

# The New Mexico Public Education Commission

## State Charter Renewal Application



**Options for Parents and Families**  
**Charter Schools Division**

Through charter schools, the Public Education Commission (PEC) as Authorizer, and the Options for Parents and Families/Charter Schools Division (CSD) as staff in the New Mexico Public Education Department (PED) seek to provide families with effective, quality educational options. The CSD provides staff support to the PEC and will review your renewal application, conduct the renewal site visits, and provide an analysis to the PEC. The CSD also provides a recommendation for renewal, non-renewal, or a conditional renewal on behalf of the Public Education Department. The PEC makes the final decision regarding the renewal application after reading the application, the CSD preliminary analysis and the school's response, and, finally, considering the information provided by the CSD in their final analysis and by the school at the renewal hearing.

Renewing charter schools have the option to seek renewal from either their local chartering authority (district) or the PEC as the state chartering authority. All renewal applications must be submitted **no later than the first business day of October** of the fiscal year prior to the expiration of the school's charter. In accordance with NMAC 6.80.4.13, the chartering authority must then rule in a public meeting on the renewal of the application no later than the first business day of January of the fiscal year in which the charter expires.

The PEC developed this state charter renewal application kit to assist charter schools in the development of their renewal applications to the PEC. The template for the state renewal charter application kit will be posted on the PEC website at <https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/>. The CSD will provide technical assistance training that focuses on the state-authorization charter school renewal process. If you are intending to renew with a district authorizer, you should check with the district on the forms and process that they require.

The enclosed renewal application is divided into five parts: **Part A: Your School's Summary Data Report and Current Charter Contract**; **Part B: Progress Report**, **Part C: Financial Statement**; **Part D: Petitions of Support**; and **Part E: Description of the Charter School Facilities**. These sections address the requirements of 1978 NMSA §22-8B-12(J) and are intended to provide the PEC the information necessary to determine if the school's past performance supports renewal of the charter. 1978NMSA §22-8B-12(K) provides that a charter may be not renewed if the chartering authority determined the school (1) committed a material violation of any of the conditions, standards or procedures set forth in the charter contract; (2) failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract; (3) failed to meet generally accepted standards of fiscal management; or (4) violated any provision of law from which the charter school was not specifically exempted.

**Part A** is provided by the CSD and PED to the school in the summer before Renewal, updated after the newest academic data is released, and provided as Part A to the School's Renewal Application when the PEC receives it in October. The School is asked to verify the information in Part A. The school should use the information to report on academic performance goals and other contractual requirements.

**Part B** offers a School the opportunity to provide information regarding their uniqueness, innovation, academic performance, financial compliance, and organizational, contractual and governance responsibilities and improvement actions over the term of their most current charter. This Part of the Application is divided into three sections: Section 1 –

Innovation and Distinctive Educational Program, Section 2 - Academic Performance, Section 3 – Financial Compliance, and Section 4 – Contractual, Organizational, and Governance Responsibilities.

**In Section 1- Innovation and Distinctive Educational Program,** the school reports on its uniqueness, innovation, and distinctive education programming, to include its community contributions and student supports.

**Subsection a – All schools,** will report on its implemented initiatives that evidence their uniqueness and innovations, as aligned to the School’s mission.

**Subsection b – All schools,** will create a representation to highlight the School’s demonstrated efforts to support validation of students’ cultures, identities, and sense of belonging.

In **Section 2 – Academic Performance,** the school reports on its academic performance during the term of the contract, including achieving its goals, student performance outcomes, state standards of excellence and accountability requirements set forth in the Assessment and Accountability Act.

**Subsection a –** If a school has **not** maintained a “C” or better letter grade in SY2017 and SY2018 AND was identified in the lower 25% of all schools in the NM System of School Support and Accountability in SY2019 or SY2020, then the School should provide a detailed narrative that addresses the improvement actions taken to improve the school’s outcomes and the success of those actions. If providing data to support the school’s narrative, provide it in an appendix (APPENDIX [A1](#)– Academic Data). Implementation of the described improvement actions should be verifiable through evidence at the site including renewal site visit.

**Subsection b - All schools,** will report on their performance in relation to its school or mission specific charter goals found in the negotiated performance framework. Performance reports related to school or mission specific goals should be supported by raw data (masked to protect PII), and provided in an appendix (APPENDIX [A2](#) – Mission Goal Data). The school should report on the performance in each of the last four years (or for the contract term, if shorter than four years). Schools that have **not** met their school or mission specific goals in each of the four years (or for the contract term, if shorter than four years) should provide a narrative that addresses the improvement actions taken and the success of those actions. The purpose of the narrative is to demonstrate substantial progress toward meeting the school or mission specific goals and maintaining that performance level. Implementation of the described improvement actions should be verifiable through evidence at the site including renewal site visit. Schools that have met their school or mission specific goals in each of the years of the contract term **will not** provide a narrative.

In **Section 3 – Financial Compliance,** each school reports on its financial compliance during the term of the contract, including all findings identified in external audits completed and released during the term of the contract, and the requirements of the Financial Performance Framework.

**Subsection a** – For each year in which the school had a significant deficiency, material weakness, or repeated finding(s) identified in the external audit, the school **must** provide a narrative explaining the improvement actions made to meet financial compliance requirements and the effectiveness of those actions in improving financial compliance. Success should be identified by specific changes in practice and changes in the audit findings in subsequent years. The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining financial compliance. Implementation of the described improvement actions should be verifiable through evidence at the site including renewal site visit.

**Subsection b** - If the school's **Board of Finance was suspended** at any time during the term of the contract, the school must provide a narrative explaining the actions taken on the school's own initiative to correct financial compliance and regain the Board of Finance Authority and the success of those actions. The school must also describe the current status of the Board of Finance and continuing actions to ensure the same financial challenges do not reoccur. Success should be identified by specific changes in practice. The narrative must be supported by evidence to be reviewed during the renewal site visit.

In **Section 4 – Contractual, Organizational and Governance Responsibilities**, the school reports on its contractual, organizational, and governance responsibilities during the term of the contract, including achieving the objectives, state standards of excellence (applicable for SY2017 and SY2018), NM System of School Support and Accountability (applicable for SY2019 and SY2020), and any other terms of the charter contract.

**Subsection a - Each school** will provide a brief narrative describing how they have implemented the Material Terms or the Comprehensive Educational Program of the Charter including the operational structure, the mission of the school, and the educational program of the school (including student focused terms, teacher focused terms, and parent focused terms, if applicable). The narrative will be verified during the renewal site visit. If the school has made substantial changes or has not met any of the Material Terms or Comprehensive Educational Program of the contract during the term of the contract, the school must explain the improvement actions the school made during the term of the contract in order to meet those charter objectives. **All schools must provide a narrative for this section of the application.**

**Subsection b – Each school** will identify any organizational compliance findings from the Organizational Performance Framework over the term of the contract and provide a narrative to address improvement actions it has made to correct those findings. The purpose of the narrative is to demonstrate substantial progress toward meeting organizational performance expectations. Implementation of the described improvement actions should be verifiable through evidence at the site including renewal site visit.

If the school has received any Office of Civil Rights (OCR) complaints, formal special education complaints or NM Attorney General complaints, the school must identify those, provide all communications (redacted to protect PII) related to those complaints in an appendix (Appendix **B** – Complaint Communications), and describe the current status of the complaint process. If any of those complaints have been resolved and resulted in a finding that the school violated any law, the school must provide a narrative describing the



required compensatory and corrective actions required and their status in implementing those actions. The implementation of such actions must be verifiable through evidence during the site including renewal site visit.

**Subsection c – Each school** will identify how they have met governance responsibilities during the term of the contract. Specifically, the school will identify any time when membership on the governing body fell below the requirements in their by-laws or the statutory minimum of 5 members. The school will identify the amount of time any vacancies were open. The school will also identify any board members who did not complete required training hours in any of the years of the contract term. If the school identified any governance requirements they were unable to meet, the school must provide a narrative describing the improvement actions the school implemented to move toward full compliance with governance responsibilities. The purpose of the narrative is to demonstrate substantial progress toward meeting all governance requirements. The implementation of such actions must be verifiable through evidence during the site including renewal site visit. **All schools must provide a narrative for this section of the application.**

**Part C** offers a School the opportunity to demonstrate the financial stewardship it has implemented over the term of the contract. The school must provide a financial statement that discloses the costs of administration, instruction, and other spending categories for the charter school. The financial statement must be understandable to the general public and must allow comparison of costs to other schools or comparable organizations. The school must use the templates included within Part C of the renewal kit for the financial report. **All schools must provide a response for this section of the application.**

**For schools that have earned a “D” or lower letter grade in either SY2017 or SY2018, OR were identified in the lowest 25% of all schools in the NM System of Support and Accountability for either SY2019 or SY2020, the report should specifically address how the school has prioritized resources toward proven programs and methods linked to improved student achievement.**

**Part D** offers a School the opportunity to demonstrate the community support for the continuation of the school. 1978 NMSA §22-8B-12 requires the school provide two petitions: (1) a petition in support of the charter school renewing its charter status signed by not less than sixty-five percent of the employees in the charter school during the year prior to the last year of the contract; (APPENDIX C – Employee Petition) and (2) a petition in support of the charter school renewing its charter status signed by at least seventy-five percent of the households whose children are enrolled in the charter school on the 120<sup>th</sup> day of the year prior to the last year of the contract (APPENDIX D – Household Petitions). These petitions must be completed during the school year in which the applicant is applying for renewal, which is the year prior to the last year of the contract. Original signatures must be provided in the application. **All schools must provide a response for this section of the application.**

**Part E** requires the school to provide a description of the charter school facilities and assurances that the facilities are in compliance with the requirements of 1978 NMSA §22-8B-4.2. The documentation required is the school's E-Occupancy Certificate, Facility Master Plan, PSFA letter determining the New Mexico Condition Index, and a copy of any lease documents. (APPENDIX [E1](#) – E-Occupancy, APPENDIX [E2](#) – NMCI letter from PSFA, APPENDIX [E3](#) – Lease Agreement, APPENDIX [E4](#) – Facility Master Plan,) **All schools must provide a response for this section of the application.**

#### **District-Authorized charter school applying for State-Authorized charter renewal**

*Only schools that are transferring authorizers (from a district to the Public Education Commission) must provide the additional information:*

- ✓ Copies of the current Charter Contract, Performance Framework, and Annual Reports from the local authorizer.
- ✓ Copies of all financial statements and audit findings for any audits performed within the current charter contract.
- ✓ Membership figures for 80 day and 120 day reporting periods from STARS within the current charter contract.
- ✓ Copies of 910-B5's within the current charter contract.
- ✓ Copies of Site Visit Documents from within the current charter contract.
- ✓ Copies of any Corrective Action Plans or Other Actions taken by the district or the Public Education Department.
- ✓ Special Education Maintenance of Effort (MoE) Reports from within the current charter contract.
- ✓ A Recent Cash Report submitted to the New Mexico Public Education Department.

Upon receipt of the completed application, the CSD will review the application, verify data, and conduct a renewal site visit to verify information provided within the application. Afterwards, the CSD will write a preliminary analysis of the School's Renewal Application and send a copy to the School and the PEC. The School will have an opportunity to respond to the analysis provided. After the CSD receives the School's response, it will evaluate all information available and provide a final analysis for renewal, renewal with conditions, or non-renewal to the PEC and the School.

New Mexico law 1978, NMSA § 22-8B-12(K) provides the reasons for non-renewal of a school's charter. It provides that a charter may be not renewed by the chartering authority if the chartering authority determines that the charter school:

- committed a material violation of any of the conditions, standards or procedures set forth in the charter contract;
- failed to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract;
- failed to meet generally accepted standards of fiscal management;
- for a charter school located on tribal land, failed to comply with ongoing consultations pursuant to the Indian Education Act; or
- violated any provision of law from which the charter school was not specifically exempted.

Please contact [charter.schools@state.nm.us](mailto:charter.schools@state.nm.us), with any questions regarding the state charter renewal application kit.

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## Instructions: Renewal Application Process and Review Stages

<b>Form and Point of Contact</b>	All submissions should be prepared utilizing the State Charter Renewal Application Kit. Brevity, specificity, and clarity are strongly encouraged. Any questions regarding the application and the review process must be directed to: <a href="mailto:charter.schools@state.nm.us">charter.schools@state.nm.us</a> .
<b>Deadlines and Manner of Submission</b>	<p>The State Charter Renewal Application Kit must be submitted using your charter school account through the Web EPSS Website. You will learn more about using the Web-EPSS monitoring platform site at one of the Technical Assistance Workshops mentioned below. If you have any questions or feedback after reviewing the guide, please contact <a href="mailto:charter.schools@state.nm.us">charter.schools@state.nm.us</a>.</p> <p>Files must be submitted via your account through Web-EPPS no later than 11:59 p.m. (mountain time), on the first business day of October.</p> <p>Note: Submission prior to the first business day of October of the current year will not change the deadlines for review. Early submissions are welcomed; however, they do not put applicants at an advantage. All applications are treated equally and fairly as long as they are submitted by the deadline above.</p>
<b>Technical Assistance Workshops (February-April )</b>	The CSD will facilitate technical assistance workshops for the charter renewal application process. These are all-day training sessions. Details regarding this training and future trainings are available at: <a href="https://webnew.ped.state.nm.us">https://webnew.ped.state.nm.us</a>
<b>Renewal Application Review Period (October 1–31)</b>	A CSD review team will analyze your Renewal Application Kit. The CSD staff will schedule your Renewal Site Visit prior to the completion of the CSD Renewal Analysis. This site visit is designed to verify the evidence and documentation supporting the renewal application kit and evaluate compliance with academic, contractual, organizational, governance, and financial requirements. The PEC shall receive Part A and all renewal applications within seven calendar days of the submission deadline.
<b>CSD Preliminary Renewal Analysis (November 12)</b>	The CSD will send each renewal applicant and the PEC a Preliminary Renewal Analysis. This analysis will synthesize the strengths and weaknesses of the charter school as found by the CSD Review Team in relation to the statutory reasons for non-renewal.
<b>Response to Preliminary Renewal Analysis (November 25)</b>	Renewal applicants may respond in writing to the information contained in the Renewal Analysis. These responses must be submitted using the Web EPSS and will be included in the CSD final renewal analysis.
<b>CSD Final Renewal Analysis to PEC (December 1)</b>	The CSD will send a final renewal analysis to the PEC to approve, approve with conditions, or deny the renewal application no later than December 1 <sup>st</sup> of the year the renewal application is submitted. Renewal applicants will receive a copy of the final renewal analysis.
<b>Final Authorization Meeting of PEC (within the first three weeks of December)</b>	The PEC will hold a public decision-making meeting to approve, approve with conditions, or deny the renewal application not later than January 1 <sup>st</sup> of the following calendar year.



## State Charter Renewal Application Evaluation Standards

Based on the completed Renewal Application Kit, the charter school Renewal Site Visit(s), the Renewal Analysis from the CSD staff, status reports provided by the PED's divisions and bureaus, and, if applicable, the local school district, the CSD will make a recommendation to the PEC regarding renewal of a school's charter. The following questions guide the CSD's final analysis regarding renewal and are based upon the four reasons that a chartering authority must determine a charter school has violated in order to refuse to renew a charter pursuant to Subsection K of Section 22-8B-12 NMSA 1978.

**Has the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter?**

The school's performance contract defines the terms under which it proposes to operate and the Performance Framework defines the measurable goals that the school agreed to meet. The CSD will analyze the evidence presented in the application from the school during the renewal site visit, and from the monitoring conducted during the term of the contract, to determine if the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter. Applicants that are currently authorized by a school district, and not the PEC, must provide these documents as well.

**Has the school failed to meet or make substantial progress toward achievement of the PED's minimum educational standards or student performance standards identified in the charter application?**

The CSD will analyze and evaluate student achievement data on required state tests and on other measures set forth in the contract. The school must report data for school or mission specific goals both throughout the term of the contract and as part of the renewal application. The school's own analysis and supporting data will both be considered.

**Has the school and, if applicable, the school's foundation failed to meet generally accepted standards of fiscal management?**

The CSD will rely on documentary evidence based on the annual independent financial audits and reports from the School Budget and Finance Analysis Bureau and the Audit and Accounting Bureau with regard to whether the school has met generally accepted standards of fiscal management.

**Has the school violated any provision of law from which the state-chartered charter school was not specifically exempted?**

The CSD will rely on documentary evidence gathered by the PED or, if applicable, local district authorizer staff, during the term of the school's charter contract to determine if the school has compiled a record of substantial compliance with applicable state and federal laws and regulations. Evidence will also be evaluated during the site including renewal site visit and from monitoring reports throughout the term of the contract.

## Glossary of Terms

**Amended Charter School Act:** In 2011, the New Mexico Legislature amended the Charter School Act (Act) in several ways. The purpose of the amended Act is to increase accountability of charter schools and authorizers. The primary changes to the Act were the addition of a separate “Performance Contract” (§22-8B-9 NMSA 1978) between the authorizer and the charter school and “Performance Frameworks” (§22-8B-9.1 NMSA 1978).

**Assessment:** A method, tool, or system used to evaluate and demonstrate student progress toward—or mastery of—a particular learning standard or goal (e.g., a standardized test, short-cycle tests, teacher-developed tests, a portfolio-judging system, etc.).

**Current Charter:** The current charter is the approved charter (or charter contract) with any amendments and/or changes that have been authorized for the current operational term.

**Material Term:** The PEC and PED will use the following definition used in the charter school contract for **Material Terms**. The term *material* means that the authorizer deems the matter relevant to

1. The Comprehensive Educational Program;
2. The authorizer’s accountability decisions including but not limited to decisions about whether to renew or non-renew or revoke a charter; or
3. Information that a family would consider relevant to a decision to attend the charter school.

The material terms will be the provisions that the charter school will need to amend in order for the school to modify any of the terms of the contract. **Please note:** The material terms are those essential elements with which the charter school agrees to comply. These are **not** the only terms that could be breached in the contract and do not identify the only terms that could be subject to “material violations.” There could be a material violation of any term in the Performance Contract or as demonstrated by the results of the Performance Framework.

**Material Violation:** A material violation occurs when one party fails to perform their duties as specified in a contract. A contract may be violated by one or both parties. A material violation may result in the need for corrective action or other action as allowed by law to be taken by the Authorizer. There could be a material violation of any term in the Performance Contract or as demonstrated by the results of the Performance Framework.

**New Mexico Condition Index (NMCI):** The PSFA ranks every school facility condition in the state based upon relative need from the greatest to the least. This metric is used to compare and prioritize schools for capital outlay funding.

**Performance Contract:** (1978 NMSA §22-8B-9) The charter authorizer shall enter into a contract or schedule contract negotiations with the governing body of the applicant charter school within 30 days of approval of the charter application. The charter contract shall be the final authorization for the charter school and shall be part of the charter. If the chartering authority and the applicant charter school fail to agree upon the terms, either party may appeal to the Secretary to finalize the terms of the contract, provided that such appeal must be provided in writing to the secretary within 45 days of the approval of the charter application. Please note: the charter school and PEC may agree to an extension of the 30-day deadline.

**Performance Frameworks:** (1978 NMSA §22-8B-9.1) The charter contract will also include a performance framework tied to annual metrics and measures for:

- (1) Student academic performance
- (2) Student academic growth
- (3) Achievement gaps in proficiency and growth between student subgroups
- (4) Attendance
- (5) Recurrent enrollment from year to year
- (6) If the charter school is a high school, post-secondary readiness
- (7) If the charter school is a high school, graduation rate
- (8) Financial performance and sustainability
- (9) Governing body performance

**PSFA:** Public Schools Facilities Authority. The PSFA serves as the staff to the Public School Capital Outlay Council (PSCOC) to implement the New Mexico Condition Index (NMCI) as well as to approve and monitor lease assistance applications.

## State Charter Renewal Application Process

The Charter Renewal Application Process includes the following:

**Part A—School’s Summary Data Report and Current Charter Contract (provided by the CSD)**

**Part B—Progress Report (provided by the school)**

**Part C—Financial Statement\***

**Part D – Petitions of Support\***

**Part E – Description of the Charter School Facilities\***

\*All schools must provide a response for this section of the application.

### Please Note

- ☐ Read the entire Renewal Application before you begin to prepare your written documents. Please complete the application thoroughly. In an effort to help you understand the requirements included in the Renewal Application, the CSD will hold a minimum of two technical assistance workshops. You will be notified of the dates, times, and locations of the workshops.
- ☐ Review your current charter, including any approved amendments, prior to completing the Renewal Application Kit.



## Part A—School's Summary Data Report and Current Charter Contract

(Provided by the CSD and includes data from  
State Accountability measures and STARS data.)





## **Part B—Progress Report**

(A report on the progress of meeting the academic performance, financial compliance, contractual, organizational, and governance responsibilities of the charter school, including achieving the school or mission specific goals, objectives, student performance outcomes, state standards of excellence and other terms of the charter contract, including the accountability requirements set forth in the Assessment and Accountability Act during the Current Charter Term)

The following rubric will be used to evaluate the narratives in Part B:

<b>Meets the Standards</b>	<ul style="list-style-type: none"> <li>In <b>each</b> year of the contract term, the school has a demonstrated record of meeting <b>all</b> standards, which is supported by evidence.</li> </ul>	
<b>Demonstrates Substantial Progress</b>	Demonstration Through Data	Demonstration Through Systemic Improvement Plan
	<ul style="list-style-type: none"> <li>The school <b>does not</b> have a demonstrated record of meeting all standards in each of the years in the contract term, <i>however...</i></li> <li>An evaluation of <i>all</i> data and evidence (for academic narrative this includes all available academic performance data, including state assessment data) demonstrates at least two years of sustained improvement toward meeting the standard.</li> </ul>	<ul style="list-style-type: none"> <li>The school <b>does not</b> have a demonstrated record of meeting all standards in each of the years in the contract term, <i>however...</i></li> <li>The narrative describes <b>specific adult</b> (teacher, leader, board) <b>actions taken to improve performance and outcomes</b> by <b>addressing the root cause</b> of the inadequate performance; AND</li> <li>The <b>site visit</b> team can verify the <b>implementation of reported improvement actions</b> by evaluating <b>specific evidence</b> at the school site that is <b>observable, verifiable, and readily available</b>; AND</li> <li>The narrative identifies <b>measurable successes</b> during the most recent year <b>resulting from the improvement actions taken</b>; AND</li> <li>An evaluation of the data and <b>evidence supports the observable and reported successes.</b></li> </ul>
<b>Failing to Demonstrate Progress</b>	<ul style="list-style-type: none"> <li>The school <b>does not</b> have a demonstrated record of meeting all standards in each of the years of the contract term.</li> <li>An evaluation of data and evidence (for academic narrative this includes all available academic performance data, including state assessment data) does not demonstrate at least two years of sustained improvement toward meeting the standard.</li> </ul> <p>AND ONE OR MORE OF THE FOLLOWING:</p> <ul style="list-style-type: none"> <li>The narrative is focused on <b>describing circumstances connected to the poor performance and/or excuses for the poor performance</b> (e.g. serving a disproportionately high rate of students with disabilities, serving a disproportionately high rate of “at-risk” students, a lack of funding, teacher/administrator turnover, etc.), and/or <b>either does not describe specific adult improvement actions taken</b> or describes <b>minimal adult improvement actions taken</b>; or</li> <li>The site visit team is not able to verify implementation of the reported adult improvement actions because there is no <b>observable, verifiable</b> evidence presented during the site including renewal site visit; or</li> <li>The narrative <b>fails to identify any measurable successes</b> during the most recent year, or evaluation of the <b>data and evidence directly contradicts reported successes.</b></li> </ul>	

## 1. Innovative and Distinctive Education Program

Some of the purposes of the Charter Schools Act are to encourage different and innovating teaching and educational programs that improve student achievement, and encourage parental and community involvement. 1978 NMSA §22-8B-3.

### a. School or Mission Specific Unique, Innovative, and Significant Contributions

The school shall provide a narrative on how the school has fulfilled its mission and how the equity council has influenced any decisions for the 2020-2021 SY. These contributions may include:

1. Teaching methods
2. Measures of student achievement
3. Professional development for teachers
4. Learning programs
5. Encouraging parental or community involvement
6. School's Equity Plan
7. Monitoring students' social emotional and behavioral development

#### **School response:**

Click here to enter text.

### b. Equity and Identity within the Culture of the School including Student Support

This item of the renewal application allows schools the opportunity to include additional information that is not already collected, but that should be considered when making a determination about the renewal of its charter. The school will create a representation that highlights how their school environment is inclusive, reflective of the community, validates students' cultures and identities, and supports all students' sense of belonging.

Note: If your school wishes to display visual art or performance art (such as sculpture, painting, recorded performance or live performance by students), your school will be given no more than 15 minutes at its renewal hearing to present the representation. If a school wishes to submit a narrative, it shall be submitted along with the renewal application.

#### **School response:**

Click here to enter text.

## 2. Academic Performance

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school... failed to meet or make substantial progress toward achievement of student performance standards identified in the charter contract.

### a. School Support and Accountability

**Any school that has not maintained a “C” or better letter grade in SY2017 and SY2018 OR is not identified in the top 75% of all schools in SY2019 and SY2020 on the NM System of School Support and Accountability, must provide a narrative that describes the improvement actions targeted to improve the student outcomes (school/adult/leader/teacher actions) and the success of those actions (student academic successes/improved outcomes).**

Implementation of the described improvement actions should be verifiable through documented evidence at the site including renewal site visit. **Please identify specific evidence of both the school/adult/leader/teacher actions and the student academic successes/improved outcomes in the narrative.**

The narrative should reference performance data that can be reviewed and verified either during the renewal site visit or during the “desk audit” review of the application. If providing data, please attach in Appendix [A1](#) and reference the appendix by name in this narrative. (Appendix [A1](#) – Academic Data)

**Schools that have maintained a “C” or better letter grade in SY2017 and SY2018 and were identified in the top 75% of all schools in SY2019 and SY2020 in the NM System of School Support and Accountability AND have not received a “D” or “F” in any indicator of the state report card during SY2017 and SY2018 do NOT complete this Section.**

***School response:***

Click here to enter text.

## b. School or Mission Specific Charter Goals

Pursuant to 1978 NMSA, §22-8B-9.1 each charter school authorizer must allow for the inclusion of additional rigorous, valid and reliable indicators proposed by a charter school in each school's performance framework to augment external evaluations of its performance, provided that the chartering authority approves the quality and rigor of the indicators and the indicators are consistent with the purposes of the Charter Schools Act.

**All applicants must report on each school or mission specific charter goal that is included in the school's performance framework.** Applicants must provide a summary analysis of their performance on each goal over the term of the contract. This analysis must state, for each year of the contract, whether the goal was met and must include longitudinal data that can show the progress of the school over the contract term. For each goal, the applicant should provide a visual representation of the longitudinal data.

**For any applicant that did not meet all of their goals in each year of the contract term**, provide a narrative that addresses the improvement actions (school/adult/leader/teacher actions) targeted to improve the school's performance on that school or mission specific goal and the success of those actions (student academic successes/improved outcomes). The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining sufficient performance on the school or mission specific goal. The narrative should only address a goal that was not met in each year of the contract term.

Implementation of the described improvement actions should be verifiable through documented evidence at the renewal site visit. **Please identify specific evidence of both the school/adult/leader/teacher actions and the student academic successes/improved outcomes in the narrative.**

The narrative should reference performance data that can be reviewed and verified either during the renewal site visit or during the "desk audit" review of the application. If providing data, please attach in Appendix A2 and reference the appendix by name in the narrative. (Appendix A2 – Mission Goal Data)

**Schools that have met all of their school or mission specific goals in each year of the contract term do NOT provide a narrative.**

***School response:***

Click here to enter text.



### 3. Financial Compliance

The Charter School Act provides as follows:

A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...failed to meet generally accepted standards of fiscal management.

#### a. Audit Report Summary

Every charter school is subject to the Audit Act. (1978 NMSA §22-8B-4; 1978 NMSA 22-8-1 *et. seq.*) The Public School Finance Act requires the audit committee of each charter school governing body to track and report progress on the status of the most recent audit findings and advise the local school board on policy changes needed to address audit findings.

Please edit the actual year you are referring to in the table. For example, Year 1 should be changed to the audited year (such as FY16) within the current contract. Also, provide a summary of the nature of findings including category levels. Include and indicate any repeat audit findings involving a material weakness or significant deficiency.

Year	Total # of Findings	Nature of Findings including Rating (Compliance, Significant Deficiency, Material Weakness)	School's Corrective Action Plan
Year 1			
Year 2			
Year 3			

## b. Board of Finance

Pursuant to 1978 NMSA §22-8-38, failure of the governing body of a state-chartered charter school to qualify for designation as a board of finance constitutes good and just grounds for nonrenewal or revocation of its charter.

Further, pursuant to 1978 NMSA §22-8-39, the department may at any time suspend a local school board or governing body of a state-chartered charter school from acting as a board of finance if the department reasonably believes there is mismanagement, improper recording or improper reporting of public school funds under the local school board's or governing body of a state-chartered charter school's control.

When the governing body of a state-chartered charter school is suspended from acting as a board of finance, the department is required to consider commencing proceedings before the Commission to revoke or refuse to renew the charter of the state-chartered charter school.

If the school's **Board of Finance was suspended** at any time during the term of the contract, the school must provide a narrative explaining the actions taken (**school/adult/leader/board actions**) on the school's own initiative to correct financial compliance and regain the Board of Finance Authority and the success of those actions (**improved practices and outcomes**).

The school must also describe the current status of the Board of Finance and continuing actions to ensure the same financial challenges do not reoccur. Success should be identified by specific changes in practice.

The narrative must be supported by evidence to be reviewed and verified at the renewal site visit. **Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative.**

**Schools that have maintained all Board of Finance authority during the entire term of the contract do NOT complete this Section.**

### ***School response:***

Click here to enter text.

4. Contractual, Organizational, and Governance Responsibilities

The Charter School Act provides as follows:  
A charter may be suspended, revoked, or not renewed by the chartering authority if the chartering authority determines that the charter school...committed a material violation of any of the conditions, standards, or procedures set forth in the charter... or...violated any provision of law from which the charter school was not specifically exempted.

a. Charter Material Terms or Comprehensive Educational Program

Pursuant to 1978 NMSA §22-8B-9, each charter contract must contain material terms of the charter application as determined by the parties to the contract. The PEC’s contract identifies all material terms, or in some contract versions, the components of the comprehensive educational program.

If a school received a rating of “working to meet standard” or “falls far below standard” for Indicator 1.a in its Web-EPSS annual report for any year within the contract term, the school must describe the improvement actions the school made to address the deficiencies.

**School response:**

Click here to enter text.

**b. Organizational Performance Framework**

<p>Pursuant to NMSA §22-8B-9.1, the performance framework for each charter school must include performance indicators and performance targets for governing body performance, including compliance with all applicable laws, rules and terms of the charter contract.</p>
<p><b>For any school that has received a repeated “working to meet standard” rating or <u>any</u> “falls far below standard” rating for one or more of the organizational performance framework indicators on the most recently completed organizational performance framework evaluation</b> provide a narrative <u>explaining the improvement actions made (school/adult/leader/board actions)</u> to meet all legal compliance requirements and the <u>effectiveness of those actions (improved practices and outcomes)</u> in improving organizational performance and compliance.</p> <p>The purpose of the narrative is to demonstrate substantial progress toward achieving and maintaining organizational performance and compliance.</p> <p>Implementation of the described improvement actions should be verifiable through evidence at the site visit. <b>Please identify specific evidence of both the school/adult/leader/board actions and the improved practices and outcomes in the narrative.</b></p> <p><b>If the school has received any Office of Civil Rights complaints, formal special education complaints or NM Attorney General complaints or enforcement action, or,</b> the school must identify those, provide all communications (redacted to protect PII) related to those complaints in an appendix (Appendix <u>B</u> – Complaint Communications), and describe the current status of the complaint. <b>If any of those complaints have been resolved and resulted in a finding that the school violated any law,</b> the school must provide a narrative describing the required compensatory and corrective actions required and their status in implementing those actions. The implementation of such actions must be verifiable through evidence during the renewal site visit.</p> <p><b>Schools that do not have any repeated “working to meet standard” ratings or <u>any</u> “falls far below standard” ratings on the most recent organizational performance framework evaluation do <u>NOT</u> complete this Section.</b></p>
<p><b><i>School response:</i></b></p> <p>Click here to enter text.</p>

**c. Governance Responsibilities\***

Pursuant to 1978 NMSA §22-8B-4, each charter school must, at all times, have at least five members and no members may serve on any other charter school governing body. Further, the governing bodies must operate in accordance with their charter contract and bylaws. The PEC’s performance contract requires that the PEC is notified of board vacancies within 30 days, and that vacancies are filled within 45 days.

Additionally, pursuant to NMSA §22-8-12.3, Boards must maintain audit and finance committees that meet statutory requirements.

Further, pursuant to NMAC 6.80.5.8, and 6.80.5.9, each charter school governing body member must annually complete certain hours of approved training.

Finally, governing body members are held to the conflict of interest requirements laid out in NMSA §22-8B-5.2.

**Each school must identify how they have met governance responsibilities during the term of the contract.** Specifically, the school must identify:

- the membership of their boards, at all times, during the term of the contract (with roles and service terms for all members), this should also include membership of the required committees;
- any time when membership on the governing body fell below the requirements in their by-laws or the statutory minimum of 5 members;
- any time when the governing body did not maintain the required committee membership;
- the amount of time any vacancies were open;
- any board members that did not complete required training hours in any of the years of the contract term.

**If the school identified any governance requirements they were unable to meet,** the school must provide a narrative describing the improvement actions the school implemented to move toward full compliance with governance responsibilities.

The purpose of the narrative is to demonstrate substantial progress toward meeting all governance requirements.

The implementation of such actions must be verifiable through evidence during the renewal site visit.

**School response:**

Click here to enter text.

\* All schools must provide a response for this section of the application.





## Part C—Financial Statement\*

(A financial statement that discloses the costs of administration, instruction and other spending categories for the charter school that is 1) understandable to the general public; 2) that allows comparison of costs to other schools or comparable organizations; and 3) that is in a format required by the department

### Instructions:

- a. Complete the table specific to your operational ~~budget~~ actual expenses and actual operational funding. for each fiscal year within the school's current charter contract (Year 1 through 4). *\*Please edit the actual year you are referring to in each table (such as FY16 and so forth).*
- b. Input totals for functions 1100 and 2300/2400/2500 (combined) for each year into chart at the end of this section.

Year 1 (first year of current contract) **Operational Funds/General Funds - 11000**

Function	Function Name	Example of Expenditures by Fund	Percentage (%) <del>Amount (in whole dollars)</del>	Percentage (%) <del>Amount</del>
<del>10100</del>	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	<u>Attendance</u> , Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration/ <u>School Head Administrator</u> , Community Relations, etc.		
2400	School Administration	<del>School Administrator, etc.</del> <u>Office of the Principal</u>		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
<u>2700-5999</u>	All Other Function Codes	PED Grant Initiatives, PreK, state grants, Next Gen, CTE, digital technology, extended learning and K5+		
Grand Total <u>Operational/General Funds 11000</u>				<u>100%</u>
Total <del>Amount of</del> Operational <u>Funding Revenue 11000</u> <del>Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)</del>				<u>N/A</u>

Year 2 - (second year of current contract) **Operational Funds/General Funds - 11000**

Function	Function Name	Example of Expenditures by Fund	Percentage (%) <del>Amount (In</del> whole dollars)	Amount Percentage (%)
<del>10100</del>	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	<del>Attendance,</del> Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration/ <del>School Head Administrator,</del> Community Relations, etc.		
2400	School Administration	<del>School Administrator, etc.</del> <u>Office of the Principal</u>		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
<del>2700-5999</del>	All Other Function Codes	PED Grant Initiatives, PreK, state grants, Next Gen, CTE, digital technology, extended learning and K5+		
Grand Total <u>of Operational/General Funds 11000</u>				100%
Total <del>Amount of</del> Operational <u>Funding Revenue 11000</u> <del>Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)</del>				N/A

Year 3 (third year of current contract) **Operational Funds/General Funds - 11000**

Function	Function Name	Example of Expenditures by Fund	Percentage (%) <del>Amount (in whole dollars)</del>	Amount Percentage (%)
<del>10100</del>	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	<u>Attendance</u> , Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
<u>2700-5999</u>	All Other Function Codes	PED Grant Initiatives, PreK, state grants, Next Gen, CTE, digital technology, extended learning and K5+		
Grand Total <u>of Operational/General Funds 11000</u>				100%
Total <del>Amount of</del> Operational <u>Funding Revenue 11000</u> <del>Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)</del>				N/A

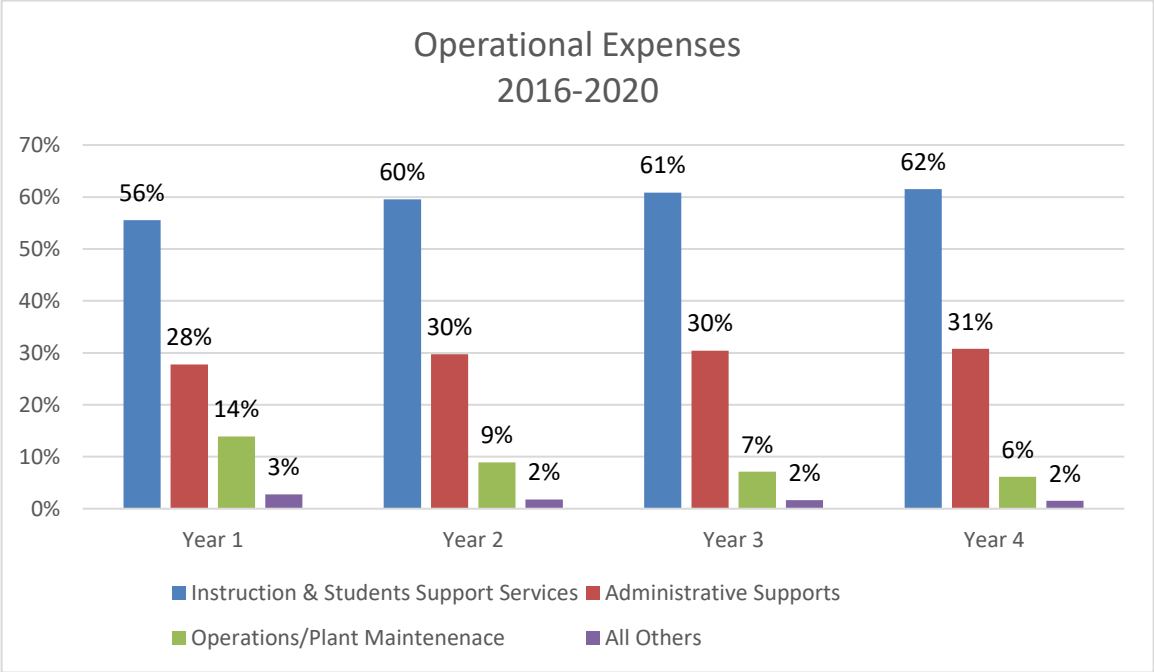
Year 4 (fourth year of current contract) **Operational Funds/General Funds - 11000**

Function	Function Name	Example of Expenditures by Fund	Percentage (%) <del>Amount (in whole dollars)</del>	Amount Percentage (%)
<del>10100</del>	Direct Instruction	Teachers, EAs, Instructional Coaches, etc.		
2100	Student Support	<u>Attendance</u> , Social Workers, Counseling, Ancillary Services, etc.		
2200	Instructional Support	Library/Media Services, Instructional-Related Technology, Academic Student Assessment, etc.		
2300	Central Administration	Governance Council, Executive Administration, Community Relations, etc.		
2400	School Administration	School Administrator, etc.		
2500	Central Services	Business Manager, Human Resources, Printing, Technology Services, etc.		
2600	Maintenance and Operations	Maintenance and Operations of Buildings, Upkeep of Grounds and Vehicles, Security, Safety, Etc.		
<u>2700-5999</u>	All Other Function Codes	PED Grant Initiatives, PreK, state grants, Next Gen, CTE, digital technology, extended learning and K5+		
<del>Grand Total of Operational/General Fund Expenses 11000</del>				100%
Total <del>Amount of Operational Funding Revenue 11000 Dollars Going Directly to Supporting Student Success (Includes Direct Instruction, Student Support, Instructional Support, and School Administration)</del>				N/A



Operational ~~Budget~~ Actual Expenses in Bar Graph (right click on chart and input dollar amounts for each field where indicated a formula will convert to percentages):

*\*Please edit the actual year you are referring to in the graph below*



**\*All schools must provide a response for this section of the application.**

**Additional Information**

*Only schools that are transferring authorizers (from a district to the Public Education Commission) must provide the following information:*

- ✓ Copies of the current Charter Contract, Performance Framework, and Annual Reports from the local authorizer.
- ✓ Copies of all financial statements and audit findings for any audits performed within the current charter contract.
- ✓ Membership figures for 80 day and 120 day reporting periods from STARS within the current charter contract.
- ✓ Copies of 910-B5’s within the current charter contract.
- ✓ Copies of Site Visit Documents from within the current charter contract.
- ✓ Copies of any Corrective Action Plans or Other Actions taken by the district or the Public Education Department.
- ✓ Special Education Maintenance of Effort (MoE) Reports from within the current charter contract.
- ✓ A Recent Cash Report submitted to the New Mexico Public Education Department.



### Part D—Petitions of Support\*

1. A petition in support of the charter school renewing its charter status signed by no less than sixty-five percent of the employees in the charter school during the year prior to the last year of the contract; (APPENDIX C – Employee Petition).
2. A petition in support of the charter school renewing its charter status signed by at least seventy-five percent of the households whose children are enrolled in the charter school on the 120<sup>th</sup> day of the year prior to the last year of the contract (APPENDIX D – Household Petitions).

These petitions must be completed during the school year in which the applicant is applying for renewal, which is the year prior to the last year of the contract.

**\*All schools must provide a response for this section of the application.**

1. Petition of Support from Employees

Instructions: Signatures must be collected during the year prior to the last year of the contract, using the school’s employee information on the 120<sup>th</sup> day.

A certified petition in support of the charter school renewing its charter status signed by no less than 65 percent of the employees in the charter school at Subsection J of 22-8B-12 § NMSA 1978.
Include, as <b>Appendix C – Employees Petition</b> , a certified affidavit of the Employees’ Support Petition from no less than 65 percent of the employees of the charter school that indicates their support of the renewal of the charter.

Following is a suggested form to certify the petition. This form may be attached to the petition. You MUST have original signatures.

I am the head administrator of the [ ] Charter School and hereby certify that: the attached petition in support of the [ ] Charter School renewing its charter was circulated to all employees of the [ ] Charter School. There are [ ] persons employed by the [ ] Charter School. The petition contains the signatures of [ ] employees which represents [ ] percent of the employees employed by the [ ] Charter School.

STATE OF NEW MEXICO)

ss.

COUNTY OF [ ] )

I, [ ], being first duly sworn, upon oath state:

That I have read the contents of the attached Petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this [ ] day of [ ] 2020.

Notary Public

My Commission Expires:

## 2. Petition of Support from Households

Instructions:

- Signatures must be collected during the year prior to the last year of the contract, using the school's enrollment information on the 120<sup>th</sup> day.
- Students over the age of 18 and students acting as a head of household may provide the signature for the household. For students under the age of 18 living with a parent or guardian, the signature shall be the parent or guardian's signature.
- Petitions may be signed electronically but must include the student name(s), parent name, email address, and date

A certified petition in support of the charter school renewing its charter status signed by no less than 75 percent of the households whose children were enrolled in the charter school at Subsection J of 22-8B-12 NMSA § 1978.

Include, as **Appendix D – Household Petition**, a certified affidavit of the household support petition of the charter school renewing its charter status from no less than 75 percent of the households whose children were enrolled in the charter school.

Following is a suggested form to certify the petition. This form may be attached to the petition. You **MUST** have original signatures.

I am the head administrator of the [ ] Charter School and certify that: the attached petition in support of the [ ] Charter School renewing its charter was circulated to households whose children were enrolled in our charter school. It contains the signatures of [ ] households which represents [ ] percent of the households whose children were enrolled in the [ ] Charter School.

STATE OF NEW MEXICO)

SS.

COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, being first duly sworn, upon oath state:

That I have read the contents of the attached petition, and my statements herein are true and accurate to the best of my knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Notary Public

My Commission Expires:



## **Part E—Description of the Charter School Facilities and Assurances\***

(A description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 § NMSA 1978)

\* All schools must provide a response for this section of the application.

1. Facility Documents and Assurances

A description of the charter school facilities and assurances that the facilities are in compliance with the requirements of Section 22-8B-4.2 § NMSA 1978.

The school must attach a copy of the building E Occupancy certificate and a letter from the PSFA with the facility NMCI Score as **Appendix E1 – E-Occupancy certificate and Appendix E2 – New Mexico Condition Index letter from PSFA**, indicating that the school facility meets the requirements of 1978 NMSA §22-8B-4.2(C)

The school must provide a copy of the facility lease agreement in APPENDIX E3 – Lease Agreement.

The school must provide a narrative description of its facilities. The school should attach any facility plans or the school’s Facility Master Plan in **Appendix E4 –Facility Master Plan**.

In addition, the school must also provide assurances that the facilities are in compliance with the requirements of 1978 NMSA §22-8B-4.2, using Certificate A, B, or C, and attached as Appendix E5 – Facility Assurances.

**School response:**

Click here to enter text.

**Appendices and Attachments**

<u>Appendix Number</u>	<u>File Naming Convention</u>	<u>Attached (Check if Yes)</u>
<u>A1</u>	<u>A1 Academic Data</u>	<input type="checkbox"/>
<u>A2</u>	<u>A2. Mission Goal Data</u>	<input type="checkbox"/>
<u>B</u>	<u>B. Complaint Communications</u>	<input type="checkbox"/>
<u>C</u>	<u>C. Employee Petitions</u>	<input type="checkbox"/>
<u>D</u>	<u>D. Household Petitions</u>	<input type="checkbox"/>
<u>E1</u>	<u>E1. E-Occupancy</u>	<input type="checkbox"/>
<u>E2</u>	<u>E2. NMCI letter from PSFA</u>	<input type="checkbox"/>
<u>E3</u>	<u>E3. Lease Agreement</u>	<input type="checkbox"/>
<u>E4</u>	<u>E4. Facility Master Plan</u>	<input type="checkbox"/>
<u>E5</u>	<u>E5. Facility Assurances Certificate</u>	<input type="checkbox"/>