

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

REPRESENTATIVES

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

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>

SENATORS

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

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



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

November 16, 2009 (revised)

MEMORANDUM

TO: Legislative Education Study Committee
FR: David Harrell
RE: STAFF BRIEF: CHARTER SCHOOL UPDATE

Introduction

Since 1993, the *Public School Code* has provided for charter schools to operate in New Mexico. From the original five that were authorized under the 1993 legislation, the number of charter schools in New Mexico has grown to 72 operating in school year 2009-2010 and another nine authorized to open for school year 2010-2011. Of those 81 charter schools altogether, 22 have been either authorized or renewed by the Public Education Commission as state-chartered charter schools, and the rest have been authorized by their respective local school boards (see Attachment 1).

Formed in 2002, the New Mexico Coalition for Charter Schools provides professional development and technical assistance to existing charter schools and to applicants for charters. Of the 72 charter schools operating in New Mexico in 2009, 68 are members of the coalition. Another 11 charter applicants are also members, along with several businesses.

Recently, the coalition has focused increased attention on the quality and performance of charter schools, their funding, and the entities that authorize charter schools, whether local school boards or the Public Education Commission (PEC). To apprise the Legislative Education Study Committee (LESC) of these developments, the coalition asked to make a presentation to the committee. This staff brief provides a context for the presentation, with particular attention to these four aspects of the charter school experience in New Mexico:

- provisions in state law;
- the performance of charter schools;
- the accountability of charter schools; and
- the role of charter schools in applications for federal stimulus funds.

Provisions in State Law

As defined in the *Charter Schools Act*, a charter school is “a conversion school or start-up school authorized by the chartering authority to operate as a public school.”¹ Among its purposes, the *Charter Schools Act* is intended to:

- allow individual schools to structure their educational curriculum to encourage the use of different and innovative teaching methods based on reliable research and effective practices;
- allow the development of different and innovative forms of measuring student learning;
- address the needs of all students, including those at risk;
- improve student achievement;
- provide parents and students with “an educational alternative to create new, innovative, and more flexible ways of educating children within the public school system”; and
- “hold charter schools accountable for meeting the department’s educational standards and fiscal requirements.”

The *Charter Schools Act* affords charter schools greater latitude in terms of statutory and regulatory compliance than traditional public schools. Although a review of the entire act is beyond the scope of this staff brief, certain specific provisions should be noted in terms of the presentation at hand. The first three, listed below, impose certain restrictions on the number and scope of charter schools. Whether any of these provisions constitute a formal “cap” on the number of charter schools, however, may be a debatable point.

- While there is no absolute limit to the number of charter schools that may be authorized in New Mexico, the *Charter Schools Act* does limit the number of start-up charter schools to 15 per year. However, the law also allows any unused slots to be transferred to the next year, so long as no more than 75 charter schools are established in any five-year period.

¹ Prior to July 1, 2007, an existing public school could be converted to a charter school. Since then, however, new charter schools are established as start-up schools.

- The *Charter Schools Act* prohibits an application for a new charter school if the proposed enrollment for that school alone or in combination with existing charter schools in a given district would equal or exceed 10 percent of the enrollment of a district with an enrollment of 1,300 or fewer students.
- Finally, a charter school may decrease the number of grades that it offers, as specified in the initial application, but it may not increase the number of grades or the number of students proposed to be served in each grade.

Certain other provisions of the *Charter Schools Act* apply to fiscal matters.

- The authorizer of a charter school is entitled to retain up to 2.0 percent of the State Equalization Guarantee that the charter school receives “for its administrative support of a charter school.”
- The governing body of a charter school authorized by the PEC must qualify as its own board of finance. This provision, together with other requirements for state-chartered schools in the *Charter Schools Act* and the *Public School Capital Outlay Act*, makes state-chartered charter schools tantamount to school districts.
- Charter schools in general are entitled to receive their portion of money from state or federal programs that their students generate, and they are allowed to apply for any federal funds for which they might be eligible.
- Charter schools are eligible for grants from the Charter Schools Stimulus Fund “for initial start-up costs and initial costs associated with renovating or remodeling existing buildings and structures”.
 - The Charter Schools Division of the Public Education Department (PED) generally determines the grant awards according to a formula based upon the projected enrollment of the charter school. During recent years, the amounts of the awards have ranged from \$13,000 to more than \$41,000.
 - Since 2004, the Legislature has appropriated more than \$1.7 million to this fund. According to PED, the FY 10 estimated balance in the fund as of November 4, 2009 is nearly \$670,000.

Finally, the capital outlay needs of charter schools are addressed not only in the *Charter Schools Act* but also in other acts within the *Public School Code*.

- The *Charter Schools Act*:
 - requires the school district in which the charter school is located to provide the charter school with available facilities unless the facilities are currently used for other educational purposes; and
 - creates the Charter School Capital Outlay Fund, whose primary purpose is to make grants to state-chartered charter schools to assist them with the local match needed for

an approved public school capital outlay project. In 2007, the Legislature appropriated \$4.5 million in severance tax bonds proceeds to this fund. According to the Public School Facilities Authority, the current balance in the fund is approximately \$1.4 million.

- The *Public School Capital Outlay Act*:
 - requires the Public School Capital Outlay Council to provide grants to assist charter schools in being located in public buildings by the deadline in the *Charter Schools Act* of July 1, 2015;²
 - entitles charter school to the same per-MEM value (\$700, with an adjustment for inflation) for lease payments as traditional public schools; and
 - requires school districts applying for grant assistance from the Public School Capital Outlay Council to submit a five-year facilities master plan that includes, among other points, “the capital needs of charter schools located in the district.”
- The *Public School Capital Improvements Act* (commonly known as SB 9):
 - requires school districts to include in any resolution to impose a property tax the capital improvements funding for a locally chartered or a state-chartered charter school located within the district boundaries, as long as the charter school meets certain conditions; and
 - requires a proportionate distribution to the charter schools of the tax revenue generated by the resolution.
- The *Public School Buildings Act* (commonly known as HB 33) also requires school districts to include in any resolution to impose a property tax the capital improvements funding for a locally chartered or a state-chartered charter school located within the district boundaries, under certain conditions.

The Performance of Charter Schools

According to standard measures and recent studies, the charter schools in New Mexico, as a group, seem to be performing at approximately the same levels as traditional public schools. To quote the Secretary of Public Education, in response to the study by Stanford University discussed below: “Overall the range of performance for New Mexico’s charter schools mirrors the performance of our traditional schools.”

- An evaluation of 43 charter schools during school year 2004-2005 by the Synergy Group, Ltd., concluded, in brief, “charter schools are doing as well as the state’s other public schools in almost any measurable terms.”

² Legislation enacted in 2009 extended the deadline from July 1, 2010 to July 1, 2015.

- When the measurable term is adequate yearly progress (AYP) under state law and the federal *No Child Left Behind Act of 2001*, charter schools have done better than public schools in general over three of the last four years, as illustrated in the table below:

Percentages of Schools Making AYP

Year	Charter Schools	All Public Schools
2006	56 percent	46 percent
2007	44 percent	45 percent
2008	35 percent	32 percent
2009	45 percent	32 percent

SOURCE: Public Education Department Compiled by the LESC

- In June 2009 the Center for Research on Education Outcomes (CREDO) at Stanford University published the results of a study of charter schools in 15 states, including New Mexico, and Washington, DC. The study focused on student-level longitudinal data showing achievement gains in reading and math.
 - “For each charter school student,” the report explains, “a virtual twin is created based on students who match the charter student’s demographics, English language proficiency and participation in special education or subsidized lunch programs. . . . The resulting matched longitudinal comparison is used to test whether students who attend charter schools fare better than if they had instead attended traditional public schools in their community.”
 - In brief, as cited in a PED press release, this study found that six charter schools in New Mexico were outperforming their traditional public school counterparts; 27 were achieving at the same level; 12 showed mixed results; and 10 were performing at lower levels.
 - An interesting external dimension to the study is the range of impressions created by the local media headlines reporting it:
 - from the PED press release (June 15, 2009): “Only 6 New Mexico Charter Schools Performing Better than Regular Public Schools, According to Study”;
 - from the *Las Cruces Sun-News* (June 17, 2009): “CREDO Study: NM Charter Schools Outperform Public Counterparts”; and
 - from *The New Mexican* (June 22, 2009): “Mixed Results: Stanford Study Measures Charter School Success with Virtual Public School ‘Twin.’”
- Perhaps the greatest difference between charter school performance and public school performance in general is in the graduation rates. In early October 2009, PED released certified four-year cohort graduation rates for the class of 2008. According to these data, the overall graduation rate for charter schools was 43 percent, compared to 60 percent for public schools as a whole.

Accountability of Charter Schools

One of the features of charter schools often cited is that, unlike traditional public schools in general, charter schools that fail to perform as expected can be closed. This point is suggested in one of the acknowledged purposes of the *Charter Schools Act*: “to hold charter schools accountable for meeting the department’s educational standards and fiscal requirements.” In addition, the chartering authority may suspend, revoke, or not renew a charter if the authority determines that the charter school:

- committed a material violation of any of the conditions, standards, or procedures contained in the charter;
- failed either to meet or to make substantial progress toward achieving minimum educational standards or student performance standards identified in the application;
- failed to meet generally accepted standards of fiscal management; or
- violated any statutory provision from which the charter school was not specifically exempted.

According to PED, 12 charter schools in New Mexico either have closed of their own volition or been closed for cause (see Attachment 2). The first four to close were among the original group of five charter schools authorized under the 1993 law. Three of them chose not to renew their charters when the *1999 Charter Schools Act* was enacted, and the fourth became an alternative program in the school district. The other eight charter schools were closed for a variety of reasons: choice, fiscal mismanagement, or legal or material violations.

Two other attempted closures resulted in the schools remaining open. In the first case, Jefferson Montessori Academy in Carlsbad had its charter revoked by the local school board, whose decision was upheld on appeal to the Secretary of Public Education; however, a court hearing led to a settlement that allowed the school to continue operating. In the second case – San Diego Riverside Charter in Jemez Valley Public Schools – the Secretary reversed the district’s decision to revoke the charter. Attachment 3 provides more details about these cases and others brought on appeal.

The Role of Charter Schools in Applications for Federal Stimulus Funds

A state’s laws and policies regarding charter schools are a factor in the state’s application for Race to the Top funds under the federal stimulus program. As provided in federal regulations issued on November 12, 2009, there are six fundamental selection criteria:

- state success factors;
- standards and assessments;
- data systems to support instruction;
- great teachers and leaders;

- turning around the lowest-achieving schools; and
- general selection criteria.

For each of these six criteria, there are two additional types of selection criteria:

- “State Reform Conditions Criteria” (what the state has done or is doing); and
- “Reform Plan Criteria” (what the state will do).

While charter schools may figure into some of the other fundamental selection criteria, they are especially significant in the last one: general selection criteria.

In addition to the state reform conditions criteria of making education funding a priority and demonstrating other significant reform conditions, the general selection criteria include ensuring successful conditions for high-performing charter schools and other innovative schools. In this respect, applications will be scrutinized in terms of the extent to which:

- the state law “does not prohibit or effectively inhibit increasing the number of high-performing charter schools . . . in the State, measured . . . by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools”;
- the state has laws, regulations, or guidelines “regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement . . . be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students . . . ; and have closed or not renewed ineffective charter schools”;
- the state’s charter schools receive “equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues”; and
- the state provides the charter schools with funding for leasing, purchasing, or improving facilities, together with “assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools”; and
- the state enables districts “to operate innovative, autonomous public schools . . . other than charter schools.”

Presenter

For this presentation, Dr. Lisa S. Grover, Chief Executive Officer of the New Mexico Coalition for Charter Schools, will discuss current and planned initiatives of the coalition in regard to charter school quality, performance, funding, and authorizers.

ATTACHMENT 1

NEW MEXICO CHARTER SCHOOLS 2009-2010

ALBUQUERQUE									
Charter School / Former School	Administrator	Address	School Phone	School Fax	Adm. E-Mail	Current Grades	Students	Teachers	CSD Contact
Academia de Lengua Y Cultura	Colleen Adolph	1900 Randolph S.E., Albuquerque, NM 87106	(505) 563-4242	(505) 563-4260	cadolph@adlyc.org	6th - 8th	70	2	Corina Chavez
Academy of Trades and Technology (Formerly Youth Build Trade & Tech High)	Kay A. Birukoff	1718 Yale Blvd. S.E. Albuquerque, NM 87106	(505) 765-5517	(505) 765-5925	kbirukoff@atths.com	9th - 12th	183	9	Bob Olix
Albuquerque Institute of Math & Science (Formerly High Tech High)	Kathy Sandoval Snider	933 Bradbury, S.E. Albuquerque, NM 87106	(505) 559-4249	(505) 243-9235	ksandoval@aims-unm.org	6th - 11th	110	13	Bob Olix
Amy Biehl Charter High	Sandy Beery	123 4th Street S.W. Albuquerque, NM 87102	(505) 299-9409	299-9493	sbeery@abhs.k12.nm.us	9th - 12th	250	21	Corina Chavez
Bataan Military Academy	Shelby Tailchief	8001 Mountain Rd. Place N.E. Albuquerque, NM 87110	292-5588	(505) 232-3230	bataanacademy@aol.com	9th - 11th	115	9	Bob Olix
Career Academic Technical Academy	Glee Hare	6805 Academy Parkway West N.E. Albuquerque, NM 87109	345-1514	(505) 962-2920	cata_hs@msn.com	10th - 12th	105	7	Wilma Martinez
Cesar Chavez Community School (State Charter Effective 7/1/09)	Caryl Thomas	1718 Yale, S.E. Albuquerque, NM 87106	(505) 877-0558	(505) 242-1466	cthomas@cesarchavezcharter.net	9th - 12th	150	6	Marjorie Gillespie
Christine Duncan Community	Jesus Moncada	P.O. Box 25487 Albuquerque, NM 87125	(505) 839-4971	(505) 831-9027	jmoncada@christineduncan.org	K - 5th	158	6	Karen Ehlert
Cien Aguas International School (State Charter) Opening Fall 2009	Michael Rodriguez	3501 Campus Blvd. NE Albuquerque, NM 87106			mrodriguez@cienaguas.org	K - 8th	330 Projected	0	Wilma Martinez
Corrales International School	Dr. Carlos Pagan (Current Contact)	3821 Singer Blvd., N.E. Albuquerque, NM 87109	(505) 344-9733	(505) 338-1409	crpagan@aol.com	K - 8th	180 projected	0	Corina Chavez
Cottonwood Classical Preparatory (State Charter)	Chad Redwing	CCPS 1776 Montano N.W. Building 3 Los Ranchos De Albuquerque, NM 87107	(505) 998-1021	(505)345-6397	chad.redwing@cottonwoodclassical.org	6th - 11th	135	0	Sam Obenshain
Creative Education Prep Institute #1 (State Charter Effective 7/1/09)	Tom Crespin	4801 Montano Rd. N.W. Albuquerque, NM 87120	314-2374, Ext. 1	314-2377	tjrespin2000@yahoo.com	9th - 12th	173	8	Bob Olix
Digital Arts and Technology Academy (Formerly Charter Vocational High School)	Lisa Myhre	1011 Lambertson Place. N.E. Albuquerque, NM 87107	341-0888	341-0749	lisa.myhre@datachart.com	9th - 12th	311	21	Bob Olix
East Mountain High School	Doug Wine	P.O. Box 340 Sandia Park, NM 87047	(505) 281-7400, Ext. 112	(505) 281-4173	dwine@eastmountainhigh.net	9th - 12th	330	24	Sam Obenshain
El Camino Real Charter (Formerly Horizon Academy South)	Jennifer Mercer	3713 Isleta Blvd., S.W. Albuquerque, NM 87105	314-2212	314-2216	jennifer.ecra@comcast.net	K - 12th	598	18	Wilma Martinez
Gilbert L. Sena Charter High School (State Charter Effective 7/1/09) (Formerly Creative Education Prep Institute #2)	Nancy Romero	69 Hotel Circle, N.E. Albuquerque, NM 87123	237-2373 Ext. 222	237-2380	nromero@ccepi2nm.com	9th - 12th	160	25	Marjorie Gillespie
Gordon Bernell Charter School (Formerly Metropolitan Detention Center Charter School)	Greta Roskom	401 Roma, 3rd Floor Albuquerque, NM 87102	468-7701	N/A	greta@gordonbernell.org	9th - 12th	250	0	Wilma Martinez
Horizon Academy West (State Charter Effective 7/1/08)	Cynthia Carter	1900 Atrisco Road, N.W. Albuquerque, NM 87120	998-0459	998-0463	ccarter@hawest.net	K - 6th	437	23	Wilma Martinez
La Academia de Esperanza	Steve Wood	5200 Sequoia, N.W. Albuquerque, NM 87120	(505) 764-5500	(505) 764-5501	swood@esperanza-pride.org	6th - 12th	192	19	Marjorie Gillespie

NEW MEXICO CHARTER SCHOOLS 2009-2010

La Luz del Monte Learning Center	Al Baysinger	10301 Candelaria N.E. Albuquerque, NM 87112-1504	296-7677	296-0510	abaysinger@ssic-nm.com	7th - 8th	107	5	Sam Obenshain
La Promesa Early Learning Center	Francis Salazar / Bernadette Maes	5201 Central Ave. N.W. Albuquerque, NM 87105	268-3274	(505) 268-3276	0	K - 3rd	65	3	Karen Ehler
La Resolana Leadership Academy	Justina Montoya	1718 Yale Blvd. S.E. Albuquerque, NM 87106	243-8114	292-0109	j_montoya1129@yahoo.com	6th - 8th	60	5	Corina Chavez
Los Puentes Charter School	Ellen Moore	1106 Griegos, N.W. Albuquerque, NM 87107	(505) 342-5959	341-0836	emoore@lospuentes.k12.nm.us	8th - 12th	130	10	Karen Ehler
Media Arts Collaborative Charter School (State Charter)	Glenna Voigt	4401 Central Ave. N.E. Bldg #2 Albuquerque, NM 87108	(505) 243-1957	(505) 268-1651	gvoigt@nmmediaarts.org	9th - 12th	125	11	Corina Chavez
Montessori Elementary School	Mary Jane Besante	3831 Midway Place, N.E. Albuquerque, NM 87109	796-0149	796-0147	mbesante@tmesnm.com	K - 6th	192	0	Karen Ehler
Montessori of the Rio Grande	Bonnie Dodge	1650 Gabaldon Drive, N.W. Albuquerque, NM 87104	842-5993	242-2907	msbonnie@mrgcharter.org	K - 5th	155	11	Corina Chavez
Mountain Mahogany Community School	Amie Duran	5014 4TH St. N.W. Albuquerque, NM 87107	341-1424	341-1428	amieamp@aol.com	K - 3rd	77	5	Karen Ehler
Native American Community Academy	Kara Bobroff	1100 Cardenas Ave., S.E. Albuquerque, NM 87108	266-0992	266-2905	klbobroff@yahoo.com	6th - 8th	147	6	Corina Chavez
The New America School (State Charter) Opening Fall 2009	Janelle T. Garcia	1734 Isleta Blvd. SW, Albuquerque, NM 87105			jgarcia@newamericaschoolnm.org	9th - 12th	350 Projected	0	Bob Olix
North Albuquerque Co-op Community	Shelly Cherrin	4261 Balloon Park Rd N.E. Albuquerque, NM 87109	344-0746	344-0789	scherrin@comcast.net	K - 6th	154	0	Sam Obenshain
North Valley Academy (State Charter Effective 7/1/08) (Formerly Horizon Northwest)	Jerald Snider	7939 4th Street, N.W. Los Ranchos de Albuquerque, NM 87114	998-0501	998-0505	jsnider@nvanm.org	K - 8th	400	26	Wilma Martinez
Nuestros Valores Charter School	Monica Aguilar	1021 Isleta Blvd., S.W. Albuquerque, NM 87105	873-7758	873-3567	mosanch8@hotmail.com	9th - 12th	125	10	Wilma Martinez
Public Academy for Performing Arts	Tamara Henderson	4655 Indian School Road, N.E. Ste 101 Albuquerque, NM 87110	262-4888, Ext. 103	262-4893	thenderson@paparts.org	6th - 12th	350	25	Bob Olix
Ralph J. Bunche Academy	Eileen Montoya	1900 Randolph Rd. Albuquerque, NM 87106	292-0100	292-0109	Principal@rjba.org	K - 5th	62	4	Bob Olix
Robert F. Kennedy Charter School	Robert Baade Dean of Instruction and Pete Ciurczak Dean of Students	1511 Central Avenue, N.E. Albuquerque, NM 87106	243-1118	242-7444	rbaade@rfkcharter.net	9th - 12th	250	19	Karen Ehler
S.I.A. Tech (School for Integrated Academics & Technologies)	Kelly Callahan	C/O Albuquerque Job Corps, 1500 Indian School Rd, N.W. Albuquerque, NM 87104	242-6640	242-6872	Kelly.Callahan@siatech.org	9th - 12th	301	15	Bob Olix
South Valley Academy	Katarina Sandoval-Tonini	3426 Blake Rd., S.W. Albuquerque, NM 87105	452-3132	452-3133	ksandoval-tonini@southvalleyacademy.org	9th - 12th	210	18	Marjorie Gillespie
Southwest Primary Learning Center	Deborah Young	10301 Candelaria, N.E. Albuquerque, NM 87112	296-7677	296-0510	dyoung@ssic-nm.com	4th - 6th	104	9	Sam Obenshain
Southwest Secondary Learning Center	Scott Glasrud	10301 Candelaria, N.E. Albuquerque, NM 87112	296-7677	296-0510	sglasrud@ssic-nm.com	7th - 12th	260	12	Sam Obenshain
The Albuquerque Talent Development Secondary Charter School	Rommie Compher	1800 Atrisco Road, N.W. Albuquerque, NM 87120	(505) 503-2465	(505) 831-7031	rommiedc@yahoo.com	9th - 12th	83	4	Sam Obenshain
The International School at Mesa del Sol (State Charter) Opening Fall 2009	Sean Joyce	P.O. Box 4584 Albuquerque, NM 87196			sjoyce@tisnm.org	K - 8th	450 Projected	0	Sam Obenshain

SOURCE: Public Education Department

7/17/2009

NEW MEXICO CHARTER SCHOOLS 2009-2010

The Learning Community Charter School	Viola Martinez	5555 McLeod N.E. Albuquerque, NM 87109	(505) 332-3200	(505) 332-8780	vmartinez@tlcnm.net	6th - 12th	180	11	Bob Olix
Twenty-First Century Public Academy	Donna Eldredge	3100 Menaul, Blvd., N.E. Albuquerque, NM 87107	254-0280	254-8507	a21stcenturypa@qwest.net	6th - 8th	210	20	Marjorie Gillespie
AZTEC									
Mosaic Academy Charter	Bonnie Braden	101 Ute Ave. Aztec, NM 87410	334-6364	N/A	bradenb@mosaic.k12.nm.us	K - 7th	180	11	Karen Ehler
BERNALILLO									
Village Academy	Pamela Engstrom	P.O. Box 279 Bernalillo, NM 87004	(505) 867-9094	1-928-832-9094	PEngstrom@vacsnm.com	6th - 8th	60	6	Marjorie Gillespie
CARLSBAD									
Jefferson Montessori Academy	Cindy Holguin	500 W. Church St. Carlsbad, NM 88220	(575) 234-1703	(575) 887-9391	Cindy.holguin@gmail.com	K - 12th	95	6	Karen Ehler
CIMARRON									
Moreno Valley High School	Jacque Boyd	P.O. Box 1037 Angel Fire, NM 87710-1037	(575) 377-3100	(575) 377-7263	jacqueboyd@yahoo.com	9th - 12th	82	22	Bob Olix
DEMING									
Deming Cesar Chavez Charter High	Arlene Trujillo	315 East First Street Deming, NM 88030	(575) 544-8404	(575) 544-8755	atrujillo@dcccchs.org	9th - 12th	125	6	Marjorie Gillespie
ESPAÑOLA									
Cariños de los Niños	Vernon Jaramillo	P.O. Box 1097 San Juan Pueblo, NM 87566	(505)753-1128	(505) 753-1130	Carinos@Valonet.com	K - 2nd	81	0	Wilma Martinez
GADSDEN									
Anthony Charter School (Opening Fall 2009)	Colleen Kelley Adolph	P.O. Box 355, Anthony, NM 88021			cka2003@msn.com	6th - 12th	100 Projected	0	Corina Chavez
GALLUP									
Middle College High School	Wally Feldman	C/O UNM-Gallup, 200 College Road #9 Gallup, NM 87301	863-7551	863-7627	wfeldman@gallup.unm.edu	10th - 12th	47	1	Wilma Martinez
JEMEZ MOUNTAIN									
Lindrith Area Heritage Charter School	David Cannon	P.O. Box 119 Lindrith, NM 87029	774-6669	(505) 774-6669	cdcannon@hotmail.com	K - 8th	26	5	Wilma Martinez
JEMEZ VALLEY									
San Diego Riverside	Eugene Johnson	P.O. Box 99 Jemez Pueblo, NM 87024	834-7419	834-9167	eugenioj2002@yahoo.com	K - 8th	105	10	Wilma Martinez
Walatowa Charter High School	Tony Archuleta	P.O. Box 60 Jemez Pueblo, NM 87024	834-0443	834-0449	tarchuleta@walatowahcs.org	9th - 12th	59	7	Marjorie Gillespie
LAS CRUCES									
Alma d'Arte Charter High (State Charter Effective 7/1/09)	Mark Hartshorne	402 West Court Las Cruces, NM 88004	541-0145	541-0146	mhartshorne@almadarte.org	9th - 12th	165	10	Marjorie Gillespie
La Academia Dolores Huerta (Formerly La Academia de Idiomas y Cultura)	Gilbert Gutierrez	1480 North Main Las Cruces, NM 88001	(575) 526-2984	(575) 523-5407	ggutierrez@academiannm.org	6th - 8th	113	7	Corina Chavez
Las Montañas Charter School	Joyce Aranda	201 E. Lohman Las Cruces, NM 88001	575-636-2100	527-7686	jaranda@fyinm.org	9th - 10th	100	New	Wilma Martinez
LOS LUNAS									
School of Dreams Academy (State Charter) Opening Fall 2009	David Yates	P.O. Box 730 Los Lunas, NM 87031			davidpyates@excite.com	7th - 9th	199 Projected	0	Marjorie Gillespie
QUESTA									
Red River Valley Charter	Karen Phillips	P.O. Box 742 Red River, NM 87558	754-6117	754-3258	redrivervalleycs@hotmail.com	K - 8th	62	9	Sam Obenshain
Roots & Wings Community School	Tobie Baker Navarre	P.O. Box 1152 El Prado, NM 87529	(575) 586-2076	(575) 586-2087	rootsandwings.nm@gmail.com	5th - 8th	26	2	Corina Chavez

NEW MEXICO CHARTER SCHOOLS 2009-2010

ROSWELL										
Sidney Gutierrez Middle School	Joe Andreis	P.O. Box 1437 Roswell, NM 88202	347-9703	347-9707	jandreis@sgms.us	6th - 8th	60	7	Marjorie Gillespie	
SANTA FE										
New Mexico School for the Arts (state Charter) Opening Fall 2010	Frank Marchese	2300 North Ridgetop Rd, SF, NM 87506	(505) 310-4194	(505) 212-0604	headofschool@nmschoolforthearts.org	9th - 12th	300	0	Sam Obenshain	
Academy for Technology and the Classics	Edward Woodd	74 A Van Nu Po Road Santa Fe, NM 87508	(505) 473-4282	1-866-362-8106	edwardwoodd@atcschool.org	7th - 12th	280	38	Sam Obenshain	
Tierra Encantada Charter High School (Formerly Known as Charter School 37)	Ronald Vincent Lolordo	1501 Cerrillos Rd, Bldg 2 Santa Fe, NM 87505	983-3337	(505) 983-6637	historyron@gmail.com	9th - 11th	100	6	Karen Ehler	
Monte del Sol Charter School	Anne Salzmänn	P.O. Box 4068 Santa Fe, NM 87502	982-5225	982-5321	asalzmänn@montedel-sol.org	7th - 12th	368	36	Corina Chavez	
Turquoise Trail Elementary	Robin Noble	13-A San Marcos Loop Santa Fe, NM 87508	467-1700	474-7862	rnoble@sfps.info	K - 6th	475	34	Karen Ehler	
SILVER CITY										
Aldo Leopold Charter School	Craig DeYoung	P.O. Box 770 Silver City, NM 88062	(575) 538-2547	(575)388-4970	craig.deyoung@aldoleopoldhs.org	9th - 12th	71	11	Marjorie Gillespie	
SOCCORO										
Cottonwood Valley Charter School	Karin Williams	P.O. Box 1829 Socorro, NM 87801	(575)838-2026	838-2420	kwilliams@cottonwoodvalley.org	K - 8th	170	13	Bob Olix	
TAOS										
Anansi Charter School	Michelle Hunt	P.O. Box 1709 El Prado, NM 87529	776-2256	776-5561	mhunt@acstaos.org	K-4	50	3	Karen Ehler	
Taos Academy (State Charter) Opening Fall 2009	Traci Filiss	P.O. Box 3647 Taos, NM 87571	(575) 751-3109	(575) 751-3394	tfiliss@yahoo.com	5th 12th	200	0	Karen Ehler	
Taos Municipal Charter School	Nancy O'Bryan	P.O. Box 3009 Ranchos de Taos, NM 87557	751-7222	751-7546	nobryan@hotmail.com	K - 8th	203	13	Marjorie Gillespie	
Vista Grande High School	Greg Perry	P.O. Box 850 Taos, NM 87571	758-5100 Ext 102	758-5102	gperry@vghs.org	9th - 10th	74	New	Corina Chavez	
WEST LAS VEGAS										
Rio Gallinas School	Cindy McLeod	301 Socorro St. Las Vegas, NM 87701	(505) 454-8687	(505) 454-8688	storyranch@hotmail.com	2nd - 8th	83	11	Sam Obenshain	

SOURCE: Public Education Department

7/17/2009

STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
CHARTER SCHOOLS DIVISION

1993-2009
Charters Closed

• Charter School	• Year Closed
• Highland High School	• 1999 (Chartered under the 1993 Charter School Act. Chose not to re-apply in 1999 because of new requirements in the 1999 Charter Schools Act.)
• Taylor Middle School	
• Harrison Middle School	
• Broad Horizons Educational Center	• 2004 Not renewed and became an alternative program at Portales HS
• Albuquerque Public Academy (Paseo del Monte)	• 2004 (Closed for fiscal mismanagement)
• Charter Vo-Tech	• 2006 (Merged with Albuquerque Charter Vocational High School)
• Horizon Academy Technology and Arts High School	• 2006 (One year of operation closed because of fiscal mismanagement) Students transferred to Horizon Academy South (Currently El Camino Real)
• Life Skills Center of Albuquerque	• 2006 (Chose not to open in fall of 2006)
• Lacy Simms in Alamogordo	• 2007 (Charter revoked fiscal mismanagement)
• Amistad in Clayton	• 2007 (Charter Revoked for fiscal mismanagement and legal violations)
• Bridge Academy in Las Vegas	• 2008 (Student academic achievement, legal violations and material violations)
• Española Military Academy	• 2009 (Lack of student academic achievement, legal violations, and material violations)

SOURCE: Public Education Department

Charter School Appeals and their Dispositions				
Charter School	Authorizer	Date	Reason for Hearing	Secretary's Decision/Outcome
Math, Science & Technology High School (MAST) <i>[later to become High Tech High then Albuquerque Institute for Math and Science/AIMS]</i>	Albuquerque Public Schools	March 2004	Applicant appealed the authorizer's decision to deny the charter (<u>due to application deficiencies</u>)	The Secretary reversed the authorizer's decision to deny the charter
Jefferson Montessori Academy	Carlsbad Municipal Schools	Aug 2004	Charter School appealed authorizer's decision to revoke the charter (for reasons of <u>fiscal mismanagement</u> , student academic achievement, material violations and legal violations)	The Secretary upheld the authorizers decision to revoke the charter, however, during a court hearing (the charter school sued the district for violating the Open Meetings Act) parties settled to allow the charter school to continue operating
Paseo del Monte Charter Middle School	Albuquerque Public Schools	Nov 2004	Charter School appealed authorizer's decision to revoke the charter (due to <u>fiscal mismanagement</u>)	Secretary upheld the decision of the authorizer to revoke the charter
Escuela de Esperanza	Artesia Public Schools	Oct 2005	Applicant appealed authorizer's decision to deny the charter (<u>due to application deficiencies</u>)	The Secretary upheld the authorizer's decision to deny the charter
Cariños del Los Niños	Española Public Schools	Dec 2005	<u>Authorizer failed to rule on the charter application within the required timeline</u>	The Secretary remanded the charter to the authorizer for approval
Albuquerque Charter Vocational High School/Charter Vo-Tech Center	Albuquerque Public Schools	Jan 2006	The Secretary, on her own motion, moved to suspend the authority of the charter school governing body due to <u>fiscal mismanagement</u> and other legal violations	The Secretary and the Governing Body of the charter school came to an agreement and the Secretary withdrew the hearing
Roswell Charter High School	Roswell Independent Schools	Jan 2006	Applicant appealed authorizer's decision to deny the charter (<u>due to application deficiencies</u>)	Charter Applicant withdrew the appeal

Albuquerque Talent Development	Albuquerque Public Schools	Feb 2006	<u>Authorizer failed to rule on the charter within the required timeline</u>	Appeal was dismissed due to charter applicant procedural violation
San Diego Riverside Charter	Jemez Valley Public Schools	Aug 2006	Charter School appealed the authorizer's decision to revoke the charter (<u>for reasons of fiscal mismanagement, student academic achievement & legal violations</u>)	The Secretary reversed the district's decision to revoke the charter
Vista Grande High School	Taos Municipal Schools	April 2006	<u>Authorizer placed conditions on the charter that were unacceptable to applicant</u>	Authorizer and charter school came to an agreement on the conditions and withdrew the appeal
Lacy Simms Middle School	Alamogordo Public Schools	May 2006	Charter School appealed the Authorizer's <u>attempt to renew the charter for only one year—without obtaining an agreement for the one year with the charter</u>	The Secretary reversed the decision to grant a one year renewal and ordered a 5-year renewal with the condition that the charter school address financial issues and the district monitor the charter's progress
Horace Mann School	Portales Municipal Schools	Dec 2006	Applicant appealed the authorizer's decision to deny the charter (<u>based on application deficiencies</u>)	The Secretary upheld the authorizer's decision to deny the charter
Lacy Simms Middle School	Alamogordo Public Schools	May 2007	Charter School appealed authorizer's decision to revoke the charter for not adequately addressing the conditions (re: <u>fiscal mismanagement</u>) as specified by the Secretary	The Secretary upheld district's decision to revoke the charter
Amistad Charter School	Clayton Municipal Schools	July 2007	Charter appealed authorizer's decision to revoke the charter (for <u>fiscal mismanagement</u> and violating law)	Charter School withdrew appeal

Westside Montessori Charter School	Rio Rancho Public Schools	Jan 2007	<u>Authorizer failed to act on the charter application within 60 days</u>	Case dismissed because the authorizer and applicant proceeded as though the deadline had been waived
Westside Montessori Mid-High Charter School	Rio Rancho Public Schools	Jan 2007	<u>Authorizer failed to act on the charter application within 60 days</u>	Case dismissed because the authorizer and applicant proceeded as though the deadline had been waived
Albuquerque Montessori Charter School	Albuquerque Public Schools	Jan 2007	Applicant appealed Authorizer's decision to deny the charter, stating <u>a lack of due process</u> (charter was denied for application deficiencies)	The Secretary upheld the authorizer's decision to deny the charter
Albuquerque Montessori Mid-High Charter School	Albuquerque Public Schools	Jan 2007	Applicant appealed Authorizer's decision to deny the charter, stating <u>a lack of due process</u> (charter was denied for application deficiencies)	The Secretary upheld the authorizer's decision to deny the charter
Cottonwood Classical	Public Education Commission (PEC)	Dec 2007	Applicant appealed Authorizer's decision to deny the charter (<u>due to application deficiencies in the proposed economic soundness, budget and a lack of measurable outcomes for student achievement</u>)	The Secretary remanded decision to the authorizer for approval
Española Military Academy	Public Education Commission (renewal transfer from Española Public Schools)	April 2009	Charter School appealed the PEC's decision <u>to not renew the charter (due to failure to demonstrate student academic achievement, legal violations and material violations)</u>	The Secretary upheld the decision of the PEC

In sum, of the total number of hearings from March 2004 – April 2009 set by the Secretary (20), seven (7) were withdrawn by the appellant and/or dismissed due to a procedure violation. Of the total in which the Secretary held an appeal hearing (13), the Secretary's decision was in favor of the authorizer to deny and/or revoke a charter in 8/13 (or 62% of the cases), whereas in 5/13 or 38% of the cases, the Secretary's decision was in favor of the charter school/applicant to reverse the decision of the authorizer or remand it for approval.