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June 27, 2011

MEMORANDUM

TO: Legislative Education Study Committee

FR: Mr. Craig J. Johnson

RE: STAFF REPORT: LESC SURVEY OF AUDITED CHARTER SCHOOLS

On April 29, 2011, the Public Education Department (PED) announced that it would be conducting an audit of 28 charter schools to maximize transparency and equality in education funding. In order to better understand the audit process and charter school perspectives, the Legislative Education Study Committee (LESC) conducted a survey of the charter schools involved.

This staff report reviews the LESC survey of charter schools and the survey results.

LESC Survey

On May 31, LESC staff emailed the administrators of the 28 charter schools selected by PED for an audit to request their participation in an online survey (see Attachment 1). The survey instrument was the same as the one used to solicit district feedback, consisting of about 24 questions. Out of the 28 administrators that received the survey, 24 responded by June 22 for a response rate of nearly 86 percent (see Attachment 2).

Charter School Responses

Below is a summary of the charter school responses (not every respondent answered every question):

- 39.1 percent (9 of 23) of charter schools did not receive an entrance conference;
- 65.2 percent (15 of 24) indicated they did not receive information or data on how the charter schools were selected;
- the amount of charter school staff time involved ranged from 3 to 40 hours;
- all respondents indicated that Individualized Education Plans (IEPs) were reviewed; 71.4 percent (5 of 7) indicated that documentation showing whether services prescribed in the IEP were provided were reviewed;
- three respondents indicated that training and experience (T&E) files were reviewed;
- one respondent indicated the number of special education ancillary staff were reviewed;
- 42.9 percent (3 of 7) encountered issues when trying to provide documents;
- 71.4 percent (5 of 7) indicated that PED asked for clarification about the documents provided;
- 54.2 percent (13 of 24) indicated that PED did not ask for a response from the charter school;
- 91.7 percent (22 of 24) indicated that the charter school's budget review was affected by the audit;
- 50 percent (12 of 24) indicated they did not receive the audit results; and
- 37.5 percent (9 of 24) indicated that PED did provide a reason as to why the charter school was placed in a particular compliance category.

The comments received from charter schools were mixed: while some charter schools expressed frustration and concern about the audit, several survey responses showed support for the audit. In general, charter school survey responses were more positive than district comments.

Listed below are some of the comments from charter schools that were supportive of the audit and found it to be a valuable experience:

We value the recommendations or guidance that we receive along the way because we want to be certain that we are meeting the goals outlined in our charter.

I was told specifically what needed to be rectified.

I think the process went well. The Special Education Representative from the state was helpful. It would be great to have audits that help improve processes for all schools but to have it be a supportive and proactive tone and for all schools throughout the school year as a process check for equity among schools in NM. Our initial letter indicated we had grown by 200% which was inaccurate. Otherwise we did what was requested and the feedback was helpful and all issues are cleared up as of our 180 day STARS report.

Should happen in all areas once per year so that schools know what compliance issues they have and have a chance to correct them.

A letter was provided with their expectations for the response, a description of the statutes that we need to come in compliance with, a timeline for completion.

The audit provided our school a clear direction for state education compliance.

One theme expressed by several charter schools was a perceived lack of promptness or responsiveness from PED, as illustrated in the following comments:

During the phone conference PED mentioned a letter would be sent explaining the next steps to the process for Special Education audit. We have not received a letter or help from PED.

We have not received any feedback.

As of yet we have not seen or heard any response from the audit, even though we were told we would hear within a week.

Very long delays between being told we were selected and actually having the auditor come to the school.

One respondent noted that school officials were not clear about the nature of the findings:

We favor audits to reflect accountability. However, we feel that we did not deserve to be placed on the category of cited for major compliance issues. We are unaware of receiving state funding for services that were not provided to special education students. We are asking that data be provided to support this claim and where exactly these monies were sent as reflected on letter sent to us regarding the audit.

Finally, several charter schools expressed general dissatisfaction with the audit.

I believe this "audit" was a waste of funding.

The auditor was friendly and somewhat informative. Although she did advise me that she had been told "to gather the information and not to share any information with the schools". Other than this questionnaire, we have not been offered any opportunity to respond - if there is anything to respond to?

When information is shared with the public via the newspaper, with no follow-up, then there is a disservice to the public and also the school which was selected. Until I am able to get the report of the audit I have not responded to anyone. I think this is an injustice to all of us in public education.

The process felt very threatening, and it would have helped to be provided specific rubrics for such future audits.

PED audit (charter)

Page 1 - Intro

1. What charter school do you represent?

2. Did PED hold an entrance conference with your charter school?

- Yes
- No

3. Were you provided with detailed information regarding the selection criteria and associated data used to identify charter schools to be audited?

- Yes
- No

Page 2 - Process

4. Was the field work conducted with a site visit from PED staff or was the field work conducted on the phone?

- Site visit
- Phone call

On Site

5. How many PED staff were on-site conducting the audit?

- 1
- 2
- 3
- 4
- 5 or more

PED audit (charter)

6. What was the approximate duration of the site visit?

- less than one hour
- one to two hours
- two to four hours
- four to eight hours
- more than one day, less than two days
- more than two days

Phone call

7. What was the approximate duration of the phone call?

- less than 10 minutes
- ten to twenty minutes
- twenty to thirty minutes
- thirty minutes to an hour
- more than one hour

Audit Process

8. How many hours of your staff time were involved in the audit?

Documentation

PED audit (charter)

9. Please indicate whether the PED reviewers requested any of the following documentation: (Select all that apply)

- Personnel files related to the school's Training and Experience (T&E) Index
- Special Education files showing past and present numbers of students
- Special Education files showing past and present numbers of staff
- Files documenting the process to identify special education student's disability levels
- Individualized Education Plans (IEPs)
- Documentation showing whether services prescribed in the IEP were provided
- Documentation showing whether bilingual services were provided

10. Approximately how many documents were requested?

11. Were there any issues encountered when trying to provided requested documentation?

- Y
- N

Documentation

12. Please describe the issues you encountered when trying to provide documentation:

13. Was the documentation requested sufficient to evaluate whether the charter school is properly identifying students for special education services?

- Y
- N

14. Was the documentation requested sufficient to evaluate whether the charter school is actually providing the proper special education services?

- Y
- N

PED audit (charter)

15. Did PED ask for any clarification about the documents provided?

- Y
- N

Follow up

16. During or after the audit, did PED ask for a response from the charter school?

- Y
- N

17. How has PED worked with you to rectify any issues identified?

18. Has your budget review been delayed or affected in any way by the audit?

- Y
- N

19. How was the budget review process for your charter school affected by the audit?

20. How were the results of the audit provided to the charter school?

- The results were not provided
- Verbally, over the phone
- In a letter from PED
- In a email from PED
- During a formal exit conference
- Via the newspaper or other media
- Other

PED audit (charter)

21. PED grouped the charters into four categories: 1) Cleared through PED's audit; 2) Cited for minor compliance issues; 3) Cited for major compliance issues; and 4) Selected for additional audit measures. Did PED provide an explanation of your districts' classification?

- Y
- N

22. What was the reason you were placed in the category?

23. Was an exit conference held with your charter school?

- Y
- N

24. What else would you like the Legislative Education Study Committee to know about the audit process?

ATTACHMENT 2

Attachment 2: Charter School Audits			
<u>District</u>	<u>Special Education Category</u>	<u>T&E Category</u>	<u>Survey Respondent</u>
1 Albuquerque Talent Development Secondary	Major Compliance Issues		Y
2 Amy Biel	Cleared of all Issues		
3 Anansi Charter	Major Compliance Issues	Minor Compliance Issues	Y
4 Carinos De Los Ninos	Major Compliance Issues		Y
5 Corrales International	Minor Compliance Issues		Y
6 Cottonwood Classical	Cleared of all Issues		
7 Ceaser Chavez - Deming		Minor Compliance Issues	Y
8 El Camino Real	Cleared of all Issues		Y
9 Horizon Academy West		Minor Compliance Issues	Y
10 La Promesa Early Leadership	Major Compliance Issues		Y
11 Las Montanas	Minor Compliance Issues	Major Compliance Issues	Y
12 Media Arts Collaborative	Cleared of all Issues		Y
13 Middle College High	Major Compliance Issues	Major Compliance Issues	
14 Montessori of the Rio Grande	Minor Compliance Issues		Y
15 Mountain Mahogany	Minor Compliance Issues		Y
16 Native American Community Academy	Minor Compliance Issues		Y
17 Nuestros Valores	Additional Audit	Minor Compliance Issues	Y
18 Public Acadamey for Performing Arts	Cleared of all Issues		Y
19 Rio Gallinas		Cleared of all Issues	Y
20 Robert F. Kennedy	Major Compliance Issues	Major Compliance Issues	
21 School of Dreams Academy	Minor Compliance Issues	Minor Compliance Issues	Y
22 SIA Tech	Cleared of all Issues		Y
23 Sidney Gutierrez		Minor Compliance Issues	Y
24 Southwest Intermediate Learning Center	Minor Compliance Issues	Minor Compliance Issues	Y
25 Southwest Primary		Major Compliance Issues	Y
26 Southwest Secondary		Major Compliance Issues	Y
27 Taos Academy	Cleared of all Issues		Y
28 Vista Grande	Cleared of all Issues		Y

LESC - June 27, 2011