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State Capitol North, 325 Don Gaspar, Suite 200
Santa Fe, New Mexico 87501
Phone: (505) 986-4591 Fax: (505) 986-4338
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June 18, 2012 (revised June 25, 2012)

MEMORANDUM

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

INTRODUCTION

During the 2011 interim, the Legislative Education Study Committee (LESC) heard several staff presentations on charter schools. One of the points addressed during these presentations was the approval by the Public Education Commission (PEC) of 11 applications to open new state-chartered charter schools and the approval of one application by Farmington Municipal Schools to open a locally chartered virtual charter school. If they meet the conditions placed upon those approvals, all 12 charter schools are scheduled to open in fall 2012.

This staff update for the 2012 interim will report the status of those 12 applications approved in 2011. It will also cover two other topics:

- the 43 notices of intent to open new charter schools submitted in January 2012; and
- an investigation by the Public Education Department (PED) into course credits awarded by Southwest Secondary Learning Center (a state-chartered charter school) to students at high schools in Albuquerque Public Schools.

In addition to the staff update, this presentation will include a report by Ms. Kelly Callahan, Interim Director, Options for Parents, PED, with details about the 11 PEC-approved charter schools and the recent activities of the Charter Schools Division (CSD) in PED.

STATUS OF APPROVED CHARTER SCHOOLS

State-chartered Charter Schools

In September 2011, the PEC made its decisions on the 21 applications for state-chartered charter schools that had been submitted to the commission. The PEC voted to deny 10 of the applications and to approve, with conditions, 11 others:

- Southwest Aeronautics, Mathematics and Science Academy, William W. and Josephine Dorn Charter Community Schools, Mission Achievement and Success, Sage Montessori Charter School, and Coral Community Charter (all in Albuquerque);
- McCurdy Charter School and La Tierra Montessori School of the Arts and Sciences, in Española;
- Uplift Community School, in Gallup;
- New America School-Las Cruces;
- Estancia Valley Classical Academy, in Moriarty; and
- La Jicarita Community School, in Peñasco.

With each approved application, the term of the charter was for six years, including a planning year (school year 2011-2012); and there were six conditions attached to the approval, to be met by June 30, 2012, the end of the planning year. The first condition varied according to the needs and circumstances of the application; but the other five were standard, common to all approved applications:

1. the governing body must apply to the PEC before the end of the planning year (June 30, 2012) to be designated as a board of finance and must acknowledge that it is not entitled to receive any state or federal funding until the PEC grants its status as a board of finance;
2. the charter school must demonstrate to the CSD that, prior to beginning operations, the Public School Facilities Authority (PSFA) has certified that the facility the school intends to occupy will receive a condition rating equal to or better than the average for all public schools in the state; or that the charter school can demonstrate that within 18 months of occupancy it has a plan for achieving the weighted New Mexico Condition Index;
3. the charter school must acknowledge that, to comply with recent changes in federal law that affect New Mexico's eligibility for federal charter school program funds, all charter contracts are legally binding; and PED shall use increases in student achievement for all groups of students as the most important factor when determining to renew or revoke the school's charter, "regardless of current language in the *Charter Schools Act*, whether implied or explicit";
4. the charter shall be effective upon the applicant's sending to CSD a statement signed by the founders that they accept the conditions of approval; and
5. prior to the end of the planning year, the charter school must demonstrate that it has satisfied these conditions before commencing full operation.

In general, according to PED, all 11 charter schools have met or are in the process of meeting the conditions imposed; and all are on track to open in fall 2012. On June 18, 2012, the Charter

Schools Division presented information to the PEC for consideration at a meeting on June 27; and the presentation by Ms. Callahan will apprise the committee of those developments.

Locally Chartered Charter School

Like the 11 schools approved by the PEC, the New Mexico Virtual Academy (NMVA), approved by the board of Farmington Municipal Schools in September 2011, has been working during its planning year to meet the conditions applied by the school board, among them:

- the school will serve only grades 6-12, not K-12 as proposed;
- enrollment will be limited to 500 students rather than the proposed 1,600;
- the school must provide a detailed plan for meeting the needs of English language learners, special education students, and Native American students;
- the school must provide a detailed plan for the assessment and access to the learning center of students from outside the school district; and
- the governing council must enter into a memorandum of understanding (MOU) with the curriculum vendor, K12 Virtual Schools, LCC (K12), regarding the services the vendor will provide, the vendor's involvement in the school's decision-making process, the resolution of any disputes between the vendor and the school, and the financial relationship between the vendor and the school.¹

To address these conditions of approval, the school and K12 provided several documents:

- a draft English learners plan;
- *New Mexico Virtual Academy Special Education Policies and Procedures*;
- *New Mexico Virtual Academy Regional Testing Plan for Students*;
- *New Mexico Virtual Academy Plan for Engaging Native American Students and Families*; and
- *Educational Products and Services Agreement*, which is the MOU between the NMVA governing council and K12.

At a meeting on June 14, 2012, the school board tabled approval because some expected amendments to the MOU had not been completed and because the special education policies and procedures were not fully aligned with the district's manual. According to the Superintendent of Farmington Municipal Schools, the school board will review the application once again at the meeting on July 17, with the expectation that the school will open on August 20.

The MOU in this case is of particular interest because it indicates the relationship between a virtual charter school and the provider of the virtual educational program. As illustrated in the review of the notices of intent submitted in 2012 (below), there is growing interest in virtual charter schools in New Mexico. Among its provisions, the MOU between New Mexico Virtual Academy and K12:

¹ With this condition, a particular concern of the superintendent was that "the entire educational program is dependent upon the vendor . . . [and that] if K12 were not to continue to provide their services to the school, the school would not exist as it has proposed in the application."

- anticipates a “long-term relationship,” with an initial term of 10 years and renewal terms of seven years each;
- requires that K12 have the responsibility to “recommend various policies for the operation of the Program”;
- requires that K12 be granted a 30-day right of first refusal before the school’s governing board makes any third-party procurements for goods or services not covered by the MOU;
- assesses an administrative services fee to the school of 15 percent of the school’s “program revenues,” which include state and local per-pupil basic education funds and federal funds;
- provides that K12 will hire administrative personnel – perhaps including a “school operations director” – to deliver the educational services; and that, for the positions of head administrator, business manager, and special education coordinator, K12:

will advertise the position, identify and interview candidates, perform any background checks required by law or requested by the School, and shall present its recommendations and related candidate resume [sic] to the School. . . . In the event that the School intends to hire a candidate not among those recommended by K12, K12 shall first be afforded an opportunity to interview and screen the candidate and to provide its advice and recommendation concerning the candidate to the School;

- provides that the school will hire the teachers and be responsible for all associated costs;
- requires the school to “use its best efforts” to gain approval for extending the grades served and increasing the student enrollment;
- specifies that K12’s general services include recruiting students and implementing the program’s admissions policy and student enrollment process;² and
- enumerates K12’s administrative services, among them:
 - preparing forms, manuals, handbooks, guides, policies and procedures;
 - working with the school’s counsel on legal matters affecting the program;
 - preparing a proposed annual program budget, “including projected revenues, expenses and capital expenditures”;
 - recommending discipline policies and procedures;
 - developing teacher training; and
 - seeking competitive pricing and centralized purchasing of computers, monitors, and other peripherals.

² On the matter of student recruitment, the Superintendent of Farmington Municipal Schools reports that more than 40 percent of the students who have applied to the school are from Albuquerque.

NOTICES OF INTENT

For the notices filed in 2012, the CSD implemented a new format that provides considerably more information about the plans of the prospective applicants than in years past. Now, rather than a simple letter, prospective charter school applicants must complete a form prescribed by the CSD that provides:

- information for the primary contact;
- names, roles, current employment, and qualifications of all members of the applicant team;
- a description of the model or focus of the proposed school;
- an indication of the applicants' intention to contract with another entity;
- an indication whether the applicants currently operate other schools;
- an indication whether the proposed school replicates another model;
- the vision or mission statement of the school;
- a description of the student body to be served;
- evidence of community need for the school;
- any innovative or unique programmatic features of the school; and
- an explanation of how the school will serve the targeted population more effectively than currently available schools.

The CSD received 43 such notices of intent (see Attachment 1). It is important to note, however, as previous staff updates have indicated, that not every notice of intent results in an actual application to open a charter school. In fact, the pattern in recent years has been that only about half of the notices of intent filed each year actually lead to an application; and not every application has been approved. Unless waived by the charter applicant and the chartering authority, the deadline for submitting the application is July 1 of each year; therefore, by the July meeting of the LESC, the number of actual charter applications will be known.

Individual Notices

Most of the notices of intent were submitted by parties in New Mexico; and they cover a wide range in terms of mission, targeted population, and curriculum. For example:

- Barack Obama Charter plans to replicate, with certain modifications, the program used by Southwest Learning Centers to provide Albuquerque students in grades 7-12 with “an integrative STEM [Science, Technology, Engineering, and Math] educational model”;
- Central New Mexico Virtual Academy, based in Edgewood, will use the K12 Virtual Schools program to serve students in Edgewood, the Kirtland Air Force Base area, and other areas;
- Health Care Leadership High School intends to help Albuquerque students between 14 and 24 years of age prepare for careers in health care and to meet the growing demand for career and technical education;
- Indigo Hill School intends to serve students in Pre-K through grade 8, including those classified under autism spectrum disorder, dual exceptionality, and gifted, with the

expectation that most of the students will come from public schools and home schools in Albuquerque, Rio Rancho, and Bernalillo;

- the John Wooden Leadership Academy plans to offer grade 10-12 students in Albuquerque an individualized online curriculum that focuses on college preparation and that features dual credit opportunities;
- Kawaika High School has targeted grade 9-12 students in the Pueblo of Laguna and the surrounding area, with the intention of using a blended learning curriculum to prepare those students for a career path and for immediate employment, vocational training, or college;
- Kentucky Mesa Charter School proposes to offer grade 1-5 students in Kirtland, Fruitland, and Waterflow “a safe, structured academic environment” that meets the community need for alternative programs; and
- Silver City School of Science, Technology, Engineering and Mathematics will offer elementary students a STEM curriculum aligned with the Common Core State Standards, including a comprehensive literacy research-based curriculum.

Notices Filed by Charter Management Organizations

Of particular interest this year are the 18 notices that were submitted by out-of-state charter management organizations (CMOs)³: five with one company based in Texas, five more with another company based in Texas, four with a company based in Arizona, and another four with a company based in Maryland. This is not the first time that an out-of-state organization has indicated an intent to open a charter school in New Mexico or to file an application; but it is the first time that multiple out-of-state organizations have indicated an intent to open multiple charter schools. Because of these unprecedented circumstances, this staff report includes a few highlights about these notices of intent and the CMOs that have submitted them. The information provided comes from the notices themselves, the companies’ websites, the websites of affiliated organizations, and responses to questions submitted by LESC staff.

As this discussion begins, one point that might be noted is this prohibition in the *Charter Schools Act*: “The governing body [of a charter school] shall not contract with a for-profit entity for the management of the charter school.” This point notwithstanding, however, the *Charter Schools Act* allows applications to be made by “one or more teachers, parents or community members or by a public post-secondary educational institution or nonprofit organization.” Thus, there seems to be no prohibition against a nonprofit CMO from another state applying to open a charter school in New Mexico; and PED has suggested that, barring more explicit language in the law, teachers, parents, community members, and public postsecondary institutions from other states could apply as well.

At any rate, like the notices filed by the individual schools, these notices from the four CMOs offer much variety; however, they do have several points in common. In all four cases:

- there are plans for addressing the diverse student population in the state;
- facilities are yet to be arranged; and
- the applicants intend to apply to the PEC to become state-chartered charter schools.

³ The term “charter management organization” is variously defined. In essence, it signifies an organization that establishes and operates multiple charter schools.

Academic Opportunities Academy

Headquartered in El Paso, Texas, Academic Opportunities Academy plans to open charter schools in five school districts: Alamogordo Public Schools, Carlsbad Public Schools, Deming Public Schools, Gadsden Independent Schools, and Las Cruces Public Schools. The company is a nonprofit corporation in Texas that has applied for 501(c)(3) status with the Internal Revenue Service. Once that status is achieved (a requirement under Texas law, the applicant says), the company plans to apply for three charter schools in El Paso and one each in Van Horn and Alpine, Texas. Currently, Academic Opportunities Academy operates one private school in El Paso but does not operate any charter schools; however, the company has applied for one charter school in Indianapolis, Indiana; and it is considering applying in Oklahoma and other states.

The model or focus of the proposed schools is “technology-based, tutor assisted mastery instructional self-pacing, K-12 dual language programs, college prep, employment skills program.” The curriculum will be derived from the Texas Essential Knowledge and Skills and the Texas College and Career Readiness Standards but aligned with New Mexico standards; and the instructional design is called tiered instruction based on the principles of Universal Design for Learning.⁴ Already the school is considering a dual credit arrangement with New Mexico State University.

A major component of the instruction will be a software program that prepares individualized learning plans for each student, in which students may choose their assignments from a list. In addition, the school recognizes that each student will need different levels of support and assistance: very little in some cases, nearly continuous in others; tutoring in some cases, a traditional classroom environment in others. Overall, the school expects approximately half of the instruction to be conducted in a traditional classroom setting.

New Mexico Connections Academy

Of the four CMOs, Connections Education, based in Maryland, has the most direct ties to New Mexico.

- For one thing, two of the three members of the applicant team are from New Mexico:
 - one is the president of the Albuquerque-based Rio Grande Foundation, a 501(c)(3) organization that describes itself as “a research institute dedicated to increasing liberty and prosperity for all of New Mexico’s citizens”; and

⁴ A relatively new approach to instruction, Universal Design for Learning (UDL) uses multiple means of presenting material; is based on learning sciences such as cognitive neuroscience; employs digital technology; and creates flexible, individualized instructional goals and methods. *Education Week* notes that UDL “was referenced in the federal stimulus programs . . . and has been closely linked to the launch of the Common Core State Standards.”

- another member is a former State Superintendent of Public Instruction who currently represents Pearson Education, a company with a number of educational interests.⁵

- For another thing, the five founders of the schools are all from New Mexico.⁶

Although Connections Education has submitted notices of intent to open schools in four districts – Española Public Schools, Los Alamos Public Schools, Moriarty-Edgewood Schools, and Santa Fe Public Schools – the Rio Grande Foundation president has advised LESC staff that the intention is to open only one: “Our intent was to identify the best partner during the spring in order to submit one charter application in June.” Currently, Connections Education provides services to 22 charter schools in 21 states. In those schools, more than 30 percent of the students were previously enrolled in home schools or private schools. The company also operates National Connections Academy, an online private school.

The model or focus of the proposed school is virtual education: “The school will serve students full time in grades K-12 throughout New Mexico through online education, quality curriculum, and certified teachers.” For the curriculum, the virtual education technology, and a range of other services, the school plans to contract with Connections Academy of New Mexico, an affiliate of Connections Education LLC. As a virtual charter school, the Connections Academy will not require a physical facility for students for their day-to-day learning but instead will lease permanent office space, perhaps in Santa Fe, for administrative and teaching staff to serve as a teaching center and a resource center for students.

Like Academic Opportunities Academy, Connections Education plans to focus on the individual needs of its students, in this case through the Personalized Learning Plan, which tailors instruction to the learning needs of each student. The plan is built from “a combination of baseline assessments of both academic skills/knowledge and learning modalities, information garnered from the parents, and input directly from the student.” As part of the program, Connections Education provides each family with a computer, a printer, and a subsidy for Internet access. For the school in New Mexico, the budget that will accommodate these services is still being developed; however, the school does intend to provide a technology hardship program to lend computers and Internet service to families with demonstrated need.

Premier High School

Formed in Texas in 1997, Responsive Education Solutions (ResponsiveEd), a 501(c)(3) nonprofit organization located in Lewisville, has proposed opening one Premier High School in each of five school districts in New Mexico: Albuquerque Public Schools, Clovis Municipal Schools, Farmington Municipal Schools, Las Cruces Public Schools, and Santa Fe Public Schools. Currently, ResponsiveEd operates 50 charter schools in Texas, with plans to open more in that state in school year 2013-2014. In addition, the company has applied for three

⁵ In addition to publishing standardized assessments, Pearson has partnered with Stanford University to develop a national teacher licensure assessment; joined with the American Council on Education to operate GED Testing Services, which has become a for-profit company; and, more to the point for this report, bought Connections Education in September 2011. The Pearson representative in New Mexico is Dr. Alan Morgan, the former Superintendent of Public Instruction.

⁶ Members of the LESC will recognize one of their own, Senator Mark Boitano, as one of the founders.

charter schools in Indiana and intends to submit charter applications in Arkansas and Oklahoma later this year. ResponsiveEd also operates a number of Quest Middle Schools, several iSchool High campuses as college preparatory charter schools, and a virtual charter school called Texas Virtual Academy, which uses the K12 program. The schools in New Mexico will be brick-and-mortar campuses, like those in Texas, although they may incorporate blended learning.

The model or focus of these five schools will be to reach students who have dropped out of other schools or who are at risk of dropping out. The mission of Premier High Schools is to provide hope for students “through an encouraging, innovative learning environment.” As two examples:

- Premier High School of Austin offers an accredited night program for students between the ages of 19 and 26; and
- Premier High School of San Antonio operates a four-hour split shift schedule, with the morning session running from 7:45 to 11:45 a.m. and the afternoon session from 12:15 to 4:15 p.m.

ResponsiveEd has developed its own curriculum, which features a personalized, self-directed approach in which teachers will adjust the instructional method or delivery according to the needs of the students. Another feature of this approach is a 1:1 student-to-computer ratio.

StarShine Academy

Recognized by the United Nations as one of the best examples of world peace, StarShine Academy, headquartered in Phoenix, Arizona, has proposed opening charter schools in four school districts in New Mexico: Albuquerque Public Schools, Los Alamos Public Schools, Rio Rancho Public Schools, and Santa Fe Public Schools. Currently there are two StarShine Academy charter campuses in Arizona – in Phoenix and Glendale – with plans for a third school in Arizona that would serve refugees. StarShine Academy also has “outreach, mission schools” in Sudan and Liberia, but the organization merely assists them, it does not control them. Santa Fe Secondary Learning Center is a private StarShine Academy.

The model or focus is college preparatory K-12 small schools of approximately 400 students with individualized instruction for each child. The target population is students who are having little success in traditional public schools, students in need of individualized instruction, and students who have dropped out or who are lacking credits.

The curriculum, called “StarShine School in a Box,” includes fine and performing arts, an ambassadorship curriculum, technology, fitness, and school gardening, all in an effort to raise students’ academic performance and keep them from dropping out of school. Another feature of the curriculum is the personalized Individual Learning Plan, which is said to incorporate a student’s “dream job” as well as the requirements needed for graduation.

While StarShine Academy is a 501(c)(3) nonprofit organization, its parent company is Education Resources LLC, incorporated in 1999 by the founder and CEO of StarShine Academy. Education Resources is also the parent company of a franchise organization called StarShine Planet, which is being formed to address international needs. The franchise model is being developed for India.

Finally, StarShine Academy applied to the PEC last year to convert Santa Fe Secondary Learning Center to a public charter school, directed by the founder and headmaster of the private school and located at the private school's current facility; however, theirs was one of the 10 applications that the PEC denied. Also, the CEO of StarShine Academy said that the applicants realized that it would be better for that school to remain private; and now the founder of the private school is a member of this year's applicant team.

INVESTIGATION INTO COURSE CREDITS AWARDED BY SOUTHWEST SECONDARY LEARNING CENTER

On May 16, 2012, Winston Brooks, Superintendent of Albuquerque Public Schools (APS), wrote to Secretary-designate of Public Education Hanna Skandera (see Attachment 2), asking that PED investigate what the superintendent called the "granting of 'quick' credit from Southwest Secondary Learning Center [SSLC] to students concurrently enrolled in an APS high school." According to Mr. Brooks' letter, the issue was raised by one of the district high schools after a senior who had been advised that he would not graduate because he had failed the second semester of English 12 managed to earn credit for that course at SSLC "in less than four days." The letter further explains that the student and his family had been notified on several occasions during the semester that the student was in danger of not graduating; that the student did fail his English class; and that the student then registered at SSLC on Friday, May 11 and returned to his high school on Monday, May 14 with a transcript from SSLC showing a grade of C in English/Language Arts 12. Mr. Brooks adds that, at the direction of PED, APS accepted this credit.

Since learning of this incident, Mr. Brooks' letter continues, the district researched its files and found that 289 APS students have earned a total of 387 credits from SSLC during school year 2011-2012, a circumstance that raises questions about ethics and academic standards. Thus, "We are asking that the New Mexico Public Education Department conduct an immediate audit of Southwest Secondary's curriculum, policies, and procedures to assure that the credits earned by students:

- Are legitimate
- Are aligned with the curriculum
- Are rigorous in content
- Prepare students for college
- Are taught by highly qualified teachers and
- Meet the high standards promoted by the Public Education Department."

The letter also questions "the legitimacy of students moving back and forth between charters and comprehensive high schools in an effort to quickly earn credits"; questions whether SSLC is charging for these credits;⁷ and requests "immediate guidance" from PED.

⁷ According to media interviews with the Chief Academic Officer at SSLC, the student took the course through the school's extended learning program, which charges a fee of \$200 per course, a practice also reflected on the school's website.

On May 23, 2012, Secretary-designate Skandera wrote to Mr. Brooks (see Attachment 3) and to Dr. Scott Glasrud, Chief Academic Officer, Southwest Learning Centers (see Attachment 4), announcing that PED will conduct a review of the incident recounted in Mr. Brooks' letter. The review will "assess the circumstances under which these credits were awarded" and focus on the 387 credits identified by APS as having been earned at SSLC. "Other related issues that may be examined in the course of the review," Ms. Skandera says in each letter, "include whether the courses meet state requirements, and an examination of APS's board policies regarding acceptance of recovery credits from neighboring districts" (emphasis in the original), including SSLC as that state-chartered charter school is its own local education agency.

In response to queries from LESC staff about the status of the investigation, PED reported on June 15, 2012, "the site visits have been completed and the report is being compiled."

Finally, this issue has also attracted the attention of the PEC. At a special hearing on June 8, 2012, PEC members presented a number of questions for consideration by Ms. Callahan. These questions address such issues as:

- definitions of terms ("distance learning" and "asynchronous instruction," for example);
- the requirement in PED rule for written agreements between a district or charter school providing distance learning and the district or charter school in which a distance learning student is enrolled;
- fees charged for such courses;
- the statutory authorization for SSLC to charge fees for such courses;
- student log-in requirements and validation of the student's work in distance learning or extended learning courses; and
- the policies that govern summer school, credit recovery programs, and extended learning programs offered by charter schools and school districts.

The PEC members also questioned whether:

- SSLC has violated its charter by offering extended learning online courses to students from other schools;
- any of the students in question were on the waiting list to enroll in SSLC;
- students from other districts have earned credit at SSLC under similar circumstances;
- any students attempted to earn such credit but were denied because they could not pay the fee;
- teachers of these courses received additional compensation; and
- other charter schools or districts with summer school, credit recovery programs, or extended learning programs charge fees for those services.

PRESENTER

For this presentation, Ms. Kelly Callahan, Interim Director, Options for Parents, PED, will apprise the committee of the status of the 11 charter schools that the PEC approved in 2011 and will review recent activities of the CSD.



ATTACHMENT 1

[Charter School Division](#) | [Public Education Commission](#)
[Application](#) | [Renewal](#) | [State Chartered Schools](#) | [Rules & Law](#) | [PED Guidance & Resources](#) | [Contact Us](#)

2012 Charter School Letters of Intent

List of school names

Academic Opportunities Academy - Alamogordo	Premier High School of Clovis
Academic Opportunities Academy - Carlsbad	Premier High School of Farmington
Academic Opportunities Academy - Deming	Premier High School of Las Cruces
Academic Opportunities Academy - Gadsden	Premier High School of Santa Fe
Academic Opportunities Academy - Las Cruces	Ray of Hope Charter High School
Barack Obama Charter - Albuquerque	Red Willow Paideia Charter School
Centennial High School	Rio Abajo Charter School
Central New Mexico Virtual Academy	Rio Grande International Academy
Columbus Community School	Santa Fe Classical Academy
Electus Academy	Silver City School of Science-Engineering-Math- andTechnology
Espanola Valley Leadership Development Academy	StarShine Academy - Albuquerque
Gadsden Academy	StarShine Academy - Los Alamos
Health Care Leadership High School	StarShine Academy - Rio Rancho
Indigo Hill School	StarShine Academy - Santa Fe
John Wooden Academy	STEM Santa Fe Middle School
Kawaika High School	Taos International School
Kentucky Mesa Charter School	Taos Preparatory School
New Mexico Connections Academy - Espanola	Taos Waldorf School
New Mexico Connections Academy - Los Alamos	The GREAT Academy Las Cruces
New Mexico Connections Academy - Moriarty	The MASTERS Program Academy
New Mexico Connections Academy - Santa Fe	Tres Piedras Charter School
Premier High School of Albuquerque	

Winston Brooks
SUPERINTENDENT



ALBUQUERQUE PUBLIC SCHOOLS
Office of the Superintendent

RECEIVED
VIA E-MAIL

MAY 17 2012

May 16, 2012

Secretary Designate Hanna Skandera
New Mexico Public Education Department
Jerry Apodaca Education Building
300 Don Gaspar
Santa Fe, NM 87501

Dear Secretary Designate Skandera:

We are writing you this urgent letter regarding a matter of granting "quick" credit from Southwest Secondary Learning Center to students concurrently enrolled in an APS high school. The issue was raised less than 24 hours ago by one of our high schools after a senior who was told he wouldn't graduate because he failed the second semester of English 12 was able to earn that credit from Southwest Secondary in less than four days.

The student and family had been told on several occasions during the semester that the student was at risk of not graduating. They were formally notified on Thursday, May 10, that the student failed his English class and would not graduate. We have confirmed that the student registered at Southwest Secondary on Friday, May 11. The student returned to the high school on Monday, May 14, with a transcript from Southwest Secondary saying he had earned the half a credit for English/Language Arts 12 with a grade of C.

An APS high school administrator contacted Southwest Secondary Learning Center and verified that it was possible for a student to work very hard and almost immediately earn credit. Today, we received confirmation from Bill Blair, assistant director of the New Mexico Public Education Department's School and Family Support Bureau, that we are required to accept credit from other accredited institutions.

Since learning of this issue, we researched our transcripts and found that more than 289 APS students have earned 387 credits so far this school year from Southwest Secondary Learning Center. We are concerned about the ethics of granting a diploma to students who may not have met the academic standards required of all New Mexico high school graduates.

We are asking that the New Mexico Public Education Department conduct an immediate audit of Southwest Secondary's curriculum, policies, and procedures to assure that the credits earned by students:

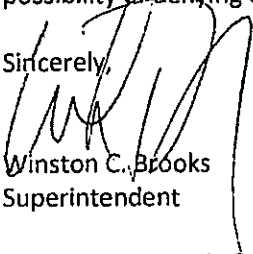
- Are legitimate
- Are aligned with the curriculum
- Are rigorous in content
- Prepare students for college
- Are taught by highly qualified teachers and

- Meet the high standards promoted by the state Public Education Department.

We also are questioning the legitimacy of students moving back and forth between charters and comprehensive high schools in an effort to quickly earn credits. We also question whether Southwest Secondary is charging for credits, and if so how is the fee being used?

Because this issue has huge implications on graduation, our students and public education in New Mexico, we are asking for immediate guidance. As superintendent of Albuquerque Public Schools, I cannot ethically allow students to receive credits they have not earned. Therefore, I am exploring the possibility of denying credits from Southwest Secondary Learning Center in the future.

Sincerely,


Winston C. Brooks
Superintendent


Linda Sink
Chief Academic Officer

cc: APS Board of Education
New Mexico Public Education Commission
APS Leadership Team
Representative Rick Miera, Chairman of the Legislative Education Study Committee
Legislative Education Study Committee Members
Frances Ramirez-Maestas, Director of the Legislative Education Study Committee
Sen. John Arthur Smith, Chairman of the Legislative Finance Committee
Legislative Finance Committee members
David Abbey, Director of the Legislative Finance Committee
Senator Michael Sanchez, Senate Majority Leader
Senator Linda Lopez
Representative Mimi Stewart
Craig Johnson, Public Education Department
Gloria Rendon, New Mexico Coalition of School Administrators
Joe Guillen, New Mexico School Boards Association
Gary Tripp, New Mexico Activities Association
Carrie Robin Menapace, APS Legislative Liaison & Policy Analyst



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
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MAY 24 2012

HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 23, 2012

Winston Brooks, Superintendent
Linda Sink, Chief Academic Officer
Albuquerque Public Schools
P.O. Box 25704
Albuquerque, NM 87125

Dear Superintendent Brooks and Chief Academic Officer Sink:

Thank you for your letter requesting the Public Education Department (PED) examine Southwest Secondary Learning Center's (SWSLC's) curriculum, policies, procedures, content rigor, college readiness model, highly-qualified teachers in relation to courses, and compliance with PED standards. I share your concerns and am committed to ensuring that our high school graduates are prepared with the knowledge and skills needed for success in college and careers.

In your letter, you base your request on the recent incident with the student from Albuquerque High School who obtained a half credit for English 12 in a three-day time period from SWSLC. The PED will conduct a review of this situation to assess the circumstances under which these credits were awarded. The focus of the review will be the 387 credits identified by Albuquerque Public Schools (APS) that were earned at SWSLC. Other related issues that may be examined in the course of the review include whether the courses meet state requirements, and an examination of APS's board policies regarding acceptance of recovery credits from neighboring districts (since SWSLC is an LEA). As with previous reviews, my staff will contact you regarding further actions.

PED continues to be consistent in our work to make sure the standards for our students are rigorous and prepare them for the challenges ahead. The questions raised in your letter deserve further examination and we are grateful for the opportunity to work with APS and SWSLC to identify any issues.

Sincerely,

Hanna Skandera
Secretary-Designate of Education

cc: APS Board of Education
New Mexico Public Education Commission
APS Leadership Team
Representative Rick Miera, Chairman of the LESC
Frances Ramirez-Maestas, Director of the LESC
Senator John Arthur Smith, Chairman of the LFC
LFC Members
David Abbey, Director of the LFC
Senator Michael Sanchez, Senate Majority Leader
Senator Linda Lopez
Representative Mimi Stewart
Craig Johnson, Public Education Department
Gloria Rendon, New Mexico Coalition of School Administrators
Joe Guillen, New Mexico Activities Association
Carrie Robin Menapace, APS Legislative Liaison & Policy Analyst



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STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

HANNA SKANDERA
SECRETARY-DESIGNATE OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

May 23, 2012

Dr. Scott Glasrud, Chief Academic Officer
Southwest Learning Centers
103014 Candelaria NE
Albuquerque, NM 87112

Dear Mr. Glasrud:

Albuquerque Public Schools (APS) has requested the Public Education Department (PED) examine Southwest Secondary Learning Center's (SWSLC's) curriculum, policies, procedures, content rigor, college readiness model, highly-qualified teachers in relation to courses, and compliance with PED standards.

The purpose of this letter is to inform you that PED staff will conduct a review of the recent incident with the student from Albuquerque High School who obtained a half credit for English 12 in a three-day time period from SWSLC. The review will assess the circumstances under which these credits were awarded. The focus will be the 387 credits identified by APS that were earned at SWSLC. Other related issues that may be examined in the course of the review include whether the courses meet state requirements, and an examination of APS's board policies regarding acceptance of recovery credits from neighboring districts (since SWSLC is an LEA). My staff will contact you regarding further actions.

PED continues to be consistent in our work to make sure the standards for our students are rigorous and prepare them for the challenges ahead. We are grateful for the opportunity to work with APS and SWSLC to identify any issues.

Sincerely,

A handwritten signature in black ink that reads "Hanna Skandera".

Hanna Skandera
Secretary-Designate of Education

cc: APS Board of Education
New Mexico Public Education Commission
APS Leadership Team
Representative Rick Miera, Chairman of the LESC
Frances Ramirez-Maestas, Director of the LESC
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