment to the School

- ▶ Shows understanding and passion for mission, values, and school
- ▶ Engages board members to demonstrate and encourage their commitment
- ▶ Understands and respects management/governance boundaries

DUTIES OF HIGHLY EFFECTIVE BOARD CHAIRS

Board Member Management

- ▶ Holds members accountable for carrying out roles and responsibilities
- ▶ Is the contact for board members on board issues
- ▶ Ensures a board assessment process occurs
- ▶ Ensures board members understand that the board is empowered to act as a collective entity and that individual board members have authority only when the board so delegates

School Leader

- ▶ Cultivates a constructive partnership with the School Leader
- ▶ Participates in the hiring, monitoring, and evaluation of the School Leader
- ▶ Meets or talks regularly about monitoring School Leader's progress and challenges around goals

Community Relations

- ▶ Cultivates relationships with donors, funders, and stakeholders
- ▶ Serves as community ambassador
- ▶ Speaks at annual meeting and community events and with the media when appropriate

Meeting Management

- ▶ Helps develop meeting agendas with school leader
- ▶ Presides at all meetings of the board and specific committees
- ▶ Promotes meaningful dialogue at board meetings
- ▶ Gives every board member an opportunity to contribute but does not allow any one member, including herself, to dominate or derail the discussions

Board Committees

- ▶ May appoint board committee and task force chairs (depending on bylaws)
- ▶ Ensures ongoing communication between committees and the board
- ▶ Serves as ex-officio of all committees

BOARD COMMITTEES

FREQUENTLY ASKED QUESTIONS

What are the advantages of having a committee structure?

Committees allow boards to operate more efficiently, since detailed work can be done within committees comprised of a smaller subset of members. Also, since committees are typically staffed with members who have specific, content-rich expertise, more in-depth discussions and analyses can take place, resulting in well-informed recommendations to the full board. Those recommendations are then presented to the full board for review and approval at regular board meetings.

How does a school determine which committees to create?

Although not generally required, standing committees are often explicitly defined in the school's bylaws. Boards should develop a strategic, lean committee structure, only creating and naming in its bylaws the standing committees it needs to facilitate and elevate its work.

Will the committee structure we develop always remain the same?

The committee structure will and should change over time as the board evolves. High-performing boards also create fewer standing committees and use short-term, project-based task forces more frequently.

Which standing committees are most frequently created?

While committee structures will differ somewhat from board to board, Charter Board Partners recommends that schools create at least four standing committees: Finance (which would be also be responsible for oversight of the audit function), Governance, Academic Excellence, and Development. If the board can only support three committees initially, it should establish a Finance, Governance, and Academic Excellence Committee.

Are there other formal structures that Boards can adopt?

If the strategic needs of the board require additional structure, boards can create task forces, and the Board's authority to do so is often referenced in the school's bylaws. Task forces operate similar to a committee, but task forces often have a shorter-term agenda and frequently include non-board members. Often task forces are created for facilities procurement or improvement, strategic planning, a school leader search, a fundraising campaign or special event, or to consider replication or expansion.

Does a committee or task force need a specifically defined purpose?

Every committee and task force needs a written charge clarifying its purpose and scope of authority, a chair to lead it, and a minimum of two additional members to add a minimal diversity of opinion and have enough people power to complete the work at hand. Annual work plans are developed to help committees focus on their annual goals, and committees should meet as often as needed to accomplish their work.

How are the activities of committees and task forces documented?

Minutes, generally no longer than one page, are taken at each meeting detailing attendance, recommendations for the board's consideration, high-level overview of discussions, and action steps. *(See example of committee minutes below.)* The written minutes should be shared with the full board in a timely fashion; verbal reports to the board are needed only for recommendations for the board's consideration or key strategic issues that require board discussion.

EFFECTIVE MEETINGS

WHY EFFECTIVE MEETINGS MATTER

Public charter school boards have significant responsibilities and only a limited amount of face-to-face time to fulfill them. Boards may have an average of only 20 hours per year to meet formally as a full board to set the school's direction, ensure academic achievement, secure resources, plan strategically, and provide appropriate oversight of school operations. This is why it is so critical for board meetings to be efficient, substantive, and productive, and why boards must be strategic in delegating tasks to committees as appropriate.

Great board meetings are often characterized by great discussions on important issues. But they rarely happen by chance; in fact, they are usually the outcome of good planning, strong agendas, thoughtful preparation, the use of efficient tools, and excellent facilitation.

The board president and school leader should work together to plan board meetings. When planning for a productive, engaging board meeting, the first step is to create a great agenda. Well-intended boards often incorrectly assume that every issue must be handled essentially the same way, i.e., by board discussion during a board meeting. There are, however, a breadth of ways that issues can be effectively addressed including delegation to staff or committees, and electronic communications.

PREPARING A MEETING AGENDA

It's important to remember that all agenda items are not equal; in fact, nothing should be added to the agenda without it being fully vetted, determined to be appropriately part of the board agenda and ready for board discussion. Boards often use a 'consent agenda' as part of the meeting agenda to bundle the routine business of the board, thus freeing most of the meeting time for strategic issues. Agendas should include time lines, include 'action' or 'discussion' flags, and be accompanied by appropriate background material, all of which should be disseminated to board members no less than four to five business days prior to the meeting, to allow them to prepare for key conversations. *(See Sample Agendas below.)*

Four core questions should be asked by the board chair and school leader to guide their preparation for a great meeting and the creation of a strategic agenda:

Question #1

What are the two to four most important issues on which this board needs to be focused?

- ▶ Are these really issues the board (versus staff, etc.) needs to address?
- ▶ What are the core questions we should be asking regarding each issue?
- ▶ How do we best tee up each issue? What does the board need in terms of background information, data, or context in order to meaningfully discuss each issue?
- ▶ Should discussion on this issue start at the board level or be delegated to a committee to prepare the discussion for the board? Does staff need to do any work to prepare the issue for board or committee discussion?

Question #2

What must the board do at this particular point in time?

- ▶ Check the board's annual calendar (*See Annual Board Calendar Sample below.*) to ensure key activities are included on the board meeting agenda when appropriate, e.g. budget approval, board self-assessment, audit review, and approval.

Question #3

What must the board do as part of its due diligence or governance responsibilities?

- ▶ Which of these items really require a discussion? Or, can we simply distribute materials to board members? Or, can we simply request board members complete a certain action?
- ▶ What is the most efficient way to handle these items? Electronically? By committee? At the board table?

Question #4

What does the board need in terms of its ongoing education that will help it make good, informed decisions?

- ▶ What are our board's specific professional development needs and where do we find the support to meet those needs?

DECISION-MAKING

Boards need to have a clear decision-making process. Key information, including what substantiates a quorum and whether a majority vote serves as an act of the board, can usually be found in the bylaws. Boards can create a culture of decision making by:

- ▶ Ensuring the board has a breadth of relevant data and information on which to base its decisions.
- ▶ Creating a culture of inquiry that encourages robust debate and consideration of alternative options.
- ▶ Developing a process that includes a review and discussion of the advantages and downsides of every decision prior to the vote.
- ▶ Whenever possible, avoiding voting on significant decisions until some level of consensus has been developed.

A common tug-of-war for boards and school leaders is the question: how much information does the board actually need? Some boards or board members have a tendency to ask for a lot of detail. When staff seeks to meet this need, board members often either complain there's too much material or simply fail to read the board materials.

The rule of thumb is to give board members the information and materials they need in order to be well informed in their discussions and decision-making. Where that line is drawn is not always clear and must be negotiated with candid discussion.

Boards should only make decisions once they have thoroughly reviewed all relevant data and materials and have had all of their questions answered. In some cases, decisions can be made in the meeting when a topic is being discussed for the first time. In other instances, discussion occurs over multiple meetings before a decision is made.

MEETING MANAGEMENT

Parliamentary procedures in the boardroom will also vary from board to board. More and more boards find that the traditional Roberts Rules of Order, first developed to

Many boards now use board portals that allow easy storage of and access to materials. This saves staff both time and effort in preparing board materials. The growing use of dashboards is helping staff keep board members well informed of operational issues at a high level; in turn, board members respond well to dashboards because the tools allow them to analyze the data and spot trends and patterns.

manage governance by very large boards, are no longer practical in the boardroom. Instead, boards are using less wieldy boardroom procedures from sources like the American Bar Association or Roberta's Rules of Order.

Every board meeting should end with either a verbal or written board meeting evaluation. (See *Board Meeting Evaluation Template below.*) This evaluation focuses on both strengths and weaknesses of the board meeting and can be used to enhance board meetings on a regular basis.

Board Committee Job Descriptions

Every standing committee should have clarity on its purpose, authority level, leadership and membership, who it is accountable to, and frequency of meetings. The Board Chair appoints the chair for each committee. Committees will include at least two additional members (for a minimum of three individuals per committee.)

FINANCE COMMITTEE

The Finance Committee, chaired by a board member (usually the Treasurer), will meet as often as necessary to conduct its work, at minimum before every board meeting. Its purpose is to provide appropriate board oversight of school finances, ensure accurate and comprehensive financial reporting to the board, and raise strategic financial issues for board discussion.

FINANCE COMMITTEE RESPONSIBILITIES

Specific responsibilities of the finance committee include:

- ▶ Preliminary review of monthly financial statements prior to board review
- ▶ Presentation of financial statements to board for discussion
- ▶ Ensure that the annual budget is prepared in a timely manner, allocates resources to support the school's strategic direction, and drives improved student achievement
- ▶ Review and recommend to the full board approval of the annual budget
- ▶ Recommend the selection of an auditor, ensuring the school changes auditors (or audit partner) every five or so years
- ▶ Meet with auditor prior to full board audit review and approval
- ▶ Ensure that either the Finance Committee or the full board annually meets in executive session with the auditor
- ▶ Provide recommendations to ensure appropriate financial policies and procedures are in place
- ▶ Identify strategic and long-term financial issues to address before they become urgent issues
- ▶ Set annual committee goals and regularly monitor progress against those goals
- ▶ Serve as an ongoing resource and advisor to staff on financial issues
- ▶ Work closely with staff on financial issues/oversight

STEPPING UP WITH YOUR FINANCE COMMITTEE

High-performing Finance Committees will also do the following:

- ▶ If charter school bylaws allow, recruit non-board members with particular financial and/or investment expertise to serve on this committee
- ▶ Work with staff to develop financial dashboards to help the board absorb large amounts of complex information and understand patterns and trends
- ▶ Invite a CPA annually to present a 45-minute board training on how to read a charter school's financial statements; each year the level of training can become more sophisticated, thus increasing board members' competencies
- ▶ If the financial operations of the school become increasingly complicated, primarily due to issues of scale or compliance requirements of funders, determine whether the committee should split into two separate board committees: Finance Committee and Audit Committee
- ▶ If and when appropriate, recommend the creation of an Investment Committee

EXECUTIVE COMMITTEE

A NOTE ABOUT EXECUTIVE COMMITTEES

Charter schools often ask whether they should have Executive Committees. As explained below, Executive Committees have limited overarching roles and play out differently across organizations. Our advice to charter schools is to consider whether you have a functioning committee structure. If you do, then you may have the board-level capacity to use an Executive Committee effectively. If you do not, we recommend that you focus first on building an effective governance committee and pull the functions usually reserved for the Executive Committee into the governance committee. It is more important to **do the work well** (i.e. evaluate the School Leader) than to create a committee in hopes that this will be the magic solution to get the work done.

BOTTOM LINE

Before you create an Executive Committee, ensure that you:

- ✓ **Need** this particular structure to accomplish your goals
- ✓ Have the **board capacity** (in terms of time and talent) to build a strong Executive Committee
- ✓ **Identify** the specific roles and responsibilities that *your* Executive Committee will play

EXECUTIVE COMMITTEE RESPONSIBILITIES

The Executive Committee is chaired by the Board Chair. Its two primary responsibilities are to act on behalf of the board on urgent issues when the full board is not able to meet, and to lead the performance evaluation process for the school leader. (The bylaws must articulate that the Executive Committee has the authority to do the former.)

The limitations of the Executive Committee's authority (which are typically noted in the bylaws) include:

- ▶ Dissolution of the institution
- ▶ Mergers
- ▶ Hiring or firing of the school leader
- ▶ Electing or removing board members
- ▶ Amending the bylaws
- ▶ Approving or changing the budget
- ▶ Eliminating or adding major programs

The Executive Committee is typically comprised of the Board Chair, Vice Chair, Secretary, Treasurer or Finance Committee Chair, Governance Committee Chair, and the School Leader, who serves ex-officio. The Executive Committee meets only as needed, but a minimum of two times per year. The Executive Committee can meet in executive session without the school leader when it so chooses, e.g., when her evaluation is being addressed.

Only committee members and invited guests may attend Executive Committee meetings. Minutes of Executive Committee meetings are shared promptly with the full board of directors to ensure transparency and to keep board members well informed. If the Executive Committee makes significant decisions, the full board will be informed within 24 hours and the decision will be ratified by the full board at the next board meeting.

STEPPING UP WITH YOUR EXECUTIVE COMMITTEE

High performing Executive Committees will also do the following:

- ▶ Remain aware of the danger of becoming an inclusive entity, ultimately making the full board a rubber stamp

- ▶ Serve as a mini-think tank for the board by identifying key strategic issues and the best way to frame them for board discussion
- ▶ Frequently ask the school leader: “What’s keeping you awake at night?”
- ▶ Actively develop new leadership on the board
- ▶ Model great governance practices for the rest of the board

GOVERNANCE COMMITTEE

The Governance Committee is the committee of the board, by the board, and for the board. Its primary responsibility is to ensure the board is governing effectively and revitalizing itself. It is the responsible for providing leadership for board education, ensuring a strategically composed board is in place to govern the institution, nominating candidates for officer positions and committee membership, nominating and orienting new board members, ensuring an effective governance structure, and ensuring an effective board self assessment process.

GOVERNANCE COMMITTEE RESPONSIBILITIES

Specific responsibilities of the governance committee include:

- ▶ Promoting and providing education to new and tenured board members about the school, education reform, the community, and governance
- ▶ Assessing the school’s governance needs, including periodically reviewing the size of the board, the strategic composition of the board, the committee structure and charters, and recommending changes as needed
- ▶ Developing and nominating board members to serve as officers including, as appropriate, Chair, Vice Chair, Secretary, and Treasurer
- ▶ Leading the board in the identification, cultivation, and nomination of new board members to ensure a strategically composed board
- ▶ Ensuring new board members are effectively oriented to the charter school, the board, the community, and the responsibilities and expectations of board service
- ▶ Monitoring the ongoing performance of current board members and evaluating performance before renewing board terms
- ▶ Conducting a board self assessment every one to two years
- ▶ Planning the annual retreat
- ▶ Reviewing and recommending changes to the bylaws every two years or as needed
- ▶ Set yearly goals and monitor against them

STEPPING UP WITH YOUR GOVERNANCE COMMITTEE

High performing Governance Committees will also do the following:

- ▶ Attend Charter Board Partners' trainings and events
- ▶ Present a short educational segment at every board meeting on the mission, school, and community or governance practices
- ▶ Invite special guests, school leaders, or Board Chairs from other charter schools to talk with your board to bring new lenses into the boardroom
- ▶ Talk with other charter school boards' governance committees to learn more about how they are overcoming their challenges

DEVELOPMENT COMMITTEE

The Development Committee works closely with staff to provide leadership in engaging the collective board and individual board members in regular fundraising activities for the school and in providing strategic direction, oversight, and accountability for the board's fundraising activities. The Committee meets as often as necessary to conduct its work.

DEVELOPMENT COMMITTEE RESPONSIBILITIES

Specific responsibilities of the development committee include:

- ▶ Involving and motivating board members in the cultivation, solicitation, and stewardship of gifts
- ▶ Helping to develop policies for the board and staff regarding gift solicitation and recognition
- ▶ Ensuring the case for support is strong, compelling, and accurate
- ▶ Helping to develop strategies for major gift cultivation and solicitation
- ▶ Recommending realistic but stretch goals for board giving, for board's approval
- ▶ Ensuring the board has a 100% board giving policy and fulfills it each year
- ▶ Holding the board accountable in reaching its giving and fundraising goals
- ▶ Ensuring the board receives fundraising training as needed
- ▶ Leading by example
- ▶ Set annual committee goals and regularly monitor progress against those goals

STEPPING UP WITH YOUR DEVELOPMENT COMMITTEE:

High performing Development Committees will or may also do the following:

- ▶ Get one board member to match board member gifts above last year's gift

- ▶ Create friendly competitions between board members or their firms in raising funds

ACADEMIC EXCELLENCE COMMITTEE

The Academic Excellence Committee provides appropriate board oversight of the academic program by ensuring that the school's educational program is positively impacting student achievement and by raising strategic academic issues for board discussion. The Academic Excellence Committee, chaired by a board member, will meet as often as necessary to conduct its work, but typically at least quarterly.

ACADEMIC EXCELLENCE COMMITTEE RESPONSIBILITIES

Specific responsibilities of the academic excellence committee include

- ▶ Assume responsibility for ensuring that students are achieving at the highest levels
- ▶ Agree on a definition of academic excellence for the school
- ▶ Understand how student achievement is measured at the school and build board-wide understanding of the most critical measures
- ▶ In partnership with the school leader, monitor student achievement by reviewing and analyzing external, standardized tests and internal assessments, deeply understanding the factors affecting performance data and sharing updates with the full board
- ▶ Evaluate student achievement at the school in comparison to other schools and national standards
- ▶ Verify that school administrators use student data constructively and routinely to inform decisions
- ▶ Insist on targeted changes to the academic program if student achievement is lagging
- ▶ Identify strategic and long-term challenges to the academic program before they become urgent issues

It's important to note that this is a committee that can easily slide down that slippery slope between oversight and management, overstepping the board's bounds.

For example, if a school showed low test scores in math, the board should ask the school leader the tough questions around why that dip occurred and what the leadership doing to address it. The board should *not* tell the school leader what he/she should *do* about that result, for example suggesting a specific math curriculum or teaching strategy.

The board asks the questions and provides advice, holding the leader accountable for results. The board does not make program-level decisions.

- ▶ Serve as an ongoing resource and advisor to staff on academic issues, as requested, providing recommendations and feedback to administrators for improvements to the academic program
- ▶ Set annual committee goals and regularly monitor progress against those goals

STEPPING UP WITH YOUR ACADEMIC EXCELLENCE COMMITTEE

High-performing Academic Excellence Committees will also do the following:

- ▶ If charter school bylaws allow, recruit non-board members with particular educational expertise related to the school's model
- ▶ Work with staff to develop academic dashboards to help the board absorb large amounts of complex information and understand patterns and trends
- ▶ Visit other high-performing schools to inform the committee's work
- ▶ Attend authorizer trainings on accountability

Sample Calendars and Meeting Templates

ANNUAL BOARD CALENDAR SAMPLE

ABC CHARTER SCHOOL FISCAL YEAR CALENDAR

JULY

- ✓ Review final board-wide dashboard for prior year
- ✓ Review preliminary year-end financial review
- ✓ Review progress against strategic plan goals, if applicable

AUGUST

- ✓ Review preliminary standardized test results for prior year

SEPTEMBER

- ✓ Review updated standardized test results
- ✓ Review school leader's progress against quarterly goals
- ✓ Review board's progress against quarterly goals

OCTOBER

- ✓ Review and accept audit

NOVEMBER

- ✓ Review final standardized test results and reports

DECEMBER

- ✓ Review school leader's progress against quarterly goals
- ✓ Review board's progress against quarterly goals
- ✓ Host/participate in school holiday party

JANUARY

- ✓ Review and approve preliminary enrollment and budget assumptions for next year

FEBRUARY

- ✓ Complete review of by-laws and board policies, if applicable
- ✓ Collect annual conflict of interest disclosure forms

MARCH

- ✓ Review school leader's progress against quarterly goals
- ✓ Review board's progress against quarterly goals
- ✓ Select auditor

APRIL

- ✓ Complete annual board self-assessment
- ✓ Review preliminary budget for next year

MAY

- ✓ Confirm annual board member commitments
- ✓ Approve annual budget for next year
- ✓ Review board's progress against annual goals

JUNE

- ✓ Complete school leader annual performance evaluation
- ✓ Establish school leader goals for next year
- ✓ Establish board goals for next year
- ✓ Establish school leader professional development plan for next year
- ✓ Elect new board members
- ✓ Elect board officer

BOARD MEETING AGENDA

EXAMPLE 1 – CONSENT AGENDA

ABC CHARTER SCHOOL

AGENDA

February 13, 2012 ♦ 8:00 a.m. – 10:00 a.m.

- | | |
|------------|---|
| 8:00 a.m. | Welcome |
| 8:05 a.m. | Mission Moment
<i>Someone shares a story that brings the mission and/or the pursuit of academic achievement alive.</i> |
| 8:10 a.m. | School Leader Report
<i>Very brief. Does not reflect entire written report. Rather, School Leader flags one to three highlights in the report, analyzing the significance or possible implications. May also share what has transpired of note since the report was written.</i> |
| 8:20 a.m. | Consent Agenda (Action)
<i>Contents will vary from meeting to meeting. Reflects the routine business of the board or the issues that do not require or need discussion.</i>

<i>For example:</i> <ul style="list-style-type: none">• Approval of last meeting's minutes• School leader written report• Committee reports (must be written)• Adoption of bylaw change that has already been discussed |
| 8:25 a.m. | Financial Report (Presentation and discussion)
<i>Report is given by Treasurer, perhaps with assistance by the CFO or school leader. This reflects not just current financial picture but cash flow, financial implications, strategic financial considerations, etc.</i> |
| 8:40 a.m. | Dashboard Review (Discussion)
<i>Review and discussion of updated dashboard(s) reflecting school activity and strategic plan progress, identifying success and challenges and holding the board accountable to measurable goals</i> |
| 9:00 a.m. | Expansion Task Force Recommendations (Presentation and discussion)
<i>Send materials in advance. Make high-level presentations. Pose two to three strategic questions to the board for discussion. Determine next steps.</i> |
| 9:45 a.m. | Last Thoughts
<i>Review decisions made and action steps. Identify the three things all board members should be doing/thinking about between now and the next meeting.</i> |
| 9:50 a.m. | Board Meeting Assessment
<i>"Did we spend our time effectively today?"</i>

<i>"What can we do to be more effective?"</i>

<i>"Are there any board members who have been frequently absent? How do we want to handle these situations?"</i>

<i>To our school leader: "What's keeping you awake at night?"</i> |
| 10:00 a.m. | Adjourn |

EXAMPLE 2 – TRADITIONAL AGENDA

ABC CHARTER SCHOOL

AGENDA

September 6, 2012 ♦ 5:00 p.m. – 7:00 p.m.

- | | |
|-----------|--|
| 5:00 p.m. | Welcome |
| 5:05 p.m. | Mission Moment
<i>Someone shares a story that brings the mission and/or the pursuit of academic achievement alive.</i> |
| 5:10 p.m. | Approval of Minutes (Action) |
| 5:15 p.m. | School Leader Report
<i>Very brief. Does not reflect entire written report. Rather, School Leader flags one to three highlights in the report, analyzing the significance or possible implications. May also share what has transpired of note since the report was written.</i> |
| 5:25 p.m. | Financial Report (Presentation & discussion)
<i>Report is given by Treasurer, perhaps with assistance by the CFO or school leader. This reflects not just current financial picture but cash flow, financial implications, strategic financial considerations, etc.</i> |
| 5:40 p.m. | Dashboard Review (Discussion)
<i>Review and discussion of updated dashboard(s) reflecting school activity and strategic plan progress, identifying success and challenges and holding the board accountable to measurable goals</i> |
| 5:55 p.m. | Strategic Planning (Discussion)
<i>Our strategic plan will be ending in nine months. How do we want to approach our next plan development? What worked well last time? What should we do differently? Shall we create a task force to drive the process? Do we need an outside consultant's expertise? What are the three to five biggest issues looming in our future that we need to address?</i> |
| 6:10 p.m. | Committee Reports
<i>Standing committees (as appropriate) report on three things: the most important issue/project the committee will be addressing in upcoming year, what it anticipates bringing to the board during the year for comment or decision, and any assumptions made to date on key issues.</i>
<i>NOTE: Max of 10 minutes per report. Every committee does not and should not report at every meeting. Only as needed on issues of substance.</i> |
| 6:40 p.m. | Annual Board Business (Materials Sent In Advance) (Action)
<i>Complete, sign and submit on site:</i> <ul style="list-style-type: none">• Annual Conflict of Interest Review and Declarations/ Signatures• Annual Letter of Commitment <i>Annual review of insurance</i> |
| 6:45 p.m. | Last Thoughts
<i>Review decisions made and action steps. Identify the three things all board members should be doing/thinking about between now and the next meeting.</i> |
| 6:50 p.m. | Board Meeting Assessment
<i>"Did we spend our time effectively today?" "What can we do to be more effective?"</i>
<i>"Are there any board members who have been frequently absent? How do we want to handle these situations?"</i>
<i>To our school leader: "What's keeping you awake at night?"</i> |
| 7:00 p.m. | Adjourn |

COMMITTEE MEETING MINUTES TEMPLATE

ABC CHARTER SCHOOL MEETING MINUTES

COMMITTEE NAME:

DATE/TIME OF MEETING:

IN ATTENDANCE:

RECOMMENDATION TO THE BOARD (IF APPLICABLE):

- State actual motion in one to two sentences.
- Rationale
 - ♦ Benefits/advantages/desired outcomes
 - ♦ Downsides
- Alternative options discussed.
- Vote of the committee to bring recommendation to the board.

OTHER DISCUSSION TOPICS:

ACTION STEPS:

COMMITTEE MEETING MINUTES EXAMPLE

ABC CHARTER SCHOOL

MEETING MINUTES

COMMITTEE NAME: Governance / Executive Committee

DATE/TIME OF MEETING: May 12, 2012: 5:00 - 7:00 p.m.

IN ATTENDANCE: Joe, Melissa, Sam, Tricia,
Emily (Board President), Megan (School Leader)

RECOMMENDATION TO THE BOARD (IF APPLICABLE):

The Governance Committee moves to expand the size of our board to a minimum of 12 members and a maximum of 15 members.

We've debated this issue for two years. Now that the school is expanding to add high school years, we anticipate that board work will increase and that we will also need greater diversity of skills and thought at the board table. We do not want to burn out board members, and we think there will be many upsides to this decision.

- Benefits/advantages/desired outcomes: greater diversity; greater breadth of skills sets; more circles of influence for our fundraising; opportunity to develop more board members for leadership positions; we will have more board members to place on committees
- Downsides: it will arguably require more of Megan's time to work with a larger board, but she has indicated that the benefits outweigh the downsides. We will want to be attentive to our continued ability to work well as team as we grow.

Alternative options discussed: we considered leaving the board size range at 9 – 12 members but felt that won't be sufficient for the challenges and work ahead of us.

The committee is unanimous in bringing this recommendation to the board.

OTHER DISCUSSION TOPICS:

Committee discussed ideal board composition and gaps, including technology skills, fundraising skills, and leaders of Latino descent.

ACTION STEPS:

- Formally recommend a bylaws change re: board size at the June board meeting.
- The board will begin its annual board self-assessment process starting in July. Joe and Melissa will lead the process and set expectations with the board at the June board meeting.

BOARD MEETING EVALUATION TEMPLATE

ABC CHARTER SCHOOL BOARD MEETING EVALUATION

NAME:

MEETING DATE:

Please rate the following statements on a 1 to 5 scale according to:

- 1 = strongly disagree
- 2 = disagree
- 3 = neutral
- 4 = agree
- 5 = strongly agree

Statements	1	2	3	4	5
The board meeting materials prepared me well for the meeting.					
Board members came prepared to the meeting and ready to conduct business.					
The meeting was well facilitated.					
We focused most of our time on that which is most important.					
We used our time in the boardroom well today.					

The best part of the board meeting today was:

Our board meetings will be even better if we:

PLEASE SUBMIT YOUR COMPLETED EVALUATION TO A MEMBER OF THE GOVERNANCE COMMITTEE.

The New York Times |

U.S.

Michael Feinberg, a Founder of KIPP Schools, Is Fired After Misconduct Claims

By ANEMONA HARTOCOLLIS FEB. 22, 2018

KIPP, one of the country's largest and most successful charter school chains, dismissed its co-founder on Thursday after an investigation found credible a claim that he had sexually abused a student some two decades ago, according to a letter sent to the school community.

The co-founder, Michael Feinberg, was accused last spring of sexually abusing a minor female student in Houston in the late 1990s, according to someone with close knowledge of the case who was not authorized to speak publicly and asked not to be identified. An outside investigation found her claim credible after interviewing the student and her mother, who both gave the same sequence of events.

Mr. Feinberg denies the accusation, his lawyer, Christopher L. Tritico, said.

Investigators also uncovered evidence that Mr. Feinberg had sexually harassed two KIPP employees. One case, in 2004, led to a financial settlement, the letter said; the other could not be corroborated because the woman involved would not cooperate, but the letter found it to be credible.

"We believe that Mr. Feinberg's actions were incompatible with the leadership qualities that are central to our mission," said the letter, which was sent Thursday afternoon to teachers, administrators and families of students.

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ARTICLES REMAINING

Mr. Feinberg was told of his dismissal at a meeting on Thursday in Houston.

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Mr. Tritico said an initial investigation last summer by outside counsel for KIPP's Houston board had found the 1990s allegation to not be credible, before a second investigation by WilmerHale, a law firm specializing in sexual misconduct, reversed that finding.

He said Mr. Feinberg had never been told of the precise allegations against him, and had not been given a chance to defend himself. "The investigation was conducted without even the most rudimentary form of due process," Mr. Tritico said.

KIPP said the first investigation found the claim inconclusive.

The program, started in Texas in 1994 with 47 fifth-grade students, achieved extraordinary results with poor and minority schoolchildren and became a model that many others sought to replicate around the country. Today it has nearly 90,000 students and 209 schools in 20 states. The vision of Mr. Feinberg and the other founder, David Levin, Ivy League graduates who came together through Teach for America in the early 1990s, is largely credited with its success.

In the early years, Mr. Feinberg was a teacher and administrator in Houston, but his current role had been mainly external — fund-raising, lobbying, political advocacy and college partnerships. In the year ended June 2016 — the latest period for which the organization's tax filings were available — Mr. Feinberg received \$231,885 in compensation and benefits while working for KIPP's Houston schools, and \$220,241 for work at the parent foundation in San Francisco, the filings show.

KIPP Houston Public Schools, as the local chapter is known, contacted Texas Child Protective Services, which declined to investigate because the victim was no longer a minor, according to the person with knowledge of the case. After an initial investigation, KIPP Houston and the KIPP Foundation hired WilmerHale.

Mr. Feinberg is the latest in a cascade of prominent men to be forced out of jobs over sexual misconduct allegations since October, when dozens of women stepped forward to accuse the film producer Harvey Weinstein of sexual abuse. The Weinstein allegations touched off a movement that has added impetus to

4 investigations of sexual assault and raised the discussion about sexual harassment.

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ARTICLES REMAINING

“It certainly is not a good time for anyone to be accused of something like this,” Mr. Tritico, Mr. Feinberg’s lawyer, said.

Mr. Levin said he had spoken to Mr. Feinberg about the matter, but he would not describe the conversation. “It is very hard to reconcile — I’ve known Mike for almost 30 years,” Mr. Levin said. “To reconcile what we’ve learned as a result of this investigation and the evidence that’s been presented to us with the work I’ve known him to do is very hard.”

KIPP has been praised as transformative by leaders across the ideological spectrum, including Arne Duncan, the secretary of education in the Obama administration; Senator Cory Booker of New Jersey; and Michael R. Bloomberg, the businessman-philanthropist and former New York mayor.

About 95 percent of the students who attend the organization’s schools are African-American or Latino, according to KIPP officials, who said the students in its schools consistently outperform their counterparts in regular public schools.

The students are referred to as “Kippsters,” and that sense of camaraderie and belonging is important to the school culture. KIPP’s working theory is that the performance of low-income students can be improved through extended school hours, strict performance targets and relationships cultivated between teachers and families.

Mr. Feinberg is married with two children, a son and a daughter. His father was a pipe salesman and his mother was a speech therapist turned psychotherapist. Mr. Feinberg was raised in a wealthy Chicago suburb and studied international relations at the University of Pennsylvania.

He joined Teach for America and started teaching fifth grade in Houston in the early 1990s, and was stymied, he later told reporters, by the behavior and learning problems of his low-income Latino students. With Mr. Levin, a Yale history graduate, he received approval from the Houston school board to begin KIPP, which stands for Knowledge is Power Program, in 1994. The program’s motto was “There

4 Are No Shortcuts.”

ARTICLES REMAINING

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The KIPP Foundation receives funds from many of the largest private donors in the United States. Its website lists support of more than \$60 million each from the foundation established by Doris Fisher and her late husband Donald, who started the Gap apparel store chain; from the family foundation run by children and grandchildren of Sam Walton, the founder of Walmart; and from the federal Department of Education.

Donors who have given KIPP between \$25 million and \$60 million over time include a foundation established by Julian Robertson, once one of the world's top hedge fund managers, as well as the venture capital investor Arthur Rock and his wife, Toni Rembe. Donations of \$10 million to \$25 million have come, according to the website, from foundations established by, among others, the billionaires Bill Gates, Michael Dell and Eli Broad.

In the year ended June 2016, the KIPP Foundation reported \$77.2 million in revenue, including contributions; \$61.9 million in expenses, including salaries and grants; and \$60 million in net assets.

The claim regarding Mr. Feinberg and the minor student, who is now in her 30s, had not been previously reported to KIPP or other authorities, and came by way of a more recent student who was a relative of the alleged victim, according to someone with close knowledge of the case.

KIPP officials said they were limiting the disclosure of details about the abuse claim because the KIPP community was so small at the time the abuse was said to have taken place that the woman involved could be identified.

KIPP officials declined to discuss the terms of the 2004 sexual harassment settlement by one female employee, who was a graduate of the school and was working in the KIPP office, saying the terms were confidential. A spokesman for KIPP, Jon Reinish, said the settlement was approved by a different board and the foundation was not involved.

Investigators said a second harassment claim from the same period could not be corroborated, though it was deemed credible. The woman involved in that claim,

4

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ARTICLES REMAINING

who was also a graduate, did not speak to investigators, but her story lined up with the previous one, the person with knowledge of the case said.

“In light of the nature of the allegations and the passage of time, critical facts about these events may never be conclusively determined,” the letter said. “At a minimum, Mr. Feinberg put himself into situations where his conduct could be seriously misconstrued.”

Richard A. Oppel Jr. contributed reporting and Alain Delaqu  rie contributed research.

A version of this article appears in print on February 23, 2018, on Page A17 of the New York edition with the headline: Accused of Sexually Abusing a Minor, a Founder of KIPP Schools Is Fired.

  2018 The New York Times Company

EDUCATION WEEK

COMMENTARY

For School Improvement, Demographics Aren't Destiny**Lessons from schools with "unexpected" successes****By Karin Chenoweth**

July 18, 2017

When I talk with teachers, I often find them flummoxed by my descriptions of "unexpected" schools. That's the term I use to describe high-performing and rapidly improving schools with large populations of children of color and children living in poverty. These schools don't fit the well-worn pattern of academic achievement tightly correlating with family income and ethnicity, a connection first documented by **James S. Coleman in his eponymous 1966 report.**

When I tell them that professional development in unexpected schools is linked to both the needs of teachers and school goals and informed by classroom observations by principals and other leaders, they say something to the effect of, "The only time I see my principal is when he is doing a walk-through."

Similarly, I sometimes describe how teachers in unexpected schools unpack standards, map out the curriculum, and develop lessons and common assessments together. The conversation stopper: "We don't have common planning times."

Through such conversations, I have realized that educators in unexpected schools change the fundamental way schools have traditionally been organized.

Back in 2000, Harvard researcher Richard Elmore argued that because teaching has primarily been an isolated, autonomous, and idiosyncratic practice, **school improvement is nearly impossible.**

"Privacy of practice produces isolation; isolation is the enemy of improvement," he wrote. A few years later, I was hired by the Education Trust, a national education advocacy organization, to help identify and learn from successful schools serving large

[← Back to Story](#)

populations of students living in poverty and students of color.

After spending more than a decade visiting, writing about, and learning from dozens of unexpected schools across the country, I have seen what happens when school leaders take Elmore's analysis to heart and make improvement a shared task rather than a solitary one.

For example, at Malverne Senior High School in Long Island, N.Y., 93 percent of the school's seniors graduated in 2016, and 54 percent earned advanced diplomas (reflecting a full college-preparatory study). These numbers would be unremarkable in white, upper-middle-class high schools in New York City, but are unusual in schools with Malverne's demographic makeup. Most of Malverne's students are students of color—58 percent African-American and 23 percent Hispanic—and 51 percent are considered economically disadvantaged.

The school has achieved its results by systematically building caring relationships and tackling problems together. "Failures are our problem," Principal Vincent Romano told me. Its leaders do not leave teachers to work in isolation, but make instruction—from lesson plans to assessments—a shared activity. Every year, seven full-period classroom observations by teachers, department heads, and administrators help teachers reflect on their practice and build a culture where they work together to better engage their students in challenging material. And by continually looking at grades, test scores, and attendance and discipline data, teachers and administrators monitor how students are doing so that they can adjust instruction accordingly.

Unexpected schools like Malverne demonstrate the power schools hold to overcome barriers of poverty and discrimination—something traditionally organized schools seem to find insuperable—by breaking down long-standing structures of autonomous practice.

As Elmore wrote, traditional school structures keep schools highly dependent on the social capital students bring to their classrooms, allowing schools that serve a majority of middle-class and upper-middle-class families to appear reasonably successful. But if they begin enrolling low-income students or new immigrants, they are often exposed as schools that were not "good" in and of themselves. Rather, they had relied on the strength of their wealthier students' vocabulary and background knowledge, and parents' ability to provide extra help.

Unfortunately, the common assessment is that low-income students and students of color cause schools to "go downhill."

I saw how this worked in the high school my children attended. The once predominantly white, middle-class school had experienced a large increase in low-income students and students of color whose families had been drawn to the area, partly by the good reputation of the schools.

Many teachers blamed the ensuing drop in academic achievement on the new students, while continuing their decades-long march through outdated textbooks and poorly thought-through



"Traditional school structures keep schools highly dependent on the social capital students bring to their classrooms."

worksheets. Their instruction—isolated, autonomous, and idiosyncratic—went unchallenged by the school's traditional structure. That is to say, the school had no systems to make sure teachers knew what state standards required students to know, no systems to identify students who had not mastered standards, and no systems to hone teachers' individual expertise and collaborate with other teachers to improve instruction. On average, students who didn't have the vocabulary, background knowledge, or organizational wherewithal to compensate for the weak school structures did not fare well. Conscientious teachers helped individual students, but could not by themselves change the school's academic trajectory.

In contrast, unexpected schools have system after system to marshal the power of schools—systems as prosaic as master schedules that permit uninterrupted instruction and teacher collaboration—to help teachers work together and focus on the best ways to teach what students need to know. Most important, they have systems of information that let the adults in the school know what is working and what isn't so they can continually adjust their practice.

MORE OPINION

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These systems don't require enormous amounts of money. What they do require is thoughtful professionalism on the part of educators and school staff who are given the time, knowledge, and resources to work together in a quest to ensure that every student is successful. That should be within the grasp of every school in the country.

*Karin Chenoweth is writer-in-residence at the Education Trust and author of the recently released **Schools That Succeed: How Educators Marshal the Power of Systems for Improvement** (Harvard Education Press).*

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Vol. 36, Issue 37, Pages 22-23

Published in Print: July 19, 2017, as **What 'Unexpected' Schools Do That Other Schools Don't**

How IDEA Public Schools Is Closing the Achievement Gap

Dolores Gonzalez and the charter school network are paving the path to college with three programs that help students succeed

September 1, 2017

BY GALEN BEEBE

When Dolores Gonzalez was hired as the director of special education at IDEA Public Schools in 2005, she wasn't sure she wanted the job. She'd applied to be a special education teacher at IDEA's first—and, at the time, only—location in Donna, Texas. Initially, she split her time between serving as director and teaching special education, but as IDEA's network has expanded, so has her role. Now, she's the chief program officer for the network of sixty-one public charter schools, which serve students from pre-K through twelfth grade.

And, though she no longer teaches, Gonzalez's background in special education has profoundly affected her approach to student and teacher success. "I would love it if every teacher were a special education teacher first," she says.

In that role, Gonzalez created individualized education plans for each of her students. Now, she applies that approach to both student instruction and teacher training. "It's not a one-size-fits-all for everybody," she says. "There is, and has to be, differentiation."

One of IDEA's missions is to prepare students from underserved communities for college—a goal that begins before students enter the building. In 2014, Gonzalez led the launch of IDEA's pre-K program after realizing that 40–60 percent of the school's students were starting kindergarten unprepared. "We were spending a lot of time during the kindergarten year getting kids ready for kindergarten," Gonzalez says. In many classrooms, that preparation took a semester, and teachers had to fit a year of kindergarten curriculum into five months of school. By the end of the program's pilot year, 94 percent of its pre-K students were able to start kindergarten prepared.

Gonzalez works with each school's principal to determine when and how to introduce a pre-K program. "It's important for me that I'm not dictating that you have to do pre-K," she says. "I'm hoping that the results start to speak for themselves." They have. In the 2017–2018 academic year, nineteen of IDEA's thirty elementary schools will have pre-K programs.

To address the achievement gap among older students, Gonzalez introduced the Critical Student Intervention (CSI) program, which targets third through seventh grade students who are two or more grade levels behind in reading or math. Students in the CSI program attend their grade-level English and math classes and receive additional small-group support during the academic elective period.

Gonzalez's goal is for every CSI student to achieve two years' worth of growth in one academic year. Since the program's 2014 launch, the percentage of students that has reached that goal has surged from 23 to 53 in reading and from 32 to 53 in math.

Pre-K prepares the youngest students to enter school, and CSI closes the achievement gap in the middle grades, but IDEA's ultimate goal is for every student to graduate from college. When IDEA alumni reported struggling with the rigors of higher education, Gonzalez created the AP for All program. "All the research shows that if you provide kids an advanced placement experience in high school—just that experience, even if they don't pass the AP exam—they're four times more likely to graduate from college," Gonzalez says. "If they pass the test, that jumps up to seven times more likely."

Among Gonzalez's current goals is for 30 percent of students in each graduating class to be AP Scholars—a College Board designation that recognizes students who have passed three or more AP exams. The exam is graded on a scale of one to five; to pass, a student must receive a three or higher. In the first year of AP for All, 15 percent of graduating seniors were AP Scholars. The second year, the number jumped to 21 percent. The third year, Gonzalez predicts, 25–30 percent of students will graduate as AP Scholars.

“IT’S NOT A ONE-SIZE-FITS-ALL FOR EVERYBODY. THERE IS, AND HAS TO BE, DIFFERENTIATION.”

—DOLORES GONZALEZ

The AP for All program requires every IDEA student to complete eleven AP courses during high school. To prepare teachers for the shifting workload, IDEA partnered with the National Math and Science Initiative (NMSI) in Dallas, which facilitates training sessions throughout the year and pairs AP teachers with mentor teachers located throughout the United States. IDEA also recruited one of NMSI's trainers who specializes in chemistry to become an IDEA curriculum writer. He is developing a series of videos that demonstrate how to teach scientific topics, and he leads a summer AP Boot Camp to show teachers how to teach complex concepts and differentiate instruction for higher-level classes.

For a student who reads below grade level, completing AP coursework is a significant challenge. But even for students who don't pass the exam, the experience is valuable, Gonzalez says. “The debates that happen, the Socratic seminars that happen, the research that happens, the peer tutoring opportunities that they have—it's still really rich information,” she explains. “It's ultimately going to prepare them better for college than non-AP coursework.”

In 2018, IDEA will open four new schools in Baton Rouge, Louisiana—the network's first schools outside of Texas—along with fourteen in its home state. By 2022, IDEA plans to serve 100,000 students in 173 schools. The demand is high; in 2016, IDEA wait-listed 40,000 students who weren't chosen in the school's lottery admission process.

Thanks to IDEA's intensive preparation approach, every senior for the past ten years has graduated college-bound. Many, like Gonzalez, are the first in their families to graduate from college; she and her sister share that honor, having graduated on the same day. Sixty-five percent of IDEA's 2017 graduates were first-generation college-goers, and with every new school that opens, more students have the opportunity to achieve that goal. “Those are the things that motivate me,” Gonzalez says.

JUNE 27

IDEA Public Schools named America's Best Charter School Network

AUTHOR



(<http://www.ideapublicschools.org/news-events/idea-public-schools-named-americas-best-charter-school-network>)

RIO GRANDE VALLEY (June 27, 2016) – IDEA Public Schools (<http://www.ideapublicschools.org/>) has been named the winner of the \$250,000 Broad Prize for Public Charter Schools (<http://www.broadprize.org/>) at the 2016 National Charter Schools Conference (<http://www.publiccharters.org/involved/conference-2016/>) in Nashville. The award honors the public charter management organization that demonstrates the most outstanding overall student performance among the country's largest urban charter management organizations while reducing achievement gaps for low-income students and students of color.

"We are thrilled to be the recipient of the 2016 Broad Prize for Public Charter Schools," said Tom Torkelson (<http://www.ideapublicschools.org/site/Default.aspx?PageID=222>), founder and CEO of IDEA Public Schools. "This recognition is validation that when the adults in the system get it right, kids can do remarkable things. For the last 16 years, IDEA has been working to prove this is possible. We are proud of this achievement."

Prior to announcing this year's winner, a seven member review board (<http://broadprize.org/publiccharterschools/reviewboard.html>) of national education experts analyzed publicly available student performance and college-readiness data for 30 of the country's largest public charter management systems and named three finalists: IDEA Public Schools, Success Academy Charter Schools (<http://www.successacademies.org/>) and YES Prep Public Schools (<http://yesprep.org/>). The review board considered student outcomes, college readiness indicators, scalability, size, poverty, and demographics, and selected the top three charter networks based on overall student performance and progress closing achievement gaps. The Eli and Edythe Broad Foundation (<http://www.broadeducation.org/>), which funds the prize, did not play a role in selecting the top three charter systems.

"Year after year, IDEA Public Schools demonstrates that all students can achieve at high levels," said Gregory McGinity, executive director of The Eli and Edythe Broad Foundation. "As a three-time finalist and first-time winner of The Broad Prize for Public Charter Schools, IDEA Public Schools and its dedicated leaders, teachers, staff, and families deserve congratulations for their commitment to helping students reach their dreams of a college degree."

IDEA Public Schools was selected as this year's Broad Prize recipient because of its strong record of success preparing students in South and Central Texas for college. Among IDEA's notable achievements are the following:

IDEA Public Schools is a network of 44 elementary, middle and high schools in Texas that serves more than 24,000 students in San Antonio, Austin and the Rio Grande Valley. IDEA's student population is 87 percent low-income and 95 percent Hispanic. In 2015, all of IDEA's schools were in the top 30 percent of Texas schools for advanced proficiency for low-income and Hispanic students in elementary, middle and high school English, math and science. That same year, 97 percent of their Hispanic students took the ACT, while the high school graduation rate for IDEA's Hispanic students was 99 percent.

· For the past ten years in a row, 100% of IDEA graduates have been accepted to a four-year college or university.

- U.S. News & World Report ranks all of IDEA's eligible high schools in the top of the list of best high schools in the nation and has awarded them with the prestigious gold medal distinction.
- The Washington Post ranks all of IDEA's eligible high schools in the top 110 of the nation's most challenging high schools.
- IDEA alumni graduate college at five times the national average

"When we founded IDEA 16 years ago, we wanted to ensure students from all circumstances had an equal opportunity to succeed in life," said JoAnn Gama, co-founder and superintendent of IDEA Public Schools. "All of our success is due to high expectations and a shared commitment between our thousands of team and family members and supporters. We are so honored to be the recipient of this year's Broad Prize award."

IDEA Public Schools will use the \$250,000 in prize proceeds to help exceptional graduates access the college of their dreams.

About IDEA Public Schools

IDEA Public Schools (<http://www.ideapublicschools.org/>) is a growing network of tuition-free K-12 public schools serving nearly 24,000 students in 44 schools across Texas (San Antonio, Austin, and the Rio Grande Valley). With a track record of success including top-ranked high school by US News & World Report and The Washington Post, 100% college acceptance, and a college graduation rate five times the national average for low-income students, IDEA families, students, and staff are proving that college is possible for all children.

Carinos de los Ninos

District: State Charter

Grade Range: KN - 8 Code: 571001

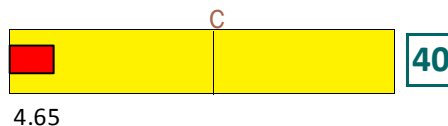
C - State benchmark established in 2012

Possible Points

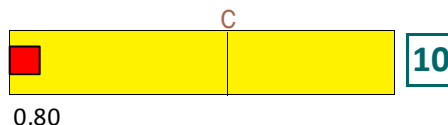
This School Earned

Current Standing

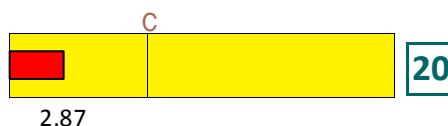
Are students performing on grade level? Did they improve more or less than expected?


F
School Improvement

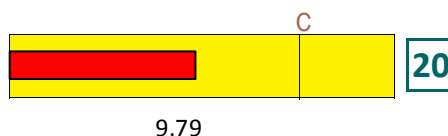
Is the school as a whole making academic progress?


F
Improvement of Higher-Performing Students

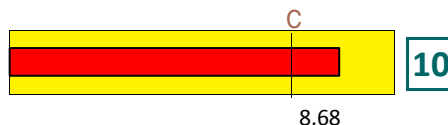
Are higher-performing students improving more or less than expected?


F
Improvement of Lowest-Performing Students

Are the lowest-performing students improving more or less than expected?

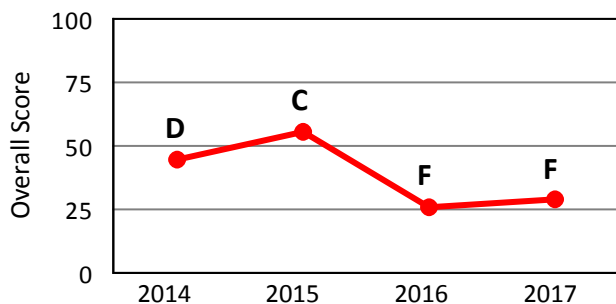

F
Opportunity to Learn

Do students and families believe their school is a good place to attend and learn?


B
Bonus Points

Schools can earn points for reducing truancy, promoting extracurricular activities, engaging families, and using technology.

+ 2.50

This School's History

Note for Families

If your student is enrolled in a school that has earned two "F" grades in the last four years, state law allows you to transfer your child to a school with a higher school grade. Please call (505)-827-4527 to learn more. For information about other schools in your community, please visit the School Grading web page at <http://ped.state.nm.us/SchoolGrading>.

Final Points

Elementary and Middle Schools

75.0 to 100.0	A
60.0 to 74.9	B
50.0 to 59.9	C
37.5 to 49.9	D
0.0 to 37.4	F

Elementary and middle schools earn a final grade based on these ranges, which were set in 2012.

Tests

School Grading draws on student performance from these state assessments:

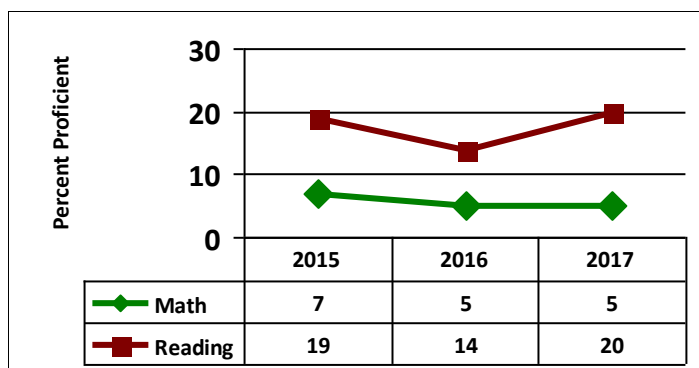
			Grades
PARCC	Partnership for Assessment of Readiness for College and Careers	Mathematics, Reading	3-11
SBA	Standards Based Assessment - Spanish	Reading	3-11
NMAPA	New Mexico Alternate Performance Assessment	Mathematics, Reading	3-11
DIBELS	Dynamic Indicators of Basic Early Literacy Skills (prior to 2017)	Early Literacy	KN-2
IStation	IStation (beginning 2017)	Early Literacy	KN-2

Details of Each Grade Indicator

Current Standing

Knowing how many students are proficient is a measure of the school's overall success. Current Standing uses up to three years of student performance to provide a broader picture of school achievement. Current Standing also includes a measure of student growth (Value-Added Modeling) that looks at school size, student mobility, and prior student performance.

		All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hisp	Asian	Am Indian			
<i>Reading</i>	Proficient (%)	20	24	16	-	-	19	-	-	18	≤ 20	17
	Points Proficiency	2.48										
	Points Student Growth	1.59										
<i>Math</i>	Proficient (%)	≤ 5	≤ 10	≤ 10	-	-	≤ 5	-	-	≤ 5	≤ 20	≤ 10
	Points Proficiency	0.20										
	Points Student Growth	0.39										



Proficiencies Over Time

Students are performing on grade level with Proficient or Advanced scores.

School Improvement

School growth (Value-Added Modeling) compares overall student performance from year to year and considers the progress of all students whether or not they are proficient.

	<i>Reading</i>	<i>Math</i>
Growth Index	-1.03	-2.43
Points	0.76	0.04

Growth can be negative or positive. When it is positive, the school performed better than was expected when compared to other schools with the same size, mobility, and prior student performance.

Student Growth

Every student's prior test scores are used to estimate how they should have performed this year. Their academic growth is considered within two groups, the lowest-performing 25% of students and the higher-performing students (75%).

Above Zero

This group performed higher than expected.

Near Zero

This group performed as expected based on their academic history.

Below Zero

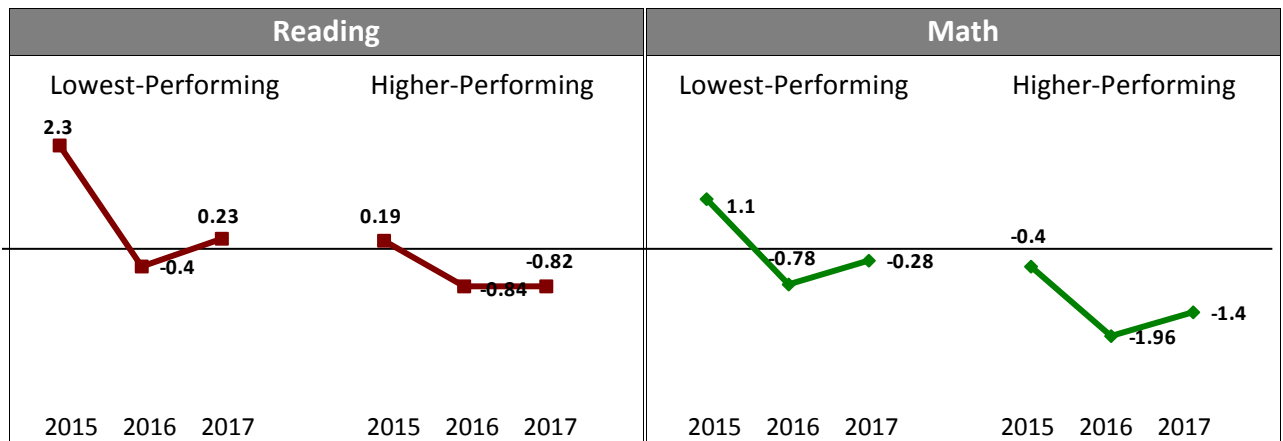
This group performed below expectations, and students are falling behind when compared to their peers.

	School Overall	Student Groups								Students with Disabilities	English Language Learners
		F	M	White	Afr American	Hisp	Asian	Am Indian	Econ Disadv		
Reading Growth											
Higher-Performing Points	-0.82 2.07	0.01	0.09	-	-	0.06	-	-	0.01	0.16	0.19
Lowest-Performing Points	0.23 5.91	0.44	-0.05	-	-	0.23	-	-	0.17	-	-
Math Growth											
Higher-Performing Points	-1.40 0.81	-0.02	-0.26	-	-	-0.18	-	-	-0.24	0.47	-0.14
Lowest-Performing Points	-0.28 3.88	0.08	-	-	-	-0.20	-	-	-0.20	-	-

Growth Over Time

Growth Greater than Expected

Growth Lower than Expected



Opportunity to Learn

Opportunity to Learn is a reflection of the environment schools provide for student learning.

Student Attendance		Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
	All Students	F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Average (%)	93	92	94	96	-	93	-	-	93	92	94
Points	4.90										

Surveys

Score (Average) 34.00
Points 3.78
Number of Surveys 90

Students answer survey questions on topics such as classroom teaching and expectations of students. The survey contains 10 questions with answers from 0 (Never) to 5 (Always) for a maximum score of 50. For students in grades KN-2, a parent or family member completes the survey.

Bonus Points

Schools can earn points for reducing truancy, promoting extracurricular activities, engaging families, and using technology.

- ☐ Student and Parent Engagement
 ☐ Truancy Improvement
☐ Extracurricular Activities
 ☒ Using Technology

Participation

All enrolled students must take the yearly state tests. If a school tests less than 95% of their students, the school's letter grade is reduced by one grade.

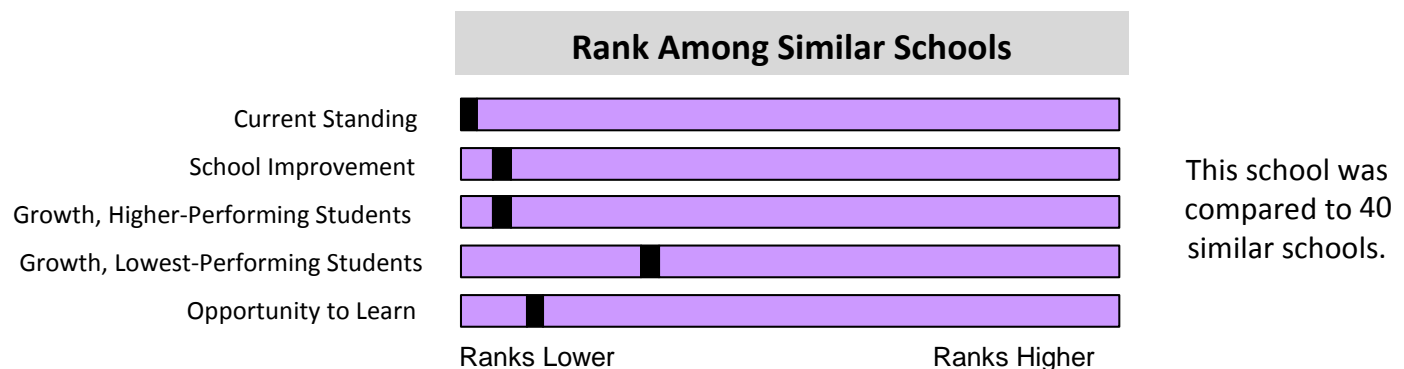
Reading (%) 96
Math (%) 96

School exempt from penalty because of size

Additional Information

Similar Schools

This shows how an elementary school compares with other elementary schools, or how a middle school compares with other middle schools that have similar student demographics.



A listing of these schools is posted at <http://ped.state.nm.us/SchoolGrading/SimilarSchools>.

School History Student performance over time can show the success of interventions and school reform. Students who score Proficient or Advanced are considered to be performing at grade level.

			Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
		All Students	F	M	White	Afr Amer	Hisp	Asian	Am Indian			
<i>Reading Proficiency</i>	2017 (%)	20	24	16	-	-	19	-	-	18	≤20	17
	2016 (%)	14	13	15	-	-	13	-	-	14	6	11
	2015 (%)	19	21	18	-	-	20	-	-	20	12	23
<i>Math Proficiency</i>	2017 (%)	≤5	≤10	≤10	-	-	≤5	-	-	≤5	≤20	≤10
	2016 (%)	5	6	3	-	-	5	-	-	5	7	5
	2015 (%)	7	9	5	-	-	7	-	-	5	15	5

Notes

School grading calculations and procedures are described fully in the School Grading Technical Guide posted on the PED's website at <http://ped.state.nm.us/SchoolGradingTechnicalGuide>. This guide provides definitions and decision rules for each indicator, including growth. In addition, the guide details how the state benchmark of C was established.

For Student Growth, separate procedures are used for the school overall and for the student groups. Therefore, the values for student groups will not sum to the total show under school overall.

A dash is used to protect student confidentiality as required by state and federal law when there are fewer than 10 students in a group.

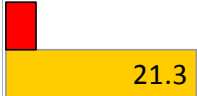




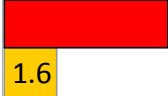
Schools that administered tests by computer received bonus points based on the number of students participating.

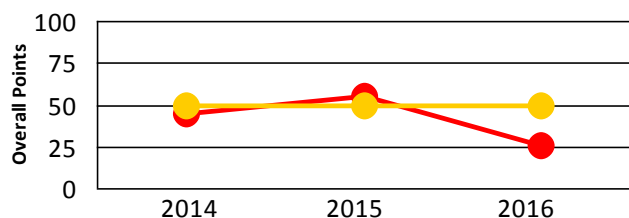
Carinos De Los Ninos Charter

District: Espanola Public Schools

Grade Range: KN - 8 Code: 55018

This School ■
Statewide C Benchmark ■

Current Standing		Grade	School Points	Possible Points
How did students perform in the most recent school year? What percent of students are on grade level? Did students improve more or less than expected?		F	3.35	40
School Growth		Grade	School Points	Possible Points
Did the school as a whole improve student performance more or less than expected?		F	0.15	10
Student Growth of Highest Performing Students		Grade	School Points	Possible Points
Are the highest performing students in math and reading improving more or less than expected? The highest performing students are in the top three quarters (75%) of past performance of their school.		F	2.27	20
Student Growth of Lowest Performing Students		Grade	School Points	Possible Points
Are the lowest performing students in math and reading improving more or less than expected? The lowest performing students are in the bottom quarter (25%) of past performance in their school.		F	5.63	20
Opportunity to Learn		Grade	School Points	Possible Points
Do parents and students believe their school is a good place to learn? Is student attendance high?		A	9.10	10
Bonus Points		Grade	School Points	Possible Points
Does the school earn additional credit for reducing truancy, promoting extracurricular activities, and engaging parents and students?			5.00	5



3-Year
Average

41.9

D

Final School Grade

75.0 to < 100.0	A
60.0 to < 75.0	B
50.0 to < 60.0	C
37.5 to < 50.0	D
0.0 to < 37.5	F

Total
Points

25.50

Details of Each Grade Indicator

These next pages show the school's results divided into smaller groups to show how specific classes of students are doing. The information explains how a school compares to other schools and identifies groups within the school that are performing well or that need additional instructional support based on achievement. Points that the school earned on each of the indicators are provided in more detail and when summed will equal the totals on the first page summary.

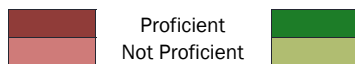
Current Standing

Knowing how many students are proficient in a given year is a measure of the school's overall success. Single-year performance will vary with differing classes of students. Therefore, Current Standing uses up to 3 years of data to provide a more accurate picture of the school's achievement. Current Standing is augmented with Value-Added Modeling (VAM) by capturing the school's size, student mobility, and prior student performance. Details of VAM can be found in the PED's School Grading Technical Guide at <http://webapp2.ped.state.nm.us/SchoolData/SchoolGrading.aspx>.

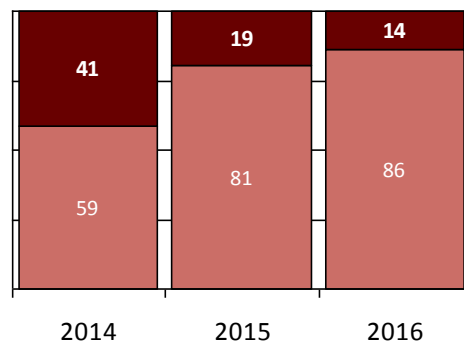
	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Reading											
Proficient and Advanced (%)	14.0	13.0	14.9	-	-	13.0	-	-	14.0	<2.0	10.7
Proficient and Advanced (Pts)	1.40										
Value-Added Model (Pts)	1.42										
Math											
Proficient and Advanced (%)	4.5	5.9	3.1	-	-	4.5	-	-	4.5	<2.0	<2.0
Proficient and Advanced (Pts)	0.45										
Value-Added Model (Pts)	0.07										

3-Year Summary

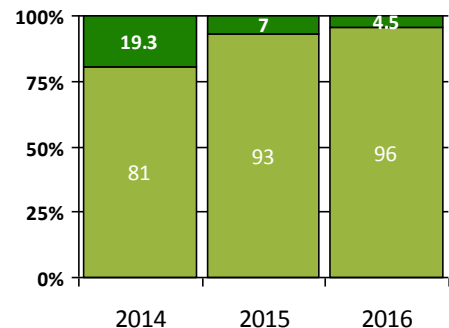
Performance is considered on grade level when students score either Proficient or Advanced.



Reading (%)



Math (%)



School Growth

School growth compares the students enrolled in the current year to the same students from prior years. Unlike Current Standing, School Growth accounts for improvement of all students, not just those reaching proficiency.

Growth in proficiency is calculated with Value-Added Modeling (VAM), which accounts for the school's size, student mobility, and prior student performance. Details of VAM can be found in the PED's School Grading Technical Guide at <http://webapp2.ped.state.nm.us/SchoolData/SchoolGrading.aspx>.

	<i>Reading</i>	<i>Math</i>
Value-Added Score	-1.910	-2.770
Points Earned	0.14	0.01

School growth is expressed as a score that can be both negative and positive. When it is positive, the school performed better than was expected relative to its peers with the same size, mobility, and prior student performance.

Student Growth

Just like schools, individual student achievement is expected to improve over time. Student growth is shown as a value-added score (VAS) that accounts for all students in each group for up to 3 years. Student groups are further divided into highest and lowest performing subgroups. Every student's prior test scores are used to estimate how they should perform today.

- Above 0 means that the group, in general, scored higher than expected. This is an exciting finding when students are below the proficiency line, because they are closing the achievement gap and catching up to their higher-performing classmates.
- Near 0 means that the group scored about as expected compared to their academic peers. While some students may have performed better than anticipated (positive growth), they were balanced by students that did poorer (negative growth).
- Below 0 means that the group performed below expectations and students are losing ground when compared to their peers.

Details of student growth and value added scores are explained in PED's School Grading Technical Guide at <http://webapp2.ped.state.nm.us/SchoolData/SchoolGrading.aspx>. Note that separate analytic techniques are used for the school overall and for the subgroups.

	School Overall	Subgroup Analysis									
		Female	Male	White	African American	Hispanic	Asian	Am Indian	Econ Disadv	Students with Disabilities	English Language Learners
<i>Reading Growth</i>											
Highest 75% (VAS)	-0.84	-0.26	-0.02	-1.47	-	-0.12	-	-	-0.14	-0.35	-0.13
Highest 75% (Pts)	2.02										
Lowest 25% (VAS)	-0.40	0.02	-0.44	0.13	-	-0.26	-	-	-0.23	-0.35	-0.10
Lowest 25% (Pts)	3.44										
<i>Math Growth</i>											
Highest 75% (VAS)	-1.96	0.32	-0.28	-	-	0.01	-	-	0.01	-0.55	-0.06
Highest 75% (Pts)	0.25										
Lowest 25% (VAS)	-0.78	-0.27	-0.53	-	-	-0.37	-	-	-0.37	-0.61	-0.49
Lowest 25% (Pts)	2.19										

Opportunity to Learn (OTL)

The successful school invites students to be part of a thriving learning culture that uses proven teaching methods. A school's learning environment is reflected in a survey of classroom practices and in student attendance.

	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Attendance (Average)	92.0	93	90	75		92			92	92	93
Attendance (Points)	4.82										

Survey (Average)	38.5	Surveys consisted of 10 questions with answers from 0 (Never) to 5 (Always), yielding a maximum score of 50. A typical question includes "My teacher introduces a new topic by connecting to things I already know." Schools that scored higher demonstrated better classroom teaching practices.
Survey (Points)	4.28	
Count of Surveys (N)	109	

Bonus Points

While most schools provide a sampling of athletics, club participation opportunities, and parent meetings, a few schools stand out among the rest. These schools are recognized for their extraordinary dedication to keeping students invested in school and their efforts in empowering parents to engage actively in their child's education.

- ☒ Student and Parent Engagement
 ☒ Truancy Improvement
- ☐ Extracurricular Activities
 ☒ Other

Participation

Schools must include all of their enrolled students in the annual statewide assessment. If the percentage of students is less than 95%, the school's letter grade is reduced by one grade. Supplemental Accountability Model (SAM) schools and small schools with fewer than 100 students receive special consideration.

Reading (%) 100

Math (%) 99

School exempted from penalty because of size.

Supplemental Information

Similar Schools

While statewide comparisons are helpful, schools may want to see how they rank next to their peers that have similar students and settings. The figures below show how this school contrasts with other schools in the state that are most like it in student characteristics.

Schools are grouped into categories that have similar proportions of English language learners (ELL), students with disabilities (SWD), ethnicities, economically disadvantaged (ED), and mobile students. Different schools are in each category set. A composite score incorporates all categories into a general measure of at-risk students. Higher ranking schools had more points in that indicator.

 Ranks High
 Ranks Mid
 Ranks Low

School Rank

	ELL		SWD		Ethnicity		ED		Mobility		Composite	
Students (% Tested)	32.5		17.1		98.3		100.0		35.9			
	Rank	Total	Rank	Total	Rank	Total	Rank	Total	Rank	Total	Rank	Total
Current Standing	46	(46)	46	(46)	45	(45)	110	(110)	45	(46)	45	(45)
School Growth	46	(46)	46	(46)	45	(45)	110	(110)	46	(46)	45	(45)
Student Growth, Highest 75%	46	(46)	46	(46)	45	(45)	110	(110)	45	(46)	45	(45)
Student Growth, Lowest 25%	32	(46)	41	(46)	42	(45)	96	(110)	42	(46)	34	(45)
Opportunity to Learn	41	(46)	42	(46)	44	(45)	102	(110)	41	(46)	41	(45)

School History

Student performance over time can demonstrate the success of interventions and school reform. Students who score proficient or higher are considered to be performing at grade level. For a more detailed history, see the PED website:
<http://www.ped.state.nm.us/AssessmentAccountability/AcademicGrowth/NMSBA.html>.

		All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hisp	Asian	Am Indian			
<i>Reading Proficiency</i>	2016 (%)	14.0	13.0	14.9	-	-	13.0	-	-	14.0	<2.0	10.7
	2015 (%)	19.4	21.4	18.4	<2.0		20.2			20.3	11.5	22.7
	2014 (%)	41.4	43.5	38.2	-	-	40.3	-	-	40.3	22.2	37.1
<i>Math Proficiency</i>	2016 (%)	4.5	5.9	3.1	-	-	4.5	-	-	4.5	<2.0	<2.0
	2015 (%)	7.0	8.8	5.4	<2.0		7.4			5.1	15.0	4.8
	2014 (%)	19.3	16.5	23.6	-	-	17.2	-	-	15.5	18.5	14.6

End Notes



- 1 The Statewide C grade was established in the first year of A-F School Grading as the midpoint of all schools. It was fixed in 2011 as the framework for all future letter grades and is not recalculated each year.
- 2 For high schools that do not have members of 4-year, 5-year, or 6-year graduation cohorts, the scale is abbreviated, and letter grades are adjusted to account for the school's remaining non-cohort indicators or non-cohort years.
- 3 A dash is substituted where a school has too few students (N<10) to meet confidentiality requirements for reporting.
- 4 Feeder schools are schools that do not have students in tested grades 3-11.
- 5 Schools that administered tests on computers received bonus credit based on the number of students participating.



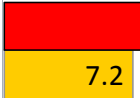


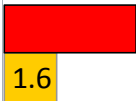
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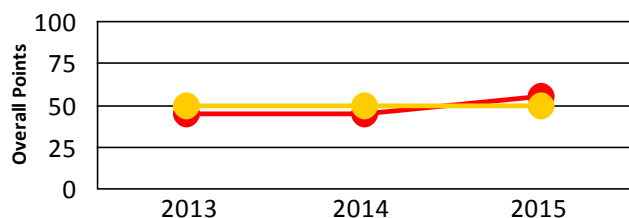
Carinos De Los Ninos Charter

District: Espanola Public Schools

Grade Range: KN - 08 Code: 55018

This School 
Statewide C Benchmark 

		Grade	School Points	Possible Points
Current Standing How did students perform in the most recent school year? Students are tested on how well they met targets for their grade level.	 21.3	D	15.08	40
School Growth In the past 3 years, did the school as a whole increase performance? For example, did a schoolwide reading program advance reading scores over the prior years?	 5.8	C	6.22	10
Student Growth of Highest Performing Students How well did the school help individual students improve? The highest performing students are those whose prior scores placed them in the top three quarters (75%) of their school. Individual student growth over the past 3 years is compared to the state benchmark.	 7.2	C	7.71	20
Student Growth of Lowest Performing Students How well did the school help individual students improve? The lowest performing students are those whose prior scores placed them in the bottom quarter (25%) of their school. Individual student growth over the past 3 years is compared to the state benchmark.	 15.3	D	12.95	20
Opportunity to Learn Does the school foster an environment that facilitates learning? Are teachers using recognized instructional methods, and do students want to come to school?	 7.5	A	9.33	10
Bonus Points Does the school show exceptional aptitude for involving students and parents in education, reducing truancy, and promoting extracurricular activities?	 1.6		4.05	5



3-Year
Average

48.1

D

Final School Grade

75.0 to < 100.0	A
60.0 to < 75.0	B
50.0 to < 60.0	C
37.5 to < 50.0	D
0.0 to < 37.5	F

Total
Points

55.34

Details of Each Grade Indicator

These next pages show the school's results divided into smaller groups to show how specific classes of students are doing. The information explains how a school compares to other schools, and identifies groups within the school that are performing well or that need additional instructional support based on achievement. Points that the school earned on each of the indicators are provided in more detail, and when summed will arrive at the totals on the first page summary.

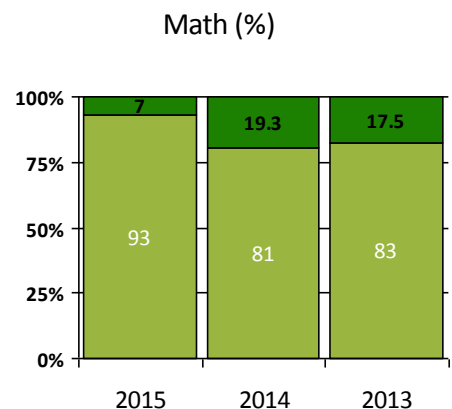
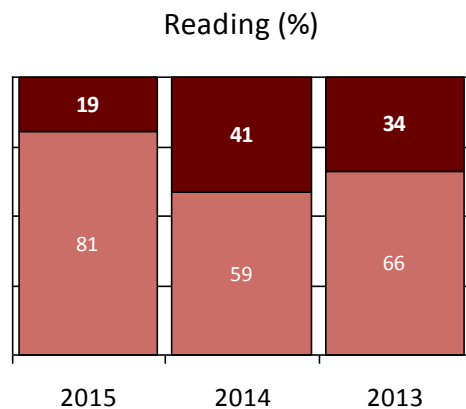
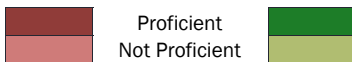
Current Standing

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	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Reading											
Proficient and Advanced (%)	19.4	21.4	18.4	<2.0		20.2			20.3	11.5	22.7
Proficient and Advanced (Pts)	1.45										
Value Added Model (Pts)	8.75										
Math											
Proficient and Advanced (%)	7.0	8.8	5.4	<2.0		7.4			5.1	15.0	4.8
Proficient and Advanced (Pts)	0.53										
Value Added Model (Pts)	4.36										

3-Year Summary

Performance is considered on grade level when students score either Proficient or Advanced.



School Growth

School growth compares the students enrolled in the current year to the same students from prior years. Unlike Current Standing, School Growth accounts for improvement of all students, not just those reaching proficient.

Growth in proficiency is calculated with Value Added Modeling (VAM), which accounts for the school's size, student mobility, and prior student performance. Details of VAM can be found in the PED's School Grading Technical Guide at <http://webapp2.ped.state.nm.us/SchoolData/SchoolGrading.aspx>

	<i>Reading</i>	<i>Math</i>
Value Added Score	0.872	-0.160
Points Earned	4.04	2.18

School growth is expressed as a score that can be both negative and positive. When it is positive the school performed better than was expected relative to its peers with the same size, mobility, and prior student performance.

Student Growth

Just like schools, individual student achievement is expected to improve over time. Student growth is shown as a value added score (VAS) that accounts for all students in each group for up to 3 years. Student groups are further divided into highest and lowest performing subgroups. Every student's prior test scores are used to estimate how they should perform today.

- Above 0 means that the group, in general, scored higher than expected. This is an exciting finding when students are below the proficiency line, because they are closing the achievement gap and catching up to their higher-performing classmates.
- Near 0 means that the group scored about as expected compared to their academic peers. While some students may have performed better than anticipated (positive growth), they were equally balanced by students that did poorer (negative growth).
- Below 0 means that the group performed below expectations and students are losing ground when compared to their peers.

Details of student growth and value added scores are explained in PED's School Grading Technical Guide at

<http://webapp2.ped.state.nm.us/SchoolData/SchoolGrading.aspx>. Note that separate analytic techniques are used for the school overall and for the subgroups.

	School Overall	Subgroup Analysis								Students with Disabilities	English Language Learners
		Female	Male	White	African American	Hispanic	Asian	Am Indian	Econ Disadv		
Reading Growth											
Highest 75% (VAS)	0.06	0.02	0.13	1.16	-	0.05	-	-	0.08	-0.55	0.25
Highest 75% (Pts)	5.25										
Lowest 25% (VAS)	0.57	0.40	0.81	0.54	-	0.55	-	-	0.58	0.74	0.71
Lowest 25% (Pts)	7.16										
Math Growth											
Highest 75% (VAS)	-0.68	0.37	0.05	0.67	-	0.17	-	-	0.26	-0.40	0.21
Highest 75% (Pts)	2.46										
Lowest 25% (VAS)	0.20	0.42	-0.07	-	-	0.16	-	-	0.12	-0.03	0.16
Lowest 25% (Pts)	5.78										

Opportunity to Learn (OTL)

The successful school invites students to be part of a thriving learning culture that uses proven teaching methods. A school's learning environment is reflected in a survey of classroom practices and in student attendance.

	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Attendance (Average)	96.4	97.0	95.9	-	-	96.5	-	-	96.1	97.1	97.1
Attendance (Points)	5.08										
Survey (Average)	38.3	Surveys consisted of ten questions with answers from 0 (Never) to 5 (Always), yielding a maximum score of 50. A typical question includes "My teacher introduces a new lesson by reminding us of things we already know." Schools that scored higher demonstrated better classroom teaching practices.									<i>Reading</i> 37.9
Survey (Points)	4.3										<i>Math</i> 38.8
Count of Surveys (N)	105										<i>General</i> 38.2

Bonus Points

While most schools provide a sampling of athletics, club participation opportunities, and parent meetings, a few schools stand out among the rest. These schools are recognized for their extraordinary dedication to keeping students invested in school and their efforts in empowering parents to engage actively in their child's education. Bonus points indicate those schools that have gone above and beyond the others.

- ☒ Student Engagement
- ☒ Parental Engagement
- ☐ Extracurricular Activities
- ☒ Truancy Improvement
- ☒ Other

Participation

Schools must include all of their enrolled students in the annual statewide assessment. If the percentage of students is less than 95%, the school's letter grade is reduced by one grade. Supplemental Accountability Model (SAM) schools and small schools with fewer than 100 students receive special consideration.

Reading (%) 100

Math (%) 100

School exempted because of size.

Supplemental Information

Similar Schools

While statewide comparisons are helpful, schools may want to see how they rank next to their peers that have similar students and settings. The figures below show how this school contrasts with other schools in the state that are most like it in student characteristics.

Schools are grouped into categories that have similar proportions of English language learners (ELL), students with disabilities (SWD), ethnicities, economically disadvantaged (ED), and mobile students. Different schools are in each category set. A composite score incorporates all categories into a general measure of at-risk students. Higher ranking schools had more points in that indicator.

	School Rank											
	ELL		SWD		Ethnicity		ED		Mobility		Composite	
Students (% Tested)	54.3		28.2		95.2		84.0		35.1			
	Rank	Total	Rank	Total	Rank	Total	Rank	Total	Rank	Total	Rank	Total
Current Standing	18	(45)	31	(44)	17	(45)	24	(45)	26	(43)	18	(45)
School Growth	6	(45)	12	(44)	7	(45)	12	(45)	19	(43)	9	(45)
Student Growth, Highest 75%	26	(45)	36	(44)	23	(45)	37	(45)	37	(43)	29	(45)
Student Growth, Lowest 25%	6	(45)	10	(44)	6	(45)	12	(45)	16	(43)	9	(45)
Opportunity to Learn	28	(45)	16	(45)	25	(46)	25	(46)	22	(45)	25	(45)

School Growth Targets

Customized targets, called School Growth Targets (SGTs), guide a school's path toward proficiency. These goals increase every year and challenge schools to identify student groups that might be struggling to keep up with their peers.

		Target	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
				F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Growth Lowest 25% (Q1)	Reading	.0038	Y	Y	Y	Y	.	Y	.	.	Y	Y	Y
	Math	-.0334	Y	Y	N	.	.	Y	.	.	Y	Y	Y
Growth Highest 75% (Q3)	Reading	-.0481	Y	Y	Y	Y	.	Y	.	.	Y	Y	N
	Math	-.0613	N	Y	Y	Y	.	Y	.	.	Y	Y	N
Proficiency	Reading	33.3%	N	N	N	N		N			N	N	N
	Math	17.6%	N	N	N	N		N			N	N	N
Graduation	4-Year Cohort	75.6%											

School History

Student performance over time can demonstrate the success of interventions and school reform. Students who score proficient or higher are considered to be performing at grade level. For a more detailed history, see the NMPED website: <http://www.ped.state.nm.us/AssessmentAccountability/AcademicGrowth/NMSBA.html>.

		All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hispanic	Asian	Am Indian			
<i>Reading Proficiency</i>	2015 (%)	19.4	21.4	18.4	<2.0		20.2			20.3	11.5	22.7
	2014 (%)	41.4	43.5	38.2			40.3			40.3	22.2	37.1
	2013 (%)	34.1	29.3	41.1			33.3			34.6	20.0	30.1
<i>Math Proficiency</i>	2015 (%)	7.0	8.8	5.4	<2.0		7.4			5.1	15.0	4.8
	2014 (%)	19.3	16.5	23.6			17.2			15.5	18.5	14.6
	2013 (%)	17.5	14.8	21.4			18.3			17.8	5.3	15.2

Student Promotion

Students who are prepared and progress to a higher grade each year (matriculate) indicate that the school is successfully moving students toward graduation. However, if the school's achievement in Reading and Math is subpar and yet most students are being promoted, the school may be inattentive to a student's need to repeat grade-level instruction before moving on.

Percent of students scoring Beginning Step (lowest) in the prior year that moved to a higher grade	All Students	Gender		Race / Ethnicity					Economically Disadvantaged	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hispanic	Asian	Am Indian			
Grade 3 to Grade 4 (%)	-	-	-	-	-	-	-	-	-	-	-
Grade 5 to Grade 6 (%)	-	-	-	-	-	-	-	-	-	-	-
Grade 8 to Grade 9 (%)											

End Notes

- 1 The Statewide C grade was established in the first year of A-F School Grading as the midpoint of all schools. It was fixed in 2011 as the framework for all future letter grades and is not recalculated each year.
- 2 For high schools that do not have members of 4-year, 5-year, or 6-year graduation cohorts, the scale is abbreviated, and letter grades are adjusted to account for the school's remaining non-cohort indicators or non-cohort years.
- 3 A dash is substituted where a school has too few students (N<10) to meet confidentiality requirements for reporting.
- 4 Feeder schools are schools that do not have students in tested grades 3-11.
- 5 During the 2013-2014 and 2014-15 school years, schools across New Mexico conducted assessments on computers. To recognize these efforts, schools that offered the SBA on computers received bonus credit based on the number of students participating.

ORGANIZATIONAL PERFORMANCE FRAMEWORK

The Organizational Framework primarily lists the responsibilities and duties that charter schools are required to meet through state and federal laws. It was developed pursuant to the New Mexico Charter Schools Act and includes indicators, criteria statements, and metrics related to schools' educational program, financial management, governing body performance, school environment, and employee and student policies, including compliance with all applicable laws, rules and terms of the charter contract (Section 22-8B-9.1A (4, 5, 9) NMSA 1978).

NACSA Principles & Standards (2012) states that,

"A Quality Authorizer implements an accountability system that effectively streamlines federal, state, and local...compliance requirements while protecting schools' legally entitled autonomy and minimizing schools' administrative and reporting burdens" (p. 16).

The organizational framework is the primary focus of the annual school visit process. The framework is structured into five categories of information. Each category has multiple **indicators** and each indicator includes one or more **criteria statements** that serve as the metric for evaluating organizational performance.

For each indicator a school receives one of three ratings: "Meets Standard," "Working to Meet Standard" and "Does Not Meet Standard" which are defined below. Indicator ratings are assigned based on evidence that the school is meeting the criteria statement(s).

Meets Standard:

The school meets the standard if it satisfies each of the criteria statements described for the indicator OR if the authorizer currently has no evidence or information to indicate the school does not meet the criteria statements.

Working to Meet Standard:

There is evidence to indicate the school does not satisfy the criteria statements described for the indicator AND within 30 days after receiving a notification of non-compliance, the school submitted evidence to demonstrate immediate correction of any outstanding matters AND/OR submitted a corrective action plan to prevent future occurrences of the same concern.

Does Not Meet Standard:

There is evidence to indicate the school does not meet the criteria statements described for the indicator and the school failed to submit evidence of correction and/or a corrective action plan within 30 days of notification OR the school failed to implement the corrective action plan OR the non-compliance is repeated from the prior evaluation.

Schools receive an overall organizational performance rating of either "Meets Standard" or "Does Not Meet Standard". If a school receives "Does Not Meet Standard" ratings for three more indicators, the school will receive an overall organizational framework rating of "Does Not Meet Standard". Fewer than three such ratings will result in an overall rating of "Meets Standard." In addition, if a school receives a "Does Not Meet Standard", on any indicator, CSD and PEC may conduct a closer review the following year on that indicator, and/or the PEC may require the school to submit a corrective action plan in order to specify actions and a timeline to correct the performance deficiency.

Topics and Indicators	Criteria Statements (proposed)
1. EDUCATIONAL PROGRAM REQUIREMENTS	
1.a. Is the school implementing the material terms of the approved charter application as defined in the Charter Contract?	<ul style="list-style-type: none"> • School's mission is being implemented. <i>Article VIII. Section 8.01.(a)(ii)</i> • The school has documentation/evidence that it is implementing its educational programs. <i>Article VIII. Section 8.01.(a)(iii)</i> • The school has documentation that demonstrates that it is implementing its parent, teacher and student-focused terms. <i>Article VIII. Section 8.01.(a)(iv), (v), (vi)</i> • The school stays within its enrollment cap at all times and serves only the approved grade levels. <i>Article VIII. Section 8.01.(a)(i) and (vii)</i>
1.b. Does the school comply with state and contractual assessment requirements?	<ul style="list-style-type: none"> • The school administers all required state assessments, including but not limited to: <i>NMSA 22-2C-4(E)</i> <ul style="list-style-type: none"> - Grade level math and reading assessments - Subject based end of course exams - Early childhood assessments - English Learner screening and progress monitoring assessments - National performance assessments, when selected - Language assessments for bi-lingual programs • The school administers all required contractual assessments (specified in contract/performance framework that are still applicable) • The school complies with assessment training requirements: <i>NMAC 6.10.7.8 and 9</i> <ul style="list-style-type: none"> - Has an identified District Test Coordinator (DTC) - DTC attends all required trainings - DTC annually provides training for all district personnel involved in test administration, preparation, and security
1.c. Is the school protecting the rights of students with special needs? (<i>Note: These provisions include only students with disabilities.</i>)	<ul style="list-style-type: none"> • The school is in 100% compliance with the Special Education Bureau identified indicators. (<i>34 CFR § 300.600 (a)(2) and Subsection F of 6.31.2.9 NMAC.</i>) • The school has not been the subject of a due process hearing that resulted in a finding of noncompliance during the current school year • The school has not been cited for noncompliance with applicable federal and state special education rules and regulations as the result of a state-level parental complaint during the current school year • The school is in compliance with all terms of any corrective action plan that resulted from a state-level complaint.

Topics and Indicators	Criteria Statements (proposed)
	<ul style="list-style-type: none"> The school has received no OCR complaints determined to be valid and demonstrate a students' rights were violated (<i>NMSA 22-8B-4</i>)
1.d. Is the school protecting the rights of English Learner students?	<ul style="list-style-type: none"> The school has no complaints that have been evaluated and found to be valid complaints that indicate an EL student's or families' rights have been violated. (<i>NMSA 22-8B-4 (A)</i>) The school does not have a major discrepancy (>5%) between ELs identified and assessed as monitored by the Language and Culture Bureau, or is able to provide appropriate documentation and explanation All EL students must be provided services as evidenced by STARS data reporting for services coded as 1062 (ESL) or 1063 (ELA/ELD), or must be coded as a parent refusal and have documentation to support the refusal as monitored by the Language and Culture Bureau The school has received no OCR complaints determined to be valid that demonstrate a students' rights were violated (<i>NMSA 22-8B-4</i>) The school has submitted annual assurances regarding required screening and services for ELs
1.e. Does the school comply with federal and state grant program requirements?	<ul style="list-style-type: none"> Annually the school meets program requirements for all PED and federal grant programs it implements (e.g., Perkins, K-3 plus, truancy coaches, 4RFuture, Title funding, etc.) The school is responsive to findings of non-compliance in a timely manner.
1.f. Does the school implement an Educational Plan for Student Success (NMDASH)? <i>Only applicable for schools not meeting Academic Performance Framework expectations, earning an "F" letter grade, or meeting criteria to be identified as TSI, CSI, or MRI</i>	<ul style="list-style-type: none"> The school has an active core team engaged in the DASH process. The school is implementing their annual and 90-day plans, as evaluated through reviewing evidence and school/adult actions during the site visit.

2. FINANCIAL MANAGEMENT AND OVERSIGHT

2.a. Is the school meeting financial reporting and compliance requirements?	<ul style="list-style-type: none"> The school submits all budget request documents and budget approval documents to the PED according to PED's established deadlines. (<i>NMSA 22-8-6.1 and 10.</i>) The school submits quarterly (or monthly) reports according to PEDs established deadlines. All required reports are posted to the school's website. (<i>NMSA 22-8-6.1 and 10</i>) The school submits an Audit CAP to the PED Audit Bureau within 30 days of the release of the audit. The school responds to all requests by the PED Audit Bureau regarding the CAP. The school, if subject to a T&E audit, has no more than a .06 difference in reported and audited T&E.
2.b. Is the school following Generally Accepted Accounting Principles?	<ul style="list-style-type: none"> The school received an unmodified audit opinion for the last audit . The school's last audit opinion is devoid of significant findings, material weaknesses, significant internal control weaknesses, or findings related to waste, fraud, or abuse.
2.c. Is the school responsive to audit findings?	<ul style="list-style-type: none"> The school's last audit is devoid of any multi-year repeat findings. School implements Audit CAP as submitted, as evaluated through reviewing evidence and school/adult actions during the site visit.
2.d. Is the school managing grant funds responsibly?	<ul style="list-style-type: none"> The school submits at least 10% of RFRs to the PED in each quarter. The school expends at least 99% of grant funds for all accounts without reversion.
2.e. Is the school adequately staffed to ensure proper fiscal management?	<ul style="list-style-type: none"> The school has a licensed business manager at all times during the school year; and demonstrates stability in this position (no more than 1 change within a year). The school has a certified State Procurement Officer and all changes are reported to the State Purchasing Agent. (<i>NMSA 13-1-95.2</i>) The governing council's audit committee and finance subcommittee are properly constituted and meet as required. (<i>NMSA 22-8-12.3</i>)

3. GOVERNANCE AND REPORTING

3.a. Is the school complying with governance requirements?	<ul style="list-style-type: none"> The governing body meets membership requirements: <i>NMSA 22-8B-4; PEC policy</i> <ul style="list-style-type: none"> Maintains at least 5 members Annually determines the number of members and notifies PEC of that number Notifies PEC of board membership changes within 30 days, with complete documentation
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	<ul style="list-style-type: none"> - Fills all vacancies within 45 days, or 75 days, if extension is requested by school • All members of the governing body complete all training requirements in a timely manner. (<i>NMAC 6.80.5.8 and 9</i>) • The governing body has not received any OMA complaints (by the AG's office) that were evaluated and found to be verified complaints of OMA violations. (<i>NMSA 10-15-1 and 3</i>)
3.b. Is the school complying with nepotism and conflict of interest requirements?	<ul style="list-style-type: none"> • The school is free of nepotism concerns regarding the governing board. <ul style="list-style-type: none"> - The school does not initially employ, in any capacity, a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law of a sitting member of the governing body. • The school is free of nepotism concerns regarding the head administrator. <ul style="list-style-type: none"> - The school does not initially employ, in any capacity, a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law of a sitting member of the head administrator. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> - If the school does employ such a relative of the head administrator, the governing body has affirmatively waived the nepotism rule in a written nepotism waiver that is kept in the employment file of the individual • The school is free of conflict of interest concerns. <ul style="list-style-type: none"> - No person serves as a member of the governing body who him/herself or an immediate family member of the person is an owner, agent of, contractor with or otherwise has a financial interest in a for-profit or nonprofit entity with which the charter school contracts directly, for professional services, goods or facilities. - No employee, officer or agent of the charter school shall participate in selecting, awarding or administering a contract with the charter school if a conflict of interest exists. <ul style="list-style-type: none"> ○ A conflict of interest exists when the employee, officer or agent or an immediate family member thereof has a financial interest in the entity with which the charter school is contracting. - The board has no members who participated in the initial review, approval, ongoing oversight, evaluation or charter renewal process of the charter school.
3.c. Is the school meeting reporting requirements?	<ul style="list-style-type: none"> • The school complies with reporting deadlines from the PED, PEC, and other state agencies.

4. STUDENTS AND EMPLOYEES

<p>4.a. Is the school protecting the rights of all students?</p>	<ul style="list-style-type: none"> • The school has received no complaints determined to be valid that demonstrate the school's enrollment practices are unfair, discriminatory, or legally non-compliant. (<i>Contract Section 8.03 (a)-(e)</i>) • The school has received no complaints determined to be valid that demonstrate the school's discipline hearings and practices are not conducted in accordance with law and due process. (<i>NMAC 6.11.2. 1, et seq.</i>) • The school has received no complaints determined to be valid that demonstrate the school fails to respect students' privacy, civil rights, and constitutional rights, including the First Amendment protections and the Establishment Clause restrictions prohibiting schools from engaging in religious instruction. • The school has received no complaints determined to be valid that demonstrate the school fails to comply with the requirements of the McKinney Vento Act and protects the rights of students in the foster care system. • The PED has no information to indicate that the school does not have a board-approved complaint policy and dispute resolution process per 6.10.3D NMAC
<p>4.b. Does the school meet attendance, retention, and recurrent enrollment goals for students?</p>	<ul style="list-style-type: none"> • The school meets the 95% average daily attendance goal. • The school maintains at least 80% retention of enrolled students from date of enrollment until the end of the school year. • The school retains at least 70% of students eligible to reenroll between school years.
<p>4.c. Is the school meeting teacher and other staff credentialing requirements?</p>	<ul style="list-style-type: none"> • All employees of the school are appropriately licensed as required by law. (<i>NMSA 22-10A-3</i>) <ul style="list-style-type: none"> - All employees hold licensure or have submitted a licensure application within 30 days of beginning employment with the school - The school employs a licensed administrator at all times - The school does not have any licensure discrepancies that are repeated from the one reporting period to any subsequent reporting period. - Discrepancies from the first reporting period are cleared by submitting all required licensure waivers in a timely manner (within first 40 days of school year) • School meets the requirements of all licensure waiver plans and alternative licensure plan requirements. (<i>NMSA 22-10A-14</i>) • The school has not employed, with pay, any teacher without licensure beyond 90 days. (<i>NMSA 22-10A-3</i>) • The school accurately reports all staff to the PED.

<p>4.d. Is the school respecting employee rights?</p>	<ul style="list-style-type: none"> • The school completes and submits all NMTEACH evaluations and observations annually. <ul style="list-style-type: none"> - Teacher attendance data is submitted timely - Teacher observations are completed by a NMTEACH certified administrator in a timely manner - Accuroster data is verified in a timely manner to ensure appropriate student data is reported • Teachers are provided comprehensive NMTEACH report and reports are maintained in personnel files. Signed NMTEACH reports (all pages) are available in staff files from the prior year. • The school maintains teacher contracts in all staff files. (<i>NMSA 22-10A-21</i>) • The school complies with the minimum teacher salaries. (<i>NMSA 22-10A-7, 10, 11</i>) • The school does not have any verified complaints regarding violations of teacher rights under the school personnel act, FMLA, ADA, etc. (<i>NMSA 22-10A-1 et seq.</i>)
<p>4.e. Is the school completing required background checks and reporting ethical violations?</p>	<ul style="list-style-type: none"> • The school maintains legally compliant background checks in all staff files including evidence of background checks for substitutes, all contracted service providers, and anyone with unsupervised access to students. (<i>NMSA 22-10A-5</i>) <ul style="list-style-type: none"> - Background check released from PED to school (within 2 years of check) - Cogent background check released directly from Cogent to School upon initial employment with the school - For contracted providers, assurance from contracting agency of check • The school reports any incidents of violations of teacher/licensed staff ethical rules or criminal convictions to the PED. (<i>NMAC 6.60.8.8 and NMSA 22-10A-5</i>)
<p>5. SCHOOL ENVIRONMENT</p>	
<p>5.a. Is the school complying with facilities requirements?</p>	<ul style="list-style-type: none"> • The school meets PSFA occupancy, NMCI and ownership requirements. (<i>NMSA 22-8B-4.</i>) • The school has an e-occupancy certificate • The school has PSFA letter verifying condition index • The school is in a building that is: <ul style="list-style-type: none"> - A publicly owned building - Is leased to the school by a foundation formed for the purpose of providing a facility to the school, the foundation maintains the building at no cost to the school

	<ul style="list-style-type: none"> - Is leased by a private owner and there is no acceptable public facility available, the owner maintains the building at no cost to the school • The school notifies the PEC prior to any change in facilities. • There are no verified complaints that demonstrate buildings, grounds or facilities do not provide a safe and orderly environment for public use. (<i>Subsection P of 6.29.1.9 NMAC</i>) <ul style="list-style-type: none"> - safe, healthy, orderly, clean and in good repair - in compliance with the Americans with Disabilities Act-Part III and state fire marshal regulations, Sections 59A-52-1 through 59A-52-25 NMSA 1978 - Written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers and staff.
5.b. Is the school complying with transportation requirements?	<ul style="list-style-type: none"> • The school complies with all requirements for providing transportation, as applicable: <ul style="list-style-type: none"> - If the school owns a school bus, the bus has been reported to the PED, is subject to 2 inspections each year, and the inspection report is provided to PED - School bus drivers must meet the requirements in 6.41.4- including background check, DOT examination, CDL, driving record checks - If the school provides transportation in vehicles other than school busses <ul style="list-style-type: none"> ○ It does not do so when the school sponsored activity involves more than 18 passengers and would require more than two school-owned vehicles to transport students during the same time frame to the same destination ○ drivers of those vehicles are required to (a) complete an annual check of the applicant's driving record, (b) complete a criminal background check, (c) satisfactorily complete a department of transportation (DOT) physical examination ○ the vehicle accommodates no more than 9 people including the driver ○ all occupants have seat belts available
5.c. Is the school complying with health and safety requirements?	<ul style="list-style-type: none"> • The school conducts all required emergency drills and practiced evacuations. (<i>NMSA 22-13-14 and NMAC 6.29.1.9(O)</i>) <ul style="list-style-type: none"> - at least once per week during the first four weeks of the school year, and at least once per month during the remainder of the school year; - two of these drills shall be shelter-in-place drills; - one of these drills shall be an evacuation drill; - nine of these drills shall be fire drills, with one fire drill required each week during the first four weeks of school; - in locations where a fire department is maintained, a member of the fire department shall be requested to be in attendance during the emergency drills for the purpose of giving instruction and constructive criticism

	<ul style="list-style-type: none"> • The school submits school wellness and safety plans to the CSHWB and obtains timely approval. (NMAC 6.12.6.8) • The school has evidence that it complies with 24-5-2 NMSA 1978 and provides satisfactory evidence of immunization, is actively in the immunization process, or properly exempted from immunization.
5.d. Is the school handling information appropriately?	<ul style="list-style-type: none"> • There are no verified complaints that demonstrate the school has failed to comply with FERPA requirements. • There are no verified complaints that demonstrate the school does not obtains, maintains, and transfers cumulative files as required by law.

ORGANIZATIONAL PERFORMANCE FRAMEWORK

The Organizational Framework primarily lists the responsibilities and duties of charter schools that the schools are already required to meet through state and federal laws. It was developed pursuant to the New Mexico Charter Schools Act. This section includes indicators, measures and metrics related to attendance; recurrent enrollment from year to year; and governing body performance, including compliance with all applicable laws, rules and terms of the charter contract (Section 22-8B-9.1A (4, 5, 9) NMSA 1978).

NACSA Principles & Standards (2012) states that,

“A Quality Authorizer implements an accountability system that effectively streamlines federal, state, and local...compliance requirements while protecting schools’ legally entitled autonomy and minimizing schools’ administrative and reporting burdens” (p. 16).

For each measure a school receives one of three ratings: “Meets Standard,” “Working to Meet Standard” and “Falls Far Below Standard” which are defined below. The term “material” used below means that the PEC deems the matter relevant to:

1. The PEC’s accountability decisions including but not limited to decisions about whether to renew, non-renew, suspend, or revoke a charter, or
2. Information that a family would consider relevant to a decision to attend the school.

The Performance Framework is the basis of the annual school review process, and the data and evidence resulting from the annual review will ultimately inform the PEC’s renewal decision. If a school receives a “Working to Meet Standard” or “Falls Far Below Standard,” this may result in closer PEC review the following year on that indicator, the PEC may require a corrective action plan or take other appropriate action.

Meets Standard:

The school meets the standard if it satisfies each of the conditions described in the paragraph.

Working to Meet Standard:

The school has not implemented the program in the manner described below; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

Evidence shows that the school has not implemented the program in the manner described below; the program area(s) not implemented were material; and, the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1. EDUCATIONAL PLAN

1.a. Is the school implementing the material terms of the approved charter application as defined in the Charter Contract?

Meets Standard:

☐ The school demonstrates evidence of substantially achieving the material terms of the approved charter application in all respects as defined in the Charter Contract.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above, and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above, and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.b. Is the school complying with applicable education requirements?

Meets Standard:

☐ Unless waived, the school demonstrates compliance with applicable laws, rules, and regulations relating to education requirements:

- Instructional days or hours requirements;
- Next Step Plan;
- Graduation requirements;
- Promotion/retention requirements;
- Content standards, including Common Core;
- Educational Plan for Student Success (EPSS);
- State assessments including NMSA 22-2C-1, et. seq. and if a high school, 22-2-8.11;
- Implementation of mandated programming as a result of state or federal funding; and
- Parent surveys as required by 22-2C-11.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.c. Is the school protecting the rights of all students?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to the rights of students by:

- Development and adherence to legally compliant policies related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment, including rights to enroll or maintain enrollment;
- Adherence to due process protections, privacy, civil rights and student liberties requirements, including 1st Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction; and
- Development and adherence to legally compliant student discipline policies including discipline hearings, suspension and expulsion policies.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.d. Is the school protecting the rights of students with special needs?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations, including but not limited to, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, and laws relevant to gifted children, relating to identification and referral of those suspected of having a disability or intellectual ability and providing services for students with identified needs.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.e. Is the school protecting the rights of English Language Learner students?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations, including, but not limited to, Title III of the Elementary and Secondary Education Act (ESEA) and US Department of Education authorities, relating to English Language Learner requirements.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.f. Is the school complying with compulsory attendance laws?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to compulsory school attendance.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

1.g. Did the school meet the following recurrent enrollment goals?

(To be completed upon negotiation with the PEC of the Performance Indicators prior to the start of a new school year)

A. The school has the following enrollment at the present time:

B. Out of these total students, the following students are eligible for re-enrollment at the school:

C. Out of these total students, the following students are not eligible for re-enrollment at the school:

D. Describe the reasons that the students identified immediately above are not eligible for re-enrollment:

OR Other method for assessing recurrent enrollment goals

Meets Standard:

☐ Of the students eligible for re-enrollment, at least 85% of these students did re-enroll in the school.

Working to Meet Standard:

☐ Of the students eligible for re-enrollment, at least 50% of these students did re-enroll in the school.

Falls Far Below Standard:

☐ Of the students eligible for re-enrollment, less than 50% of these students did re-enroll in the school.

2. BUSINESS MANAGEMENT AND OVERSIGHT

2.a. Is the school meeting financial reporting and compliance requirements?

Meets Standard:

☐ The school demonstrates complete and timely compliance with applicable laws, rules, and regulations relating to sound financial principles and financial reporting requirements:

- Submittal of all documentation related to the use of public funds including, annual budgets, revised budgets, if any, periodic financial reports as reasonably required by the PEC and set forth in the Charter Contract, and any reporting requirements if the school contracts with an education service provider;
- Submittal of information required to conduct and complete the annual independent audit;
- Development and adherence to sound internal control policies; and
- Development and adherence to purchasing protocols that comply with the New Mexico Procurement Code, and all other applicable purchasing laws.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

2.b. Is the school following Generally Accepted Accounting Principles?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to financial management and oversight expectations as evidenced by:

- An unqualified audit opinion;
- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses; and
- An audit that does not include an ongoing concern disclosure in the notes or an explanatory paragraph within the audit report.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

3. GOVERNANCE AND REPORTING

3.a. Is the school complying with governance requirements?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to charter school governance through the adoption of and adherence to

- All required school policies;
- The Open Meetings Act and Inspection of Public Records Act;
- A conflicts of interest policy;
- An anti-nepotism policy;
- Governing body organization and membership rules (e.g. bylaws);
- Creation of required committees of the Governing body;
- Governing body mandated training requirements;
- The Governing body has a plan in place for body succession;
- Governing body members are replaced within 45 days of the vacancy occurring.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

3.b. Is the school holding management accountable?

Meets Standard:

☐ The school demonstrates timely compliance with applicable laws, rules, and regulations relating to oversight of school management:

- (Head of School) The governing body provides a written annual evaluation of the head of school that holds the head of school accountable for performance expectations.
- (Partner Organizations) The governing body periodically reviews the relationship and contracts with a partner organization identified in the approved charter application, as may be amended.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

4. EMPLOYEES

4.a. Is the school meeting teacher and other staff credentialing requirements?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to state certification requirements of teachers and other staff, including Title II of the ESEA for Highly Qualified Teachers and Paraprofessionals, and that the school has a licensed business manager. Credentials match the assigned work of employees or independent contractors.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

4.b. Is the school respecting employee rights?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to employment, including:

- School Personnel Act;
- Charter School Act;
- Family Medical Leave Act; and
- Americans with Disabilities Act.

The school develops and adheres to policies that demonstrate that the school:

- Does not interfere in employees' rights to organize collectively.
- Provides professional development and timely teacher evaluations.

The school develops and adheres to legally compliant personnel policies and an employee handbook that outline disciplinary and grievance procedures.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

4.c. Is the school completing required background checks?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to background checks of all individuals associated with the school, including staff and members of the community, where required.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt

and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

4.d. General Information

Has the school had more than 20% turnover in personnel in each of the past two years?

___ Yes ___ No

If so, please complete the following:

a. Please identify the reason for the turnover. _____

b. What impact do you see this having on the school and what actions are you taking to reduce the impact on the school?

c. What actions are you taking to retain staff?

d. What actions are you taking to ensure that staff hired will work well at the school?

5. SCHOOL ENVIRONMENT

5.a. Is the school complying with facilities requirements?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to the school's facilities. The school shall provide evidence of the following:

- Certificate of occupancy or other required building use authorization;
- Compliance with the facility condition rating requirements of NMSA 22-8B-4.2 as it applies to the school;
- Approved 5 year facility master plan;
- Approved 5 year facilities maintenance plan;
- Fire inspections and related records;
- If applicable, approved list of facility variances; and
- If applicable, student transportation programs.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

5.b. Is the school complying with health and safety requirements?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to safety including the provisions of providing health related services, if such services are provided. The school shall provide evidence of the following:

- Approved Safe Schools Plan;
- Completion of School Health Rules Checklists;
- Providing appropriate health services and dispensing of pharmaceuticals;
- Meeting food services requirements, if food services are offered; and
- Meeting the requirements of other resources offered, if applicable.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

5.c. Is the school handling information appropriately?

Meets Standard:

☐ The school demonstrates compliance with applicable laws, rules, and regulations relating to security of information. The school shall provide evidence of the following that shows that the school:

- Maintains required information in the STARS data system;
- Collects and protects student information that has the potential of being used in discriminatory ways or otherwise contrary to law;
- Maintains the security of and provides access to student records under the Family Educational Rights and Privacy Act and other applicable authorities;
- Allows access to documents maintained by the school under the Inspection of Public Records Act and other applicable laws;
- Timely transfers student records;
- All records are safe from fire and theft and stored in a retrievable manner;
- All student records are retained and disposed of pursuant to state requirements; and
- Properly and securely maintains testing materials.

Working to Meet Standard:

☐ The school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance with law.

Falls Far Below Standard:

☐ Evidence shows that the school has not implemented the program in the manner described above; the program area(s) not implemented were material; and the school has not instituted remedies that have resulted in prompt and sufficient movement toward compliance with law.

6. SCHOOL SPECIFIC TERMS

The Public Education Commission and Charter School agree to the terms specified in this Performance Framework.

Representative of the Public Education Commission

Signature: _____

Title: _____ Date of Approval: _____

Representative of the Charter School

Signature: _____

Title: _____ Date of Approval: _____



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MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.00: NM A-F grading system

Updated 11/13/2017 by Baylor Del Rosario

SEA Status	Falls Far Below Standard Final
LEA Status	In Progress
Comments by SEA	<p>11.13.17 PED Comment: As of 11.13.17, the school had not yet submitted a SIP as required. Consequently, I-A.00: NM A-F grading system has been rated &quot;Falls Far Below Standard.&quot;</p> <p>10.3.17 PED Comment: The school receive a letter grade of &quot;F&quot; for 2016-2017 school year requiring them to submit a School Improvement Plan (SIP) within 40-days from release of school grades. The school did not provide such improvement plan prior to the 40th day (October 2, 2017).</p>
Comments by LEA	
Compliance Indicators	This is the location for the state report card data for the most recent school year available.
Requested Documents	2016/2017 Improvement Plan for schools with less than a C letter grade on the 2016 state report card
Other Documents	
Legal References	

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.01: Required Academic Performance Indicators

Updated 02/09/2018 by Baylor Del Rosario

SEA Status	Reminder
LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit: The PED team observed documentation that the school administered short-cycle assessments (i.e., NWEA reading and math as part of its mission-specific indicators) during fall 2017. Although the BOY administration date which was "just 2 or 3 weeks ago [mid-November 2017]" according to the assistant principal (Bernice Life) is within the testing window (i.e., 8/15 through 11/30 according to NWEA https://community.nwea.org/docs/DOC-2211) such practice may not be conducive to effective data-driven instruction given the school's low academic performance in 3 of the past 4 years (one D and two Fs).The PED team was not able to validate progress towards its 3rd mission-specific indicator focused on English Learner (EL) proficiency through growth in composite score on the ACCESS from one year to the next (i.e.,2016-2017 to 2017-2018) since the 2017-2018 assessment (ACCESS) has yet to be administered. The school was advised to submit an update of their short-cycle assessment (i.e., NWEA generated reports for fall 2017 administration) as well as 2016-2017 WIDA generated report in preparation for comparison to 2017-2018 results through the web-EPSS monitoring tool platform by the 120D reporting period which is February 15, 2018 as required by the Public Education Commission (PEC).</p> <p>Requested Follow-Up: School must provide evidence it is keeping records of student progress on mission-specific indicators (i.e., fall results in NWEA reading and math as well as 2015-2016 to 2016-2017 growth of ELs on the ACCESS) no later than the 120D (February 15, 2018). The school must also provide at the end of the school year its analysis of progress towards each mission-specific indicator along with: (a) NWEA "Achievement Status and Growth Projection" reports and (b) both 2016-2017/2017-2018 WIDA ACCESS reports for eligible students. Note</p>

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

that the WIDA ACCESS score report for each student for both years (2016-2017 and 2017-2018) (i.e., vendor generated report) must be uploaded into web-EPSS. School generated reports cannot be used to validate progress towards mission-specific indicators.

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Mission Specific Indicators.

Requested Documents End-of-Year Data to support progress toward Mission Specific Indicators
Mid-Year Data to support progress toward Mission Specific Indicators

Other Documents

Legal References

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.02: Optional supplemental Indicator(s)

Updated 12/21/2017 by Baylor Del Rosario

SEA Status Not Applicable Final

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Optional Supplemental Indicators.

Requested Documents End-of-Year Data to support progress toward Mission Specific Indicators
Mid-Year Data to support progress toward Mission Specific Indicators

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.00: Operating Budgets

Updated 02/06/2018 by Icela Pelayo

SEA Status Reminder

LEA Status In Progress

Comments by SEA 12.6.17 Site Visit. As required in the Performance Framework document (see NM Stat § 22-8B-9.1) "on a date specified in early August, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the finance committee will complete and sign the questionnaire made up of the questions set forth below" (see Performance Framework document, page 6-12, questions #1-8). Requested Follow-Up. School provides signed copy of the questionnaire (i.e., questions #1-8 beginning on page 6 of the Performance Framework document). School should upload one (1) questionnaire (into this section II-A.00) instead of uploading the same questionnaire in subsequent sections.

Comments by LEA

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

Compliance Indicators	Was the information required for the budget provided on time for the current year operating budget, and the previous year, if requested by the PEC or its delegate? If not, why not? If not, how long was it before it was turned in?
Requested Documents	Evidence to support timely submittal of operational budget information
Other Documents	
Legal References	

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.01: Audits

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	No Current Compliance Concerns
LEA Status	In Progress
Comments by SEA	12.6.17 PED Note. See section II-A.00.
Comments by LEA	
Compliance Indicators	To the best of the knowledge of the financial staff of the school, was the information required for the audits provided on time for the most recent audit? If not, why not? If not, how long before it was turned in? What was the date of the letter from the school certifying its readiness to proceed with an audit review?
Requested Documents	Evidence to support substantial compliance with timely submittal of audit information
Other Documents	
Legal References	

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.02: Periodic Reports

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	No Current Compliance Concerns
LEA Status	In Progress
Comments by SEA	12.6.17 PED Note. See section II-A.00.
Comments by LEA	
Compliance Indicators	Is this school on quarterly or monthly reporting? Were the reports for the current year turned in on time? For the current year, did the actual expenditures plus encumbrances ever exceed the budget authority within function? Was it corrected? For each of the last four reports, was the existing cash balance plus anticipated SEG funding sufficient to cover the next month's expenditures at that time? If not, why?
Requested Documents	Evidence to support substantial compliance with timely submittal of required reports
Other Documents	
Legal References	

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.03: Expenditures

Updated 12/21/2017 by Baylor Del Rosario

SEA Status No Current Compliance Concerns

LEA Status In Progress

Comments by SEA 12.6.17 PED Note. See section II-A.00.

Comments by LEA

Compliance Indicators Were there any invoices pending for more than 90 days in the current year? Were payroll liabilities paid timely in the current year?

Requested Documents Evidence to support substantial compliance with timely paying expenditures

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.04: Reimbursements

Updated 12/21/2017 by Baylor Del Rosario

SEA Status No Current Compliance Concerns

LEA Status In Progress

Comments by SEA 12.6.17 PED Note. See section II-A.00.

Comments by LEA

Compliance Indicators Were all requests for reimbursements submitted to meet PED-mandated deadlines in the current year?

Requested Documents Evidence to support substantial compliance in seeking reimbursements

Other Documents

Legal References

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.05: Audit Reviews

Updated 12/21/2017 by Baylor Del Rosario

SEA Status No Current Compliance Concerns

LEA Status In Progress

Comments by SEA 12.6.17 PED Note. See section II-A.00.

Comments by LEA

Compliance Indicators What were the findings, if any, from the last released audit? Were there any findings considered material weaknesses? What has the school done to correct these audit findings? Were any of the findings a repeat finding from last year?

Requested Documents Evidence of responding to audit findings in a manner sufficient to remedy the audit finding

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.06: Meals

Updated 12/21/2017 by Baylor Del Rosario

SEA Status No Current Compliance Concerns

LEA Status In Progress

Comments by SEA 12.6.17 PED Note. See section II-A.00.

Comments by LEA

Compliance Indicators If the school serves meals to students, were there any audit findings noted regarding food contracts?

Requested Documents Evidence of managing food service contracts appropriately without audit findings

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.00: Educational Plan

Updated 12/21/2017 by Baylor Del Rosario

SEA Status Concern Identified

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC AUTHORIZED ANNUAL MONITORING

LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit:</p> <p>Serving At-Risk Students. During the entrance interview, the head administrator (V. Jaramillo) stated that "belligerent students" (e.g., those that exhibit challenging behaviors) have been asked to leave Carinos de Los Ninos since "they're not a good fit for the school. We're not an alternative school. We're a dual language school." This appears to be in violation of the school's material term since its mission is to "promote academic achievement through a Dual Language 50/50 Model for grades K-8 'at-risk' students in the Espanola Valley" (Carinos Contract, Section 8.01 [a] [ii]).</p> <p>Multi-Age Classroom. The PED team observed a withdrawal form from a parent that stated combined classes was the reason she/he withdrew their child. Combination or multi-age classrooms are not specified in the school's contract. The team advised the school to consider submitting an amendment for PEC approval if it wishes to implement a combination/multi-age classroom program.</p> <p>Requested Follow-Up: School provides description of steps it will take to ensure it adheres to material terms of its contract in regards to providing a "free public school education...[for] any school age person" who is registered at the school (instead of asking students to leave due to not being the right 'fit') (see NMSA § 22-1-4[A]). Note that federal and state special education laws may also apply to the situation the head administrator referenced above. The school must also provide evidence it is not implementing a combined or multi-age classroom program (as observed during the site visit) or it has submitted an amendment request (with approval from the PEC as soon as it is made available) to the Charter Schools Division (CSD) for submittal to the PEC.</p>
Comments by LEA	
Compliance Indicators	Is the school implementing the material terms of the approved charter application as defined in the Charter Contract?
Requested Documents	Evidence of substantially achieving the material terms of the approved charter application in all respects as defined in the Charter Contract.
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.01: Education Plan

Updated 02/19/2018 by Karen Woerner

SEA Status	Concern Identified
LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit.</p> <p>State-Mandated Assessments in Cumulative Files. The PED team did not observe inclusion of state-mandated assessment reports in student files (e.g., I-STATION and PARCC) as per Assessment and Accountability Bureau instruction ('Assessment News' dated November 28, 2017).</p> <p>Instructional Hours Review. The PED instructional hour review as attached indicates that the school is NOT meeting the instructional hour and reporting requirements as required under the performance framework. Specifically, the instructional hours on the approved 2017-2018 school budget calendar: (a) do not match the actual/annual calendar the school disseminates to its teachers/parents and (b) total instructional hours for GRADE 7 and 8 fell short by 3.2 hours per year of the charter contract, which specifies 6 hours and 30 minutes for 178 days, which equals 1157 (for 7th & 8th grades). It appears that the 6 early-release days on the actual/annual calendar disseminated to the school community were not accounted for in the 2017-2018 budget calendar. The team advised the school to utilize the Charter Schools Division (CSD) instructional hours template to ensure compliance with budget and contract requirements.</p> <p>Below are the actual program hours per year (excluding lunch) for each grade compared to contract and budget calendar.</p> <p>K-6 Actual Program Hours/Year = 1152.3 (required is 1098 as per charter contract).</p> <p>7-8 Actual Program Hours/Year = 1153.8 (required is 1157 as per charter contract).</p> <p>Requested Follow Up:</p>

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The school provides evidence (e.g., upload of all state-mandated assessment reports, front page if multipage report, with redacted student names). The school also provides: (a) revised/corrected master schedule that corrects for instructional-hours shortage for 7th-8th grades as well as (b) evidence that it has notified the School Budget & Finance Analysis Bureau of such corrections (e.g., e-mail correspondence with its business analyst). Note that missed-hours since the beginning of the school year must be compensated/made-up.

Comments by LEA

Compliance Indicators Is the school complying with applicable education requirements?

Requested Documents Content Standards, including Common Core
Evidence of instructional days or hours requirements
Graduation requirements
Next Step Plans
Parent surveys
Promotion/retention requirements
State assessments

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.02: Education Plan

Updated 02/19/2018 by Karen Woerner

SEA Status Concern Identified

LEA Status In Progress

Comments by SEA 12.18.17 PED Note: The school failed to provide the State Coordinator for Education of Homeless Children and Youth in the NMPED Wellness and Student Success Bureau the "Homeless Liaison Contact Information that was required by November 9, 2017" (e-mail correspondence dated November 17, 2017).
Requested Follow-Up: School provides evidence (e.g., e-mail confirmation from State Coordinator for Education of Homeless Children and Youth) that it has submitted its homeless liaison contact information to the Wellness and Student Success Bureau and that the designated contact person complete the required "20-hour online course" prior to December 31, 2017. If such evidence is not provided this indicator item will be rated "Falls Far Below Standard."
12.6.17 Site Visit.
Student Assistance Team. The PED team did not observe any Student Assistance Team (SAT) meetings scheduled to date perhaps due to the late administration of the BOY NWEA math and reading assessments that are used to identify intervention students (i.e., those performing below benchmark).
McKinney-Vento. The PED team did not observe documentation of required McKinney-Vento policy/notice of rights and dispute resolution process (see NMAC 6.10.3[D][2][c]).
Requested Follow-Up: School provides: (a) evidence that it is implementing its SAT process (e.g., SAT log with student names redacted) and (b) governing council approved McKinney-Vento dispute resolution policy.

Comments by LEA

Compliance Indicators Is the school protecting the rights of all students?

Requested Documents Evidence of compliance with applicable laws and regulations relating to: RtI and SAT processes, admissions, lottery, waiting lists, fair and open recruitment, and enrollment; adherence to due process protections, privacy, civil rights, and student liberty

Other Documents

Legal References

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III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.03: Educational Plan

Updated 12/22/2017 by Baylor Del Rosario

SEA Status	Meets Standard Final
LEA Status	In Progress
Comments by SEA	12.6.17 Site Visit: The PED team reviewed Individualized Education Plan (IEP) files. The team, for example, observed IEPs that appear to be individualized (i.e., some students were provided special education services within the special education classroom/therapy setting, while others were provides services within the general education classroom setting and/or in a combination of settings.) Review of files did not present evidence of non-compliance (e.g., overdue IEPs or re-evaluations). At this time PED has not been presented with evidence that the school is not meeting statute, regulation, or contract obligations for this item. Requested Follow-Up: None.
Comments by LEA	
Compliance Indicators	Is the school protecting the rights of students with special needs?
Requested Documents	Evidence of compliance with IDEA, ADA, Section 504 of the Rehabilitation Act of 1973 as well as laws relevant to gifted children
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.04: Educational Plan

Updated 12/29/2017 by Baylor Del Rosario

SEA Status	Concern Identified
LEA Status	In Progress
Comments by SEA	12.6.17 Site Visit: The PED team reviewed 11 student cumulative files and did not observe administration of a screener to determine English Learner (EL) eligibility for 6 students () whose parents indicated on the Home Language Survey (HLS) or Language Usage Survey (LUS) a language other than English that was spoken at home. Specifically, 3 students did not have the required W-APT screener result and 3 were administered a non-state approved short-cycle assessment (i.e., WIDA Model) (see Language Usage Survey Guidance Handbook, p. 5, 2016 and memorandum from the Bilingual Multicultural Education Bureau (BMEB) dated December 31, 2016). Note that because the WIDA Model is not a state-approved screener, eligibility criteria has not been established. Locations of guidance documents can be found at: http://ped.state.nm.us/ped/BilingualDocs/ServingELs/NMLUS_Guidance_Handbook_Revised_08.2017.pdf http://ped.state.nm.us/ped/BilingualDocs/ServingELs/6.29.5.11%20NMAC%20LUS%20Memo_10.31.2016.pdf Two (2) student files did not include a Home Language Survey or Language Usage Survey. The files also did not include the school's attempts to request such information from the student(s) previous schools (see FAQ #21 on page 32 of the LUS Guidance Handbook Revised). Lastly, the team did not observe evidence on how the school was tracking progress of Reclassified Fluent English Proficient (RFEP) students. Requested Follow-Up: School provides evidence of action steps taken to correct its student files showing that it has properly followed state procedures for the identification of English learners and tracking of exited students (RFEP) per 6.29.5.11-12 NMAC. Examples of evidence might include, but are not limited to: (a) forms showing

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the number of attempts along with dates that the school made to obtain the HLS from a student's previous school (name redacted and replaced with another identifier) and (b) monitoring log of RFEP students again with names redacted. Note that the school should consult the guidance manual from the Bilingual Multicultural Education Bureau (see below) as well as contact the BME staff for further assistance if it deems necessary:
http://ped.state.nm.us/ped/BilingualDocs/ServingELs/NMLUS_Guidance_Handbook_Revised_08.2017.pdf

Comments by LEA

Compliance Indicators Is the school protecting the rights of English Language Learners?

Requested Documents Evidence of compliance with applicable laws, rules, and regulations including but not limited to Title III of the ESEA

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.05: Educational Plan

Updated 12/22/2017 by Baylor Del Rosario

SEA Status Meets Standard Final

LEA Status In Progress

Comments by SEA 12.6.17 Site Visit. The PED team observed a 5-day parent notice/letter for unexcused absences requesting a meeting with parents/guardians to discuss interventions and a 10-day letter notifying parents/guardians of the school's duty to report habitually truant students to an outside agency (e.g., CYFD or Children's Court) as per state regulation (see 6.10.8.7-8 NMAC).
Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Is the school complying with the compulsory attendance laws?

Requested Documents Evidence of compliance with applicable laws, rules, and regulations relating to compulsory school attendance

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.06: Educational Plan

Updated 02/20/2018 by Karen Woerner

SEA Status Working to Meet Standard Final

LEA Status In Progress

Comments by SEA 2.20.18 PED Note: The recurrent enrollment for 2017-2018 was 62.37%, below the 85% goal set by the PEC. This is rated as "Working to Meet Standard" per the Performance Framework #1g.
12.6.17 Site Visit: This will be determined by the PED once the End-of-Year (EOY) STARS data has been submitted.
Requested Follow-Up: None.

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Comments by LEA

Compliance Indicators Did the school meet their recurrent enrollment goals?

Requested Documents At least 85% of eligible cohort re-enrolled

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.00: Business Management and Oversight

Updated 12/27/2017 by Karen Woerner

SEA Status Falls Far Below Standard Final

LEA Status In Progress

Comments by SEA

12.18.17 PED Note: The school failed to meet the September 30, 2017 deadline set by the Bilingual Multicultural Education Bureau (BME) to submit its bilingual annual progress report. During the 2016-2017 school year, Carinos received \$105,957.65 through the bilingual cost differential in the funding formula. The BME has instructed the school to submit the annual progress report by December 20, 2017 5:00pm. If the school fails to meet this deadline the rating for IV-A.00 Business Management and Oversight will be "Falls Far Below Standard."

Requested Follow-Up: School submits to BME and provides evidence (i.e., PDF of report and email correspondence confirming submittal of report on or before December 20, 2017 5:00pm) through web-EPSS under item IV-A.00 Business Management and Oversight.

12.6.17 Site Visit:

Employment Verification and Official Transcripts. The PED team reviewed 13 staff files and did not observe evidence of: (a) Employment verification in the majority of teacher files and (b) official transcripts in one teacher file (██████████). For example, in N. Martinez's file the 2017-2018 contract stated "35 years of allowable experience" earning \$55,700 and in M. Trujillo's 2017-2018 contract "24 years of allowable experience" earning \$59,400 were stated, but both files lacked supporting documents for appropriate placement on the established teacher salary schedule impacting Training and Experience (T&E) (see NM Stat § 22-8-24 for definition of index). Student Teacher Accountability Reporting System (STARS). The school failed to submit required school data (e.g., courses offered, instructors, student summary/daily attendance, student discipline, special education snapshot, staff assignment, student snapshot, etc.) for the 40D reporting period (at the time of the site visit 40D data had not been submitted to PED). STARS is a "comprehensive student, staff, and course information system that provides a standard data set for each student served by New Mexico's 3Y/4Y – Grade 12 public education system" (STARS, Vol. 1, User Guide, p. 9, 2017-2018). STARS serves multiple purposes one of which is to meet "PED and USDE federal reporting requirements" (Ibid).

Requested Follow-Up: School provides evidence of: (a) employment verification from the 2 staff member's former employers/schools/districts, (b) official transcripts for all teachers who do not have such documents in their files, and (c) description of process the school will take to ensure timely STARS reporting takes place moving forward.

FY17 Audit: Once the FY17 audit report for the school has been released by the NM Office of the State Auditor the school provides evidence it has taken action identified in its management response to remedy finding(s) (if any).

Requested Follow-Up: School uploads into web-EPSS evidence of actions it has taken to remedy finding(s) (if any) identified in the FY17 audit report (e.g., audit committee meeting minutes initially reviewing/discussing finding[s] and minutes from subsequent meetings showing that the committee is monitoring the school's efforts to remedy identified finding[s]).

Comments by LEA

Compliance Indicators Is the school meeting financial reporting and compliance requirements?

Requested Documents Evidence of submittal of documentation related to the use of public funds, submittal of information required to conduct an annual audit, development of and adherence to sound internal control policies, development of and adherence to purchasing protocols

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Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.01: Business Management and Oversight

Updated 12/21/2017 by Baylor Del Rosario

SEA Status No Current Compliance Concerns

LEA Status In Progress

Comments by SEA
12.6.17 Site Visit: Once the FY17 audit report for the school has been released by the NM Office of the State Auditor the PED will input finding(s) (if any) in this section and provide the appropriate rating for the indicator.
Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Is the school following generally accepted accounting principles?

Requested Documents Evidence of an unqualified audit opinion, an audit devoid of significant findings, an audit that does not include ongoing concern disclosure

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

V-A.00: Governance and Reporting

Updated 01/11/2018 by Melissa Brown

SEA Status Concern Identified

LEA Status In Progress

Comments by SEA
1.11.18 Governing Board Observation (see attached document) the governing board meeting notice and agenda were not posted as per statute 10-15-1 F. The school did not respond to either telephone or email requests for a copy of the draft meeting minutes within ten days. Please respond to these concerns by January 31, 2018.
12.6.17 Site Visit: The PED team conducted an observation of the governing body on 12.5.17 and will provide the form for the school's review.
Requested Follow-Up: School provides response that includes steps it will take to ensure compliance concerns, if any, have been corrected.

Comments by LEA

Compliance Indicators Is the school complying with governance requirements? Did the Governing Body members respond to any concerns that were noted during the CSD's observation of the Governing Body meeting?

Requested Documents

Other Documents Governing Body Observation Form

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Legal References

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V-A.01: Governance and Reporting

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Meets Standard Final
LEA Status	In Progress
Comments by SEA	12.6.17 Site Visit: The PED team observed the head administrator's 2016-2017 annual evaluation by the the school's governing council. Requested Follow-Up: None.
Comments by LEA	
Compliance Indicators	Is the school holding management accountable?
Requested Documents	Submit the governing body's written annual evaluation of the head of school that holds the head of school accountable for performance expectations.
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A. 00: Employees

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Concern Identified
LEA Status	In Progress
Comments by SEA	12.6.17 Site Visit: The PED team observed an expired license for one teacher ([REDACTED]). The team advised school administrator that the school must: (a) complete the "Substitute Exceeding 45-Day Limit Waiver Request" form found at: http://ped.state.nm.us/admin.personnel/waiver_requests.html and (b) notify parents in writing of affected students as per 6.29.1.9(B)(9)(b) NMAC if the long-term substitutes ([REDACTED]) are anticipated to teach the assigned classes for which they are unlicensed and/or unendorsed. Note that 2 individuals do not hold requisite endorsements that satisfy requirements for its approved Bilingual Multicultural Education Program (BMEP), specifically, V. Jaramillo who does not have a TESOL endorsement is currently teaching at least 1 English Language Development (ELD) class and Dr. Garcia who does not have bilingual endorsement is currently teaching the target language at the middle-school level. Requested Follow-Up: School provides: (a) approved waivers and (b) parent notices for ([REDACTED]) taught courses.
Comments by LEA	
Compliance Indicators	Is the school meeting teacher and other staff credentialing requirements?
Requested Documents	The school demonstrates compliance with certification requirements and mentorship requirements
Other Documents	
Legal References	

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III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A. 01: Employees

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Concern Identified
LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit:</p> <p>PDP and Education Effectiveness Reports. The PED team reviewed employee files and did not observe Professional Development Plans (PDPs) in any of the teacher files (see 6.69.4.10 NMAC) and a number of teacher files did not include their most recent (2016-2017) Educator Effectiveness Teacher's Report. The school was advised that PDPs and Education Effectiveness Teacher's Reports should be included in each teacher's employee file.</p> <p>Mentorship Program. The PED team observed a formal mentorship program/handbook provided by the head administrator entitled, "Classroom Management of Student Conduct and Effective Praise Guideline." However, it did not include requirements such as: (a) "structured and research-based training activities for mentors" (e.g., trainings for mentors on adult learning), (b) "process for documenting teacher growth" (e.g., observation feedback by mentor), (c) "structured process for selection of mentors," (d) person responsible for the overall mentorship program, and (e) compensation for selected mentors as required by regulation (see NMAC 6.60.10.8).</p> <p>Requested Follow-Up: School provides evidence of: (a) revised mentorship program/handbook that is compliant with regulation by including elements identified above and (b) PDPs as well as most recent (i.e., 2016-2017) Educator Effectiveness Evaluations for each teacher.</p>
Comments by LEA	
Compliance Indicators	Is the school respecting employee rights?
Requested Documents	The school demonstrates compliance with: The school personnel act, Charter School Act, FMLA, ADA, the right to organize collectively, the right to PD and evaluations
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A.02: Employees

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Concern Identified
LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit: PED team reviewed 13 staff files and did not observe evidence of background check for 1 staff member () as required by NMAC 6.29.1.9(B)(8)(b).</p> <p>Requested Follow-Up: School provides evidence of background check for staff member.</p>
Comments by LEA	
Compliance Indicators	Is the school completing required background checks?
Requested Documents	Evidence of compliance with applicable laws, rules, and regulations related to background checks of all individuals associated with the school
Other Documents	

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Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.00: School Environment

Updated 12/22/2017 by Baylor Del Rosario

SEA Status Concern Identified

LEA Status In Progress

Comments by SEA 12.6.17 Site Visit. The PED team observed incomplete documentation of emergency drills it had purportedly conducted over the past three (3) years. Consequently, evidence of emergency drills including shelter-in-place and evacuations were not readily available for review for some months during the current year and for most months during the previous years as required by NM Stat § 22-13-14. The PED team advised that such records must be made available for on-site reviews in order to confirm the school's adherence to 1.21.2 NMAC (Retention and Disposition of Records).
Requested follow up: School presents evidence of how it will ensure compliance with emergency drill requirements (e.g., tentative schedule of drills for remainder of 2017-2018).

Comments by LEA

Compliance Indicators Is the school complying with facilities requirements?

Requested Documents Evidence of compliance with E-occupancy, facility condition rating, facility master plan, facility maintenance plan, fire inspections, facility variances, student transportation programs

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.01: School Environment

Updated 12/21/2017 by Baylor Del Rosario

SEA Status Concern Identified

LEA Status In Progress

Comments by SEA 12.6.17 Site Visit:
Immunization Status. The PED team did not observe current student immunization status records readily available for inspection as required by statute and regulation (see NMSA § 24-5-4, NMSA; 6.12.2.8[F]) as well as Department of Health memorandum sent to school leaders entitled, "Immunization Requirements Guidance" dated February 20, 2015.
Child-Abuse & Neglect. During its review of 13 staff files, the team did not observe evidence of Child Abuse and Neglect Detection Training in 4 files (REDACTED). The school stated that 2 individuals are not school employees, but instead are employed through the School-Based Health Center (SBHC) (i.e., Department of Health).
Requested Follow-Up: School provides: (a) up-to-date immunization list/log with redacted names of students and (b) Child Abuse and Neglect Detection Training certificates for the 4 staff members. Note that if 2 of the 4 are indeed employed by another agency (i.e., Department of Health) as the school asserts, then the school must provide evidence (e.g., MoU) from its partner entity indicating that such individuals are employed by them. The school should not maintain "personnel" files for individuals that are employed by another agency.

Comments by LEA

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Compliance Indicators	Is the school complying with health and safety requirements?
Requested Documents	Evidence of compliance with Safe Schools Plan, School Health Rules Checklist, providing appropriate health services, meeting food service requirements, other resources as required
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.02: School Environment

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Meets Standard Final
LEA Status	In Progress
Comments by SEA	<p>12.6.17 Site Visit: The PED team observed student and employee files kept in lockable cabinets in the administration office. However, a number of employee files included loose paperwork, some included duplicates of identical paperwork (e.g., multiple staff contracts for the same year), one included paperwork that belonged in another file (contract for one employee was erroneously placed in another employee's file). General disorganized appearance of files was observed. The school stated, that "the auditors were here recently" (response by office manager during exit interview portion of the site visit when asked about the files) alluding to the possibility that financial auditors may have contributed to the disorganized state of employee files.</p> <p>Requested Follow-Up: The PED team recommends organizing employee files so that easy access and review by outside entities (e.g., financial auditors and PED site visit team) can better take place.</p>
Comments by LEA	
Compliance Indicators	Is the school handling information appropriately
Requested Documents	Evidence of compliance with requirements related to STARS data system, FERPA, IPRA, transfer of student records, testing materials, safe storage of documents
Other Documents	
Legal References	

ORGANIZATIONAL PERFORMANCE FRAMEWORK

School Specific Terms

Updated 12/21/2017 by Baylor Del Rosario

SEA Status	Not Applicable Final
LEA Status	In Progress
Comments by SEA	
Comments by LEA	
Compliance Indicators	The school reports and provides data on any terms specified in the Performance Framework.
Requested Documents	
Other Documents	

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Legal References

MONITORING INSTRUMENT ITEM REPORT

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PEC Authorized Annual Monitoring

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.00: NM A-F grading system

Updated 10/02/2017 by Icela Pelayo

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: The school earned an F on the 2017 state report card and the school will need to submit an Improvement Plan by October 1, 2017 in the 2017-2018 Performance Framework per the school's performance framework. During the 2017-2018 annual site visit, the PED will review evidence the school is implementing its required Improvement Plan.

3.22.17 Site Visit: The school earned an "F" on the SY16 and is required to submit the Public Education Commission (PEC) approved School Improvement Plan (SIP). According to the school's Performance Contract (see page 'State and Federal Accountability System' section, p. 3) the "school will write an improvement plan which they believe will result in improvement results for the students of the school. This must be presented to the PEC for approval within 40 calendar days from the release of the school grades." Requested Follow-Up: School uploads School Improvement Plan (SIP) into WEB-EPSS and follow procedure outlined in its Performance Contract.

Comments by LEA

Compliance Indicators This is the location for the state report card data for the most recent school year available.

Requested Documents 2016/2017 Improvement Plan for schools with less than a C letter grade on the 2016 state report card

Other Documents

Legal References

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.01: Required Academic Performance Indicators

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator as "Falls Far Below the Standard Final" because the school did not provide any data to support the goals contained in their Performance Framework. Please see attached data analysis document.

3.22.17 Site Visit: The school was required to submit their mid-year data toward their "mission specific indicators" which it had not done by February 15, 2017 as well as end-of-year data. Specifically, mission specific indicators 2a and 2b need MOY and EOY data (i.e., NWEA winter and spring results), while mission specific indicator 3 needs EOY data (i.e., ACCESS results). Below are the mission specific indicators:

Mission Specific Indicator 2.a SHORT CYCLE ASSESSMENT READING: Short Cycle assessment data (NWEA) will be used to measure academic growth or proficiency in Reading of Full Academic Year (FAY) students.

Mission Specific Indicator 2.b SHORT CYCLE ASSESSMENT MATH: Short Cycle assessment data (NWEA) will be used to measure academic growth or proficiency in Math of Full Academic Year (FAY) students.

Mission Specific Indicator 3 FYA Students who are designated as ELL achieve English proficiency by achieving a composite score of 5 or .5 growth in composite scores each year as measured annually by the WIDA ACCESS for ELL.

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PEC Authorized Annual Monitoring

1.20.17 Requested Follow-Up: School must provide interim/Middle-of-Year (MOY) data as well as End-of Year (EOY) data to support progress toward "mission specific indicators" by 6.30.17. Please describe the steps the school will take to ensure the same concern does not arise this year or future years.

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Mission Specific Indicators.

Requested Documents End-of-Year Data to support progress toward Mission Specific Indicators
Mid-Year Data to support progress toward Mission Specific Indicators

Other Documents

Legal References

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.02: Optional supplemental Indicator(s)

Updated 06/09/2017 by Baylor Del Rosario

SEA Status Not Applicable

LEA Status In Progress

Comments by SEA 3.22.17 Site Visit: The school does not have "optional supplemental indicators." Requested Follow-Up: None.

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Optional Supplemental Indicators.

Requested Documents End-of-Year Data to support progress toward Mission Specific Indicators
Mid-Year Data to support progress toward Mission Specific Indicators

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.00: Operating Budgets

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating:
PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.00: Operating Budgets.

On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section.

Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).

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PEC Authorized Annual Monitoring

Comments by LEA

Compliance Indicators Was the information required for the budget provided on time for the current year operating budget, and the previous year, if requested by the PEC or its delegate? If not, why not? If not, how long was it before it was turned in?

Requested Documents Evidence to support timely submittal of operational budget information

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.01: Audits

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.01: Audits. On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).

Comments by LEA

Compliance Indicators To the best of the knowledge of the financial staff of the school, was the information required for the audits provided on time for the most recent audit? If not, why not? If not, how long before it was turned in? What was the date of the letter from the school certifying its readiness to proceed with an audit review?

Requested Documents Evidence to support substantial compliance with timely submittal of audit information

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.02: Periodic Reports

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.02: Periodic Reports. On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).

Comments by LEA

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Compliance Indicators	Is this school on quarterly or monthly reporting? Were the reports for the current year turned in on time? For the current year, did the actual expenditures plus encumbrances ever exceed the budget authority within function? Was it corrected? For each of the last four reports, was the existing cash balance plus anticipated SEG funding sufficient to cover the next month's expenditures at that time? If not, why?
Requested Documents	Evidence to support substantial compliance with timely submittal of required reports
Other Documents	
Legal References	

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.03: Expenditures

Updated 09/13/2017 by Becky Kappus

SEA Status	Falls Far Below Standard FINAL
LEA Status	In Progress
Comments by SEA	9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.03: Expenditures. August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).
Comments by LEA	
Compliance Indicators	Were there any invoices pending for more than 90 days in the current year? Were payroll liabilities paid timely in the current year?
Requested Documents	Evidence to support substantial compliance with timely paying expenditures
Other Documents	
Legal References	

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.04: Reimbursements

Updated 09/13/2017 by Becky Kappus

SEA Status	Falls Far Below Standard FINAL
LEA Status	In Progress
Comments by SEA	9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.04: Reimbursements. On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).
Comments by LEA	
Compliance Indicators	Were all requests for reimbursements submitted to meet PED-mandated deadlines in the current year?

MONITORING INSTRUMENT ITEM REPORT

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Requested Documents Evidence to support substantial compliance in seeking reimbursements

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.05: Audit Reviews

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.05: Audit Reviews. On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).

Comments by LEA

Compliance Indicators What were the findings, if any, from the last released audit? Were there any findings considered material weaknesses? What has the school done to correct these audit findings? Were any of the findings a repeat finding from last year?

Requested Documents Evidence of responding to audit findings in a manner sufficient to remedy the audit finding

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.06: Meals

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below Final Standard" because the school did not complete the indicator questionnaire as was required under II-A.06: Meals. On August 1, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the Finance Committee will complete and sign the questions in this section. Request from PED: School provides signed copy of the questionnaire. (Unsigned answers will be rated as Does Not Meet Standards).

Comments by LEA

Compliance Indicators If the school serves meals to students, were there any audit findings noted regarding food contracts?

Requested Documents Evidence of managing food service contracts appropriately without audit findings

Other Documents

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Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.00: Educational Plan

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not provide the requested documentation: Requested Follow Up:

- 1) School provides a process and plan for how the school will implementing the material terms identified above. This plan should include responsible parties, timelines, and action steps. The material terms that need to be address in this process and plan are specifically:
 - Designate consistent times at least monthly for Professional Learning.
 - Communities for teachers to address data, curriculum collaboration, and instructional strategies.
 - Provide professional development and support in data collection and analysis.
 - Provide professional development twice a year in the areas of ELD standards and training in implementing effective programs, services and strategies.
 - Support professional development twice a year in identifying and consistently implementing Tier I RTI practices, including differentiation instruction to better meet the learning needs of individual students.
- 2) Please provide a schedule and agenda for all professional learning in the coming year that addresses each of the material terms described above.
- 3) Please provide either an approved amendment to incorporate the mixed grades model into the school's academic program or provide an explanation of how the school will implement its current education program, which does not incorporate a mixed-grade model. This must include a staffing plan aligned to the school budget that provides sufficient staffing to provide instruction in single grade classrooms.

This lack of a response indicates that the school is not complying with applicable education requirements as is required by III-A.00: Education Plan.

3.22.17 Site Visit: PED team observed evidence of the school's mission of a 50/50 dual language model during classroom observations. Team members observed students working individually on worksheet during Spanish language arts instruction. School was observed combining several grade levels, which requires an amendment submitted to the Public Education Commission (PED) since such model is currently not in its contract.

The team was unable to observe differentiation by grade level students in observed classrooms. According to the school's contract any modification of the performance framework or contract requires an amendment that must be agreed to and executed by both parties. Each party must vote on this amendment in an open public meeting prior to execution of the amendment. The school will submit the requested amendment to all entitled to notice in Section 2.02 and request that the Authorizer place the amendment on the agenda of the Authorizer for approval. The team observed that the students were all working on the same assignment in one language arts intervention class. The school provided team members a detailed curriculum that delineates the standards and objectives for different grade levels in the mixed-grade classrooms.

During classroom observations, the team did not observe the following material terms:

1. Designate consistent times at least monthly for Professional Learning.
2. Communities for teachers to address data, curriculum collaboration, and instructional strategies.
3. Provide professional development and support in data collection and analysis.
4. Provide professional development twice a year in the areas of ELD standards and training in implementing effective programs, services and strategies.

5. Support professional development twice a year in identifying and consistently implementing Tier I RTI practices, including differentiation instruction to better meet the learning needs of individual students.

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Requested Follow Up:

- 1) School provides a process and plan for how the school will implementing the material terms identified above. This plan should include responsible parties, timelines, and action steps. The material terms that need to be address in this process and plan are specifically:
 - Designate consistent times at least monthly for Professional Learning.
 - Communities for teachers to address data, curriculum collaboration, and instructional strategies.
 - Provide professional development and support in data collection and analysis.
 - Provide professional development twice a year in the areas of ELD standards and training in implementing effective programs, services and strategies.
 - Support professional development twice a year in identifying and consistently implementing Tier I RTI practices, including differentiation instruction to better meet the learning needs of individual students.
- 2) Please provide a schedule and and agenda for all professional learning in the coming year that addresses each of the material terms described above.
- 3) Please provide either an approved amendment to incorporate the mixed grades model into the school's academic program or provide an explanation of how the school will implement its current education program, which does not incorporate a mixed-grade model. This must include a staffing plan aligned to the school budget that provides sufficient staffing to provide instruction in single grade classrooms.

Comments by LEA

Compliance Indicators Is the school implementing the material terms of the approved charter application as defined in the Charter Contract?

Requested Documents Evidence of substantially achieving the material terms of the approved charter application in all respects as defined in the Charter Contract.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.01: Education Plan

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not provide: 1) evidence that the school has provided the PED with a report on the number of students retained annually and the communication with parents; 2) a process and plan to ensure the school annually provides data on student retention and student rights.

This indicates that the school is not complying with applicable education requirements as is required by III-A.01: Education Plan.

1/2/2017 - All school districts were required to provide the PED with a report on the number of students retained annually and the communication with parents. This school failed to provide any data and failed to demonstrate compliance with legal requirements regarding retention and students' rights.

3/22/17
CCSS

During the site visits, the team members did see evidence that the school is implementing the Common Core State Standards (CCSS). Team members reviewed the school's curriculum aligned with the CCSS and during the observations team members noted that in several classrooms the standards were posted or available to view in the lesson plans.

Instructional hours

The PED instructional hour review as attached indicates the school IS meeting the instructional hour and reporting requirements as is required under the performance framework.

Requested Follow-up:

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- 1) School needs to provide evidence that the school has provided the PED with a report on the number of students retained annually and the communication with parents.
- 2) School needs to provide a process and plan to ensure the school annually provides data on student retention and student rights. This process and plan should include responsible parties, timelines, and action steps.

Comments by LEA

Compliance Indicators Is the school complying with applicable education requirements?

Requested Documents Content Standards, including Common Core
Evidence of instructional days or hours requirements
Graduation requirements
Next Step Plans
Parent surveys
Promotion/retention requirements
State assessments

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.02: Education Plan

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not provide: a) governing council-approved McKinney-Vento Complaint Policy and Dispute Resolution Process, (b) McKinney-Vento public notice of rights, and (c) description of how homeless or unaccompanied youth are identified (e.g., poster or student/parent handbook notifying them to contact homeless liaison) and services provided tracked. Additionally, the school did not provide the requested school enrollment policy and procedures and a lottery / enrollment application form that requests no improper identifying information. This indicates that the school is not complying with applicable education requirements as is required by III-A.02: Education Plan.

3.22.17 Site Visit: During the site visit, the team reviewed the school's RtI/SAT plan and processes. The school provided working SAT files for review.

The team did not observe clear evidence that the school had established processes and criteria for locating and identifying homeless families and unaccompanied youth (See ESSA guidance, Section III). PED team members did not see evidence of public notice of rights or McKinney Vento Complaint Policy and Dispute Resolution Process as is required under NMAC § 6.10.3 (D).

PED reviewed school lottery and enrollment forms. School did not have a lottery form. School was improperly requesting identifying information prior to enrollment which permits screening or discriminatory practices. School created a separate form on site and indicated it would implement going forward.

Requested Follow-Up:

- 1) School provides the following documents: (a) governing council-approved McKinney-Vento Complaint Policy and Dispute Resolution Process, (b) McKinney-Vento public notice of rights, and (c) description of how homeless or unaccompanied youth are identified (e.g., poster or student/parent handbook notifying them to contact homeless liaison) and services provided tracked.
- 2) Please provide the school enrollment policy and procedures.
- 3) School provides a lottery / enrollment application form that requests no improper identifying information such as student Id, race, religion, sex, age (except for minimum age).

Comments by LEA

Compliance Indicators Is the school protecting the rights of all students?

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Requested Documents Evidence of compliance with applicable laws and regulations relating to: RtI and SAT processes, admissions, lottery, waiting lists, fair and open recruitment, and enrollment; adherence to due process protections, privacy, civil rights, and student liberty

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.03: Educational Plan

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not provide a process and plan to track services both direct and ancillary provided for students with IEPs, evidence that a gifted endorsed instructor (or a teacher with a gifted waiver) is providing services to gifted student, and evidence that the parent of the student identified as gifted should have been notified that their child was receiving instruction from an unendorsed instructor (see NMAC 6.29.1.9[B][9][b]). This indicates that the school is not complying with applicable education requirements as is required by III-A.03: Education Plan.

3.22.17 Site Visit: The PED team reviewed 10 Individualized Education Plans (IEP). The team did not observe documentation of how the school tracks provision of services on a daily, weekly, or monthly basis as per guidance by the Federal Programs Division of the NMPED (see attached memorandum). The team observed that there is one (1) gifted student. However, the school does not have a gifted endorsed instructor on staff.

Requested Follow-Up:

- 1) School provides a process and plan to track services both direct and ancillary provided for students with IEPs. This process and plan should include responsible parties, timelines, and action steps.
- 2) School provides any template logs or forms the school will use to monitor direct and ancillary services provided.
- 3) School provide evidence that a gifted endorsed instructor (or a teacher with a gifted waiver) is providing services to gifted student. The school should also provide evidence that the parent of the student identified as gifted should have been notified that their child was receiving instruction from an unendorsed instructor (see NMAC 6.29.1.9[B][9][b]).

Comments by LEA

Compliance Indicators Is the school protecting the rights of students with special needs?

Requested Documents Evidence of compliance with IDEA, ADA, Section 504 of the Rehabilitation Act of 1973 as well as laws relevant to gifted children

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.04: Educational Plan

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

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LEA Status	In Progress
Comments by SEA	<p>9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard" because the school did not provide: 1) a revised registration packet, 2) a written assurance that (a) W-APT/WIDA and ACCESS scores will be included in student cumulative files, 3) WIDA/W-APT scores for all students identified with a language other than English, and 4) a process detailing how English Learners (ELs) are provided: (a) access to grade-level curriculum (e.g., through lesson plans) and (b) English language development opportunities as required by the BME Bureau during the 2017-2018 school year.</p> <p>This indicates that the school is not complying with applicable education requirements as is required by III-A.04: Education Plan.</p> <p>3.22.17 Site Visit: During the site visit, the team members reviewed 22 student cumulative files. The following concerns were observed: (a) 9 files included Home Language Surveys (HLSs) that indicated a language other than English, but did not include WIDA/W-APT scores, (b) some files included multiple HLSs, (c) the HLS was included in the annual registration packet, and (d) students identified as English Learners (ELs) did not have ACCESS results included in their files,</p> <p>The Home Language Survey (HLS) should be completed one time in a student's public education career to prevent multiple administrations which result in inconsistent information/data. The Guidance Handbook specifies that if a student is "transferring from another school/district, the receiving school and/or district must request the student records from the sending school/district. If after at least three documented request attempts no records are received, and you [as the receiving school/district] cannot yet access the necessary student information in STARS Student Display template, then proceed with administering the Language Usage Survey" (Q&A #21 page 32 of the Guidance Handbook) which replaces the Home Language Survey. See link to Guidance Handbook below:</p> <p>Bilingual Multicultural Education Guidance Handbook: http://ped.state.nm.us/ped/BilingualDocs/ServingELs/NMLUS_Guidance_Handbook_12.23.16.pdf</p> <p>-----</p> <p>Requested Follow-Up:</p> <p>1) School provides a revised registration packet that removes the a) the HLS/LUS.</p> <p>2) Please provide a written assurance that (a) W-APT/WIDA and ACCESS scores will be included in student cumulative files, and (b) guidance protocol from the Bilingual Multicultural Education (BME) Bureau of the NMPED for obtaining or administering the HLS/LUS is followed (see link above).</p> <p>3) Please provide WIDA/W-APT scores for all students identified with a language other than English.</p> <p>2) School provides a process and plan detailing how English Learners (ELs) are provided: (a) access to grade-level curriculum (e.g., through lesson plans) and (b) English language development opportunities as required by the BME Bureau during the 2017-2018 school year. This process and plan should include responsible parties, timelines, and actions steps.</p>
Comments by LEA	
Compliance Indicators	Is the school protecting the rights of English Language Learners?
Requested Documents	Evidence of compliance with applicable laws, rules, and regulations including but not limited to Title III of the ESEA
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.05: Educational Plan

Updated 09/13/2017 by Becky Kappus

SEA Status	Falls Far Below Standard FINAL
LEA Status	In Progress
Comments by SEA	<p>9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard" because the school did not provide: 1) a revised 5-day letter that includes school's request to conference or meet with parents to discuss interventions efforts, 2) a process or plan to notify the "probation services office of the judicial</p>

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district" or CYFD (see section [B][6][f] of rule) should the school have a student that is classified as a habitual truant student, and 3) a template log documenting contact with outside agency/CYFD.

This indicates that the school is not complying with applicable education requirements as is required by III-A.05: Education Plan.

3.22.17 Site Visit: The PED team observed that the school was providing parents 5-, 7-, and 10- day truancy letters. The team observed that the 5-day letter did not include a request for parent conference/meeting and PED did not observe evidence of notices to the local probationary office or to Children, Youth, and Families Division (CYFD) as required by NMAC 6.10.8.8(B) through (C) in the case of a habitual truant student (10 day absent or more).

Requested Follow-Up:

1) Please provide a revised 5-day letter that includes school's request to conference or meet with parents to discuss interventions efforts.

2) Please provide a process or plan to notify the "probation services office of the judicial district" or CYFD (see section [B][6][f] of rule) should the school have a student that is classified as a habitual truant student. This process and plan should include responsible parties, timelines, and action steps.

3) School should provide a template log documenting contact with outside agency/CYFD.

Comments by LEA

Compliance Indicators Is the school complying with the compulsory attendance laws?

Requested Documents Evidence of compliance with applicable laws, rules, and regulations relating to compulsory school attendance

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.06: Educational Plan

Updated 10/02/2017 by Icela Pelayo

SEA Status Working to Meet Standard FINAL

LEA Status In Progress

Comments by SEA 9.8.17 NMPED Rating: The PED rated this "Working to Meet Standard Final" because at the End-of-the Year (EOY) of 2016-2017 the school had a 56.79% recurrent enrollment rate and this indicates that the school is not complying with applicable education requirements as is required by III-A.006: Education Plan. 85% is the standard in the Organizational Performance Framework.

PED will provide this data.

1/2/2016 -

The school's actual enrollment for the year at 40/80 day was 68% of the budgeted enrollment.

5/4/17

85% is the standard in the Organizational Performance Framework. PED will provide the data for the school's recurrent enrollment.

Comments by LEA

Compliance Indicators Did the school meet their recurrent enrollment goals?

Requested Documents At least 85% of eligible cohort re-enrolled

Other Documents

Legal References

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III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.00: Business Management and Oversight

Updated 06/28/2017 by Phillip Gloudemans

SEA Status	Not Applicable
LEA Status	In Progress
Comments by SEA	As of 3.22.17: The school was not a state charter in the FY16. Consequently, the PED team has rated this indicator as not applicable.
Comments by LEA	
Compliance Indicators	Is the school meeting financial reporting and compliance requirements?
Requested Documents	Evidence of submittal of documentation related to the use of public funds, submittal of information required to conduct an annual audit, development of and adherence to sound internal control policies, development of and adherence to purchasing protocols
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.01: Business Management and Oversight

Updated 06/28/2017 by Phillip Gloudemans

SEA Status	Not Applicable
LEA Status	In Progress
Comments by SEA	As of 3.22.17: The school was not a state charter in the FY16. Consequently, the PED team has rated this indicator as not applicable.
Comments by LEA	
Compliance Indicators	Is the school following generally accepted accounting principles?
Requested Documents	Evidence of an unqualified audit opinion, an audit devoid of significant findings, an audit that does not include ongoing concern disclosure
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

V-A.00: Governance and Reporting

Updated 09/13/2017 by Becky Kappus

SEA Status	Meets Standard FINAL
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LEA Status	In Progress
Comments by SEA	PED has rated this indicator "Meets Standard" because at this time, PED has not been presented with any evidence that school is not complying with governance requirements as is required under V-A.00 Governance and Reporting.
Comments by LEA	
Compliance Indicators	Is the school complying with governance requirements? Did the Governing Body members respond to any concerns that were noted during the CSD's observation of the Governing Body meeting?
Requested Documents	
Other Documents	Governing Body Observation Form
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

V-A.01: Governance and Reporting

Updated 09/13/2017 by Becky Kappus

SEA Status	Falls Far Below Standard FINAL
LEA Status	In Progress
Comments by SEA	9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not submit the requested annual evaluation of the head administrator and this indicates that the school is not complying with applicable education requirements as is required by V-A.01: Governance and Reporting. Requested Feedback: The school will need to submit the annual evaluation for the head administrator.
Comments by LEA	
Compliance Indicators	Is the school holding management accountable?
Requested Documents	Submit the governing body's written annual evaluation of the head of school that holds the head of school accountable for performance expectations.
Other Documents	
Legal References	

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A. 00: Employees

Updated 09/13/2017 by Becky Kappus

SEA Status	Falls Far Below Standard FINAL
LEA Status	In Progress
Comments by SEA	9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not submit 1) evidence that all staff have the proper teacher endorsements or are if not are on an (b) improvement plan, 2) a process to ensure all licensed staff have required licensure as required by state law, and 3) a process and plan to ensure the school sends out a written notification in the case a parent is teaching for more than 4 consecutive weeks and does not hold a license, endorsement, or is a long term substitute as

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required by NMAC 6.29.1.9(B)(9)(b).

This indicates that the school is not complying with applicable education requirements as is required by VI-A. 00: Employees

1/2/2017 - This school has had discrepancies with reporting to the licensure bureau. These discrepancies indicate the school has not demonstrated compliance with certification requirements. The school had 1 discrepancy at the 40 day reporting date. The school had 0 discrepancies at the 80 day reporting date. This school had 0 repeated discrepancies on the 80th day that were not corrected from the 40th day. The reported discrepancies did include concerns about employees lacking a valid background check with PED.

3.22.17 Site Visit: The PED team observed that the teachers assigned to teach: (a) Integrated Fine Arts and (b) Spanish Elementary Science do not have the requisite endorsements (e.g., Visual and Performing Arts). School was unable to provide evidence of written notice to affected students. NMAC 6.29.1.9(B)(9)(b) states, "When, by the end of a consecutive four-week period, a child is still being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement, the school district or charter school shall provide written notice to the parent or guardian that the child is being taught by a substitute teacher or a teacher not holding the requisite licensure or licensure endorsement." The school must also submit the "Substitute Exceeding 45-Day Limit Waiver Request" form via e-mail to: Waivers.PED@state.nm.us as the rule states that "the secretary shall consider deviations from the requirements of Subparagraph [c] of Paragraph [9] of Subsection B of 6.29.1.9 NMAC when a written request by a local superintendent or charter school administrator is submitted" (section d).

Requested Follow-Up:

- 1) Please provide evidence that all staff have the proper teacher endorsements or are if not are on an (b) improvement plan.
- 2) Please provide a process and plan to ensure all licensed staff have required licensure as required by state law. This process and plan should include responsible parties, timelines, and action steps.
- 3) Please provide a process and plan to ensure the school sends out a written notification in the case a parent is teaching for more than 4 consecutive weeks and does not hold a license, endorsement, or is a long term substitute.

Comments by LEA

Compliance Indicators Is the school meeting teacher and other staff credentialing requirements?

Requested Documents The school demonstrates compliance with certification requirements and mentorship requirements

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A. 01: Employees

Updated 09/14/2017 by Becky Kappus

SEA Status Meets Standard FINAL

LEA Status In Progress

Comments by SEA 9.14.17 NMPED Rating: PED has rated this indicator as "Meets Standard" because, at this time, PED has not been presented with any evidence that school is not complying with the requirements as is required under VI-A.01: Employees.

1/3/2017 – Carinos De Los Ninos District Office has completed 100% of Domain 2 and 3 Observations in Frontline/Oasys. The school must complete 6 observations by end of spring semester based on the data provided in Frontline/Oasys. The school has not started 0 observations, has 0 observations in progress, and has completed 6 observations. However, in STARS the school reports 7 teachers with students enrolled in their courses. The school has a discrepancy in the number of teachers reported in Frontline/Oasys vs. STARS.

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Requested Follow-Up: School provides narrative description as to why there is a discrepancy in the number of teachers in Frontline/Oasys when compared to the number of teachers reported in STARS.

Comments by LEA

Compliance Indicators Is the school respecting employee rights?

Requested Documents The school demonstrates compliance with: The school personnel act, Charter School Act, FMLA, ADA, the right to organize collectively, the right to PD and evaluations

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A.02: Employees

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final " because the school did not provide the required background checks for the 12 staff members who did not have a background check in their files and the school did not provide a process including timelines and persons/positions responsible ensuring school will secure a background check for all staff prior to employment.
This indicates that the school is not complying with applicable education requirements as is required by VI-A. 01: Employees.
3.22.17 Site Visit: The PED team reviewed all the staff files. The team observed that 12 of 18 files did not include a background check (See NMSA 22-10A-7.).
The PED Team did not see background checks for the following:
Rosella Valdez, Sandra Garcia, MaryEllen Fresques, Melba Jaramillo, Elizabeth Martinez, Lisan Hanga, Diana Valdez, Bernice Life, Joshua Lawyer, Deana Naranjo, Vernon Jaramillo, Theresa Garcia

Requested Follow-Up:
1) Please upload a background checks for each of the 12 staff files missing a background check. (Please be sure to redact identifying information such as social security numbers. These must be cogent or PED background checks (AS400 print-outs are not acceptable) .
2) Please provide a process or plan including timelines and persons/positions responsible ensuring school will secure a background check for all staff prior to employment.

Comments by LEA

Compliance Indicators Is the school completing required background checks?

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC Authorized Annual Monitoring

Requested Documents Evidence of compliance with applicable laws, rules, and regulations related to background checks of all individuals associated with the school

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.00: School Environment

Updated 09/13/2017 by Becky Kappus

SEA Status Meets Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating : PED has rated this indicator as "Meets Standard" because at this time, PED has not been presented with any evidence that school is not complying with facilities requirements as is required under VII-A.00:School Environment.
3.22.17 Site Visit: The PED team observed no evidence to indicate non-compliance with applicable laws, rules, and regulations relating to the school's facilities.

Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Is the school complying with facilities requirements?

Requested Documents Evidence of compliance with E-occupancy, facility condition rating, facility master plan, facility maintenance plan, fire inspections, facility variances, student transportation programs

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.01: School Environment

Updated 09/13/2017 by Becky Kappus

SEA Status Falls Far Below Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator "Falls Far Below the Standard Final" because the school did not provide that they have an approved safety plan, a plan to ensure current and previous year emergency drills are documented, and plan to ensure all staff take the child abuse detection course within the first year of employment as required under state law (see NMAC § 1.21.2.1 – 1.21.2.943).
this indicates that the school is not complying with applicable education requirements as is required by VII-A.01: School Environment
1/2/2017 - The school's Safe Schools plan needs revisions. A revised plan must be submitted by 1/20/2017.

3.22.17 Site Visit: The school was unable to provide documentation that teachers have taken and passed the child abuse, neglect and detection course (See NMSA § 22-10A-32). The school was also unable to provide documentation for emergency drills from the prior year which should have been kept (see NMAC § 1.21.2.1 – 1.21.2.943).

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC Authorized Annual Monitoring

Requested Follow-Up: School provides documentation of:
(a) an approved School Safety Plan (e.g., e-mail correspondence from Coordinated School and Wellness Bureau of the NMPED,
(b) a plan to ensure current and previous year emergency drills are documented (e.g., office manager will keep records of emergency drills),
(c) all staff having completed the child abuse, neglect and detection course.
(d) a process and plan to ensure all staff take the child abuse detection course within the first year of employment as required under state law.

Comments by LEA

Compliance Indicators Is the school complying with health and safety requirements?

Requested Documents Evidence of compliance with Safe Schools Plan, School Health Rules Checklist, providing appropriate health services, meeting food service requirements, other resources as required

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.02: School Environment

Updated 09/13/2017 by Becky Kappus

SEA Status Meets Standard FINAL

LEA Status In Progress

Comments by SEA 9.13.17 NMPED Rating: PED has rated this indicator as "Meets Standard" because at this time, PED has not been presented with any evidence that school is not complying with VII-A.02:School Environment.
3.22.17 Site Visit: The PED team observed evidence that the school is storing student and staff files in locked fireproof cabinets.
Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Is the school handling information appropriately

Requested Documents Evidence of compliance with requirements related to STARS data system, FERPA, IPRA, transfer of student records, testing materials, safe storage of documents

Other Documents

Legal References

ORGANIZATIONAL PERFORMANCE FRAMEWORK

School Specific Terms

Updated 06/09/2017 by Baylor Del Rosario

SEA Status Not Applicable

LEA Status In Progress

MONITORING INSTRUMENT ITEM REPORT

Carinos de los Ninos

PEC Authorized Annual Monitoring

Comments by SEA	3.22.17 Site Visit: The PED team has rated this indicator "Not Applicable" because the school had no school specific terms. Requested Follow-Up: None.
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Comments by LEA

Compliance Indicators The school reports and provides data on any terms specified in the Performance Framework.

Requested Documents

Other Documents

Legal References



NATIONAL
CHARTER SCHOOL
RESOURCE CENTER
AT SAFAL PARTNERS

A USER'S GUIDE TO FISCAL OVERSIGHT: A Toolkit for Charter School Governing Boards





The National Charter School Resource Center (NCSRC) is dedicated to supporting the development of high-quality charter schools. The NCSRC provides technical assistance to sector stakeholders and has a comprehensive collection of online resources addressing the challenges charter schools face. The website hosts reports, webinars, and newsletters focusing on facilities, funding opportunities, authorizing, English learners, special education, military families, board governance, and other topics. The NCSRC is funded by the U.S. Department of Education and led by education consulting firm Safal Partners.

www.charterschoolcenter.org



Safal, meaning “good outcomes” in Sanskrit, is a mission-driven strategy consulting firm that supports education reform efforts at the federal, state, district, and school level. We bring deep domain knowledge in the charter sector, human capital management systems, and next generation learning. Safal Partners’ clients include the U.S. Department of Education, leading foundations and non-profits, and state and district agencies.

www.safalpartners.com

PROJECT CONTRIBUTORS

Project Director

Mukta Pandit

Author

Suzie Kim and Paul O’Neill

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Safal Partners: Kim, S. (2016). A User’s Guide to Fiscal Oversight: A Toolkit for Charter School Governing Boards.

National Center for Special Education in Charter Schools: O’Neill, P. (2016). A User’s Guide to Fiscal Oversight: A Toolkit for Charter School Governing Boards.

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INTRODUCTION



Purpose and Use of this Toolkit

The purpose of this toolkit is to equip charter governing boards to exercise proper fiscal oversight. When charter schools close, it is generally due to a mix of financial, operational, and academic problems. Poor financial performance is often the most important factor in many closures.

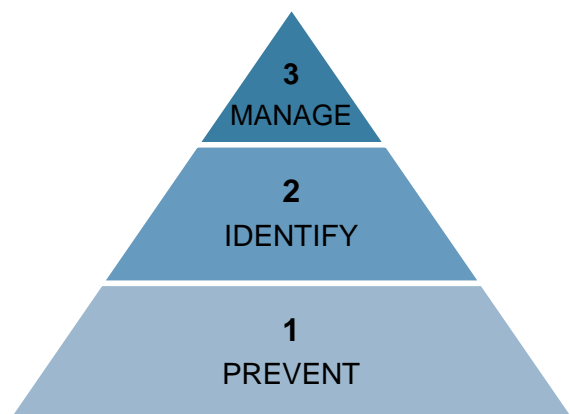
This toolkit compiles best practices and recommendations based on a comprehensive literature review and interviews with subject matter experts, including authorizers, charter support organizations (CSOs), charter management organizations (CMOs), funders, attorneys, and charter finance specialists. The toolkit also draws from established findings on fraud and governance from the broader nonprofit sector.

Each subsection of this toolkit contains a set of checklists examining how to: 1) prevent, 2) identify, and 3) manage common financial issues. Of these, schools should aim first to prevent financial problems. However, the level of oversight and the complexity of each school's financial oversight system will depend on its specific needs. In some cases, detection and prevention may be the same since effective detection can deter potential fraud.

Other stakeholders, such as school leaders and developers, can use the sections on 'prevention' to uncover potential school-level vulnerabilities.

While the toolkit includes best practices, because specific needs depend on individual and state contexts, boards who use this toolkit should also be sure to

Figure 1. Toolkit Framework



consult their state law, accountant, legal counsel and authorizer, as appropriate, to determine appropriate oversight.

Scope of Fiscal Responsibility

Both authorizers and governing boards are key stakeholders responsible for ensuring a school* is financially viable and able to pursue its primary educational goals. While some responsibilities of the board and the authorizer overlap, the activities of one do not reduce or replace the other's responsibilities, as each has different information about the school. To effectively oversee charter schools, authorizers must understand what constitutes strong financial oversight practices by schools. Likewise, the governing boards of schools need to understand their responsibilities and how their authorizer expects the board to oversee their school's financial operations. Please see the accompanying [Authorizer Fiscal Oversight Toolkit](#) for more information.

Boards of Trustees

The board of trustees (also the 'governing board' or 'charter board') is the governing authority of the school or network of schools. It has ultimate responsibility for the school's financial stability and integrity. A charter school authorizer permits each charter school to operate as a public school. Because the entire governing board oversees the charter, each board member, not just the treasurer or members of the finance committee, has a fiduciary responsibility. Among other roles, the governing board has the responsibility to ensure:¹

- Effective financial oversight;
- Realistic budgeting and monitoring of budgets;
- Appropriate internal controls and procedures;
- Timely and accurate financial reporting; and
- Adequate financial resources.

Compared to authorizers, governing boards have a greater degree of information and authority over the financial state of their schools. They are best positioned for the prevention, early identification, and management of problems, should they arise.

* When we refer to a "school," we are referring to the non-profit organization that holds the charter. However, there are exceptions to the non-profit structure. For example, in California, some charters are structured as public schools under California law. In Arizona, an individual may hold a charter contract. In most circumstances, a charter is held by a non-profit organization overseen by that school's governing board.

Types of Financial Issues

There are two major areas that cause financial issues for charter schools: financial insolvency and fraud. This toolkit distinguishes poor financial performance from fraud because the oversight practices and recommendations differ for each.

1. Lack of Financial Health and Sustainability

While cases of fraud may receive more attention, poor financial management is more common than financial misfeasance or fraud.² The financial health and sustainability of a school require effective financial management by the school's board and leadership to establish the viability of the school. The Center for Education Reform identifies the two major drivers of financial failure for charter schools:³

- Under enrollment: Failing to attract enough students constrains the school's main source of revenue, since public funding is tied directly to enrollment. Schools that over-estimate enrollment may suffer from underlying quality issues. Under enrollment is further complicated when schools fail to adjust budgets and expenditures, especially if enrollment drops during the school year.
- Inadequate funding: In many states, charter schools are considered their own district or local education agency (LEA). This can create financial obligations for individual charter schools that most individual district-managed schools do not face. Regardless of LEA-status under each state's charter law, generally, charter schools receive fewer dollars than the local traditional district schools.⁴ In particular, charter schools do not receive facilities funding in most states; they must spend operating funds on facilities costs, which constrains their operating budget. External risks, such as declines in charter school funding, exacerbate this issue and increase the probability of deficit and default. Depending on location, inadequate funding for specialized populations, such as students with disabilities and English learners, increases the challenge.

Other common issues that charter schools face include:

- A lack of financial expertise among the board or management;
- Facility-related issues, including insufficient equity, unsustainably high rent, and poor lease terms;
- Cash flow challenges related to delays in per pupil payments;
- Failure to properly anticipate and cover funding gaps; and
- Inadequate fundraising or unrealistic fundraising expectations.

2. Fraud and Misfeasance

Fraud is defined as deceiving or misrepresenting or as the crime of using dishonest methods to take something valuable.⁵ While it may ultimately lead to financial distress, fraud is distinct from poor financial management because it includes the underlying intent to deceive or misrepresent.⁶ Most relevant for this toolkit, it often takes the form of financial misfeasance or malfeasance¹. Some prior cases of charter school fraud have included:

- Asset misappropriation, including fraudulent check disbursements or expense reimbursements;
- Conflict of interest in procurement of services or facilities, such as related party transactions or self-dealing;
- Management companies that fail to deliver contracted services; and
- Inflation of enrollment figures and falsified attendance records.

It is impossible to eliminate the risk of fraud or mismanagement, and collusion increases the difficulty of detection, especially when school leaders or board trustees collude to manipulate documentation and reporting. However, strong internal controls and a properly-implemented checks and balances system mitigates this risk. At the school-level, the board must determine the most appropriate prevention and detection measures. A cost-benefit analysis may help identify weak points and policies to mitigate the greatest risks.

¹ Malfeasance is any intentional conduct that is wrongful or unlawful and is at a higher level of wrongdoing than nonfeasance (failure to act where there was a duty to act) or misfeasance (conduct that is lawful but inappropriate).

FINANCIAL OVERSIGHT: HEALTH AND SUSTAINABILITY



Prevention

While schools cannot anticipate every threat, proper planning and budgeting will strengthen a school's resilience to internal and external risks. Proper stewardship of public funds is primarily contingent on financial literacy, budgeting, monitoring, and risk management. By focusing on preventative measures, schools and authorizers can take a proactive approach to financial management.

1. ENSURE FINANCIAL LITERACY

- ☐ *Ensure that the board includes members with sufficient financial knowledge to make informed decisions about the school budget and financial management.*

- ☐ *Set minimum requirements for finance committee members and administrators who engage with financial matters.*

Minimum requirements may include prior accounting or financial management experience and demonstrated financial literacy such as interpreting financial reports. Boards should prioritize operational and education finance experience over other types of financial expertise, such as investment banking or real estate development experience.

- ☐ *Invest in financial training for the board.*

Members of the finance committee should provide or coordinate board-wide financial training; they can also leverage CSO trainings. All board members should be able to read and interpret financial statements.

2. PROPER BUDGETING AND FORECASTS

- ☐ *Approve a conservative budget.*

Charter schools should budget conservatively. In particular, schools should estimate per pupil funding and fundraising carefully. Per pupil funding projections should be based on the last two years of expenditure by district and state charter school law funding provisions.⁷ Consider the current fiscal and funding environment and make adjustments accordingly. To prevent overreliance on a nonguaranteed funding source, in the absence of donor commitments, boards should assume minimal fundraising.

☐ *Approve a long-term financial plan.*

The long-term financial plan is usually a 5-year budget for assumed per pupil revenues, capital projects, and operating expenses. Update forecasts as changes occur.

☐ *Benchmark the school's budget and expenses to comparable schools.*

Research per pupil expenses for charter schools in similar settings. Understand how the school's expenses differ from other schools because of a specific situation or mission (e.g. a focus on special education).⁸

☐ *Regularly review and update the budget and its underlying assumptions as material changes occur.*

Conduct quarterly reviews of the budget unless problems prompt monthly reviews. Adjust the budget to reflect developments that may affect expected income or expenses. Some key assumptions include projected enrollment, staffing, wages and benefits, facility costs, and non-personnel costs for students' needs.⁹ Verifying assumptions may include management review, comparisons to similar institutions, or confirmation of assumptions through local charter school networks. Eighty percent of assumptions should be comparable to similar schools.¹⁰

☐ *Ensure that the school relies primarily on public per pupil funding for revenue.*

For ongoing expenses, schools should not rely on fundraising, donations, or grants. Instead, they should use per pupil funding to ensure that revenue sources are stable in the long-term. With large, one-time grants, boards should create a strategy to transition off of grant funds as grant-funded programs are completed.

☐ *Understand budget sensitivity and the thresholds at which the school approaches a deficit.*

Boards can complete a sensitivity analysis to show how different variables of the budget link to one another and how they respond if the assumed values are different than expected. For example, what is the enrollment number at which the school approaches a deficit?

☐ *Maintain sufficient cash reserve balances.*

Each board should determine the appropriate level of cash reserves to cover potential budget shortfalls or under enrollment and the appropriate amounts to maintain annually and at various times in the lifecycle of a charter school. Cash reserves also bolster creditworthiness to lenders when the school is ready to borrow. A commonly recommended target across experts and those we interviewed is about 5-10%¹¹ of the budget. Retaining excessive funds in reserve can also be perceived as evidence a school is not using per pupil funds as intended (i.e., on students). If cash reserves exceed 10% of the budget, boards should have a plan to spend down excess reserves unless the large reserve is part of an appropriate long-term strategy, such as a facilities purchase or major upgrade.

3. REGULAR MONITORING PRACTICES

☐ *Review interim financial reports on a cash and accrual basis.*

Boards should review reports monthly. Statements should be analyzed both *horizontally* and *vertically*. A horizontal analysis compares ratios and figures over time. A vertical analysis compares each expense as a percentage of the whole. Financial reports include statement of activities (income statement), budget status report (budget vs. actual), statement of financial position (balance sheet), cash flow projections, enrollment (forecast vs. actual), and annual debt schedule if applicable. (*Discussed in further detail in the Identify section.*)

☐ *Use a financial dashboard.*¹²

A financial dashboard is a dynamic overview of the school's current financial status using key aggregated data. Boards should customize the dashboard to their school's needs, but some important indicators are in the Identify section (Section I.B.) below. Detailed guidance on creating a financial dashboard is in the [Toolbox](#).

☐ *Institute regular, independent and qualified financial audits.*

Boards should monitor the implementation of auditor recommendations. We recommend that boards use independent auditors, who can provide an unbiased evaluation of the school's finances. Boards should evaluate auditors on criteria including experience, staff qualifications, references, professional affiliations, technical abilities, peer review opinions, and fees.¹³ For larger boards, creating an audit committee separate from the finance committee may provide an additional layer of checks and balances.¹⁴ The audit service provider should be changed every three to five years to ensure independence.¹⁵

☐ *Monitor the sources of revenue.*

Boards should monitor quarterly state revenue forecasts for potential state funding rescissions.¹⁶ In particular, boards should look at restricted funds such as grants and title funding to ensure that the school follows all spending restrictions and is prepared for the eventual end of any significant, but temporary, funding flows.

☐ *Ensure a timely submission of required documents.*

Boards should ensure that school leaders create a master calendar for the timely and proper submission of required reporting.

☐ *Review and approve any large purchases and contracts to ensure alignment with adopted budget.*

Every board should define what constitutes a 'large', or irregular, purchase as schools will vary in spending patterns. Once they define spending thresholds, boards should establish and communicate a clear process of approvals for large purchases.

☐ *Maintain tax-exempt status.*

Eighty-seven percent of charter schools are nonprofits¹⁷; 501(c)(3) organizations have additional requirements to fulfill. The board should ensure that proper filing requirements are submitted and avoid restricted activities, such as lobbying. Please see the [Toolbox](#) for a list of resources for maintaining 501(c)(3) status.

- ☐ *Annual staff salary and structure review.*

A payroll audit should verify the payouts against contracts and ensure that the school is routing employee paychecks to the correct designations.¹⁸ Paying unreasonably high salaries may also endanger tax-exempt status.

4. REGULAR RISK MANAGEMENT

- ☐ *Ensure that the school has adequate insurance coverage.*

Confirm that the school has the appropriate insurance coverage necessary for the operation of the school. The required types of insurance and minimum policy limits differ according to state law. Insurance policies should be revisited annually or as schools grow to ensure coverage is sufficient for the school's current scale and operations. Some types of insurance that boards should consider include general liability, directors and officers, student accident, property, workers' compensation, unemployment compensation, motor vehicle, and errors and omissions insurance.¹⁹

- ☐ *Identify the greatest potential risks and run through risk scenarios.*

Create a systematic process for risk assessment. The process of identifying potential risks will help determine the most suitable prevention measures for the school. Potential risk scenarios can include: lower than expected enrollment, public budget cuts, drop in fundraising, delayed state funding, and increases in facility costs and repairs.

- ☐ *Implement additional controls where necessary.*

Once the board identifies potential risks, they should implement extra preventative measures for the greatest and most relevant risks, such as closer monitoring or increasing operating reserves.

Identification

Governing boards should fully understand and monitor all tools used by authorizers to evaluate their school's financial health. The National Association of Charter School Authorizers (NACSA) Financial Performance Framework is a core framework of financial monitoring primarily for authorizers. The framework is used in this toolkit as a starting point for boards to understand how authorizers will evaluate their school's financial performance and to identify potential problems. Boards may choose to use different ratios or calculations, but proper oversight should include indicators for school revenues, liquidity, and debt. The checklist below is a simplified version of the NACSA Financial Performance Framework with additional factors that may be red flags. The detailed Framework with measures and specific criteria is in Appendix A.

Using the Checklist

Boards can use the checklist below to identify areas of concern and as a template for an annual financial review. Many of these indicators are based on data available in the annual financial audit. NACSA's performance framework categorizes the checklist into 'near-term' and 'sustainability' measures. Failing 'near-term' standards will show

that the school is in immediate financial distress, while failing 'sustainability' standards indicates that the school is trending towards financial distress.

Each measure has up to two classifications that indicate risk: 'does not meet standard' or 'falls far below standard.' However, no single response that indicates risk is a standalone 'red flag' or a hard trigger for action. When a target is missed, the first response should be to understand the underlying reason. A holistic look at the school should ultimately guide the level of concern. If a school has two or more ratings of 'does not meet standard' or one or more of 'falls far below standard,' boards should gather more information, such as year-to-date financial statements, year-to-date budget variance reports, and updated budget projections.

1. Near-term Measures

A. CURRENT RATIO: <i>Current assets divided by current liabilities</i>
<input type="checkbox"/> Does not meet standard: Less than or equal to 1.0 or between 1.0 and 1.1 with negative one-year trend. <input type="checkbox"/> Falls far below standard: Less than or equal to 0.9.
B. UNRESTRICTED DAYS CASH: <i>Unrestricted cash divided by ([Total expenses minus depreciation expense]/365)</i>
<input type="checkbox"/> Does not meet standard: Between 15-30 days or between 30-60 days with negative one-year trend. <input type="checkbox"/> Falls far below standard: Fewer than 15 days.
C. ENROLLMENT VARIANCE: <i>Actual enrollment divided by enrollment projection</i>
<input type="checkbox"/> Does not meet standard: Between 85-95% in the most recent year. <input type="checkbox"/> Falls far below standard: Less than 85% in the most recent year.
D. DEFAULT
<input type="checkbox"/> Falls far below standard: School is in default or delinquent on debt service payments.

2. Sustainability Measures

A. TOTAL MARGIN AND AGGREGATED TOTAL MARGIN Total Margin: <i>Net income divided by total revenue</i> Aggregated Total Margin: <i>Total three-year net income divided by total three-year revenue</i>
<input type="checkbox"/> Does not meet standard: Aggregated three-year total margin greater than -1.5%, but trend is negative for last two years. <input type="checkbox"/> Falls far below standard: Aggregated three-year total margin is less than or equal to -1.5%, or most recent year total margin is less than -10%.
B. DEBT TO ASSET RATIO: <i>Total liabilities divided by total assets</i>
<input type="checkbox"/> Does not meet standard: Between 0.9 and 1.0.

<input type="checkbox"/> Falls far below standard: Greater than 1.0.
C. CASH FLOW
<input type="checkbox"/> Does not meet standard: Multi-year cumulative cash flow is positive, but trend is negative.
<input type="checkbox"/> Falls far below standard: Multi-year cumulative cash flow is negative.
D. DEBT SERVICE COVERAGE RATIO: <i>(Net income + Depreciation + Interest expense)/(Annual principal, interest, and lease payments)</i>
<input type="checkbox"/> Does not meet standard: Less than 1.1.

3. Additional Non-NACSA Measures

OTHER WARNING SIGNS²⁰
<input type="checkbox"/> <i>Significant variation in actuals to budgeted figures.</i> May indicate that budget projections are not realistic, or there are significant changes in the environment. Ensure that forward estimates are adjusted accordingly.
<input type="checkbox"/> <i>Constant accounts receivable throughout the year.</i> Constant accounts receivables indicate that the school is not collecting invoiced amounts properly.
<input type="checkbox"/> <i>Constant or increasing accounts payable.</i> Constant accounts payable indicates that the school is not making payments as requested.
<input type="checkbox"/> <i>Constant or steadily increasing payroll taxes and retirement balances.</i> Constant or steadily increasing payroll taxes and retirement balances may indicate that the school is not making the appropriate contributions.
<input type="checkbox"/> <i>Significantly higher expenses than district average or similar institutions (e.g. per pupil, per pupil occupancy, and instructional expense).</i>
<input type="checkbox"/> <i>Qualified opinions on the financial audit.</i> Any qualified opinions from the auditor indicate that the information was limited in scope or did not meet Generally Accepted Accounting Principles (GAAP).
<input type="checkbox"/> <i>Presence of short-term or bridge loans to cover shortfalls from cash flow constraints.</i>

Management

Boards must be actively involved in the management of financial issues and properly address any issues in a timely and effective manner. While specific actions vary according to the issue, the checklist below outlines important considerations. Year-end deficits and insufficient funds are immediate problems, but financial problems often point to a greater underlying issue that may require fundamental changes.

1. DETERMINE THE SEVERITY OF THE PROBLEM

- ☐ *Identify the root cause(s) of the financial problem.*

In many cases, financial insolvency stems from several underlying problems. For example, if a school is facing under-enrollment, there may be multiple reasons, including poor academic quality, insufficient marketing and outreach, or the lack of fit to the surrounding community. The board should conduct a thorough review of the financial statements and the school, including interviews with school staff and leadership, to identify all of the factors that may have contributed to the problem.

- ☐ *Estimate the cost of mitigation.*

The board should take into account both immediate and longer-term costs in determining the cost of mitigation. A school facing financial insolvency may need immediate access to capital. Immediate costs include all costs of avoiding default, which may include short-term borrowing. Longer-term considerations may include the cost of replacing leadership or staff, fundraising, marketing and outreach, finding a new facility, or replacing vendors.

2. CREATE A STRATEGY TO ADDRESS ISSUES

- ☐ *Create a short-term management strategy.*

In the short-term, the board should focus on accessing liquidity channels, including fundraising or loans. In most cases, accessing a loan takes about 2-3 months. Therefore, it is important to act as soon as possible. The board should also revisit the approved budget to cut costs wherever possible and reallocate funds.

- ☐ *Create a long-term management strategy.*

Bringing in external experts as necessary, the board should create a conservative, multi-year plan for increasing revenue or decreasing expenses. For example, the board may seek to build enrollment through improvements in educational programming or recruitment and community engagement. The first consideration should be the addition of support systems and proper controls. While financial issues may not necessitate a change in management, it should at least merit a review of management competencies.

3. ADDITIONAL CONTROLS

- ☐ *Ensure implementation of appropriate financial controls.*

The board should institute financial controls to address the triggers to prevent reoccurrence.



TOOLBOX: Financial Health and Sustainability

- New York State Education Department (NYSED): [Fiscal Oversight by the Board of Trustees Webinar](#)
This comprehensive webinar hosted by NYSED addresses internal controls for charter schools, basic fiscal literacy for boards, creating a financial dashboard, and mitigating fiscal risk. The slides from the webinar can be accessed [here](#).
- California Charter Schools Association: [Charter School Financial Management Guide](#)
This updated 2015 guide features planning tools for boards, highlighting important considerations.
- BoardOnTrack and ExED: [Financial Oversight Toolkit](#)
This toolkit provides best practices of financial oversight with primers covering roles and responsibilities and general financial management.
- Charter School Growth Fund (CSGF): [Facility Affordability Tool](#)
CSGF offers a tool that boards can use to answer the question: “how much building can I afford?”.
- ExED: [Fiscal Policies and Procedures Handbook](#)
A sample policies and procedures handbook that boards can use to create policies and procedures.
- Charter School Tools: [Financial Management](#)
Charter School Tools has compiled a comprehensive set of resources on financial management, including audit checklists, sample expense reports, and sample finance guidelines.
- State University of New York (SUNY): [Fiscal Templates](#)
SUNY’s collection of fiscal resources includes charter revision, renewal financial, and annual budget and audit templates for charter school boards.

Information for boards of 501(c)(3) status schools:

- National Council of Nonprofits: [Protect your nonprofit’s tax-exempt status](#) and [Annual Filing Requirements for Nonprofits](#)
Guidance documents for organizations on considerations to maintain non-profit status.
- Internal Revenue Service Guidance: [Charter School Reference Guide](#)
Charter-specific information on maintaining 501(c)(3) status while contracting with a management company.

FINANCIAL OVERSIGHT: FRAUD AND MISFEASANCE



Prevention

Both charter schools and those who oversee them have responsibilities to prevent fraud. Schools need to have strong practices in place and ensure that they are uniformly carried out. Governing boards must be aware of what strong financial practices look like and implement appropriate controls and practices.

1. PRACTICE A CULTURE OF FISCAL ACCOUNTABILITY

- ☐ *Create a financial policies and procedures manual and a written code of fiscal conduct, which is shared with all employees.*
- ☐ *Commit to compliance.*
Lax practices negate strong policies. The board must ensure that the school as a whole is carrying out articulated financial policies.

2. ENSURE TRANSPARENCY AND ACCOUNTABILITY

- ☐ *Establish multiple layers of accountability in the reporting structure.*
There should be multiple layers of financial oversight. Boards should arrange for layers of accountability. For example, staff who oversee bank accounts and other assets, and who process and track accounts receivable and payable, should report to a business or finance or operations manager who oversees these tasks. The complexity of a school's staff can vary, but every school should adopt layers of oversight. The manager should report up to the Executive Director or Head of School, who reports directly to the Board of Trustees.
- ☐ *Set up a separation of duties.*
No single individual should have control over two or more phases of a financial transaction or business operation. For small schools, the board can either outsource activities, such as bookkeeping, or increase the frequency of board review of records.²¹
- ☐ *Introduce a checks and balances policy.*
The board should require multiple signatures on all checks and disbursements over a determined threshold and every authorization of payment.

3. PRACTICE PROPER PROCUREMENT AND CONTRACTING

- ☐ *Create a conflict of interest policy.*

Guard against any potential self-dealing transactions through which school staff or board members benefit financially from contracts with the school. The policy should articulate full disclosure, board abstention from discussion and voting, and staff abstention from decision-making.²²

- ☐ *Institute a procurement policy.*

Establish evidence of market rate compensation through comparative shopping for services or multiple bids, arm's length negotiation, and board independence.²³ There should be threshold amounts for purchases that require board approval.

4. RESTRICT ACCESS TO FUNDS

- ☐ *Establish a credit card policy.*

Restrict credit cards usage to a limited number of staff members. Ensure that any school-issued credit cards are used only for viable school purposes and not for personal expenses. The credit limit should be monitored to remain at a sufficiently low level. The school should avoid using debit cards because they are cash equivalents.

- ☐ *Create a fund disbursement policy.*

Authority to expend funds on behalf of the school should be limited to a few individuals, each of whom should be thoroughly vetted and is subject to transparency and accountability requirements. Disbursements should require a vendor invoice, a receiving document, and appropriate purchase approval.²⁴

- ☐ *Set up a policy for cash receipt and disbursement.*

Documentation such as pre-numbered receipts should verify all funds collected. All cash should be stored in a secure location before deposit, and deposits should be made promptly. Cash registers should track all sales.²⁵

- ☐ *Enact a reimbursement policy.*

Reimbursement of expenses should be prudent, transparent, and subject to the school's standard financial practices. The school should consider adopting federal or state reimbursement rates for expenses on charter school business to ensure that expenses are within a reasonable range.²⁶

5. INSPECT HUMAN RESOURCES

- ☐ *Review salary schedule of highly-compensated employees.*

Boards are responsible for reviewing and approving staff salaries and school leader compensation. They should ensure the salary structure aligns with industry standards and is not excessive when compared to other charter schools. If salaries are higher, the board should properly document the reasons for the variance, as charter school salaries may differ from those in traditional public schools for legitimate reasons.

- ☐ *Ensure that the appropriate systems for employees are in place.*

Boards should make sure that management maintains appropriate human resources systems such as hiring (e.g. conducting background checks on all potential employees before making an offer) and payroll (ensuring accurate reporting of employee hours).

6. REVIEW AND MAINTAIN ACCURATE RECORDS AND ACCOUNTS

☐ *Understand accounting standards.*

Schools should be fully familiar with statewide accounting standards (e.g. Financial Accounting Standards Board in New York, the more restrictive Government Accounting Standards Board in New Jersey and the still more restrictive controls in Hawaii that regulate charter schools as governmental entities).

☐ *Reconcile financial records to prevent accounting fraud.*

☐ *Verify enrollment figures through site visits or by conducting board meetings at the school.*

☐ *Document all transactions.*

☐ *Review of bank accounts and reconciliation.*

Authority to open and close accounts should be restricted, and boards should monitor account statements monthly to ensure that fraud does not persist and for the presence of unknown accounts.

7. ENSURE PROPER EXTERNAL AUDITS

☐ *Contract an external auditor.*

Annually contract with an external auditing firm, which should conduct an independent audit of the school's financial records, including a sampling of transactions and other metrics and compare self-reported financials to audited financials, looking for any discrepancies, misrepresented revenues or expenses and any unreconciled or unrecorded liabilities.

8. PROTECT AND ENCOURAGE WHISTLEBLOWING

☐ *Create a whistleblower hotline or reporting procedures.*

Tips from internal sources are the main method of fraud detection for all organizations. The school should clearly communicate internal reporting procedures for fraud or misconduct. Allowing anonymous complaints may increase the likelihood of reporting but should prompt as much detail as possible because follow-up may be difficult.

☐ *Institute a whistleblower protection policy.*

A clearly communicated policy protects any individuals who report suspicious activity from retaliation by school management.

9. IMPLEMENT AUTOMATED CONTROLS

☐ *Turn on automatic notifications.*

Make sure that multiple board members receive electronic notifications for bank account activity and balance thresholds.²⁷

Identification

Despite the variety of fraud cases, instances of financial fraud in charter schools have consistent themes of inadequate internal controls, lax practices, and insufficient oversight at the management, board, and authorizer levels. We have included the most prevalent areas of weakness as common indicators of concern below.²⁸ While the presence of these indicators does not confirm fraud, the presence of one or more requires further investigation. Any board actions related to the investigation of fraud may be subject to public scrutiny under the Freedom of Information Law or become publicly available in other ways (e.g., report of authorizer findings, notification of school probation, etc.). To fulfill oversight responsibilities, boards must be diligent in identifying and investigating any suspicious activity.

1. COMMON WARNING SIGNS IN FINANCIAL RECORDS
<ul style="list-style-type: none"><input type="checkbox"/> <i>Unusual and unexplained drops in profit or cash reserves.</i><input type="checkbox"/> <i>Lack of original receipts for reimbursement of expenses.</i><input type="checkbox"/> <i>Missing and disorganized documentation, such as vendor contracts.</i><input type="checkbox"/> <i>Large and unexplained increases in payments, management fees, or salaries.</i>
2. COMMON WARNING SIGNS IN FISCAL PRACTICES
<ul style="list-style-type: none"><input type="checkbox"/> <i>Concentration of authority.</i> Financial practices that concentrate too much authority in a single person, rather than layers of responsibility (e.g., the person who incurred the expense signs off on approval for payment).<input type="checkbox"/> <i>Little to no transparency.</i><input type="checkbox"/> <i>An unqualified individual managing the school's finances.</i><input type="checkbox"/> <i>Lack of implementation of written financial policies.</i><input type="checkbox"/> <i>Weak checks and balances policies.</i> Weak policies include caps on staff authority to sign checks that are set too high or not at all (e.g., no additional signatories required for large checks).<input type="checkbox"/> <i>Weak authorizer oversight.</i> The school's authorizer is not attentive to problems as they arise in the financial reporting from the school or to the monitoring of fiscal matters.

Management

Boards have a duty to conduct a fair and thorough investigation of any evidence of fraud. Below are several recommendations, organized by phases, for boards responding to potential fraud or misfeasance.

1. INITIAL ALLEGATION OR SUSPICION

- ☐ *Clearly document and carefully maintain records of all actions and decisions.*
Documentation ensures that the oversight bodies have fulfilled all of their responsibilities and can support any future investigations.

2. INVESTIGATION

- ☐ *Alert and escalate.*
If boards identify discrepancies or fiscal problems, internal or external financial experts should conduct a more intensive analysis. For example, if the board identifies an inappropriate or questionable expense, the board should review additional purchase orders for a period (e.g., a year). The board should escalate from a sampling to a more thorough forensic approach until the matter is sufficiently clear.
- ☐ *Gather evidence.*
The school leadership and board should take ownership of the problem and engage in fact finding.
- ☐ *Interview individuals in the school and take notes on statements.*
- ☐ *Look for discrepancies.*
Attempt to understand and reconcile any disparities among records and materials (e.g., receipts, purchase orders, coding of expenses, accounts, financial statements, related party transactions). Review audited financials, compare them to self-reported statements and accounts, and focus particularly on auditor notes and, where relevant, third-party transactions.



TOOLBOX: *Fraud and Misfeasance*

- Association of Certified Fraud Examiners: [Managing the Business Risk of Fraud](#) and [Sample Fraud Policy](#)
While not specific to the charter sector, this document contains key considerations and recommendations for internal fraud.
- Council of Nonprofits: [Internal Controls for Nonprofits](#)
This site offers multiple resources applicable to all charter schools to create responsible internal controls to prevent fraud and mismanagement.
- American Institute of Certified Public Accountants: [Sample Whistleblower Policy](#)
This document provides a sample whistleblower policy but should be amended to pertinent state laws.

FINANCIAL SPOTLIGHT



New Schools

New schools are the most financially vulnerable. The greatest potential issues are similar to those of established schools: facilities and enrollment. However, due to the absence of previous information on enrollment and expenses, as well as constrained cash flows, external risks are of greater concern. Research shows that ineffective schools may demonstrate financial issues in the first few years before showing any indication of poor academic performance.²⁹ Financial vulnerability may stem from early-stage failure to attract sufficient enrollment and a lag in performance data. While there may be schools with financial issues that are high-performing academically, severe financial issues ultimately impact all areas of performance.

ROLE OF THE BOARD

- ☐ *Be actively involved in financial management if necessary.*

If there are too few staff members to provide adequate separation of duties, the founding board may need to be involved in the day-to-day cash management, the signing of checks, and review of statements on a weekly basis. However, this should only be the case with capacity constraints. More mature boards should not be involved in day-to-day management practices.

- ☐ *Monitor cash flows more frequently.*

Because new schools are more likely to be cash poor, the board should increase the frequency of monitoring cash flows from quarterly to monthly reviews.

- ☐ *Develop a strategy to transition off of initial grants and fundraising and create intermediate benchmarks to monitor progress.*

- ☐ *Institute proper internal controls from the beginning.*

Smaller organizations tend to develop informal methods of operating which continue as they grow. Proper internal controls should be put in place to anticipate growth.



TOOLBOX: *New Schools*

The following documents provide additional information for boards about the recommendations provided in this section:

- Colorado League of Charter Schools: [New School Financial Resources](#)
Tools for founding boards including a budgeting worksheet, financial transaction checklist, and guide to reviewing key documents.
- National Resource Center on Charter School Finance and Governance: [Cost Estimation Tool](#)
This tool helps start-up charter school boards identify and estimate the range of costs and timing of expenditures during the first years of operation.
- Charter School Business Management: [Division of Financial Responsibilities](#)
A clear outline of the different responsibilities of the finance team, school leadership team, finance committee, and board of trustees.
- Walton Family Foundation: [School Business Plan Template](#)
This document provides the main considerations for charter school developers including an outline for a business plan.
- SUNY: [Charter School Business Plan Requirements](#)
This document outlines the business plan required by SUNY including ways to demonstrate organizational capacity and key documents.

Management Companies

It is important that boards preserve the ability to exercise complete oversight over how school funds are used. Also, boards must retain authority over the budget and decision-making. Most educational service providers are structured as nonprofit organizations, also called charter management organizations (CMOs), while others are for-profit, or education management organizations (EMOs). Management companies can provide either selective services or comprehensive management. The scope can include educational and administrative services, including accounting, procurement, and reporting.³⁰ Boards must keep the company accountable for performance across the provided services.

1. BIDDING FOR A MANAGEMENT COMPANY

- ☐ *Consider the management company as a vendor.*
Boards should treat management companies as organizations that work for the board, rather than the other way around. Therefore, boards should closely scrutinize all contracts and related financials.
- ☐ *Conduct full due diligence of the management company.*
Look for and require evidence of the provider's prior successes and challenges. Speak to current clients of the management company and authorizers of schools they operate to gain their perspective on the relationship and the operator's track record.

2. ENTERING INTO A MANAGEMENT AGREEMENT

☐ *Ensure independent board fiscal oversight.*

Look for the assignment and allowance of full board fiscal oversight in the management agreement. The agreement should not exclude the board from access to financial documentation and authority over the budget.

☐ *Carefully and thoroughly read the management agreement.*

Legal counsel review is essential. The board should retain separate and independent legal counsel for the review of the management agreement.

☐ *Conduct arm's length negotiations.*

There should be a clear separation of the contractor from the board, and the board should prohibit the contractor from selecting, approving, compensating, or employing board members. The school should avoid any conflicts of interest or the appearance of conflicts of interest.

☐ *Introduce controls around school asset ownership.*

Boards should be careful to protect all assets such as facilities, instructional materials, furnishings, equipment, and intellectual property.

☐ *Clarify compensation and financial affairs.*

Check for a clear compensation schedule, including all fees and bonuses. Clarify what funds will be available for the company's operational use and what will happen if expenses exceed revenue.

☐ *Think about renewal and termination terms.*

Termination provisions should favor the board rather than the management company. Ensure that there are no large financial penalties for terminating the relationship and that there are no 'poison-pill' penalties to terminating the management agreement.³¹ Preferably, the length of the contract should be no more than the length of the charter contract, terminating annually or every few years to give the board more flexibility. The renewal provisions should keep the management company accountable for performance.

3. MANAGEMENT RELATIONSHIP

☐ *Consider school networks.*

Make sure that there are appropriate checks and balances within the board if there is one board over a network of schools.

☐ *Oversee the management of funds.*

Ensure board oversight over the proper management of funds if the management company manages the day-to-day financial operations of the school. If one of the functions of the management company is to pay school bills, the school funds may be diverted into an account controlled by the management company from the school bank account.

☐ *Determine a limit for management fees.*

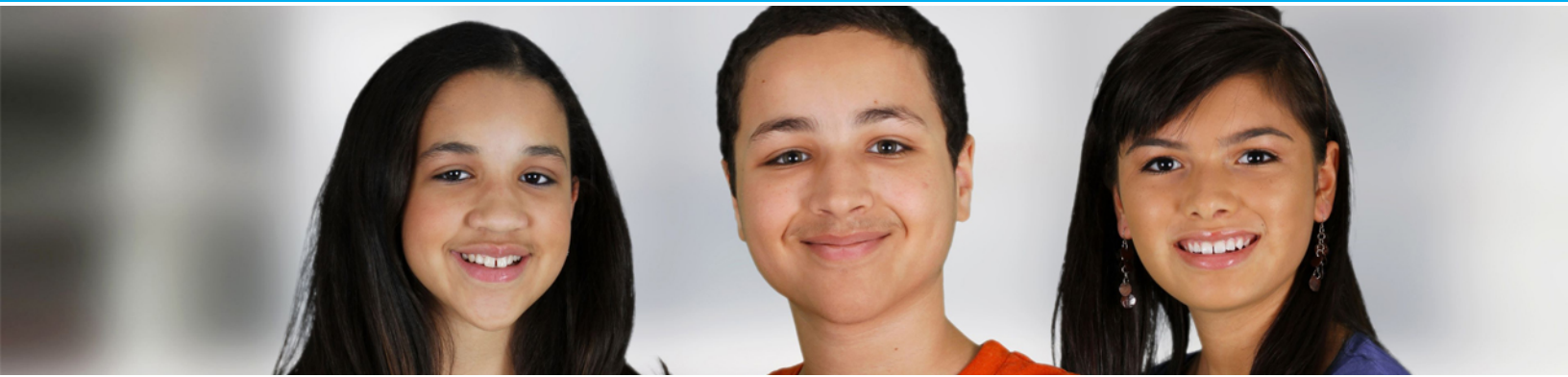
Ensure that the management fees do not exceed the revenue of the school. Depending on the services provided, CMO management fees are typically 3-10% of school revenues. EMO fees tend to be higher at 10-20% of revenue.³²



TOOLBOX: *Management Companies*

- Michigan Association of Public School Academies: [Marketplace for Service Providers](#)
This portal connects schools to quality providers by product/service and region.
- Charter School Tools: [Provider Evaluation Instrument](#) and [EMO Disengagement](#)
The first tool can help boards evaluate the contract compliance and functional performance of CMOs, EMOs, and any other service provider. The second tool is a checklist boards can use to transition away from an EMO.
- Walton Family Foundation: [Hiring a Management Company](#)
This document provides an overview of areas related to contracting with an EMO or CMO.
- Bill and Melinda Gates Foundation: Succession Planning in CMOs [Report](#), [Case Studies](#), and [Worksheet](#)
This set of resources provides guidance on creating a comprehensive and detailed succession plan from lessons learned in the field.

CONCLUSION



While this toolkit targets governing boards, fiscal oversight is important for all charter school stakeholders. In implementing the recommendations above, it is important for boards to partner with both their authorizer and the school's management to ensure the proper communication of policies throughout the school. However, boards should remember to focus exclusively on fiduciary governance rather than day-to-day financial management. A clear division of roles between the board and school administration facilitates the successful functioning of the school. In this way, charter schools as a whole can better serve the public to whom they are ultimately accountable.

Quick Reference Guide

BOARD FISCAL OVERSIGHT <i>Full fiscal oversight must consider both the general financial health of the school and the risk of fraud.</i>	
Financial Health and Sustainability <i>Effective financial management to avoid default</i>	Fraud and Mifeseance <i>Good governance to mitigate fraud risk</i>
<p style="text-align: center;"><u>Prevent</u></p> <ul style="list-style-type: none"> ✓ Ensure sufficient financial literacy within board. ✓ Review, update, and approve a conservative budget and forecasts, checking the budget, underlying budget assumptions, and the long-term financial plan. ✓ Regularly monitor the school's financial position, including interim financial reports on a cash and accrual basis, revenue sources, large purchases, financial reporting, and tax-exempt status. ✓ Manage risks by ensuring appropriate insurance coverage and implementing additional controls where necessary. 	<p style="text-align: center;"><u>Prevent</u></p> <ul style="list-style-type: none"> ✓ Practice a culture of fiscal accountability. ✓ Set up policies and procedures to ensure transparency and accountability. ✓ Practice proper procurement and contracting. ✓ Limit access to school funds. ✓ Review human resources policies. ✓ Review and maintain accurate records and accounts. ✓ Contract independent financial audits. ✓ Protect and encourage whistleblowing. ✓ Turn on automated controls.
<p style="text-align: center;"><u>Identify</u></p> <ul style="list-style-type: none"> ✓ Use a rubric to assess the immediate and longer-term financial state of the school, such as the NACSA Core Performance Framework. ✓ Scan for other warning signs, such as large variations between budgets and actuals, significantly high expenses, qualified audit opinions, and bridge loans. 	<p style="text-align: center;"><u>Identify</u></p> <ul style="list-style-type: none"> ✓ Look for warning signs in financial records, such as sudden drops in profit or cash, no receipts, missing documentation, and large increases in payments or salaries. ✓ Look for warning signs in a school's fiscal practices, such as the concentration of authority, no transparency, unqualified financial management, no implementation of policies, weak checks and balances, and unresponsive school leadership.
<u>Manage</u>	<u>Manage</u>

<ul style="list-style-type: none"> ✓ Respond immediately to financial issues by identifying the root cause and estimating the cost of mitigation. ✓ Create a short-term and long-term management strategy, which will most likely include accessing liquidity and then increasing revenue or decreasing expenses in the long run. ✓ Implement financial controls to prevent future reoccurrence. 	<ul style="list-style-type: none"> ✓ Upon initial suspicion, clearly document all decisions and designate the appropriate investigative body. ✓ Conduct thorough investigation to understand whether the issue should be escalated or a crime has been committed.
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Appendix A: Detailed NACSA Financial Performance Framework

1. Near-term Measures

	Meets	Does not Meet	Far Below
A. Current Ratio <i>Current assets divided by current liabilities</i>	<input type="checkbox"/> Greater than or equal to 1.1; <i>or</i> <input type="checkbox"/> Between 1.0 and 1.1 and positive one-year trend.	<input type="checkbox"/> Between 0.9 and 1.0 or equal to 1.0; <i>or</i> <input type="checkbox"/> Between 1.0 and 1.1 with negative one-year trend.	<input type="checkbox"/> Less than or equal to 0.9.
B. Unrestricted Days Cash <i>Unrestricted cash divided by ([Total expenses minus depreciation expense]/365)</i>	<input type="checkbox"/> 60 days cash; <i>or</i> <input type="checkbox"/> Between 30 and 60 days cash and one-year trend is positive.	<input type="checkbox"/> Between 15-30 days cash; <i>or</i> <input type="checkbox"/> Between 30 and 60 days cash and one-year trend is negative.	<input type="checkbox"/> Fewer than 15 days cash.
C. Enrollment Variance <i>Actual enrollment divided by enrollment projection</i>	<input type="checkbox"/> Equals or exceeds 95% in most recent year.	<input type="checkbox"/> Between 85-95% in the most recent year.	<input type="checkbox"/> Less than 85% in the most recent year.
D. Default	<input type="checkbox"/> Not in default of loan and/or not delinquent with debt payments.	Not applicable	<input type="checkbox"/> In default of loan and/or delinquent with debt service payments.

2. Sustainability Measures

	Meets	Does not Meet	Far Below
<p>A. Total Margin <i>Net income divided by total revenue</i> Aggregated Total Margin <i>Total three-year net income divided by total three-year revenue</i></p>	<p><input type="checkbox"/> Aggregated three-year total margin is positive and most recent year total margin is positive; <i>or</i> <input type="checkbox"/> Aggregated three-year total margin is greater than -1.5%, trend is positive for last two years, and the most recent year total margin is positive.</p>	<p><input type="checkbox"/> Aggregated three-year total margin is greater than -1.5%, but trend does not meet standard.</p>	<p><input type="checkbox"/> Aggregated three-year total margin is less than or equal to -1.5%; <i>or</i> <input type="checkbox"/> Most recent year total margin is less than -10%.</p>
<p>B. Debt to Asset Ratio <i>Total liabilities divided by total assets</i></p>	<p><input type="checkbox"/> Less than 0.9.</p>	<p><input type="checkbox"/> Between 0.9 and 1.0.</p>	<p><input type="checkbox"/> Greater than 1.0.</p>
<p>C. Cash Flow <i>Multi-year cash flow</i> <i>One-year cash flow</i></p>	<p><input type="checkbox"/> Multi-year cash flow is positive and one-year cash flow is positive each year; <i>or</i> <input type="checkbox"/> Multi-year cash flow is positive, cash flow positive in one of two years, and cash flow in most recent year positive.</p>	<p><input type="checkbox"/> Multi-year cash flow positive, but trend does not 'meet standard'.</p>	<p><input type="checkbox"/> Multi-year cash flow is negative.</p>
<p>D. Debt Service Coverage Ratio <i>(Net income + Depreciation + Interest Expense)/(Annual principal,</i></p>	<p><input type="checkbox"/> Equal or exceeds 1.1.</p>	<p><input type="checkbox"/> Less than 1.1.</p>	<p>Not applicable</p>

<i>interest, and lease payments)</i>			
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BY JOE KEENEY

How to Achieve a High-Performing Back Office

Editor's Note: This is the first in a two-part series on the importance of investing in and achieving an efficient back-office operation.

“Add just one more student per class schoolwide, and ... we can afford headhunters to find the best principals in the country, business managers to handle the non-instructional administration that would otherwise distract these great principals from driving high-quality instruction, ample professional development for teachers, museum trips for students, etc.”

— Eva Moscovitz, *The Washington Post*, March 27, 2011

Although this passage taken from a recent editorial by Eva Moscovitz, founder and chief executive of the Success Charter Network in New York, specifically addresses class size, her appreciation of the value of strong business managers is notable. Hire principals who want to be great building managers and you might get great charter school buildings but lackluster student achievement. Hire principals who want to be great instructional leaders and complement them with strong business managers, and you have a good chance of creating high-performing charter schools.

For our purposes, we will use the generic term “business manager” to encompass several charter school business titles, including chief financial officer, chief operating officer, director of finance and/or operations, school operations manager and business services manager.

Although the notion of hiring strong business managers may seem simple, time and time again we see boards and principals hire under-qualified

business managers who cannot manage the complexity of charter school business and operations needs. These under-qualified staff often burn out and resign at a high rate; they miss deadlines and fail to comply with grant requirements risking hundreds of thousands of dollars for their schools; and they are sometimes bulldozed by principals who have perverse agendas.

The consequences can be profound. The Center for Education Reform estimates 68 percent of charter schools that closed did so because of financial reasons or mismanagement, compared to only 14 percent attributed to academic performance. In addition, the National Association of Charter School Authorizers recently reported that fiscal issues were the top reason large authorizers closed charter schools outside the renewal process.

To avoid these pitfalls, there are several key actions you can take to get your back office to be a high-performing part of your charter school operation.

First, **pay up**. If you are a single-site, independent charter school, your business manager should be the second highest paid employee after the principal, although their salaries also can be on par with each other. Business managers may report to the principal but should have access to the board. Ideally, they should meet monthly with the board chair or treasurer and present at board meetings.

Everyone loves the principal on the first day of school, but board members should recognize that some principals will spend more time hiding things from the board than observing teachers in the classroom.

Second, **hire the right number of people**. A rule of thumb is that you should have at least one finance or operations staff member for every 150 students. This obviously puts enormous pressure on small and start-up charter schools that need to find people who can multitask across finance, operations, human resources, technology and compliance demands. The accompanying chart on [page 32](#) shows some typical back-office organizational structures.

Third, **hire the right kind of people**. I have yet to meet a business manager who is great at both operations and finance. Charter schools that have complex operational needs, such as their own facility management, security, transportation and/or foodservice, need to have strong operations

personnel. Those operational tasks are incongruent with cranking out financial statements, cash flow forecasts, budget revisions and grant reports. If you are lucky enough to have a district or third party manage your operations, you should consider hiring a person with more finance and accounting skills and experience.

Fourth, **ensure proper financial controls are in place.** Board members should meet annually with the school's independent financial auditor and follow up on any comments noted in the management letter. They should ensure their monthly financial reports are timely, accurate, clear and consistent. They should understand the differences between actual results and the budget, and

the forecast for the balance of the year. They should know how student activities funds and other cash on campus are controlled. Most importantly, they should ensure that bank reconciliations are performed regularly by an independent person (preferably the board treasurer).

The stakes here can be high. A business manager with a gambling problem recently embezzled \$600,000 in small checks from a charter school that should have been performing independent reconciliations of bank statements. Fortunately, the school had \$300,000 of insurance coverage against employee theft, which it collected. All charter schools should have this type of protective coverage.

Organizational Structures

Rough Rule of Thumb: 1 "back-office" staff per 150 students

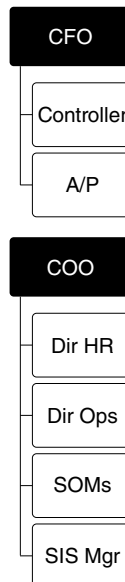
1 School



2-3 Schools



3+ Schools



Abbreviations: A/P - Accounts Payable; SOM - School Operations Manager;
SIS - Student Information Systems

**The Center
for Education
Reform estimates
68 percent of
charter schools
that closed did
so because
of financial
reasons or
mismanagement,
compared to
only 14 percent
attributed
to academic
performance.**

Finally, if these important back-office hires cannot be staffed internally, consider **outsourcing**. If there is a proven provider in your market, outsourcing can be the most effective strategy to charter school finance and operations management, offering many advantages that can be leveraged.

Proven providers should be able to demonstrate knowledge of state education department and authorizer requirements, and have existing relationships with those officials. These pre-existing relationships can help solve problems or get questions answered quickly. Proven vendors will know when to push back on random requests and how to prioritize multiple deadlines.

A provider's financial experience also can be advantageous, including delivering reports on time and successfully completing audits. I reviewed a recent authorizer report that showed only 10 percent of charter schools that did their own financial management and reporting were in compliance, while the majority of schools that outsourced were in compliance.

Outsourcing providers also should offer operational expertise, and not just in making the buses run on time. Proven providers should be able to help fine tune school operations so that fewer instructional minutes are lost to inefficiencies, such as lunch transition times, or burdensome reporting by instructional staff.

One high-performing charter organization even includes operational efficiency references in two of its four key strategic elements:

- "Optimized use of every minute of the school day together with a longer school day and year."
- "Highly developed and ingrained operational systems that enable teachers to focus on instruction."

Another advantage to outsourcing can be leveraging experience in maximizing categorical and grant revenue. Many times these are dollars school directors or the board would never know were missed. Charter schools often leave

**Great charter school business
managers are some of the unsung
heroes of the charter school movement.**

money on the table
by under spending in
reimbursable grant
categories and failing

**If you have them, nurture them.
If you don't, you need them now.**

to make adjustments based on actual spending.

Outsourcing providers also offer independence from the school principal and are accountable to the board for financial management. This independence is particularly important for new schools or expanding networks because there is a significant probability that a brand new charter school leader is not going to work out. These situations can cause enrollment to drop, expenses to rise, student funds to disappear, and adverse contractual commitments to be made before the board recognizes it is time to find a replacement.

In addition, the efficiency of proven outsourced providers likely means they can deliver their services for less than it would cost you to hire, train and retain or rehire your own staff. Many schools, for example, don't need a full-time chief financial officer, but they likely could use the expertise of a full-time CFO a few hours or days each month.

Outsourcing providers can typically work on a percentage-of-revenue basis, charging from 3 percent to 10 percent of revenue, depending on the scope of services and whether they employ school-based staff. They also can be hired on a flat-fee or retainer, or even on an hourly basis. I recommend the percentage-of-revenue model because it gives the provider an incentive to maximize the school's revenue and automatically reduces your cost if there is an enrollment or funding shortfall. A list of providers is available at www.charterschooltools.org/businessmanagers.

Part two of this series will appear in the June issue of *Charter Schools Insider* and examine performance management frameworks and contractor evaluation and feedback. In the meantime, please recognize that great charter school business managers are some of the unsung heroes of the charter school movement. If you have them, nurture them. If you don't, you need them now. Don't wait until it's too late. 🌱

Joe Keeney has helped scores of successful charter schools across the nation open and operate since 1997. He is the founder and CEO of [4th Sector Solutions](http://4thSectorSolutions.com), a provider of consulting and back-office support to charter school organizations. He also founded [Charter School Tools](http://CharterSchoolTools.org), an online resource for charter schools. He can be reached at joe@charterschooltools.org.

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How to Achieve a High-Performing Back Office

**Part II:
Performance Management
& Evaluation**

By Joe Keeney

Editor's Note: This is the second in a two-part series on the importance of investing in and achieving an efficient back-office operation. To read the first article, please see the [May issue, page 30](#).

Our first article in this series urged you to invest in top talent for your charter school business office. We recommended that you “pay up” for experience and competence, hire the right number and right kind of people, ensure financial controls are in place, and consider outsourcing as an effective solution.

Assuming you have implemented all of those strategies, you now need to ensure you can maintain a high level of performance. For that purpose, we will focus this article on performance management and evaluation.

Performance management is a hot topic in the education sector today. School districts are hiring directors of performance management; Race to the Top money is fueling investment in instructional improvement systems that put student achievement data and analysis tools in the hands of teachers; and education organizations are adopting benchmarking, operating dashboards and balanced scorecard practices that are common in the private sector.

Rather than simply create a laundry list of key performance indicators (KPIs) to monitor performance, high-performing organizations align their metrics to their overall mission and values. For example, at Friendship Public Charter School, which operates six charter schools serving 4,000 students as well as

turnaround schools in partnership with the District of Columbia and Baltimore City, two of the four “value drivers” of its mission are “Create an Environment Conducive to Learning” and “Maintain Organizational Strength and Long Term Viability.”

Some of the key metrics it has identified to manage its performance against these value drivers are listed in the table below and on page 39.

Value Driver: Create an Environment Conducive to Learning

Key Metrics

Number of building, health code or safety violations.

100% of certificates up to date (occupancy, elevator).

Work orders exceeding 3 days.

School hours lost to facilities issues.

% of monthly calendar events submitted by deadline.

Stakeholder satisfaction survey results about facility.

Student surveys: “I feel safe at school.”

Number of workers’ comp claims.

Average time between incident and claim.

These are just a few examples of the kind of metrics a board or principal can use to measure the performance of its business management function. Reporting on an agreed set of metrics is one step. Ensuring proper resources and other supports, such as time from the board treasurer and business manager professional development, is another step. Then the metrics must be woven into a performance evaluation process that provides actionable feedback to the business manager and has appropriate positive (bonus!) and negative (the opposite!) consequences.

The biggest problem with performance evaluation is many people and organizations never get around to it. Why? People are exhausted at the end of the year. They already know who is staying and who is going. There is not much money available for bonuses, nor is there much opportunity for promotion. People are uncomfortable giving feedback. Many traditional rubrics used for performance evaluation seem “icky” because they distill a year’s worth of sweat, blood and tears into vapid language or a 1 to 5 rating scale.

The process is much easier with data. Way back in the olden days, 99 percent of all teacher evaluations were “satisfactory” because there were no multiple measures of performance and student achievement data was not a factor in the evaluation. Now, by establishing, monitoring and reporting publicly on performance data, one key part of performance evaluation is simply a report on the key metrics — typically the data are transparent so those being evaluated can even produce their own evaluation reports.

Performance evaluation at charter schools should not just be limited to staff. Board members should consider an annual evaluation process and engage a third-

Value Driver: Maintain Organizational Strength and Long Term Viability

Key Metrics

Number of external reports submitted on time.

Number of e-mail notices of late or incorrect submission received.

Number of formal notices of late or incorrect submission received.

Unscheduled network downtime.

Number of errors identified in internal audit of student data records.

Number of funding applications completed.

Percent approval of timesheets by deadline.

Number of manual checks cut.

Average expense reimbursement time from time of submission.

Number of audit reclassifications and adjustments.

Number of contracts amended to increase amounts.

Percent of expenditures on school site.

YTD revenue and expense vs. budget.

Percent of monthly financial reviews attended by business manager and principal.

Percent of financial reports submitted to board accurately and on time.

Percent of annual budget added to reserves.

Dun & Bradstreet credit rating.

Clean audit; number of issues in management letter.

party facilitator to assist. Nothing fancy here. Board members could even write a statement of their own self-evaluation and identify board accomplishment and deficiencies over the year, with the goal of creating actionable feedback to each other. Marci Conrell-Feist, founder and CEO of The High Bar, has designed an excellent self-evaluation instrument to measure board-member effectiveness. A sample form can be [downloaded here](#).


Contractor evaluation also is an important opportunity to achieve high performance in your charter school's operations. If your charter school outsources any of the "big four" subcontracts — foodservice, transportation, custodial or security — or if you have an education or charter management organization (EMO or CMO),

"The biggest problem with performance evaluation is many people and organizations never get around to it."

you should evaluate them formally and not less than annually.

Performance metrics for these contractors can be incorporated into a Service Level Agreement and attached as an exhibit to your contract. A sample instrument for evaluating contractors is [available here](#) from Charter School Tools and is among the website's most popular downloads.

I am always astonished by the lack of communication and feedback between charter schools and major contractors. Too often they let resentments fester until their relationships must be terminated, rather than create clear performance measures and provide regular evaluation of a contractor's performance.

More than 50 years ago, Peter Drucker wrote, "What gets measured gets managed." He was right, not only when it comes to student achievement data, but also for charter school back-office performance. 

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