

Albuquerque Public Schools
Office of Innovation and School Choice

Plan for 2017 Charter School Renewal Applications

Anticipated Renewal Applications

1. Albuquerque Talent and Development Academy, *Currently APS Authorized*
2. Corrales International School, *Currently APS Authorized*
3. Montessori of the Rio Grande, *Currently APS Authorized*
4. El Camino Rael Academy, *Currently APS Authorized*
5. La Resolana Leadership Academy, *Currently APS Authorized*
6. ACE Leadership High School, *Currently PEC Authorized*
7. Cottonwood Classical Preparatory School, *Currently PEC Authorized*
8. Technology Leadership High School, *Currently PEC Authorized*
9. Health Leadership High School, *Currently PEC Authorized*
10. Academy of Trades and Technology Charter, *Currently PEC Authorized*

Timelines

- October 3: Applications Due to Charter School Office
- Training of Teams on Review of Application/Site Visits
 - 4 Different Options
 - 9 a.m., Friday, Oct. 6
 - Noon, Friday, Oct. 6
 - 9 a.m., Monday, Oct. 9
 - Noon, Monday, Oct. 9
 - 4 p.m., Monday, Oct. 9
- Week of October 9: Review of Applications and Scoring
 - Send out team doodle poll to come up with common time
- October 10: APS Board of Education Policy Presentation
 - Charter School Strategic Plan
 - Plan for 2016 Charter Renewals
- Week of October 23 & 30: Site Visits
 - Send out team doodle poll to come up with common time
- October 24: Public Hearing for Charter Schools
- Week of November 20 and 27: Team Review of Scores and Consensus Recommendations
 - Send out team doodle poll to come up with common time
- December 13: Renewal Application Recommendations to the APS Board of Education Policy Committee
 - Recommendation Action Memo
 - Charter School Renewal Application
 - Rubrics from Team Reviewers
 - Notes from Public Hearing

Training

- Joseph Escobedo, Ed.D., APS Director of Charter Schools
 - Overview of Rubric
 - Timeline
 - Role of Team

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Public Hearing

- 5:30 p.m., Tuesday, October 24 in the John Milne Board Room run by Charter School Director
 - 10-minute presentations by the Charter School
 - Open Forum with 2-minutes per presenter
 - Forum rules would be the same for a board meeting.
 - Request that APS Technology visual and audio recording of the meeting.
 - Notes from the meeting would be captured by the Charter School Director and presented along with final recommendation to the board.
 - Notice about the meeting would be placed 10 days prior to the meeting on the APS Website.

Site Visit

- School Leadership Roundtable (Including Executive Director/Principal and Governing Council Chair)
 - School Presentation (45 minutes – *Schools will be emailed the questions/topics below that they will need to cover. The process of how they present the information will be left up to the school.*)
 - Overview of the school's mission and vision
 - Overview of a typical day for students
 - Overview of goals and how they will impact student achievement
 - What is your plan for working with English Language Learner students?
 - What is your plan for working with students with disabilities?
 - How will you approach the sometimes complex issues that accompany students who have an IEP and multiple diagnoses?
 - Describe the schools discipline policies and practices.
 - What opportunities will there be for parental involvement and input in the school's governance?
 - Describe how your school is long-term financially viable.
 - Questions from Review Team (15 minutes)
- School Tour (30 minutes – *The school tour will need to include classroom visits and interaction with students, teachers, and other staff.*)
- Student Roundtable (30 minutes – *The school will select a diverse group of students that are willing to share confidentially about their choice to choose the school.*)
 - Why did you choose this school?
 - What supports does the school have to support your success?
 - Tell us about your experiences here.
- Staff Roundtable (30 minutes – *The school will select a diverse group of teachers and staff members who are willing to share confidentially about their role in the school.*)
 - Why did you choose to be a teacher at this school?
 - What is it like teaching/working here? What are some of the successes and challenges?
 - How do you understand the school's vision and mission?
 - How does the leadership utilize staff input in strategic planning?

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Renewal Recommendations

- Total number of points from rubric
- Has the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter?
- 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?
- Has the school failed to meet generally accepted standards of fiscal management?
- Has the school violated any provision of law from which the charter school was not specifically exempted?
- Should the charter schools contract be renewed?

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APS Board Procedural Directive

Locally authorized charter schools may apply for renewal of their charter with the Board of Education. The Charter/Magnet School Department shall notify locally authorized charter schools of this option in their last year of approval. Locally authorized charter schools shall submit applications for renewal to the Charter/Magnet School Department no later than two hundred seventy (270) days prior to June 30 [Oct. 3] of the year in which the current charter expires.

The Charter/Magnet School Department reserves the right to request and receive additional information from the renewal applicant if it deems it necessary. The Charter/Magnet School Department shall make a recommendation regarding the renewal application of a charter school to the Board of Education within sixty (60) days [Dec. 3] of receiving the renewal application. The Charter/Magnet School Department may recommend the application be approved by the Board of Education only if it has met all federal, state and district requirements. If an application has not met federal, state and district requirements, or needs clarification, the Charter/Magnet School Department may recommend the application be approved with conditions or denied by the Board of Education.

A decision for approval, approval with conditions or denial of a renewal application shall be rendered by the Board of Education in a public meeting within ninety (90) [Jan. 1] days of receipt of a renewal application, or no later than one hundred eighty (180) days prior to the expiration of the contract. If appropriate, the Board of Education may renew a locally authorized charter school for a period of five (5) years. The Board of Education and the governing body of the charter school may agree to an approval of less than five (5) years.

The Board of Education may deny a renewal application if the Board of Education determines that that the locally authorized charter school committed any of the follow actions:

- *Violated any condition, standard or procedure in the contract agreed upon by both the Board of Education and the governing body of the charter school*
- *Failed to meet or make substantial progress toward achievement of minimum education standards or student performance standards identified in the initial application*
- *Failed to meet generally accepted standards of fiscal management, including proper reporting of finances when requested by the Board of Education*
- *Violated any federal or state law from which the locally authorized charter school was not specifically exempted*
- *Failed to meet New Mexico Adequacy Standards for Educational Buildings*
- *Violated any district policy or procedural directive*
- *Fails to comply with all requirements outlined in this procedural directive*
- *Such other considerations as the Board of Education deems appropriate*

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22-8B-12J (NMSA 1978)

A charter school renewal application submitted to the chartering authority shall contain:

(1) a report on the progress of meeting the academic performance, financial compliance and governance responsibilities of the charter school, including achieving the 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 [Chapter 22, Article 2C NMSA 1978];

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

(3) a copy of the charter contract executed in compliance with the provisions of Section 22-8B-9 NMSA 1978;

(4) 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;

(5) 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; and

(6) 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.

K. A charter may be suspended, revoked or not renewed by the chartering authority if the chartering authority determines that the charter school did any of the following:

(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.

L. The chartering authority shall develop processes for suspension, revocation or nonrenewal of a charter that:

(1) provide the charter school with timely notification of the prospect of suspension, revocation or nonrenewal of the charter and the reasons for such action;

(2) allow the charter school a reasonable amount of time to prepare and submit a response to the chartering authority's action; and

(3) require the final determination made by the chartering authority to be submitted to the department.

M. If a chartering authority suspends, revokes or does not renew a charter, the chartering authority shall state in writing its reasons for the suspension, revocation or nonrenewal.

N. A decision to suspend, revoke or not to renew a charter may be appealed by the governing body pursuant to Section 22-8B-7 NMSA 1978.

History: Laws 1999, ch. 281, § 12; 2005, ch. 221, § 6; 2006, ch. 94, § 39; 2010, ch. 48, § 1; 2011, ch. 14, § 5; 2015, ch. 108, § 12.

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22-8B-7B (NMSA 1978)

B. A charter applicant or governing body that wishes to appeal a decision of the chartering authority concerning the denial, nonrenewal, suspension or revocation of a charter school or the imposition of conditions that are unacceptable to the charter school or charter school applicant shall provide the secretary with a notice of appeal within thirty days after the chartering authority's decision. The charter school applicant or governing body bringing the appeal shall limit the grounds of the appeal to the grounds for denial, nonrenewal, suspension or revocation or the imposition of conditions that were specified by the chartering authority. The notice shall include a brief statement of the reasons the charter school applicant or governing body contends the chartering authority's decision was in error. Except as provided in Subsection E of this section, the appeal and review process shall be as follows within sixty days after receipt of the notice of appeal, the secretary, at a public hearing that may be held in the school district in which the charter school is located or in which the proposed charter school has applied for a charter, shall review the decision of the chartering authority and make findings. If the secretary finds that the chartering authority acted arbitrarily or capriciously, rendered a decision not supported by substantial evidence or did not act in accordance with law, the secretary may reverse the decision of the chartering authority and order the approval of the charter with or without conditions. The decision of the secretary shall be final.

6.80.4.15 NMAC

REVIEW ON THE SECRETARY'S OWN MOTION:

- A. The secretary, on the secretary's own motion, may review a chartering authority's decision to grant a charter.*
- B. Within ten (10) days after the secretary moves to review, the secretary shall issue an appropriate order establishing procedures for the chartering authority and the charter applicant to submit information and arguments for review by the secretary and division staff.*
- C. Within sixty (60) days after the secretary moves to review, the secretary, at a public hearing that may be held in Santa Fe or in the district in which the proposed charter school applied for a charter, shall review the decision of the chartering authority and determine whether the decision was arbitrary and capricious or whether the establishment or operation of the proposed charter school would violate any standard in Subsection C of Section 22-8B-7 NMSA 1978.*
- D. If the secretary determines that the charter would violate any standard in Subsection C of Section 22-8B-7 NMSA 1978, the secretary shall reverse the chartering authority's decision and remand the decision to the chartering authority with instructions to deny the charter application, suspend or revoke the charter.*
- E. The timelines in 6.80.4.15 NMAC may be extended by the secretary for good cause. Good cause may include but shall not be limited to an agreement between the parties, a reasonable request from either party or reasonable consideration of the secretary's previously established meeting schedule.*
- F. A person aggrieved by a final decision of the secretary may appeal the decision to the district court pursuant to the provisions of Section 39-3-1.1 NMSA 1978.*
- G. The secretary shall promptly serve a copy of the decision on the parties to the proceeding.*

[6.80.4.15 NMAC - Rp, 6.80.4.11 NMAC, 6/29/07; A, 6/30/08; A, 10/15/13]