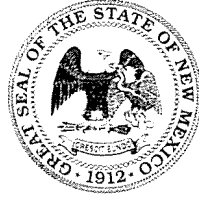


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September 18, 2013

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Kevin Force

**RE: STAFF REPORT: CHARTER SCHOOLS**

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**INTRODUCTION**

This staff report will discuss several issues related to charter schools in New Mexico, including:

- letters of intent to open charter schools, new charter school applications and the revocation of the Learning Community's charter;
- a review of the provisions and implementation of Laws 2011, Chapter 14 (SB 446a), *Charter School Contracts*;
- a review of the provisions, passage and veto of HB 392a (2013), *Public Education Commission as Independent*;
- a discussion of the possibility of a single, statewide chartering authority; and
- a discussion of possible approaches to crafting an effective succession plan for charter school governing bodies and their leaders.

## LETTERS OF INTENT, NEW CHARTER SCHOOL APPLICATIONS AND REVOCATION OF THE LEARNING COMMUNITY CHARTER

### Letters of Intent and New Charter School Applications

The *Charter Schools Act* requires the organizers of a proposed charter school to provide written notification to the Public Education Commission (PEC) and the school district in which the charter is proposed to be located. Called the letter of intent, this notification is due at least 180 days prior to initial application; and the application deadline is July 1 for consideration for the following fiscal year.

As of that deadline, the Charter Schools Division (CSD) of the Public Education Department (PED) received 15 letters of intent to apply for new charter schools for school year 2013-2014. This number is reduced from the number of letters received in the recent past. CSD reports receiving 46 such letters in 2011, 43 in 2010, 32 in 2009, and 36 in 2008. As has been the case in recent years, fewer than half of registered notices of intent resulted in actual applications to open a charter school<sup>1</sup>:

- Columbus Community School, which will serve grades 7-12 in the Columbus/Deming community;
- Dream Diné, which will serve pre-kindergarten through eighth grade, in San Juan County;
- Explore Academy, which will serve grades 9-12, in Albuquerque;
- Health Sciences Academy, serving grades 7-12 in Gadsden; and
- R.I.S.E. – New Mexico, serving Kindergarten through fifth grade, in Albuquerque.

In August, the PEC held public hearings and solicited comment regarding these five proposed charter schools, in their respective communities. The PEC will approve or deny charters to these schools at the September meeting, to be held in Santa Fe, September 26-27.

### Revocation of the Learning Community's Charter

At the July hearing, the commission voted to revoke the charter of The Learning Community (TLC) (with actual time of closure to be determined by the Executive Committee). The Learning Community's charter was originally revoked, along with two other schools whose charters were being reviewed for renewal<sup>2</sup>, by the PEC in 2011. The Secretary-designate of Public Education subsequently reversed the revocation in all three cases.

In its initial recommendation of revocation of the Learning Community Charter to the PEC, the CSD had noted that there were several audit findings over a three-year period. Although none were identified as "significant" or "material," there was no indication why procedures that the school had adopted had not resolved one repeat finding in school year 2007-2008 and three in

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<sup>1</sup> While there are no limits on letters of intent, the *Charter Schools Act* allows no more than 15 new start-up schools to be approved in a single year, although there can be as many as 75 new schools over a five-year period, and any excess over 15 in one year may be carried over to the succeeding years in that five-year period.

<sup>2</sup> The other two schools whose charters were revoked by the PEC in 2011 were La Resolana Leadership Academy and Ralph J. Bunchie Academy.

school year 2008-2009. The Secretary-designate, after reversal of the PEC decision, renewed the charter with conditions, including:

- addressing all compliance issues identified in CSD’s Renewal Recommendation & Evaluation;
- correct compliance issues as needed, and report to the CSD staff no later than the beginning of school year 2011-2012.

In June of this year, after a site visit and attendance at governance board meetings, CSD again recommended revocation of the Learning Community’s Charter citing, in addition to other concerns, six violations of law, including:

- violation of law requiring an instructional audit for any school receiving a “D” or “F” grade;
- governance council membership below the statutory minimum requirement of five members for a period of at least five months;
- school hours not in compliance with instructional hours requirements;
- violations of the *Open Meeting Act*;
- investigation of alleged sexual harassment allegations without notifying PED; inability of the governing council to provide proper oversight to the school; and
- a breach of test security protocol.

According to the *Charter Schools Act*, TLC must file a notice of appeal with the secretary within 30 days of the chartering authority’s decision.<sup>3</sup>

Currently, in law, there exists no provision requiring a charter school whose charter is being considered for revocation to submit any kind of plan to address the concerns leading to the potential revocation, although requirements for charter school applications include listing the criteria and procedures a chartering authority will use for ongoing and annual monitoring of the school’s financial and academic progress, and are required to be in the charter school contract.<sup>4</sup> The committee may wish to consider amending the law to require such oversight of charter schools whose charter may be revoked or not renewed.

## **LAWS 2011, CHAPTER 14 (SB 446), CHARTER SCHOOL CONTRACTS**

Senate Bill 446 (being Laws 2011, Chapter 14)<sup>5</sup>, as amended four times, was passed and signed into law during the 2011 legislative session, becoming effective in July 2012 and included provisions for:

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<sup>3</sup> 22-8B-7 NMSA 1978

<sup>4</sup> 22-8B-9 NMSA 1978

<sup>5</sup> While SB 446 requires PED to report annually to the Governor on the state’s charter schools for the school year ending in the preceding calendar year, and to publish the report on their website, that report has yet to be disseminated. The legislation did not become effective until July 1, 2012, so school year 2013-2013 will be the first one for which there is a full year of data. The website does include several documents of interest, including a PowerPoint presentation, a review of the law and a timeline, which is attached to this report. (See **Attachment 2**, *SB 446 Implementation Timeline, July 2012*.) The other documents may be accessed at: <http://www.ped.state.nm.us/Charter/index.html>.

- contracts between charter school and its chartering authority;
- procedures regarding conflicts of interest for a charter school governing body or its employees;
- an annual evaluation process for charter schools;
- requirements that the parties enter into the contract within 30 days of approval of the charter application, and that the contract be a part of the charter;
- appeal to the Secretary if the parties fail to agree on terms or enter into a contract;
- prohibiting a chartering authority from chartering a school if parties fail to enter into a contract or appeal to the Secretary; and
- the contents of the contract, such as:
  - any waivers from any requirements of PED rule or policy;
  - mission statement of the school;
  - the chartering authorities duties and liabilities;
  - a description of how the chartering authority will use the 2.0 percent of the school-generated program cost to which it is entitled;
  - the process and criteria to be used in annual monitoring and evaluation of the charter school;
  - criteria and procedures in the event of a finding of deficiencies or a revocation of the school’s charter; and
  - any other information “reasonably required by either party to the contract”;
- a requirement that the contract be based upon a performance framework for the academic and operations performance evaluations of the charter school, including such measures as:
  - student academic performance and growth;
  - achievement gaps;
  - attendance;
  - recurrent enrollment;
  - postsecondary readiness and graduation rates for high schools;
  - financial performance and sustainability; and
  - the performance of the governing body, including compliance with law, rule and the terms of the contract;
- additional duties of the chartering authority, such as:
  - setting annual performance targets in consultation with its charter schools;
  - collection, analysis, and reporting of state assessment data from its schools;
  - annual visits to provide technical assistance and to determine the status and progress of the charter school;
  - prompt notification of the governing body in the event that a chartering authority’s review finds a school’s fiscal, overall governance, student performance, or legal compliance unsatisfactory; and
  - submit an annual report to the CSD of PED for each of its charter schools; and

- additional duties of PED, including:
  - review of annual reports submitted by chartering authorities; and
  - use of those reports in its annual report to the Governor, the LESC, and the Legislative Finance Committee comparing the performance of charter school students to their non-charter school peers.

**HB 392 (2013), *PUBLIC EDUCATION COMMISSION AS INDEPENDENT***

The 2013 legislative session saw several bills that would have affected charter schools in New Mexico. Only one of these, HB 392, *Public Education Commission as Independent*, was endorsed by the LESC; HB 392:

- removed the Commission’s administrative attachment to PED;
- granted the PEC rulemaking authority;
- shifted \$375,000 from the program cost allowance, withheld by PED for the administration of charter schools, to PEC;
- restructured the charter school application and appeal process, so that decisions regarding the authorization of state-chartered charter schools, as well as appeals from decisions regarding the authorization of both state and district-level charter schools, would have been decided by the PEC; and
- passed both houses, but was vetoed by the Governor<sup>6</sup>, who cited concerns about:
  - separation of powers;
  - interference with the statutorily mandated duties of the Secretary of Public Education; and
  - the application process, which afforded a chartering authority an effective “pocket veto,” by interpreting the absence of a ruling on an application for 60 days as a denial of the application.

As was discussed during the June 2013 interim hearing, regarding the Governor’s concerns over separation of powers, the executive message lacks specificity. However, Article XII, Section 6 of the New Mexico Constitution creates PED and the PEC, and assigns to the secretary “administrative and regulatory powers and duties, including all functions relating to the distribution of school funds and financial accounting for the public schools to be performed *as provided by law.*” (Emphasis added.) Any amendments to the duties of the PEC and PED proposed by HB 392 of course would have been encompassed by law, thus apparently disposing of any conflict between the Secretary’s and PEC’s duties. Further, the PEC is already a constitutionally created, independently elected body whose duties do not fall clearly in either executive, legislative, or judicial purview; direct threat to existing separation of powers in this situation is difficult to discern.

Similarly, objections to potential conflicts between the PEC’s duties and the Secretary’s, specified by Section 9-24-8 NMSA 1978 as management of all operations of the department and

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<sup>6</sup> See: House Executive Message No. 38, April 5, 2013, for veto of HB 392, at: [http://governor.state.nm.us/uploads/PressRelease/06d402e1c095430e8cdcfbacc12d4d85/HOUSE\\_EXECUTIVE\\_MESSAGE\\_NO. 38.pdf](http://governor.state.nm.us/uploads/PressRelease/06d402e1c095430e8cdcfbacc12d4d85/HOUSE_EXECUTIVE_MESSAGE_NO. 38.pdf).

administration and enforcement of the laws with which the department is charged, may have been answered by virtue of the amendments to the law proposed by HB 392, as they would have been included, necessarily, within the broad scope of duties encompassed by that section.

Regarding the issue of the “pocket veto,” it should be noted that, while HB 392 would consider a lack of action on a charter school application within 60 days to be a final decision on the application, these amendments were proposed in order to keep the application and appeals process uniform, and afford all parties a remedy for appeal in the event that the PEC did fail to decide on an application within the allotted time.

## **OPTIONS FOR SINGLE STATEWIDE CHARTERING AUTHORIZERS**

In New Mexico, charter schools can either be authorized by local school boards or the PEC. Throughout the nation, state educational agencies (SEAs), local educational agencies (LEAs), and independent charter boards, usually a state commission, are the most frequently occurring authorizers, although other possibilities exist. According to the National Association of Charter School Authorizers (NACSA):

- all but eight United States jurisdictions had some kind of legislation addressing charter schools<sup>7</sup>;
- the number of approved charter-school authorizers in each state ranges from 1 to 314 (in California);
- 10 jurisdictions have only one approved charter authorizer:
  - seven of those are the state educational agency<sup>8</sup>; and
  - three of those are independent chartering boards<sup>9</sup>, which are usually state commissions created for the sole purpose of acting as charter school authorizers, such as the Maine State Charter School Commission.

Current model charter school legislation, usually drafted by charter school associations and other advocacy groups, tends to prefer multiple authorizers of several potential types (see **Attachment 1**, *Comparison of Chartering Authority Schemes Among The States*, and favors limited appeals opportunities in the application process (only for states where there is no independent or multiple authorizers, or where there is only local approval.)<sup>10</sup> Potential definitions for charter school “authorizers” include entities authorized to review applications, enter into charter contracts, oversee public charter schools and decide whether to renew or revoke charters. Suggested authorizing entities include:

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<sup>7</sup> Alabama, Kentucky, Montana, Nebraska, North Dakota, South Dakota, Vermont, and West Virginia

<sup>8</sup> Arkansas, Connecticut, Massachusetts, New Hampshire, New Jersey, North Carolina, and Rhode Island

<sup>9</sup> Hawaii State Public Charter School Commission, Maine State Charter School Commission, and the District of Columbia Public Charter School Board

<sup>10</sup> See: *The Essential Guide to Charter School Lawmaking, Model Legislation for States*, Center for Education Reform, Allen, Consoletti and Kerwin, 2012, at: <http://www.edreform.com/wp-content/uploads/2012/10/CER-ModelCharterLegislation.pdf>. See also: *A New Model Law for the Growth of High-Quality Public Charter Schools*, National Alliance for Public Charter Schools, June 2009, at: [http://www.publiccharters.org/data/files/Publication\\_docs/ModelLaw\\_P7-wCVR\\_20110402T222341.pdf](http://www.publiccharters.org/data/files/Publication_docs/ModelLaw_P7-wCVR_20110402T222341.pdf).

- the elected governing authority of a county or municipality;
- mayors;
- the SEA;
- a public charter school board; and
- boards of trustees at institutions of higher learning.

Where a single authorizer with statewide authority is contemplated, the SEA or a state public charter school commission seems the most logical choice. Such boards have as their core mission the authorization of charter schools, and this focus allows the development of expertise in this area. While understanding that there are as many potential variations as jurisdictions, model legislation recommends a number of general principles to be observed when creating a state charter school commission:

- odd numbers of members, to avoid tie votes;
- membership appointed for staggered terms by multiple state government leaders and bodies, such as the governor, the Legislature, or the state board or superintendent of public education;
- bipartisan membership with no more than a simple majority from any one political party;
- membership should include breadth of experience and expertise; and
- representation according to geographic concentrations of chartering activity in the state.

The Center for Education Reform (CER) has indicated that state boards or commissions charged with authorizing charter schools are no guarantee of successful authorization of diverse charter schools; they tend to be subject to greater political oversight and bureaucratic interference than other chartering institutions. Using New Mexico as one example, according to CER:

“The New Mexico Public Charter School Commission is an independent entity that was created, like many of the above efforts, to ensure applicants received a fair evaluation and were properly monitored. Getting an application considered in front of the Commission has become more bureaucratic and process-driven than was the case when school districts and the State Board of Education were the only path to review. Applicants complain of paperwork and minutiae and a lack of focus on high standards and capability to perform.”<sup>11</sup>

## **GOVERNANCE BOARD VACANCIES AND SUCCESSION**

According to the National Alliance for Public Charter Schools (NAPCS)<sup>12</sup>, many charter schools lack concrete succession plans in the case of governing board vacancies, thus putting the long-term sustainability of their schools at risk. Further, while many governing bodies lack a formal plan, most feel prepared for changes in membership and leadership, a viewpoint that risks

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<sup>11</sup> See: *Charter Authorizers: The Truth About State Commissions*, Center for Education Reform, May 2013, p.2, at: <http://www.edreform.com/wp-content/uploads/2013/04/Charter-School-Authorizers-Truth-About-State-Commissions-May2013.pdf>.

<sup>12</sup> See: *Succession Planning in Charter Management Organizations, Sustaining the Future for Charter Schools and Their Students*, National Alliance for Public Charter Schools, 2012, at: <http://www.publiccharters.org/editor/files/FlashSuccession/CMO%20Succession%20Planning%20Report.pdf>.

perpetuating an organization's lack of preparedness. NAPCS recommends a number of steps to help create viable succession plans, including:

- early discussion of succession;
- understanding where the organization is in its lifecycle, and its particular needs;
- the use of a consultant or outside facilitator;
- making an emergency succession plan, and testing it;
- building the governing body's bench and thus creating a pool of potential members and leaders;
- the creation and use of a good communication plan to publicize vacancies appropriately; and
- providing coaches for new leaders.

As further noted by Charter Schools Tools (CST)<sup>13</sup>, failure to consider long-term succession of governance and leadership may make boards too dependent upon a small number of members, leading to a potentially inappropriate concentration of power in those few individuals. CST recommends the establishment of three- to five-year plans for board leadership development that would prepare potential board and committee chairs. Including such steps and guidelines as:

- identifying key board and committee leadership positions and when they will be vacant;
- reviewing board leader position descriptions and update if necessary, particularly descriptions for board officers and committee chairs;
- for each key leadership position, identify at least two potential candidates for leadership succession; and
- development of a plan for leadership development and succession in collaboration with the candidates that emphasizes skills and knowledge necessary to the vacancy, and identify appropriate learning objectives, with specific activities and resources to be utilized, such as:
  - public training events;
  - onsite continuing education;
  - mentoring;
  - self-study;
  - intergroup leadership development involving boards and directors from other charter schools; or
  - committee and task rotation.

In New Mexico, charter school governing board (sometimes called “charter management organizations”) activities are governed largely by the provisions of the *Charter Schools Act*, as well as relevant portions of the *New Mexico Administrative Code*. Enumerated duties and responsibilities involving charter school governing boards include:

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<sup>13</sup> See: *Board Governance Training Manual*, Charter Schools Tools, at: <http://www.charterschooltools.org/tools/BoardGovernanceTrainingManual.pdf#page=13>.



- attendance at a mandatory training course, developed by PED, to explain department rules and policies, statutory duties of governing boards, school law, etc<sup>14</sup>;
- avoidance of conflicts of interest and nepotism<sup>15</sup>; and
- requirements to include in charter school applications information describing the governing body and its operation of the charter school, including:
  - selection of governing body members;
  - qualifications and terms of members;
  - how board vacancies will be filled, as well as procedures for changing board membership; and
  - the nature of community involvement in the governance of the school.<sup>16</sup>

The actual mechanics of governing board vacancies and succession are dealt with as part of the individual charter school application process<sup>17</sup> thus, while the broad policies and goals of succession plans may be similar from school to school, the particulars of the process vary. New Mexico charter school applications contain several questions that directly address governing board membership and vacancies:

1. Summarize the key components of your governance structure, including the roles and responsibilities of the governing body, number of members, length of terms, offices to be created, committees, grounds for removal from office, and relationship with your school's administration. Explain how and when the governing body will develop its governing documents or "bylaws" if not submitted with application.
2. Provide a list of your proposed initial governing body members and describe the expertise represented on this governing body that demonstrates capacity to initiate the opening of the charter school. The composition of the Governing Body should reflect a wide range of expertise, knowledge, and experience, and should demonstrate the capacity to oversee a successful school (i.e., assure student success, develop, implement, oversee the management of public funds, and oversee the school's compliance with legal obligations).
3. Describe how future governing body members will be selected as vacancies arise. Enumerate the qualifications desired for members that will assure your school's governance is competent to operate a public school.

Question 3, regarding the filling of governing body vacancies, is of most relevance to this discussion. Answers to that question on recent applications included:

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<sup>14</sup> 22-8B-5.1 NMSA 1978. See also: 6.80.4.20 NMAC, "Governing Body Training," requiring members of charter school governance boards to undergo five hours of training, annually.

<sup>15</sup> 22-8B-5.2 NMSA 1978

<sup>16</sup> 22-8B-8 NMSA 1978

<sup>17</sup> Required elements of the New Mexico Charter School application are outlined at 6.80.4.9 NMAC, Contents of Application for Start-up Charter School.

- formation of an ad hoc nominating committee to recommend, interview, and decide upon potential candidates<sup>18</sup>;
- formation of a search committee to provide the governing body president a field of candidates from which to nominate potential candidates, who must then attend a regular meeting, submit a letter of interest, and be voted on by the governing body and the school chief administrator<sup>19</sup>; and
- utilizing the school newsletter, website, and other communication methods to notify the public of vacancies, for which candidates shall submit their intention to apply, to be reviewed, and voted upon by the board at the next regular meeting.<sup>20</sup>

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<sup>18</sup> See: 2013 Columbus Community School Application, at:

<http://www.ped.state.nm.us/ped/CharterSchoolsDocs/2013/Columbus%20Community%20School%20website%20docs/Columbus%20Application.pdf>.

<sup>19</sup> See: 2013 Dream Dine' Charter School Application, at:

<http://www.ped.state.nm.us/ped/CharterSchoolsDocs/2013/Dream%20Dine%20website%20docs/Dream%20Dine%20Application.pdf>.

<sup>20</sup> See 2013 Explore Academy Application, at:

<http://www.ped.state.nm.us/ped/CharterSchoolsDocs/2013/Explore%20Academy%20website%20docs/Explore%20Academy%20Application.pdf>.

## COMPARISON OF CHARTERING AUTHORITY SCHEMES AMONG THE STATES\*

STATE	NUMBER OF AUTHORIZERS	TYPES OF AUTHORIZERS	NUMBER OF CHARTER SCHOOLS
<b>LEGEND:</b> LEA – Local Education Agency; SEA – State Education Agency; ICB –Independent Chartering Board; HEI – Higher Education Institution; NFP- Not-for-Profit			
Alaska	8	LEA (7)	22
Alabama	No Charter School Legislation		
Arizona	7	SEA, LEA (5), ICB (AZ State Board for Charter Schools)	561
Arkansas	1	SEA	36
California	314	LEA	1067
Colorado	47	LEA (46), ICB (CO Charter School Institute)	185
Connecticut	1	SEA	17
Delaware	2	SEA, LEA	22
District of Columbia	1	ICB (DC Public Charter School Board)	101
Florida	44	LEA (42), HEI (2)	582
Georgia	39	SEA, LEA (38)	92
Hawaii	1	ICB (State Public Charter School Commission)	33
Idaho	13	LEA (12), ICB (ID Public Charter School Commission)	47
Illinois	11	SEA, LEA (9), ICB	129
Indiana	8	SEA, LEA (4), ICB (IN State Charter School Board), HEI (2), other (Indianapolis Mayor’s Office)	77
Iowa	4	LEA	4
Kansas	12	LEA	14
Kentucky	No Charter School Legislation		
Louisiana	8	SEA, LEA (7)	111
Maine	1	ICB (ME State Charter School Commission)	2
Maryland	6	LEA	46
Massachusetts	1	SEA	79
Michigan	33	LEA (22), HEI (11)	275
Minnesota	28	LEA (7), HEI (8), NFP (13)	173
Mississippi	0	N/A	0
Missouri	12	LEA (1), HEI (11)	65
Montana	No Charter School Legislation		
Nebraska	No Charter School Legislation		
Nevada	4	LEA (3), ICB	38
New Hampshire	1	SEA	18
New Jersey	1	SEA	86
New Mexico	19	SEA, LEA (18)	95

SOURCE: National Association of Charter School Authorizers

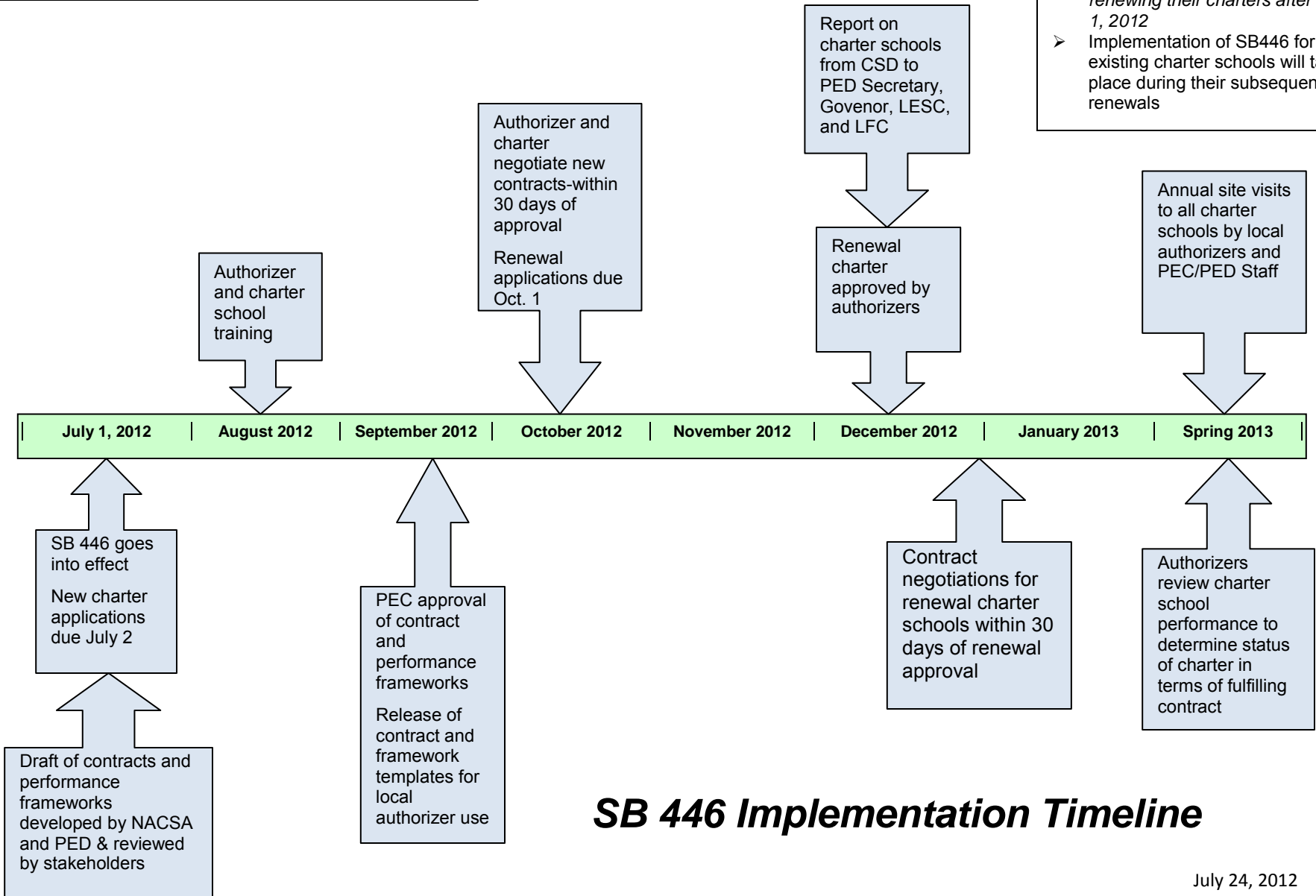
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STATE	NUMBER OF AUTHORIZERS	TYPES OF AUTHORIZERS	NUMBER OF CHARTER SCHOOLS
<b>LEGEND: LEA – Local Education Agency; SEA – State Education Agency; ICB –Independent Chartering Board; HEI – Higher Education Institution; NFP- Not-for-Profit</b>			
New York	4	SEA, LEA (2), HEI	218
North Carolina	1	SEA	109
North Dakota	No Charter School Legislation		
Ohio	67	SEA, LEA (57), HEI (3), NFP (6)	372
Oklahoma	7	LEA (4), HEI (2), other (Cherokee Nation)	22
Oregon	73	SEA, LEA (72)	120
Pennsylvania	44	SEA, LEA (43)	171
Rhode Island	1	SEA	19
South Carolina	18	LEA (17), ICB (SC Public Charter School District)	52
South Dakota	No Charter School Legislation		
Tennessee	5	LEA (4), ICB (TN Achievement School District)	50
Texas	15	SEA, LEA (14)	571
Utah	5	LEA (4), ICB (UT State Charter School Board)	91
Vermont	No Charter School Legislation		
Virginia	3	LEA	4
Washington	0	N/A	0
West Virginia	No Charter School Legislation		
Wisconsin	99	LEA (96), HEI (2), other (Milwaukee Common Council)	235
Wyoming	3	LEA	4

*\*Information current through August 9, 2013, as per National Association of Charter School Authorizers*

# New Mexico Public Education Department-Charter School Division

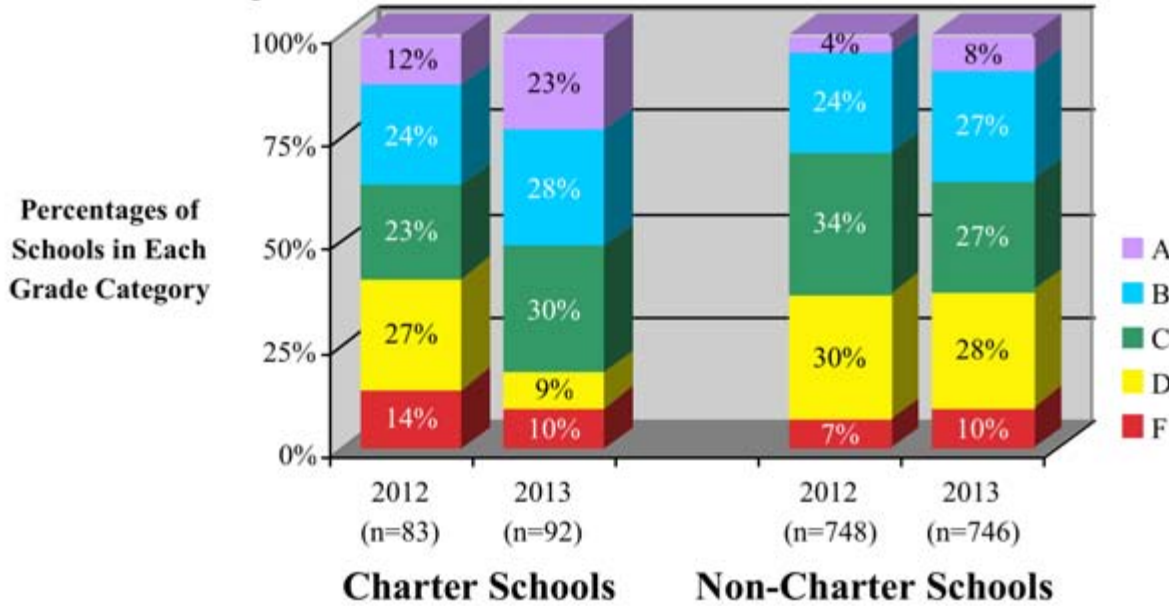
- SB446 is the new accountability process for charter schools that includes a new contract and performance frameworks
- *The only charter schools that fall directly under the provisions of SB446 include new charter applications approved by authorizers and charter schools renewing their charters after July 1, 2012*
- Implementation of SB446 for existing charter schools will take place during their subsequent renewals



## ***SB 446 Implementation Timeline***

July 24, 2012

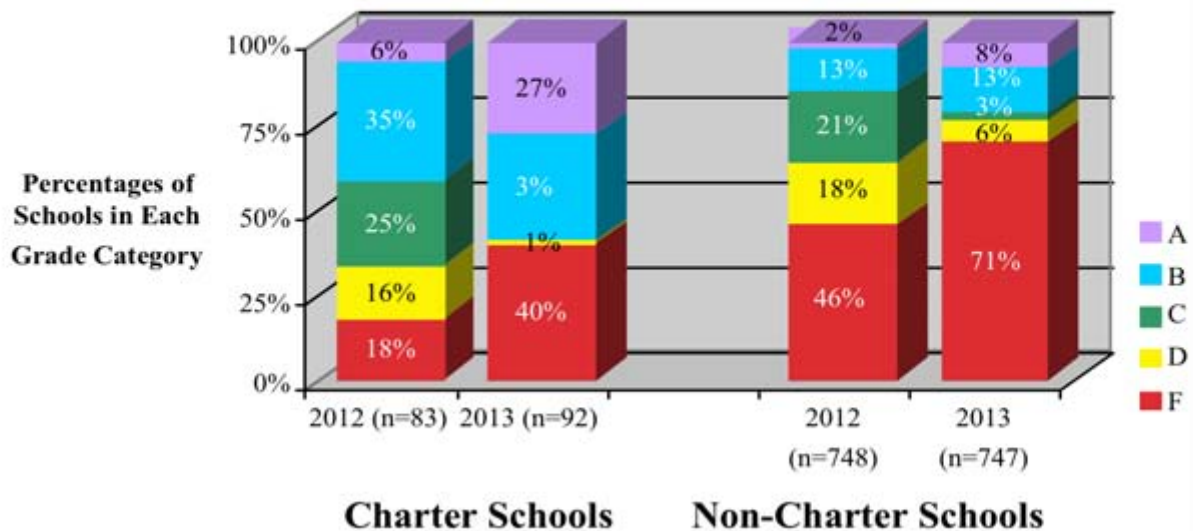
**Final Grades:  
Comparison of Charter and Non-Charter Public Schools**



Charters  
vs  
Traditional  
Public  
Schools

	2012		2013	
	Charter	Traditional Public	Charter	Traditional Public
A and B scores combined	36%	28%	52%	35%
C scores	23%	34%	29%	27%
D and F scores combined	41%	38%	19%	38%

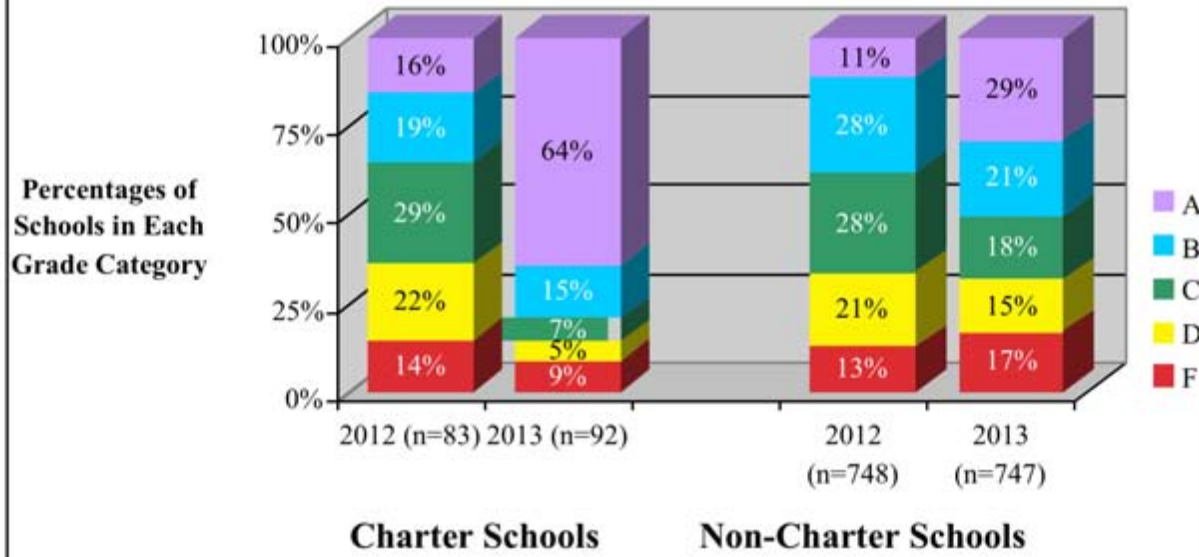
**Growth of Lowest Performing Students (Q1):  
Comparison of Charter and Non-Charter Public Schools**



**Q1  
Students:  
All Schools  
Compared**

	2012		2013	
	Charter	Traditional Public	Charter	Traditional Public
A and B scores combined	41%	15%	59%	21%
C scores	25%	21%	1%	3%
D and F scores combined	34%	64%	40%	77%

**Growth of Highest Performing Students (Q3):  
Comparison of Charter and Non-Charter Public Schools**

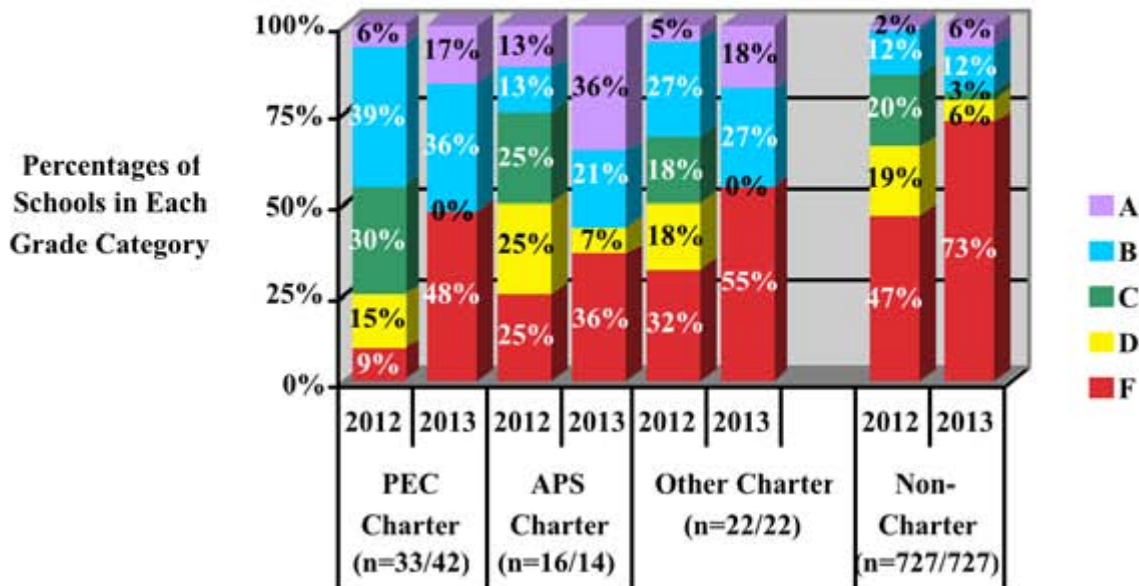


**Q3 Students:  
All Schools  
Compared**

	2012		2013	
	Charter	Traditional Public	Charter	Traditional Public
A and B scores combined	35%	29%	79%	50%
C scores	29%	28%	7%	18%
D and F scores combined	36%	34%	14%	32%



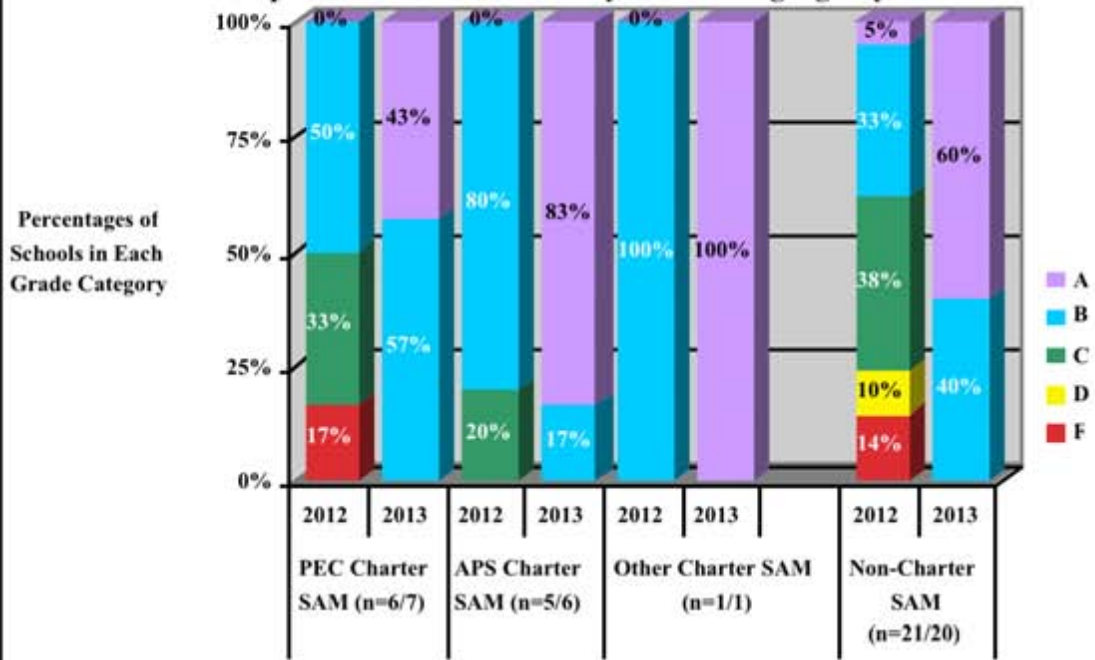
**Growth of Lowest Performing Students (Q1):  
Comparison of Non SAM Schools by Authorizing Agency**



**Q1 Students  
In Non-SAM  
Schools  
By  
Authorizers**

	2012				2013			
	PEC	APS	Other	Trad Public	PEC	APS	Othe	Trad Public
A and B	45%	26%	32%	14%	57%	57%	45%	18%
C	30%	25%	18%	20%	0%	0%	0%	3%
D and F	24%	50%	50%	66%	48%	42%	55%	79%

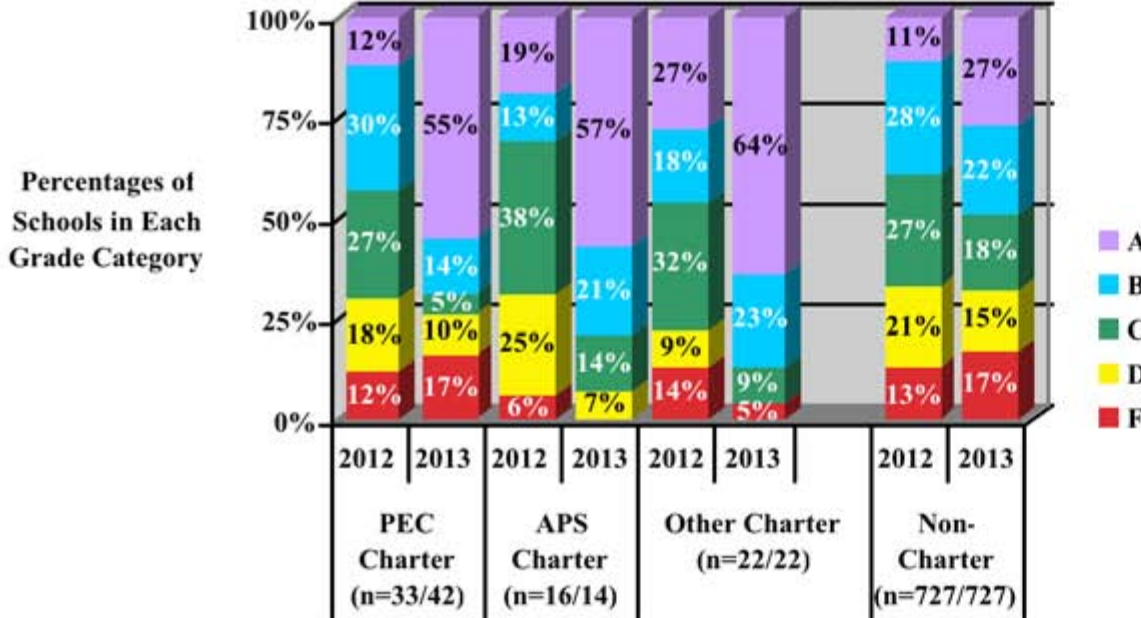
**Growth of Lowest Performing Students (Q1):  
Comparison of SAM Schools by Authorizing Agency**



**Q1 Students  
In SAM  
Schools  
By  
Authorizers**

	2012				2013			
	PEC	APS	Other	Trad Public	PEC	APS	Other	Trad Public
A and B	50%	80%	100%	38%	100%	100%	100%	100%
C	33%	20%	0%	38%	0%	0%	0%	0%
D and F	17%	0%	0%	24%	0%	0%	0%	0%

**Growth of Highest Performing Students (Q3):  
Comparison of Non SAM Schools by Authorizing Agency**

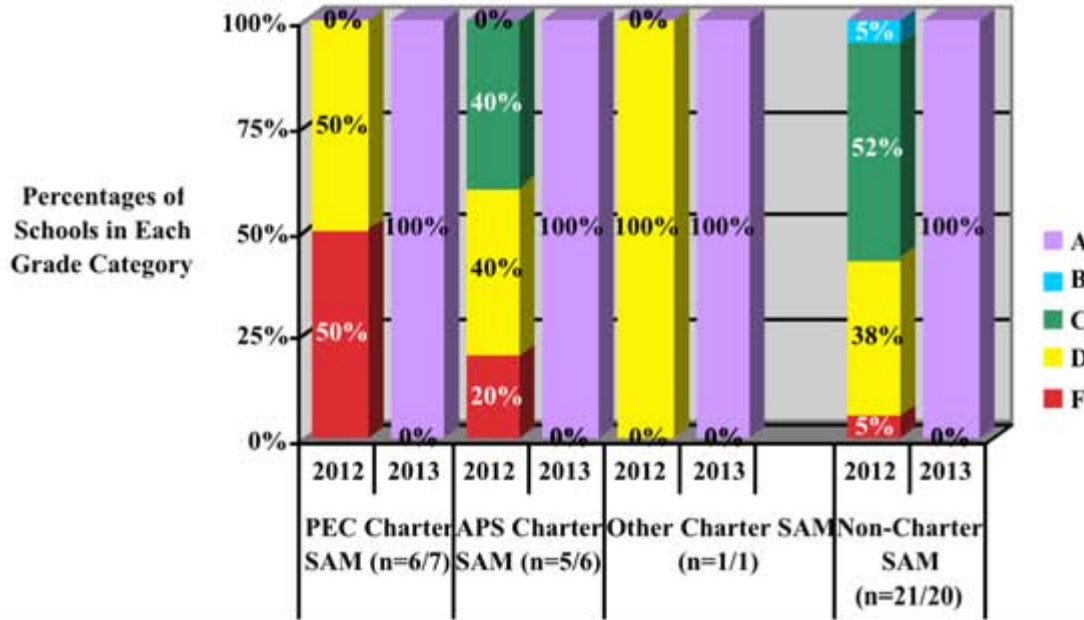


**Q3  
Students  
In Non-SAM  
Schools  
By  
Authorizers**

	2012				2013			
	PEC	APS	Other	Trad Public	PEC	APS	Other	Trad Public
A and B	42%	32%	45%	39%	64%	78%	87%	49%
C	27%	38%	32%	27%	5%	14%	9%	18%
D and F	30%	31%	23%	34%	27%	7%	5%	32%

# Q3 Students In SAM Schools By Authorizers

**Growth of Highest Performing Students (Q3): Comparison of SAM Schools by Authorizing Agency**



	2012				2013			
	PEC	APS	Other	Trad Public	PEC	APS	Other	Trad Public
A and B	0%	0%	0%	5%	100%	100%	100%	100%
C	0%	40%	0%	52%	0%	0%	0%	0%
D and F	100%	60%	100%	43%	0%	0%	0%	0%