



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
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HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

June 11, 2012

Ms. Mavis V. Price, President
Board of Education
Gallup-McKinley County Schools
P.O. Box 1318
Gallup, NM 87305

Ray Arsenault, Superintendent
Gallup-McKinley County Schools
P.O. Box 1318
Gallup, NM 87305

Dear Ms. Price and Mr. Arsenault:

On May 9, 2012, the Gallup McKinley County Schools (GMCS) district submitted a request for approval to close Tohatichi Middle School, Navajo Middle School, and Crownpoint Middle School and approval for a corresponding reorganization of grade levels to accommodate the proposed school closings. The GMCS's submission indicated local board of education approval on May 11, 2012. After careful consideration of the district's submission, the analyses provided by NMPED staff, and the input of The Navajo Nation, I am DISAPPROVING the request for the reasons set forth below.

The rationale for the request was stated as "[d]ue to reduced federal funds and facilities not being utilized to efficient capacity. ..." The GMCS submission does not set forth the expected educational benefits of the proposed school closures and corresponding reorganization of grade levels, as required by 6.29.1.9(F) NMAC. Although the GMCS request is clearly based on budgetary issues, State rules nevertheless require the district "to outline the expected educational benefits."

I am also concerned regarding the apparent lack of community involvement regarding the GMCS proposal. The request to close schools and reorganize grade levels requires thoughtful consideration of the educational benefits that are expected to result from the proposed actions. Further, this consideration must adhere to the letter and spirit of the Indian Education Act (Sections 22-23A-1 et seq. NMSA 1978). The request indicates that the "school board involved the tribal governing body or tribal education department in the final decision regarding the Reorganization request." Although the matter appears to have been discussed at public meetings of the local board of education, there is no documentation to support a conclusion that the local

board of education involved The Navajo Nation Department of Diné Education in the final decision. An undated and unsigned statement from The Navajo Nation expresses concerns that adequate tribal consultation/collaboration take place before significant decisions are made.

I acknowledge the local school board's efforts to make fiscally prudent budgetary decisions. If the local school board believes that the proposed actions will result in educational benefits for the district and determines that it will pursue this request for SY 2013-2014, I strongly encourage the district to conduct an in-depth analysis of the expected educational benefits and to engage in meaningful discussions with The Navajo Nation and members of the affected communities.

Sincerely,

A handwritten signature in cursive script that reads "Hanna Skandera".

Hanna Skandera
Secretary-Designate of Education

HS/JRE



New Mexico Public Education Department

Reorganization of Grade Levels/Establishing and Closing Schools

Notice to districts: Reorganization may have an impact on a school's AYP determination. The school improvement designation for new or reorganized schools will be a two step process.

Instructions: Please complete this form electronically and submit it via e-mail to Julia Rosa Emslie, juliarosa.emslie@state.nm.us from the Superintendent's or designee's e-mail. Note: the boxes automatically expand as you add text.

Superintendent: Ray Arsenault

District/School (if applicable): Gallup McKinley County Schools

Mailing Address: 640 South Boardman/ P.O. Box 1318 ST: NM Zip: 87301

Phone: 505-721-1051 Fax: 505-721-1133 Email: rarsenau@gmcs.k12.nm.us

Secondary Contact: Max Perez Title: Assistant Superintendent

Mailing Address: 640 South Boardman/ P.O. Box 1318 ST: NM Zip: 87301

Phone: 505-721-1007 Fax: 505-721-1133 Email: mperez@gmcs.k12.nm.us

Is this a request for a new site? Yes No If yes, provide complete address (Street, number, city, zip).

Is this a request for a closure? Yes No If yes, provide complete address (Street, number, city, zip).

Date of Submission	05.09.12
Effective Date of Reorg	08.13.12

Does local school board policy require board approval prior to this request?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, has board approval been obtained?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Date of Board Approval	05.11.12			

In accordance with NMSA 22-23A-(1) through (8), the Indian Education Act:

Is the school to be affected on tribal lands?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the school to be affected serve a Native American community or substantial population of Native American students?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are tribal lands located within the boundaries of your school district?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes to any of the questions above, has the school board involved the tribal governing body or tribal education department in the final decision regarding this Reorganization request?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No



PLEASE USE A SEPARATE REQUEST FOR EACH SCHOOL

APPLICABLE STATUTE AND/OR STATE RULE:

NMAC 6.29.1.9 PROCEDURAL REQUIREMENTS:

F. Organization of grade levels and establishing/closing schools. Any change in a school district or charter school's organizational pattern, including the establishment or closing of a school, shall have the secretary's approval prior to implementation. Requests for change shall be submitted using the department's *organization of grade levels and establishing/closing school waiver request form*. This form shall include: name of superintendent; district/school; mailing address; phone; fax; email address; name of a secondary contact person including the same information; date of submission; local board policy requirement and approval, if required; date of board approval; statement of applicable district or charter school policy and rationale for request. The waiver request shall outline the expected educational benefits.

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APPLICABLE DISTRICT OR CHARTER SCHOOL POLICY:

Instructions: Insert specific local policy here.

The district has no policy regarding the submission of reorganization requests.

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**What is current grade configuration?
What will new grade configuration be?**

Current:	Proposed:
Tohatchi High School – Grades 9-12	Combined Tohatchi High and Tohatchi Middle School; Grades 7-12
Tohatchi Middle School – Grades 6-8	
Tohatchi Elementary School – Grades K-5	Tohatchi Elementary School; Grades K-6
Current:	Proposed:
Crownpoint High School – Grades 9-12	Combined Crownpoint High and Crownpoint Middle School; Grades 7-12
Crownpoint Middle School – Grades 6-8	
Crownpoint Elementary School – Grades K-5	Crownpoint Elementary School; Grades K-6
Current:	Proposed:
Navajo Pine High School – Grades 9-12	Combined Navajo Pine High and Navajo Middle School; Grades 7-12
Navajo Middle School – Grades 6-8	
Navajo Elementary School – Grades K-5	Navajo Elementary School; Grades K-6

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The School Grading determination for a New or Reorganized School is calculated based the number of students in each tested grade anticipated to enroll in the New or Reorganized School from each Sending School. Please enter this information into the table below. If you require assistance with the table, please contact Dr. Cindy Gregory in the Assessment and Accountability Division at 505.827.6508 or cindy.gregory@state.nm.us.

Anticipated Enrollment into New or Reorganized School

Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Tohatchi High School</u>						
		Counts of Students, by Grade ³						
School Name	Code	4 th	5 th	6 th	7 th	8 th	9 th	12 th
Tohatchi Middle School					57	73		

¹ List all New Mexico public schools (*Sending Schools*) that will be contributing any students to the receiving school

² The *Receiving School* is the new or reorganized school; place the school's name in the table.

³ Only include anticipated enrollments for these grades; where there are no students enter a zero

Anticipated Enrollment into New or Reorganized School

Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Tohatchi Elementary School</u>						
		Counts of Students, by Grade ³						
School Name	Code	4 th	5 th	6 th	7 th	8 th	9 th	12 th
Tohatchi Middle School				70				

¹ List all New Mexico public schools (*Sending Schools*) that will be contributing any students to the receiving school

² The *Receiving School* is the new or reorganized school; place the school's name in the table.

³ Only include anticipated enrollments for these grades; where there are no students enter a zero.



Anticipated Enrollment into New or Reorganized School
 Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Crownpoint High School</u>						
		Counts of Students, by Grade ³						
School Name	Code	4 th	5 th	6 th	7 th	8 th	9 th	12 th
Crownpoint Middle School					40	51		

¹ List all New Mexico public schools (*Sending Schools*) that will be contributing any students to the receiving school

² The *Receiving School* is the new or reorganized school; place the school's name in the table.

³ Only include anticipated enrollments for these grades; where there are no students enter a zero

Anticipated Enrollment into New or Reorganized School
 Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Crownpoint Elementary School</u>						
		Counts of Students, by Grade ³						
School Name	Code	4 th	5 th	6 th	7 th	8 th	9 th	12 th
Crownpoint Middle School				37				

¹ List all New Mexico public schools (*Sending Schools*) that will be contributing any students to the receiving school

² The *Receiving School* is the new or reorganized school; place the school's name in the table.

³ Only include anticipated enrollments for these grades; where there are no students enter a zero

Anticipated Enrollment into New or Reorganized School
 Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Navajo Pine High School</u>						
		Counts of Students, by Grade ³						
School Name	Code	4 th	5 th	6 th	7 th	8 th	9 th	12 th
Navajo Middle School					49	48		

Anticipated Enrollment into New or Reorganized School



Complete one table for each reorganized or new school.

Sending Schools ¹		Receiving School						
		Name: ² <u>Navajo Elementary School</u>						
School Name	Code	Counts of Students, by Grade ³						
		4 th	5 th	6 th	7 th	8 th	9 th	12 th
Navajo Middle School				33				

¹ List all New Mexico public schools (*Sending Schools*) that will be contributing any students to the receiving school

² The *Receiving School* is the new or reorganized school; place the school's name in the table.

³ Only include anticipated enrollments for these grades; where there are no students enter a zero

Is this a new capital project? If so, please include a description. Example: ground breaking, or addition to existing building.

N/A

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Will this reorganization have any impact on current facilities, existing capital expenditures, or expected future capital outlay? If so, please explain.

We will close Tohatchi Middle school building and turn off all utilities. We will not change the footprint or make significant modifications to Tohatchi High to facilitate this move. There will be minor modifications to Twin Lakes Elementary school to facilitate 6th grade students.

The Crownpoint Middle school building will be closed and utilities turned off. We will not have to increase the footprint or make significant modifications to Crownpoint High to facilitate this change.

We will close and turn off utilities to Navajo Elementary school building. We will need to modify some areas of Navajo Middle School to facilitate the change to an elementary school. The changes include but are not limited to: adding two playgrounds, one for pre-k through 1st grade and one for 2nd to 6th grade students. We will need to modify restrooms for pre-k and kindergarten students.

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Identify any possible transportation impact the proposed reorganization could have on the current level of school bus transportation or funding, routing, and/or equipment.

These consolidations and associated changes will not impact current transportation routes or costs.

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RATIONALE FOR REQUEST:

Instructions: Explain what you want to do and how a waiver will help you. Include how the waiver's overall intent fits into school and district policy. Identify any supporting documentation on file.

Due to reduced federal funds and facilities not being utilized to efficient capacity:

- 1) Tohatchi Middle School and Tohatchi High School will be consolidated into a single school facility.
- 2) Crownpoint Middle School and Crownpoint High school will be consolidated into a single school facility.
- 3) Navajo Middle School and Navajo Pine High School will be consolidated into a single school facility.

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FOR PED USE ONLY

Analysis by: School Budget and Financial Analysis Bureau

Gallup McKinley County Schools is requesting to close three middle schools, Tohatchi, Crownpoint and Navajo. The 6th graders from these middle schools will move to Twin Lakes, Crownpoint and Navajo Elementary Schools. The 7th and 8th graders at these three middle schools will move to Tohatchi, Crownpoint and Navajo Pine High Schools. The district has seen a decline in enrollment over the past several years, by closing the three middle schools mentioned the district hopes to see savings related to the overhead costs to maintain the three middle schools.

If this re-organization is approved, effective July 1, 2012 for school year 2012-2013 and due to prior year funding, the district could potentially see a decrease in State Equalization Guarantee (SEG) equal to approximately \$1,100,000 in fiscal year 2013-2014. The 2012-2013 SEG will not be impacted since this funding is based on the 2011-2012 80/120 average.

If this reorganization request is approved, it will not go into effect until July 1, 2012.

Pamela Bowker, Deputy Director
School Budget and Finance Analysis Bureau

Analysis by: Transportation Bureau

See analysis by Capital Outlay below.

Analysis by: Assessment and Accountability Division

Gallup is closing three middle schools and sending the students to either the affiliated high school (grades 7-8) or elementary school (grade 6). The three elementary schools will change from K-5 to K-6, and none meet the 61% rule for inheritance. The addition of the 6th grade should not affect FAY since these students will be likely matriculating from the same school.

The three receiving high schools change from grades 9-12 to grades 7-12. Based on enrollment data from 40D, 2011, the addition of new grades do not invoke the 61% rule at any of the three schools, (Tohatchi HS, Crownpoint HS, and Navajo Pine HS), so there will not be accountability inheritance. FAY for school year 2012-13 will treat both 9th and 7th grades as transition grades in the three schools.

Cindy Gregory, PhD
Chief Statistician
Data Planning & Analysis



Analysis by: Capital Outlay Bureau (if school construction is involved)

The reorganization request for Gallup is complex because of the many different moves the district is proposing; therefore the PED Capital Outlay and Transportation Bureau requested assistance from the Public School Facilities Authority (PSFA) which is responsible for reviewing and approving Facilities Master Plans (FMP) for all school districts statewide. Below is the information provided by PSFA.

- This request is not consistent with the FMP for these particular schools but is the result of an unanticipated loss of funding.
- Tohatchi and Crownpoint elementary schools will have greater difficulty accommodating 6th graders transferring to those schools without moving in additional portables or utilizing special program space.
- Navajo Elementary has greater capacity and may be able to accommodate the 6th graders more easily than Tohatchi or Crownpoint.
- All three high schools have capacity and can accommodate the 7th and 8th graders within their existing space and programming.

The Gallup McKinley County Schools FMP (2011-2015) does not call for consolidation and/or grade re-configuration of the Tohatchi, Crownpoint, or Navajo area schools. However, it did not anticipate the loss of federal funding, which precipitated this request. As a result, this request is not consistent with the FMP but at no fault of the District. We also have to consider capacity, which I examine by area in the following sections.

Tohatchi Area, based on existing conditions (prior to the re-organization)

School	2011-12 Enrollment	Functional Capacity w/ Portables	Functional Capacity w/o Portables	Capacity Available for Additional Students w/ Portables	Capacity Available for Additional Students w/o Portables
Tohatchi Elementary School	230 (K-5 th)	248	229	18	-1
Tohatchi High School	304 (9 th -12 th)	732	618	428	314

Source: Enrollment – PED 2011-12 40-Day Certified Counts

Capacity: GMCS 2011-15 FMP; Capacity data reported as functional capacity, or the capacity that does not take special programs into consideration. Maximum Capacity, the capacity that treats all classrooms as regular classrooms regardless of use for Tohatchi Elementary is 390.

In 2011-12, Tohatchi Elementary School had 42 5th graders that the facility would need to accommodate because these students will stay at the school and not move to the middle school. PED enrollment data also shows the school has 32 Pre-K students at the campus. **Given the existing functional capacity, accommodating the enrollment increase due to consolidation will be more difficult without relocating additional portables to the site.** However, since the maximum capacity for Tohatchi Elementary School is 390. If the District re-organizes its space and re-purposes rooms for general education, it may be able to accommodate the additional enrollment. Special programs are often critical so the most viable solution is increasing the number of portables.

In 2011-12, Tohatchi Middle School had 204 total students in 6th-8th grade. The High School will be able to accommodate the additional enrollment brought on by the consolidation.



Crownpoint Area, based on existing conditions (prior to the re-organization)

School	2011-12 Enrollment	Functional Capacity w/ Portables	Functional Capacity w/o Portables	Capacity Available for Additional Students w/ Portables	Capacity Available for Additional Students w/o Portables
Crownpoint Elementary School	270 (K-5 th)	260	260	21	6
Crownpoint High School	346 (9 th -12 th)	641	481	295	135

Source: Enrollment – PED 2011-12 40-Day Certified Counts

Capacity: Capacity for Crownpoint Elementary is a MAXIMUM capacity figure since the FMP 2011-2015 does not contain Functional capacity figures.

In 2011-12, Crownpoint Elementary had 38 5th graders that are retained at the school and did not move to the Middle School. *The School also had 18 Pre-K students, so the school has almost no capacity to accommodate additional students.* The fact that the 260 is a maximum capacity, without discounting special programs makes its situation more difficult since the maximum capacity number is always larger than the functional capacity. The school will have to use more portables to accommodate the increase in enrollment.

The FMP does show a gradual enrollment decline to 2020 but only to 2050 under the current configuration so the District may need to keep portables on this site.

In 2011-12 Crownpoint's Middle School Enrollment totaled 129 with 78 of those being 6th and 7th graders. *Crownpoint High School could accommodate the additional students. By keeping portables at the high school, the district could better manage growth and have more flexibility.*

Navajo Area, based on existing conditions (prior to the re-organization)

School	2011-12 Enrollment	Functional Capacity w/ Portables	Functional Capacity w/o Portables	Capacity Available for Additional Students w/ Portables	Capacity Available for Additional Students w/o Portables
Navajo Elementary School	236 (K-5 th)	310	310	74	74
Navajo Pine	129 (9 th -12 th)	434	412	305	283

Source: Enrollment – PED 2011-12 40-Day Certified Counts

GMCS 2011-15 FMP; Capacity data reported as functional capacity, or the capacity that does not take special programs into consideration. Maximum Capacity, the capacity that treats all classrooms as regular classrooms regardless of use for Navajo Elementary is 436.

In 2011-12 Navajo Elementary had 39 5th graders that would now stay with consolidation. It also had 37 Pre-K students, some of whom will make up the incoming Kindergarten class. *Navajo Elementary does have the capacity to accommodate the additional students but it might be tight leaving little room to accommodate growth.* The FMP shows a stable enrollment pattern for Navajo for the next few years meaning that the FMP does not anticipate the rates of decline sufficient to allow the school greater flexibility. Navajo Elementary School's maximum capacity is 436 so if the school repurposes some of the rooms with special programs, it might be able to accommodate more students.



Navajo Middle School's enrollment totaled 130 students in grades 6th-8th, with 82 being enrolled in the 6th and 7th. **According to the functional capacity numbers, it appears that Navajo Pine HS has enough space to accommodate enrollment increases brought on by the re-organization request.**

******It is important to note that since re-purposing special space is a curriculum and local issue, PSFA or this analysis is not recommending this but only reporting that the maximum capacity suggests a greater number of students could be accommodated if the District tweaks the use of spaces.**

John M. Valdez, AICP
 Facilities Master Planner
 New Mexico Public School Facilities Authority

Antonio Ortiz, Director, NM Public Education Department, Capital Outlay and Transportation Bureau

FOR PED INTERNAL USE ONLY:		PED PS # ARS0517201283506
Reviewed by: Select PED Staff		Date:
RATIONALE FOR APPROVAL:		Date:
Concur with staff recommendations for approval:		Date:
Hanna Skandera Secretary-Designate of Education		
RATIONALE FOR NON-APPROVAL:		Date: 7.11.12
Please see attached letter.		
Concur with staff recommendations for non-approval:		Date:
 Hanna Skandera Secretary-Designate of Education		7.11.12
Returned to Superintendent by:		Date: