STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

State Capitol North, 325 Don Gaspar, Suite 200
Santa Fe, New Mexico 87501
Phone: (505) 986-4591 Fax: (505) 986-4338
http://lesc.nmlegis.gov

REPRESENTATIVES
Rick Miera, Vice Chair
Roberto "Bobby" J. Gonzales
Jimmie C. Hall
Dennis J. Roch
Mimi Stewart
Jack E. Thomas

ADVISORY
Andrew J. Barreras
Ray Begaye
Eleanor Chávez
Nathan P. Cote
Nora Espinoza
Mary Helen Garcia
Karen E. Giannini
John A. Heaton
Sheryl M. Williams Stapleton
Shirley A. Tyler

SENATORS
Cynthia Nava, Chair
Mary Jane M. García
Gay G. Kernan
Lynda M. Lovejoy

ADVISORY
Vernon D. Asbill
Stephen H. Fischmann
Howie C. Morales
John Pinto
Sander Rue
William E. Sharer

Frances Ramírez-Maestas, Director
David Harrell, PhD, Deputy Director

September 27, 2010

MEMORANDUM

TO: Legislative Education Study Committee

FR: Adan Delval, LESC Intern

RE: WRITTEN REPORT: CAPITAL OUTLAY AWARDS

On December 17, 2009, the Public School Facility Authority (PSFA) issued a memo to school districts and charter schools stating that economic conditions in New Mexico and corresponding uncertainty in funding availability necessitated a revision in state public school capital outlay for the 2010-2011 funding cycle.

Specifically, the memo stated that for fiscal year 2011:

- the Public School Capital Outlay Council (PSCOC) would not be accepting applications for new standards-based capital outlay projects;
- however, projects that have previously received a standards-based award for planning/design, an initial construction phase, or have a deferred award with out-of-cycle consideration pending completion of specified conditions would be eligible to apply for additional funding; and
- only projects that meet all contingencies and show the greatest degree of readiness would be considered.

At its September 2010 meeting, the PSCOC announced that a limited pool of funds would be available to make:

- new planning and design awards for projects within the top 60 of the 2010-2011 New Mexico Condition Index (NMCI)[1] Ranking. PSFA estimates that approximately $50.0 million will be available for such awards, but adds that it will have a more accurate estimate by December 2010. Eligibility for these awards will be subject to the following limitations:

  - based on the number of pre-applications received, a final funding pool established will determine the eligibility to complete the full application and be considered for an award; and
  - any awards are subject to district match requirements per 2010-2011 state/local match percentage and per standard criteria for all PSCOC funding, a current district facility master plan and preventive maintenance plan are prerequisites; and

- up to $10.0 million in awards for urgently-needed school roof repairs, irrespective of schools' NMCI rankings, subject to the following limitations:

  - construction of awarded projects must be completed by December 31, 2011;
  - applicant districts must be willing to pay upfront the cost of validation of roof repairs and criticality by qualified roof consultants, which will be reimbursed for PSCOC applications;
  - districts must have sufficient local matching dollars in place;
  - the PSCOC will not approve requests for waivers or advances for this funding program; and
  - per standard criteria for all PSCOC funding, a current district facility master plan and preventive maintenance plan are prerequisites, and the roof project for which the district is applying must be included in the facility master plan.

PSFA reports that districts' initial applications for either of these programs must be submitted through the PSFA on-line application system no later than October 1, 2010, adding that, based on the criticality of the needs and project readiness, funds earmarked for these programs would be awarded to the applicant districts and charters in early January 2011.

The PSCOC also approved approximately $9.9 million in lease-assistance awards to 80 charter schools and six public schools. The awards are shown in the Attachment, *Public School Capital Outlay Council 2010-2011 Lease Assistance Awards*; however, it is important to note that the following awards are deferred, subject to the following contingencies:

- Las Montañas Charter School and La Union JTP/Alvarez Farms are deferred pending completion and submission of the Conflict of Interest Questionnaire to PSFA; and
- Amy Biehl Charter High School is deferred pending renegotiation of the current lease between the charter and General Services Administration which was a condition of their previous standards-based award.

[1] New Mexico uses the New Mexico Condition Index (NMCI) to rank every public school facility in terms of relative need, from greatest to least. Using the Facility Assessment Database, PSFA tracks the condition of all of New Mexico's 89 school districts, approximately 782 public schools within these districts, and 4,899 individual buildings. In all, the deficiencies of approximately 95,530 separate and distinct systems are weighted according to nine categories to determine a facility's NMCI score, which is calculated as the ratio of the cost of needed repairs to the cost of replacement.

PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL
2010-2011 LEASE ASSISTANCE AWARDS

District	School	Total Sq.Ft. of Leased Classroom Space	Total Sq.Ft of [1]Direct Admin (PED) Actual or Calculated	Total Sq. Ft. of Admin. Space	Total Sq. Ft. of Leased Space	Avg. of 80/120 Membership or Estimate per PED	Sq. Ft. per PED MEM	Actual Lease	Total Annual Lease Payment per PED MEM	Lease Payment for Classroom and [1]Direct Admin Space	Maximum Allowable Lease Assist @ $721.81/PED MEM[2]	Maximum Allowable Lease Assist @ $721.81/PED MEM[2] or Adjusted Lease	Balance
Albuquerque Public Schools	Academia de Lengua y Cultura	4,656.0	307.5	5,738.5	10,394.5	105.0	99	158,615	1,511	75,741	75,790	75,741	**75,741**
Albuquerque Public Schools	Academy of Trades & Technology	21,191.0	458.3	1,309.0	22,500.0	205.5	109	180,600	879	173,771	148,332	148,332	**148,332**
Albuquerque Public Schools	Albuquerque Institute for Math & Science	17,862.0	469.5	510.0	18,372.0	213.0	86	221,489	1,040	221,001	153,746	153,746	**153,746**
Albuquerque Public Schools	Albuquerque Talent Development	13,000.0	359.3	500.0	13,500.0	139.5	140	218,538	1,567	216,260	100,692	100,692	**100,692**
Albuquerque Public Schools	Alice King Community School	10,620.0	396.0	396.0	11,016.0	164.0	67	289,950	1,768	289,950	118,377	118,377	**118,377**
Albuquerque Public Schools	Amy Biehl High School	40,764.0	581.3	1,337.0	42,101.0	287.5	146	135,500	471	133,068	207,520	133,068	**133,068**
Albuquerque Public Schools	Bataan Military Academy	13,950.0	312.8	714.0	14,664.0	108.5	135	147,754	1,362	143,711	78,316	78,316	**78,316**
Albuquerque Public Schools	Career Academic & Technical Academy	13,000.0	332.3	332.0	13,332.0	121.5	110	170,293	1,402	170,296	87,700	87,700	**87,700**
Albuquerque Public Schools	Cesar Chavez	11,271.5	399.8	8,728.5	20,000.0	166.5	120	312,000	1,874	182,072	120,181	120,181	**120,181**
Albuquerque Public Schools	Christine Duncan's Heritage Academy	13,000.0	358.5	344.0	13,344.0	139.0	96	93,600	673	93,706	100,332	93,706	**93,706**
Albuquerque Public Schools	Cien Aguas International School	11,365.0	338.3	1,487.0	12,852.0	125.5	102	128,520	1,024	117,033	90,587	90,587	**90,587**
Albuquerque Public Schools	Corrales International School	15,340.0	420.0	920.0	16,260.0	180.0	90	165,000	917	159,926	129,926	129,926	**129,926**
Albuquerque Public Schools	Cottonwood Classical Preparatory School	18,700.0	521.3	522.0	19,222.0	247.5	78	459,142	1,855	459,124	178,648	178,648	**178,648**
Albuquerque Public Schools	Creative Education Prep. Institute #1	12,153.0	412.5	3,180.5	15,333.5	175.0	88	128,470	734	105,279	126,317	105,279	**105,279**
Albuquerque Public Schools	Digital Arts and Technology Academy HS	46,391.0	640.5	641.0	47,032.0	327.0	144	566,313	1,732	566,313	236,032	236,032	**236,032**
Albuquerque Public Schools	East Mountain High School	37,882.0	650.3	1,964.0	39,846.0	333.5	119	336,000	1,007	324,922	240,724	240,724	**240,724**
Albuquerque Public Schools	El Camino Real Academy	42,498.0	874.5	3,063.0	45,561.0	483.0	94	1,053,455	2,181	1,002,853	348,634	348,634	**348,634**
Albuquerque Public Schools	Gilbert L. Sena Charter H.S.	14,000.0	401.3	701.0	14,701.0	167.5	88	180,000	1,075	176,330	120,903	120,903	**120,903**
Albuquerque Public Schools	Gordon Bernell Charter School	12,192.0	564.8	565.0	12,757.0	276.5	46	175,000	633	175,000	199,580	175,000	**175,000**
Albuquerque Public Schools	Horizon Academy West	15,749.5	801.8	1,237.5	16,987.0	434.5	39	522,853	1,203	509,456	313,626	313,626	**313,626**
Albuquerque Public Schools	La Academia de Esperanza	13,050.0	587.3	587.0	13,637.0	291.5	47	360,000	1,235	360,007	210,408	210,408	**210,408**
Albuquerque Public Schools	La Promesa Charter School	8,000.0	422.3	356.0	8,356.0	181.5	46	34,998	193	35,277	131,009	35,277	**35,277**
Albuquerque Public Schools	La Resolana Leadership Academy	3,310.0	249.8	842.0	4,152.0	66.5	62	55,838	840	47,873	48,000	47,873	**47,873**
Albuquerque Public Schools	Los Puentes	11,017.0	398.3	8,562.0	19,579.0	165.5	118	288,000	1,740	167,914	119,460	119,460	**119,460**
Albuquerque Public Schools	Media Arts Collaborative Charter School	7,401.0	425.3	3,399.0	10,800.0	183.5	59	184,248	1,004	133,516	132,452	132,452	**132,452**
Albuquerque Public Schools	The Montessori Elementary School	32,500.0	637.5	2,623.0	35,123.0	325.0	108	636,000	1,957	600,047	234,588	234,588	**234,588**
Albuquerque Public Schools	Montessori of the Rio Grande	13,939.0	415.5	765.5	14,704.5	177.0	83	127,760	722	124,719	127,760	124,719	**124,719**
Albuquerque Public Schools	Mountain Mahogany Community	10,056.0	360.0	1,228.0	11,284.0	140.0	81	102,000	729	94,154	101,053	94,154	**94,154**
Albuquerque Public Schools	Native American Community Academy	24,532.0	615.8	557.0	25,089.0	310.5	81	122,700	395	122,989	224,122	122,989	**122,989**
Albuquerque Public Schools	New America School	7,863.0	483.8	633.0	8,496.0	222.5	38	331,275	1,489	325,455	160,603	160,603	**160,603**
Albuquerque Public Schools	North Valley Academy	26,880.0	879.0	11,079.0	37,959.0	486.0	78	569,435	1,172	416,422	350,800	350,800	**350,800**
Albuquerque Public Schools	Nuestros Valores Charter School	6,811.0	336.0	1,322.0	8,133.0	124.0	66	49,536	399	43,531	89,504	43,531	**43,531**
Albuquerque Public Schools	Public Academy for Performing Arts	15,300.0	673.5	673.5	15,973.5	349.0	46	244,300	700	244,300	251,912	244,300	**244,300**
Albuquerque Public Schools	Ralph J. Bunche Academy	5,203.0	282.0	863.5	6,066.5	88.0	69	49,012	557	44,314	63,519	44,314	**44,314**
Albuquerque Public Schools	Robert F. Kennedy Charter High School	26,805.0	517.5	1,868.0	28,673.0	245.0	117	212,833	869	202,809	176,843	176,843	**176,843**
Albuquerque Public Schools	SIATech	2,787.0	599.3	600.0	3,387.0	299.5	11	60,000	200	59,987	216,182	59,987	**59,987**
Albuquerque Public Schools	South Valley Academy	12,300.0	496.5	500.0	12,800.0	231.0	55	180,000	779	179,951	166,738	166,738	**166,738**
Albuquerque Public Schools	[3]SW Intermediate Learning Center	11,880.0	318.0	600.0	12,480.0	112.0	111	89,618	800	87,593	80,843	80,843	**80,843**
Albuquerque Public Schools	SW Primary Learning Center	14,200.0	307.5	800.0	15,000.0	105.0	143	85,722	816	82,907	75,790	75,790	**75,790**
Albuquerque Public Schools	SW Secondary Learning Center	19,252.0	562.5	1,268.0	20,520.0	275.0	75	214,304	779	206,936	198,498	198,498	**198,498**
Albuquerque Public Schools	The International School at Mesa del sol	11,500.0	261.8	915.0	12,415.0	74.5	167	39,591	531	37,508	53,775	37,508	**37,508**
Albuquerque Public Schools	The Learning Community Charter School	26,000.0	426.0	426.0	26,426.0	184.0	144	132,813	722	132,813	132,813	132,813	**132,813**
Albuquerque Public Schools	21st Century Public Academy	25,262.0	170.0	170.0	25,432.0	243.0	105	179,762	740	179,762	175,400	175,400	**175,400**
Aztec	Mosaic Academy	17,580.0	420.0	420.0	18,000.0	180.0	100	116,000	644	116,000	129,926	116,000	**116,000**
Bernalillo	Village Academy	3,744.0	230.3	240.0	3,984.0	53.5	74	45,800	856	45,688	38,617	38,617	**38,617**
Carlsbad Municipal Schools	Jefferson Montessori Academy	14,574.0	363.8	1,140.0	15,714.0	142.5	110	105,384	740	100,178	102,858	100,178	**100,178**
Cimarron	Moreno Valley High School	13,196.0	271.5	720.0	13,916.0	81.0	172	60,700	749	58,744	58,467	58,467	**58,467**
Clovis	Choices - Alternative Learning Center	12,148.0	538.5	1,151.5	13,299.5	259.0	51	99,600	385	95,009	186,949	95,009	**95,009**
Deming Public Schools	Deming Cesar Chavez	10,304.0	357.0	1,143.0	11,447.0	138.0	83	100,000	725	93,134	99,610	93,134	**93,134**
Espanola	Carinos Charter School	11,500.0	453.0	735.0	12,235.0	202.0	61	131,369	650	128,341	145,806	128,341	**128,341**

ATTACHMENT

September 2, 2010

PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL
2010-2011 LEASE ASSISTANCE AWARDS

District	School	Total Sq.Ft. of Leased Classroom Space	Total Sq.Ft of [1]Direct Admin (PED) Actual or Calculated	Total Sq. Ft. of Admin. Space	Total Sq. Ft. of Leased Space	Avg. of 80/120 Membership or Estimate per PED	Sq. Ft. per PED MEM	Actual Lease	Total Annual Lease Payment per PED MEM	Lease Payment for Classroom and [1]Direct Admin Space	Maximum Allowable Lease Assist @ $721.81/PED MEM[2]	Maximum Allowable Lease Assist @ $721.81/PED MEM[2] or Adjusted Lease	Balance
Gadsden Independent Schools	Anthony Charter School	5,145.0	265.5	266.0	5,411.0	77.0	70	53,350	693	53,350	55,579	53,350	**53,350**
Gadsden Independent Schools	La Union JTP/Alvarez Farms	17,312.0	187.5	188.0	17,500.0	25.0	700	18,000	720	18,000	18,045	18,000	**18,000**
Gallup McKinley County Schools	Chief Manuelito MS (Land)	464,539.0	1,102.5	1,074.0	465,613.0	635.0	733	6,800	11	6,800	458,349	6,800	**6,800**
Gallup McKinley County Schools	Churchrock Academy (Land)	36,521.0	558.8	540.0	37,061.0	272.5	136	5,500	20	5,503	196,693	5,503	**5,503**
Gallup McKinley County Schools	David Skeet ES (Land)	16,760.0	492.0	491.0	17,251.0	228.0	76	3,557	16	3,557	164,573	3,557	**3,557**
Gallup-McKinley County Schools	Middle College High School	2 acres	246.8	87.0	2 acres	64.5	-	15,130	235	15,130	46,557	15,130	**15,130**
Gallup McKinley County Schools	Ramah Middle School (Land)	29,059.0	459.0	447.0	29,506.0	206.0	143	4,858	24	4,860	148,693	4,860	**4,860**
Jemez Valley	San Diego Riverside	8,741.0	308.3	308.0	9,049.0	105.5	86	73,850	700	73,850	76,151	73,850	**73,850**
Jemez Valley	Walatowa High Charter School	3,480.0	243.8	243.0	3,723.0	62.5	60	51,640	826	51,650	45,113	45,113	**45,113**
Las Cruces	Alma d'arte Charter HS	16,689.0	393.0	2,624.0	19,313.0	162.0	119	133,512	824	118,089	116,933	116,933	**116,933**
Las Cruces	Families and Youth Inc./Las Montanas	15,840.0	552.0	12,907.0	28,747.0	268.0	107	359,625	1,342	205,064	193,445	193,445	**193,445**
Las Cruces	La Academia Dolores Huerta	9,257.0	333.8	743.0	10,000.0	122.5	82	114,661	936	109,968	88,422	88,422	**88,422**
Los Lunas Public Schools	School of Dreams Academy	12,405.0	371.3	1,143.0	13,548.0	147.5	92	196,364	1,331	185,178	106,467	106,467	**106,467**
Questa	Red River Valley Charter	7,536.0	240.8	242.0	7,778.0	60.5	129	44,030	728	44,026	43,670	43,670	**43,670**
Questa	Roots & Wings Community School	2,160.0	130.0	1,840.0	4,000.0	46.0	87	54,000	1,174	30,915	33,203	30,915	**30,915**
Roswell Independent Schools	Sidney Gutierrez Middle School	7,540.0	239.3	1,927.0	9,467.0	59.5	159	14,460	243	11,882	42,948	11,882	**11,882**
Santa Fe Public Schools	The Academy for Technology & the	35,739.0	656.3	5,408.0	41,147.0	337.5	122	545,364	1,616	482,384	243,611	243,611	**243,611**
Santa Fe Public Schools	Tierra Encantada Charter High School	27,126.0	367.5	900.0	28,026.0	145.0	193	195,000	1,345	191,295	104,662	104,662	**104,662**
Santa Fe Public Schools	Monte del Sol Charter school	26,895.0	705.8	1,010.0	27,905.0	370.5	75	253,752	685	250,985	267,431	250,985	**250,985**
Santa Fe Public Schools	Turquoise Trail Charter School	58,799.0	847.5	1,099.5	59,898.5	465.0	129	325,500	700	324,131	335,642	324,131	**324,131**
Silver	Aldo Leopold High School	9,360.0	279.0	1,462.0	10,822.0	86.0	126	74,460	866	66,320	62,076	62,076	**62,076**
Socorro	Cottonwood Valley Charter School	9,553.0	405.0	757.0	10,310.0	170.0	61	95,566	562	92,303	122,708	92,303	**92,303**
Taos Municipal Schools	Anansi Charter School	6,000.0	311.3	305.0	6,305.0	107.5	59	114,000	1,060	114,113	77,595	77,595	**77,595**
Taos Municipal Schools	Taos Academy Charter School	5,951.0	291.0	431.0	6,382.0	94.0	68	84,000	894	82,157	67,850	67,850	**67,850**
Taos Municipal Schools	Taos Municipal Charter School	9,630.0	454.5	455.0	10,085.0	203.0	50	142,100	700	142,100	146,527	142,100	**142,100**
Taos Municipal Schools	Vista Grande High School	5,200.0	303.0	302.0	5,502.0	102.0	54	99,512	976	99,530	73,625	73,625	**73,625**
West Las Vegas	Rio Gallinas School	10,265.0	450.0	450.0	10,715.0	104.0	103	75,300	724	75,300	75,068	75,068	**75,068**
Albuquerque Public Schools	ACE Leadership Academy	5,785.0	315.0	1,001.0	6,786.0	110.0	62	75,000	682	67,418	79,399	67,418	**67,418**
Albuquerque Public Schools	Albuquerque School of Excellence	23,000.0	525.0	525.0	23,525.0	250.0	94	300,000	1,200	300,000	180,453	180,453	**180,453**
Albuquerque Public Schools	The Albuquerque Sign Language	2,642.0	210.0	4,529.0	7,171.0	40.0	179	86,052	2,151	34,224	28,872	28,872	**28,872**
Albuquerque Public Schools	South Valley Preparatory School	6,938.0	261.0	550.0	7,488.0	74.0	101	51,000	689	49,032	53,414	49,032	**49,032**
Albuquerque Public Schools	Tierra Adentro	7,327.0	435.0	435.0	7,762.0	190.0	41	137,144	722	137,144	137,144	137,144	**137,144**
Rio Rancho Public Schools	The ASK Academy	11,250.0	375.0	4,668.0	15,918.0	150.0	106	236,330	1,576	172,593	108,272	108,272	**108,272**
Santa Fe Public Schools	New Mexico School for the Arts	43,515.0	348.0	1,668.0	45,183.0	132.0	342	172,520	1,307	167,480	95,279	95,279	**95,279**
Santa Fe Public Schools	The MASTERS Program	9,075.0	330.0	480.0	9,555.0	120.0	80	72,534	604	71,395	86,617	71,395	**71,395**
Taos Municipal Schools	Taos Integrated School for the Arts	8,610.0	285.0	392.0	9,002.0	90.0	100	72,000	800	71,144	64,963	64,963	**64,963**
TOTAL	**86**	1,780,123	36,938	132,275	1,912,311	16,218	9,481	15,008,160	78,704	13,792,557	11,706,315	9,883,579	9,883,579

NOTES:

Shaded rows indicate new application(yellow) or start-up (tan)

[1] Direct Administrative Space not to exceed 150nsf + 1.5nsf x MEM

[2] 1.019*1.016*0.996* $700/MEM (Consumer Price Index)= FY 09 = 1.9% FY 10 = 1.6% FY 11= -0.4%

[3] Formerly La Luz Del Monte Learning Center

[4] Meets standards in 22-8B-4.2. for being housed by July 1, 2015