

**U.S. Department of Education - EDCAPS
G5-Technical Review Form (New)**

Status: Submitted

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Technical Review Coversheet

Applicant: New Mexico Public Education Department (U282A150013)

Reader #1: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
State-Level Strategy		
1. State-Level Strategy	15	15
Sub Total	15	15
Selection Criteria		
Policy Context for Charter Schools		
1. Policy Context	5	5
Sub Total	5	5
Selection Criteria		
Past Performance		
1. Past Performance	10	7
Quality of Plan to Support Ed. Dis. Students		
1. Ed. Dis. Students	15	14
Vision for Growth and Accountability		
1. Growth and Accountability	10	7
Dissemination of Information and Best Practices		
1. Dissemination	10	6
Oversight of Public Chartering Agencies		
1. Oversight of Authorizers	15	7
Management Plan and Theory of Action		
1. Management Plan	10	10
Project Design		
1. Project Design	10	10
Sub Total	80	61
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1	15	15
Sub Total	15	15
Competitive Preference Priority		
Authorizer other than LEA or Appeal Process		

1. CPP 2

	5	5
Sub Total	5	5
Total	120	101

Technical Review Form

Panel #15 - SEA Panel - 16: 84.282A

Reader #1: *****

Applicant: New Mexico Public Education Department (U282A150013)

Questions

Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

As described on page 12 of the application, high quality charter school growth is a key component of the education reforms to improve academic achievement of all students and close achievement gaps at work in this SEA's plan. And the CSP program appears to be integral to the further success of those reforms.

Funding equity for charter schools appears to be very strong in this SEA. On page 13, the SEA describes that a very small proportion of funding is generated locally, and the SEA provides schools with a weighted student funding formula, which ensures that schools serving the same demographics of students get very similar funding levels including lease assistance for facilities and after the first charter school renewal, the charter school is eligible for a state award for facility construction.

The creation of charter schools that would serve as options for students who would otherwise attend low performing schools appears to be a basic tenet of this grant application as well as the SEA's education reform strategy. The SEA indicated on page 14, that CSP funding will be available to applicants who commit to this mission.

The SEA also indicates that it has encouraged local strategies between charter schools, other public schools and development programs to foster collaboration which allow best practices to be shared between schools.

Weaknesses:

None Noted

Reader's Score: 15

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

On page 15, the SEA indicates that charter schools are afforded additional statutory autonomy and states that charters can waive portions of the public school code that pertain to, "class load, teach load, length of the school day, staffing patterns, subject areas, purchase of instructional material, evaluation standards, school principal duties." Further, the secretary of education can waive additional requirements for exemplary charter schools. A combination of these factors will allow the charter schools to run their operations in an efficient and effective manner.

The SEA indicates on page 16, that each charter school receives its federal funding in a timely fashion and is notified of how much federal funding it is entitled to. The SEA states that it assigns a budget analyst to each charter school that helps the school identify additional funding opportunities. This seems likely to lead to success for the applicant because the schools will receive funding timely to provide educational programs for their students.

Charter schools must sign assurances that they will comply with all required federal laws and regulations. The SEA indicates that the chartering authority is responsible for monitoring compliance through monitoring visits and investigating complaints. The SEA ensures that the authorizers are aware of and following state and federal rules by conducting training and through authorizer reporting.

Weaknesses:

None Noted

Reader's Score: 5

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

On page 17, the SEA indicates that there has been an increase in high quality charter schools. They reference a chart of page 33 that shows 46% of charter schools are high performing in 2014, which is up from 36% in 2012. The traditional public schools have also experienced a similar increase over the same period. On page 29, they further explain these changes.

The data on page 29 indicates that there has been a commensurate reduction in the number of low performing charters as well, while the number of low performing traditional schools has risen over the same period.

The SEA has recognized that the academic achievement of its charter schools has not exceeded that of similar schools as a weakness and indicates on page 18 that the CSP grant should be helpful in disseminating best practices and replicating high quality schools.

Weaknesses:

While the percentage of high performing schools has increased, the academic achievement of charter students in both ELA and mathematics is lower on average than traditional public schools. The graduation rates for charter schools are also lower than the rates of traditional schools.

Indications are that more charters are of high quality and fewer charters are of low quality, however, the average student achievement in both math and ELA of charter schools is lower that of traditional schools.

It is unclear whether or not the graphics on page 18 are based on similar student measures or similar groups of students.

Reader's Score: 7

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

The SEA indicates on page 19 that it will be targeting educationally disadvantaged students through funding priorities and application preferences. The SEA indicates that it will be enhancing its training and dissemination as part of the grant to encourage innovations. This is further explained on page 29 in the monitoring plan.

The SEA indicates that it will target educationally disadvantaged students through its dissemination subgrants, annual reporting conferences, and training and technical assistance. The SEA indicates that through its monitoring activities it will ensure that charters are supporting educationally disadvantaged students

The SEA indicates that through its dissemination conferences and technical assistance it will share innovation and innovative models in charter schools.

The SEA referenced its current monitoring structure as how it would ensure access.

Weaknesses:

Although the SEA indicated it would rely on its current monitoring practices, these practices have resulted in lower performance than traditional schools. The applicant did not indicate in this section about how the monitoring practices would be revised.

Reader's Score: 14

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary

considers the following factors:

- 1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;
- 2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and
- 3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

Systems of grading schools and publicly reporting data are focused on academic outcomes and graduation rates which is a strength because this actionable data can be used by the public and policy makers to evaluate the success or non-success of a charter school.

The vision to create high quality schools is certainly discussed in the application and the SEA proposes to add an additional 22 high quality schools. This appears to include a combination of opening new schools and improving existing ones.

Weaknesses:

The SEA indicated on page 21, that it currently does not have a system to report retention and discipline trends as well as enrollment trends.

The goal for the number of schools the SEA plans to open over the grant period is not highly ambitious. With new funds and the structures shared in the SEA application, the SEA could aim for higher numbers of high quality schools to help close historic achievement gaps.

The SEA did not focus on identifying and closing low performing charter schools for academic reasons. Closing failing schools is a key component of improving the charter sector.

Reader's Score: 7

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

- 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating

information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

The SEA indicates that it will use 10% of its grant funding to fund dissemination subgrants to allow subgrantees to report publicly on their best practices. The SEA also indicates that it will work with other state agencies to ensure that it will be poised to serve as a leader in the state on disseminating best practices. On page 43, they describe that they will award 13 subgrants which will allow for a large number of charter schools to describe and possibly replicate their programs. On Page 32, the SEA further describes that the subgrantees will be required to share best practices for all students, including those that meet the definition of educationally disadvantaged, related to teacher evaluations, school grades, and data measuring discipline and behavior.

The SEA indicates that it will award subgrants for dissemination and it states that it will be rigorous to increase the number of high quality schools.

Weaknesses:

The SEA merely repeats back what the grant application asks for, but doesn't further define how it will ensure that the dissemination practices will be effective or how those practices will be monitored. It is unclear from this section how the SEA will be successful in this area.

The description on page 22 of the application states that the dissemination application process will be rigorous, but it does not define the process or what the minimum standards might be.

The description on page 43, is limited because they don't describe how they will identify the high performing operators and what deliverables those dissemination subgrantees will be required to meet.

Reader's Score: 6

Selection Criteria - Oversight of Public Chartering Agencies

The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --

1) Seeking and approving charter school petitions from developers that have the capacity to create

charter schools that can become high-quality charter schools;

2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The application indicates that the SEA will be focused on training and development of authorizer tools to ensure that those authorizers can adequately evaluate charter school petitions. The SEA has indicated that it will conduct trainings with authorizers across the state and will bring in NACSA to ensure that it meets the needs of authorizers.

Academic outcomes and measures are reported in other sections of the application. These academic outcomes appear to support the goals outlined in the application. The SEA indicates that it has a robust annual monitoring system. The SEA will provide guidance, training and oversight to the authorizers to ensure that they are able to use increases in academic achievement as one of the primary factors in renewal. The SEA is focused on authorizing principles and standards. And developing best practices for authorizers. The SEA indicates in this section that the charter schools have high levels of autonomy and the new procedures will do well to improve the authorizers' abilities to hold the schools accountable for their performance.

Weaknesses:

No indication of how the SEA will be working with authorizers to ensure they are working with charter school developers during the grant, which will limit the authorizers ability to recruit successful operators to replicate their schools. No specific indication of goals for alternative or virtual charter schools in this section of the application. No discussion in this section about revocation of charter schools for poor performance, which will limit the SEA's ability to be successful because closing poor performing charter schools is essential to a high performing charter sector. Closing schools that are poor performing should be a key component of the discussion around improving the sector and providing quality oversight. This section also did not include any reference to providing an annual authorizer report on the performance of the authorizers portfolio. This section does not include a mention of transition to new state assessments based on college and career ready standards, which was a required component of the application.

Reader's Score: 7

Selection Criteria - Management Plan and Theory of Action

1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:

1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and

3) The adequacy of the management plan to --

i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

The logic model shows strong cohesiveness and strength of reasoning. The performance measures are included and the integration to a state level strategy is excellent.

The use of data in the form of baseline and growth data will be extremely helpful in measuring success on the grant. The indications that the SEA will work with its evaluation division to further delineate the goals and objectives should lead to excellent outcomes. The plan includes goals that appear to be achievable within the budget and would allow the SEA to complete the projects it has laid out on time. This will also allow the SEA to address any compliance issues along the way due to the focus on monitoring and rigorous oversight. On page 41 and 42, the SEA describes its plans for addressing compliance issues and indicates that it will perform program evaluations annually and will require subgrantees to incorporate recommendations.

Weaknesses:

None Noted

Reader's Score: 10

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

The SEA has delivered a thorough description of the process for awarding grants as well as the number and amount of funding for each grantee. The SEA has also explained in detail the process for reviewing the grants and ensuring the recipients can improve student academic outcomes.

The SEA has described a rigorous and robust monitoring protocol starting on page 48 of the application. This includes monitoring visits, regular reporting and trainings and meetings. See pages 48 and 49 that describes the monitoring protocols. These details show that monitoring is an important part of the grant for the SEA which is a strength of the application.

The SEA intends to award priority points to those applicants who propose solutions consistent with the state level strategy. The SEA indicated on page 51 that it will actively solicit applicants to ensure that it increases student diversity or serves underserved students. By prioritizing those applicants who propose to serve underserved students, the SEA will expand educational opportunities for those students.

The SEA indicates that it will use its communication tools, including a website, press releases, making presentations to stakeholder groups in order to outreach to the required groups. And will develop a charter school advisory committee of high quality operators and authorizers. This committee could also be used to disseminate information and encourage high quality replications.

The SEA has requested a waiver of the three year grant period, a waiver of the 5% administrative costs and it requests more than two years of the initial implementation of charter schools as part of the grant. These seem like reasonable requests and would further the goals of the project.

Weaknesses:

None Noted

Reader's Score: 10

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

The SEA requires a performance framework that includes academic and operational performance indicators, as described on page 6. This metric guides the authorizers' evaluation of each charter school. This framework also includes annual performance targets which will allow the authorizer to assign measurable goals to each charter school and ensure that these goals are met. This framework, which is to be used by all authorizers in the state, includes indicators and measures of student academic performance, student academic growth, achievement gaps, attendance, recurrent enrollment from year to year, post-secondary readiness, graduation rate, financial performance, governing body performance and compliance with all federal and state requirements as described on page 6.

The SEA also requires that charter renewal must include progress towards achieving the goals objectives student performance standards state minimum education standards and other terms of the initial charter. Additionally, annual reporting by the charter authorizers about their portfolio is required, which will allow the SEA to identify those authorizers that are struggling to meet their targets. This annual report includes a performance report for each of its charter school in accordance with the performance report set forth in the charter contract.

The SEA is further developing protocols to establish schools which need to come before a commission because their performance is lacking.

Each year the SEA is required to publish an annual report. This report includes a compilation of information from each of the local authorizers which adds to the quality of this report. The SEA reviews each authorizer about the capacity and their likelihood of success, which should assist the SEA in their oversight of the authorizers.

Weaknesses:

none noted

Reader's Score: 15

Competitive Preference Priority - Authorizer other than LEA or Appeal Process

1. Competitive Preference Priority 2:One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

Based on page 9 and 10, if the state or a local authorizer denies a petition, the petitioners can appeal to secretary of education. If the secretary of education denies the appeal, the petitioners can also appeal to a district court.

Weaknesses:

none identified

Reader's Score: 5

Status: Submitted

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1. CPP 2

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Reader #2: *****

Applicant: New Mexico Public Education Department (U282A150013)

Questions

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2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

The current administration in New Mexico, including the Governor and the Secretary of Education, has worked together on three education issues: increased accountability, increasing the number of charter schools, and implementing teacher and principal development. Other charter school efforts supporting the state plan include NM Lead, a collaborative comprised of higher education, school district, charter school, and other leaders to establish a program for training and retaining aspiring innovative school leaders. Another initiative pursued by the Secretary of Education is to increase the number of charter schools providing strong evidence that there is integration between the state's education plan and the work of the CSP. (e31)

The application describes the New Mexico funding model as a weighted student formula where education dollars follow students and are modified based on student characteristics, including those defined as educationally disadvantaged. (e32)

The funding model is mostly state funding, and New Mexico has chosen to implement its weighted formula with little difference from district to district. Charter schools receive the same equitable funding.

New Mexico charter schools may apply for funding for lease assistance from the state. Charter schools that pass their first five-year renewal process may also apply for facilities funds to be used for new construction or for the renovation of existing public buildings. (e32)

The applicant describes collaboration with charter schools and alternative programs, providing options for students who would otherwise attend low performing schools.(e32)

Weaknesses:

There are no weaknesses in this section.

Reader's Score: 15

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

The application describes the high level of autonomy afforded New Mexico's charter schools (e33). Upon approval, charter schools are given great flexibility both in their budget process as well as certain sections of the state statute. Once the charter has demonstrated success, the operator may receive more widespread autonomy. (e33)

Charter schools autonomy extends into the classroom as well. The state's Charter School Act allows for autonomy in both teaching methods and administration. Other areas of state code waived for charter operators as well, including class size, teaching load, length of the school day, staffing, subject matter, instructional materials, evaluation standards, and school principal duties. (e34) New Mexico charter schools may also request a waiver from the State Department of Education for rules and provisions related to graduation requirements as well as other provisions of the Public Education Code. (e34)

New Mexico's education department (PED) each year provides information to each charter school in the state about the federal funds for which the charter school is eligible. Annually, the PED follows up with each charter school to ensure they receive their funds in a timely manner. Charter schools work with PED analysts to review budgets and to discover if other funding opportunities are either unused or available through some grant process. (e35)

New Mexico charter schools are each considered to be an LEA. As a result, charter schools themselves are responsible

for ensuring that they comply with applicable federal laws. To monitor the schools, the authorizer annually audits programs or investigates complaints and enforcing any corrective actions required. (e36)

Weaknesses:

This section did not have any weaknesses.

Reader's Score: 5

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

The applicant provides graphs and data to demonstrate the increase in high quality charter schools. One set of graphs demonstrates that a higher percentage of charter schools were considered high performing than New Mexico's traditional schools. (e37) In 2014, 46% of charters were high performing, up from 35.5% in 2012. (These were the only years for which data were provided.) In addition, over the same period, the percentage of low performing charters decreased. (e37)

Weaknesses:

Charts and data provided by the applicant demonstrate the New Mexico's charter schools have had both lower achievement trends and lower graduation rates than their traditional school counterparts. (e37)

The application did not provide a full five years of data as requested by the application. e37

The application did not provide evidence of academic achievement and attainment by subgroup. (e37) In addition, it is difficult to discern the importance of these data trends without the benefit of knowing how many students this represents, perhaps rendering the data less significant than might be apparent.

The applicant provides only a cursory description of how the state monitors the implementation of IDEA, ESEA and other federal programs. The proposal could be strengthened by describing how the monitoring occurs, how often, and what elements are observed during the monitor (i.e. are these merely compliance reviews or are there substantive observations of both practice and protocol that speak to the intent of these statutes.)

Reader's Score: 4

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

The applicant provides specific strategies and outcomes that would support disadvantaged students, and meet and exceed state content and achievement by encouraging innovation in charter schools, including models, policies, supports and structures designed to improve outcomes for disadvantaged students (e38). To support these outcomes, the applicant proposes to measure data capturing the program's impact on students, with an emphasis on educationally disadvantaged students, and its ability to assist them on meeting and exceeding State content and achievement standards (e38). As part of its monitoring process, the SEA proposes to develop required annual reporting about enrollment and demographics as well as to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools (e39). While data are currently studied by the PED, they are using it to better study enrollment practices to ensure equity in access to their programs (e39).

Weaknesses:

While the proposal clearly demonstrates that the applicant is committed, the applicant does not provide any particular strategies or expectations (targets) to attract, recruit, admit enroll and retain educationally disadvantaged students. The application states that a high quality monitoring system would do this, but offers no explanation either on the frequency or the content of the monitoring activities (e38).

Reader's Score: 13

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

The applicant provides specific strategies and outcomes that would support disadvantaged students meet and exceed state content and achievement by encouraging innovation in charter schools, including models, policies, supports and structures designed to improve outcomes for disadvantaged students. (e38)

The SEA, recognizing a need to improve processes for monitoring, proposes to develop required planned activities and reports across a range of variables including enrollment, demographics, operational and fiscal performance, responding to public complaints, and, academic performance data. (e39)

Weaknesses:

The application states that a high quality monitoring system would do this, but offers no explanation either of the frequency or the content of the monitoring activities. (e38)

This application, however, does not provide detail on data collection, analysis, and reporting. e39

The applicant's goals should be more ambitious in creating more high quality charter schools. The proposal states that in year one, only three charter schools will be high-quality, and by year four, only 16 charter schools will reach that status (e40).

The application refers to, but does not elaborate on, the use of revocation or nonrenewal to reduce the number of low performing charter schools. A stronger proposal would complement an ambitious effort to develop more high performing charter schools with an ambitious effort to quickly reduce the number of poor performing charter schools.

Reader's Score: 6

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221 (c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of

efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

The applicant will use 10% of the funds for dissemination subgrants, requiring grantees to publicly report on their activities. (e41) The application presents a thoughtful plan that fully lays out the process, procedures, and timelines of the subgrant process (e62), one that is closely coordinated with other state level initiatives (e.g., leadership training programs, authorizer development and improvement, etc.). The New Mexico PED and the NM CSP, position themselves to be leaders in the state through the implementation of the subgrant as they begin to collect and evaluate best practices. The proposal's dissemination plan includes a particular focus on those practices that assist in creating diverse student bodies including educationally disadvantaged students. (e41)

The application offers a detailed plan for dissemination and for managing the dissemination subgrant. The applicant proposes to use 10% of the funds to distribute to programs with best or promising practices. Through these grants, the CSD will actively solicit applicants that will serve a large population reflective of the priorities of the grant. CSD staff will be allocated to monitor the subgrants through reports, site visits, and other reporting requirements (e68).

Dissemination activities are also outlined beyond the subgrant process (e70). The proposal emphasizes a broad spectrum of partnerships, including organizations operating within and outside the state, teachers, parents, and communities of opportunity.

Weaknesses:

Although there is a detailed description of the dissemination subgrant process, including a highly structured process for reviewing applications, the proposal does not include measures to determine the effectiveness of the dissemination subgrant program. The application does refer to the process (e41) and again on (e68) but there are no specific measures or procedures outlined. The grant could be strengthened by providing the measures and methods employed to determine effectiveness.

Reader's Score: 4

Selection Criteria - Oversight of Public Chartering Agencies

1. The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --

1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

2) Approving charter school petitions with design elements that incorporate evidence-based school

models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

In their proposal, the New Mexico PED plans to monitor and evaluate public charter agencies throughout the state. This includes the development of statewide practices and standard reporting procedures. To assist them in improving the quality of authorizers, the applicants have partnered with NACSA to develop tools and trainings (e42).

The applicant's plan includes annual monitoring and reporting and the development of work groups to develop high quality statewide authorizer practices (e41). Their process will include stakeholder groups coming together in-person to ensure that the final product has buy in from all partners. To assist them, the applicant proposes to develop a set of Principals and Standards for Quality School Authorizing (e43).

Weaknesses:

The application does not address how the SEA will identify qualified applicants and recruit high quality operators to the state. The proposal could be strengthened by identifying operators who have been successful serving educationally disadvantaged students and developing strategies to bring them to the state.

Despite the chaos that often accompanies change; the SEA has not developed a means of insuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Reader's Score: 4

Selection Criteria - Management Plan and Theory of Action

The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:

1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

2) The extent to which the SEA's project-specific performance measures, including any measures required by the Department, support the logic model; and

3) The adequacy of the management plan to --

i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

The applicant provides a cohesive logic model that clearly illustrates the inputs and the activities needed to produce the predicted short-, medium-, and long-term outcomes expected as a result of the CSP. The goals of the project are directly related to the model. In addition, the application also demonstrates how the logic model is related to the greater goals of the state education department (e45).

The proposal presents three objectives that include an increase in the number and percentage of high quality charter schools; to increase access to high quality charter schools for educationally disadvantaged students; and to leverage CSP grant funds to improve outcomes for those students. (e51).

As part of this grant, the annual dissemination of subgrantees' reports will demonstrate effectiveness through efficacy measures that demonstrate at least 75% of internal measures and performance measures, based on statewide performance measurement systems (e51). The management plan contains activities designed to reach the goals of the program by measuring the differing impacts the program has on students with or without an educational disadvantage. The application offers a comprehensive management plan that clearly outlines the Objectives, Activities, Resources, Responsibility and Milestones of the project, serving as a map for their program (e55). The proposal includes an extensive and realistic timeline for implementation.

Another strong component of the management plan is the process for awarding subgrants (e63). The application describes a robust process for awarding these grants to eligible applicants (e63). Reviewed by a team of administrators, charter school operators, and authorizers, the team will make decisions and provide guidance about applicants.

Weaknesses:

Despite the extensive description provided, the management plan fails to discuss how it will keep the project on time and within budget.

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

The SEA proposal includes objectives to increase by 20 the number of high quality charter schools, as well as to fund 24 planning grants, 33 first year implementation grants and 28 second year implementation grants. e61

The application describes a robust process for awarding subgrants to eligible applicants. e63

The proposal includes an extensive and realistic timeline for implementation (e64).

A year to year estimate of subgrants awarded and a strategy to find quality candidates exists. (e61)

The proposal is built around partnerships with organizations that can strengthen leadership and identify potential organizations who might move to the state to support the work (e70).

Weaknesses:

There were no weaknesses in this section.

Reader's Score: 10

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

The applicant points out that as part of its performance review of a charter school, a chartering authority must visit a charter school under its authority at least once annually to provide technical assistance and to determine the status and the progress of the charter school toward the performance framework goals in its charter contract (e21)

Under New Mexico Law the charter renewal application must include, among other items, a report on the progress of the charter school in achieving the educational standards, and other terms of the initial approved charter; a financial statement disclosing the costs of administration, instruction, and other spending categories; and petitions in support of the

charter school, signed by minimum percentages of the households of children attending the school and the school staff (e20).

The authorizer may deny renewal or impose a conditional renewal of a charter if it is found that the school committed a material violation of any of the conditions, standards, or procedures set forth in the charter; failed to meet or make substantial progress toward achievement of the department's minimum educational standards or student performance standards identified in the original charter; failed to meet generally accepted standards of fiscal management; or violated any provision of law from which the charter school was not specifically exempted (e20).

State provides for periodic review and evaluation by the authorized public chartering agency at least once every five years. The analysis shows whether the school is meeting the terms of its charter and its achievement goals as provided by state law or by the school's charter (d20) In addition, each charter school must participate in an annual review of the school's budget as well as justifying the uses of the past and upcoming budgets (e21)

Each authorizing district and the NM PED have the responsibility to insure that charter schools authorized by the district school board or the Public Education Commission (PEC) are meeting the terms of the school's charter by providing the programs and actively pursuing the objectives set forth in their approved charters (e22).

Weaknesses:

There were no weaknesses in this section.

Reader's Score: 15

Competitive Preference Priority - Authorizer other than LEA or Appeal Process

1. Competitive Preference Priority 2:One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

The applicant describes two chartering authorities. The Public Education Commission is one authorizer; LEAs are another. In addition, the applicant describes a means for appealing a denial of the application to The New Mexico PEC, an elected or governor appointed advisory body to the State Secretary of Education, which is the state's only non-LEA authorizer. (e28)

In addition to multiple chartering authorities, charter applicants may appeal to the State Secretary of Education who has authority to reverse the decision. (e29)

Weaknesses:

There were no weaknesses noted in this section.

Reader's Score: 5

Status: Submitted

Last Updated: 08/04/2015 10:39 AM

Status: Submitted

Last Updated: 07/31/2015 10:28 AM

Technical Review Coversheet

Applicant: New Mexico Public Education Department (U282A150013)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
State-Level Strategy		
1. State-Level Strategy	15	11
Sub Total	15	11
Selection Criteria		
Policy Context for Charter Schools		
1. Policy Context	5	5
Sub Total	5	5
Selection Criteria		
Past Performance		
1. Past Performance	10	3
Quality of Plan to Support Ed. Dis. Students		
1. Ed. Dis. Students	15	12
Vision for Growth and Accountability		
1. Growth and Accountability	10	6
Dissemination of Information and Best Practices		
1. Dissemination	10	4
Oversight of Public Chartering Agencies		
1. Oversight of Authorizers	15	5
Management Plan and Theory of Action		
1. Management Plan	10	10
Project Design		
1. Project Design	10	9
Sub Total	80	49
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1	15	14
Sub Total	15	14
Competitive Preference Priority		
Authorizer other than LEA or Appeal Process		

1. CPP 2

	5	5
Sub Total	5	5
Total	120	84

Technical Review Form

Panel #15 - SEA Panel - 16: 84.282A

Reader #3: *****

Applicant: New Mexico Public Education Department (U282A150013)

Questions

Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

- The needs of NM charter school system that will be addressed and bolstered by the CSP grant (p.12-13) are strongly tied to and clearly integrated into the state's educational reforms that include increasing accountability, increasing the number of charters, increasing public education funding, and implementing multiple reforms to strengthen teaching and learning across the state (p.11-12). The correlation of the state's overall efforts and the CSP program have the capacity to have a significant impact on educational outcomes for students across the state.

- NM has established some funding equity opportunities for charter schools including the opportunity to apply for lease assistance (p. 13), and the opportunity to become eligible for a standards-based award for the construction of a new facility or the renovation of a facility (p. 13-14).

The state of NM clearly illustrates its commitment to encouraging improvement in academic achievement through collaboration. These efforts include early college high schools, education programs for incarcerated youth, and early learning programs (p.14).

Strategies for improving student academic achievement and attainment through the creation of charter schools that are an option for students who currently attend, or would otherwise attend, the lowest-performing schools is a primary objective of the state's Charter Schools Program division. This fact is demonstrated by the fact that priority funding and application preferences will be available to applicants who commit to fulfill this mission. Furthermore targeted outreach will be conducted by the division to ensure qualified applicants are identified.

Weaknesses:

- The applicant states that a recent assessment of funding disparity found only a 14.31% disparity between the 5th and 95th percentile of charter schools and that this level of funding equity is "seldom seem in other states." (p.13). This does not mean that funding is equitable, equal, or the same. Additional details about the formula including components such as base funding would strengthen the application.

Reader's Score: 11

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter schools budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

- NM state statute 22-2-2.1 allows for the Department of Education to waive numerous requirements for high-performing charter schools (p. 15-16). It is clear that NM provides charter schools high degrees of flexibility and autonomy in the areas of finance; curriculum and instruction; personnel; and operations (p. 14-15).

- The state's process of informing each school about funds for which they are eligible to receive through the work of a NM PED Budget Analyst, the Spring Budget Workshop, emails from the Department's Public Information Office, and on the Department's website are both reasonable and appropriate (p. 16-17).

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- The state makes significant efforts to ensure that each school receives the funds for which it is eligible. Each school is assigned an NM PED Budget Analyst who is aware of state and federal funding opportunities for charter schools. These analysts review each charter school's budget and advise them of any available funding opportunities and/or funds not currently being utilized that, if the school is eligible, might enhance the school's financial situation.

The SEA's plan to ensure charter schools comply with equity and non-discrimination laws has strength in its two-fold nature. Not only are NM charter schools required to sign assurances that they will comply with federal and state laws including IDEA, the Age Discrimination Act, title VI of the Civil Rights Act, title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act, chartering authorities are responsible for ensuring compliance, investigating

complaints, and taking corrective action (p. 17).

Weaknesses:

No weaknesses identified.

Reader's Score: 5

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

The state's charter schools demonstrate a few years of commendable performance including:

- The percent of high-performing charter schools in NM increased from 62.47% in 2013 to 71.23% in 2014 (p. 29);
- The percent of low-performing charter schools in NM decreased from 40.32% in 2012 to 26.11% in 2014 (p. 29); and
- Students in NM's high performing charter schools out-performed students in high-performing traditional public schools in reading proficiency from 2012 to 2014 (p. 18).

Weaknesses:

The applicant does not provide:

- a full five years of data regarding the extent to which the state has demonstrated an increase in the percentage of high-performing schools;
 - any data on the number of high-performing schools;
 - a full five years of data regarding the extent to which the state has demonstrated a reduction in the percentage of poor performing schools;
 - any data on the number of poor performing schools; or
 - the academic achievement of students in charter schools compared to traditional public schools
- The lack of this data makes it impossible to determine trends related to past performance.

Despite the fact that the applicant certifies in its Application Requirements that for purposes of this grant it will use the definition of an academically poor-performing charter school and high-quality charter school provided in the notice for this grant (p. e72), the terms "low performing" and "high performing" are used throughout the application. It is unclear if NM is using the label "low performing" in lieu of the federal term (and definition) of "poor performing" and using the label "high performing" in lieu of the federal term (and definition) of high-quality".

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

New Mexico's plan to support educationally disadvantaged students will it lead to improvements given the fact that:

- Two of the state's three objectives for the CSP subgrant program focus on assisting educationally disadvantaged students in either meeting or exceeding state achievement standards or reducing the achievement gap (p.29-35);
- In its efforts to implement high quality monitoring processes to attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students, the state is working towards improvement (p. 19-21). While not yet in place, these efforts include adding the area of need to the annual reporting requirements and the monitoring of lottery practices (p. 21); and
- NM charter schools required to sign assurances that they will comply with all anti-discrimination laws, chartering authorities are responsible for ensuring compliance, investigating complaints, and taking corrective action (p. 17).

Weaknesses:

Though implied by the nature of charter school development, the application lacks a clear description about how the state will explicitly encourage innovations in charter schools.

While NM is making efforts to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students through statutory mandates and authorizer requirements, this application could be improved by indicating how the SEA will ensure compliance (e.g. through the SEA-authorizer evaluation process or sanctions).

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

- The state indicates that it intends to improve numerous aspects of data collection and reporting which will, upon completion, support the decision making of parents and assist the state in providing high-quality oversight (p.20-21).
- The SEA's plan to increase the number of high-quality charter schools by three per year at the end of year 2 and 3, then by 6 at the end of year 4, and 10 at the end of year 5 demonstrates an understanding of the fact that their efforts may be slow to start, but will grow exponentially over time (p. 21).

Weaknesses:

- Although the applicant makes reference to a "sophisticated" performance analysis and reporting system for charter schools that includes an A-F grading system, the quality of the system is unclear given a lack of detail.
- The ambitiousness, quality of vision, and feasibility of the state's plan to support the closure of poor-performing schools is difficult to determine due to the fact that they only made reference to it and did not describe it in detail (p.21). While the application states, "to support the closure of charter schools, the NM PED has developed comprehensive procedures" (p. 21) it does not describe these procedures. Providing a copy of the procedures in the appendices would improve the application.

Reader's Score: 6

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the

Secretary considers the following factors:

- 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;
- 2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;
- 3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and
- 4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

- The SEA plans to use up to 10% of its CSP grant for dissemination efforts to serve as a leader in the state for sharing information and research about best or promising practices (p.22). The Charter School Division has a plan to work with their PED Accountability Bureau to develop and implement measures of efficacy, to collect data to identify best practices, and to assess the impact of the dissemination efforts.

Weaknesses:

- While the applicant states that the funding structure and application preference criteria will focus on addressing the needs of educationally disadvantaged students (p.22), details of the weight given to such preference criteria are not provided.
- The quality of the subgrant award process is unclear based on the fact that no detail is provided.

Reader's Score: 4

Selection Criteria - Oversight of Public Chartering Agencies

1. The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --
 - 1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;
 - 2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;
 - 3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The applicant is commended for each of the following notable efforts: the development of a chartering authority work group (p.22); the development of a series of tools and trainings for authorizers to improve the quality of their practices across the state (p.23); and the development of a set of Principles & Standards for Quality Charter School Authorizing with support from NACSA (p. 24).

Weaknesses:

Given the description provided in the application, the quality of New Mexico's means and methods to oversee authorized public chartering agencies is currently limited. The state does not adequately describe its plans to monitor, evaluate, assist, and hold accountable authorized public chartering agencies.

Reader's Score: 5

Selection Criteria - Management Plan and Theory of Action

1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:

1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and

3) The adequacy of the management plan to --

i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures

and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

- NM provides a sound logic model (p. 55) that incorporates five mid-term outcomes (expansion and implementation of best practices, the increased sustainability of charter school operations, improved charter school operating practices, and an increase in the quality and number of new school applicants (p. 56)) that will ultimately improve educational outcomes for students through CSP subgrants. These efforts directly support the state's strategy of expanding the number of high-quality charter schools.
- Each of the SEA's CSP performance indicators identified within their three objectives, support the logic model and provide baseline data when available (p.26-35).
- A management plan has been developed that includes timelines, resources, responsibilities and milestones providing the foundation necessary to successfully carry out the CSP grant (p. 36-41).
- The state has identified means to monitor subgrantees as well as its own administration of the CSP program. In the event that compliance issues are identified, a corrective action plan will be developed and internal monitoring will be provided by the Director of Options for Parents (p. 41-42).

Weaknesses:

No weaknesses identified.

Reader's Score: 10

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State,

such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA's charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

- The state's application, peer review process, and timeline are well thought out (p. 42-47). The state's plan to increase the number of available grants over the requested five year grant period "in order to allow other state-wide initiatives to ripen" (p.43) is wise and judicious.
- The SEA's plan to award a total of 24 planning subgrants, 33 first-year implementation, 28 second-year implementation, and 13 dissemination subgrants is ambitious (Abstract Narrative, p. e15; p. 42). The funding for each of the subgrants is generous and will support the difficult task of school start-up.
- The application describes a comprehensive plan to monitor CSP subgrantees that includes monthly reports, regular trainings, cohort meetings, annual reporting requirements, and on-site monitoring visits (p. 48).
- NM will provide additional CSP funding to applicants that meet the following criteria: elementary charter schools, schools with enrollment greater than 500, and within communities with persistently low-performing schools (p. 42). This additional funding places focus on the state's areas of identified need.
- The SEA has achieved documentable success in its ability to distribute information about grant opportunities. Teachers, parents, and community members will be informed about the CSP subgrants via the SEA's website, press releases through the Public Information Office, and collaboration with the NM Coalition of Charter Schools (p. 51-52). The state's efforts will be bolstered by its current efforts to develop a charter school advisory committee that will assist in the dissemination of information (p. 52).
- NM is requesting numerous waivers (p. 58-60) including: a grant period of five rather than three years, 27 month implementation subgrants, 5% administrative expenses, and to grant multiple dissemination grants to the same applicants. The application provides justified reasoning for each of the requests (p. 58-60).

Weaknesses:

- The application would have been made stronger if there was explicit information provided regarding the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool (Item 1)ii)a).

Reader's Score: 9

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

NMSA Section 22-8B-9.1 requires that performance provisions in charter contracts drafted by all authorizers be based on a framework that establishes clear academic and operational performance indicators (p.6). Indicators identified within the statute include academic performance and growth, including subgroups; attendance and graduation rates; not only financial performance but sustainability; and compliance and governance and are tied to performance objectives. The New Mexico Charter School Act requires criteria for renewal and revocation. The criteria for renewal includes progress on academic performance, fiscal compliance, and governance responsibilities. The Act states that a charter may be suspended, revoked or not renewed by the chartering authority if “the chartering authority determines that the charter school did any of the following:

(1) committed a material violation of any of the conditions, standards or procedures set forth in the charter contract;

(2) failed to meet or make substantial progress toward achievement of the department's minimum educational standards or student performance standards identified in the charter contract;

(3) failed to meet generally accepted standards of fiscal management; or

(4) violated any provision of law from which the charter school was not specifically exempted. and revocation violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement

- The state's Charter School Act establishes a list of nine criteria to review applications (p.8-9).

- NM statute 22-8B-6 and 8 outlines the process for multi-tiered review and final review immediately before the school opens for its first operational year (p. 8).

- Comprehensive review is ensured via the use of an evaluation rubric completed by a multi-disciplinary team consisting of PED staff, as well external education and business experts (p. 9).

Weaknesses:

The application does not address the extent to which the authorizing process includes a review of the extent to which the charter school developer has been successful in establishing and operating one or more high-quality charter schools, therefore only 3 of the 4 criteria are being considered in the scoring of this criteria.

Reader's Score: 14

Competitive Preference Priority - Authorizer other than LEA or Appeal Process

1. Competitive Preference Priority 2:One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

The application clearly indicates that the state's Charter School Act was amended in 2006 establishing NM's Public Education Commission as the state's only non-LEA authorizing body (p. 9). Developers then have the option of seeking authorization with the LEA in which the school will be located or with the Commission. The fact that the Commission is comprised of a governor appointed advisory-body and includes representatives from different parts of the state further supports the idea of charter school autonomy.

Weaknesses:

No weaknesses identified.

Reader's Score: 5

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