



**CHARTER SCHOOL APPLICATION RECOMMENDATION  
SUBMITTED TO THE PUBLIC EDUCATION COMMISSION**

Dr. Don Duran, Assistant Secretary of Education  
**CHARTER SCHOOLS DIVISION**

<i>Name:</i> South Valley Preparatory School	<i>Projected Grades:</i> 6-8
<i>Projected Enrollment:</i> 156	<i>Proposed location:</i> Albuquerque
<i>Founder:</i> Charlotte Alderete-Trujillo	
<i>Recommendation:</i> I recommend that the Public Education Commission <b>Approve</b> the application with conditions.	

The applicants presented a clear statement of their mission. The application provided an excellent description of the need for a school in an area that includes many challenges for the community. Their solution for addressing the academic needs of the students is based on a replication of a very successful model. The founders are experienced educators who have developed a model that has already shown great success. The philosophy and approach are well-supported by research, articles, and studies. Most components of the educational plan, including strategies and methods to be used, scope and sequence for core subject areas, and student performance expectations (SMART Goals) are substantially described. A clear phase-in plan is presented beginning with a Core Team I for grades 6-8 with 78 students in year one and following in year two with a Core Team II beginning at the 6<sup>th</sup> grade level and increasing to grade 8 by year four. Core Team I will mentor Core Team II to maintain integrity and continuity of the foundational philosophy of the school.

The South Valley Preparatory School has presented a strong and viable application. It is with great confidence that I recommend this application. It will provide a public choice that will lead to academic success for many students identified in the school's targeted area.

Although I am recommending approval of the charter, the applicant must comply with conditions in the areas of School Goals and Student Performance Standards, Board of Finance, Facilities, Legal liability, Insurance, and the Planning-Year Checklist.

## **SCHOOL GOALS AND STUDENT PERFORMANCE STANDARDS**

I recommend the charter school be approved subject to the following condition: **the charter school shall resubmit their school goals and performance standards that were included in the application and that they must be approved by the Charter School Division 10 days prior to the October meeting of the Public Education Commission.** A proposed charter school should submit the goals, objectives and student performance standards to be achieved by the charter school, 6.80.4.9 (B) NMAC.

## **BOARD OF FINANCE**

I recommend the charter be approved subject to the following condition: **the governing body of the charter school must submit an application to the commission and obtain approval from the commission that the governing body be designated as a board of finance.** A proposed state-chartered charter school must have the governing body of the charter school designated as a board of finance by statute, 22-8-38 NMSA 1978.

## **FACILITIES**

I recommend the charter be approved subject to the following condition: **the charter school shall produce a certificate of educational occupancy prior to opening a facility for use as a school; the facility shall meet all applicable federal and state health and safety code requirements and be suitable for use as a school.** The facilities of a charter school that is approved on or after July 1, 2005 and before July 1, 2010 shall meet educational occupancy standards by statute, 22-8B-4.2. NMSA 1978.

## **LEGAL LIABILITY**

I recommend the charter be approved subject to the following condition: **the charter school shall agree that, to the fullest extent permitted by law, the charter school shall indemnify, defend, and hold harmless the Public Education Department (PED) and the Public Education Commission (PEC), their members, officers, employees, agents, affiliates, and representatives from and against any and all liabilities.** The PEC, as a governmental entity, has immunity from law suits except actions based on valid written contracts by statute, 37-1-23 NMSA 1978. The charter school's agreement to indemnify the PEC will be written into the charter contract to remove any ambiguity regarding the liability of the PEC or PED for the acts of the charter school or any of its employees or agents.

## INSURANCE

I recommend the charter be approved subject to the following condition: **the school shall participate in and obtain insurance from the Public School Insurance Authority and comply with all applicable rules of that authority.** Charter schools are required by statute to participate in the public school insurance authority, 22-8B-9D NMSA 1978.

## PLANNING-YEAR CHECKLIST

I recommend the charter be approved subject to the following condition: **prior to the end of the planning year, and before the commission shall issue the authorization to commence full operation, the charter school must comply with the requirements of the enclosed planning-year checklist.**

In various sections of the application, the charter school applicant submitted information that was in draft form or stated that the final version of its policies and procedures would be in compliance with the appropriate statutes and rules. The information submitted by the charter school applicant was sufficient to allow me to recommend approval of the charter application. However, it is my recommendation that the commission impose a condition that, prior to the end of the planning year, and before the commission shall issue the authorization to commence full operation, the charter school must comply with the requirements of the enclosed planning-year checklist. Compliance with the requirements of the planning-year checklist is necessary to allow the Charter Schools Division (CSD) staff to verify that the assurances provided by the charter school in its application are contained in documents and policies that are implemented by the charter school. All of the items on the planning-year checklist are based upon statutes and rules.

At least thirty days prior to the time that the charter school is scheduled to commence instruction, the CSD staff will visit the school for an inspection and review. The review will be structured according to the enclosed planning-year checklist. The charter school shall have available for review by the CSD staff all documents necessary to confirm the completion of each required item. After the review, I will recommend to the commission that it either issue or refuse to issue the authorization to commence full operation to the charter school.