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OPTION FOR PARENTS  
CHARTER SCHOOLS DIVISION

TO: Potential Applicants  
FROM: Patricia Matthews, Director – Options for Parents  
DATE: November 21, 2011  
RE: Update on 2012 Charter School Application Form

**PLEASE BE SURE THAT YOU COMPLETE THE REVISED LETTER OF INTENT WHICH IS DUE ON OR BEFORE JANUARY 10, 2012. SEE THE LINK ON OUR WEBSITE.**

Dear Potential Applicants:

This memorandum will provide an update to all potential charter school applicants on the status of the 2012 Charter School Application Form. As many of you know, the New Mexico Legislature amended the Charter Schools Act (“Act”) during the 2011 Legislative Session. Senate Bill 446 added new provisions<sup>1</sup> to the Act. In short, the changes require new charter schools approved after July 1, 2012 (which will include all new applicants), to negotiate performance contracts with their authorizer. The performance contract includes terms that will ensure charter schools and authorizers are clear about their respective obligations; primarily focusing on academic performance and operational outcomes.

Nationally, New Mexico is out front in this move toward accountability for charter schools *and* authorizers. To implement the law effectively, the performance contract must be developed thoughtfully and thoroughly to include all major components of the agreement between the charter school and authorizer. To that end, we want to be sure that the application, which becomes a component of the contract, will be synchronized with the final agreement.

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<sup>1</sup> The major changes implemented through SB446 are found at NMSA § 22-8B-5.2, NMSA § 22-8B-5.3, NMSA § 22-8B-8, NMSA § 22-8B-9, NMSA § 22-8B-9.1, NMSA § 22-8B-12, NMSA § 22-8B-12.1 and NMSA § 22-8B-17.1.

Due to numerous changes at the CSD, we are still in the progress of developing the contract; a draft version of which should be complete by the middle of December. We are simultaneously preparing the revised application and guidance for completion.

So, what does that mean for new applicants? SB446 did not change the content requirements for a charter application. Consequently, you can be working on developing your charter school plan by ensuring that it addresses the components set forth in the law. The NMPED regulation, expands some on each of the statutory requirements. Consequently, please review the following statutes and administrative rule describing these requirements:

1. NMSA § 22-8B-6(D) and (E)(2011)  
<http://search.nmcompcomm.us/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0>
2. NMSA § 22-8B-8(2012)
3. 6.80.4.9 NMAC [6/30/2008]  
<http://www.nmcpr.state.nm.us/nmac/parts/title06/06.080.0004.htm>

The links above will take you to the appropriate websites to find the law and regulation. I strongly urge you to also review NMSA § 22-8B-9(2012) and NMSA § 22-8B-9.1(2011), which describe the performance contract and performance framework. You should be considering what the performance framework may mean in terms of performance outcomes for your school and how you will develop an educational plan that links to these outcomes.

The Charter Schools Division will provide technical assistance and an overview of the new application during the new applicant trainings held in 2012.

Thank you for your interest in the future of New Mexico's students and in providing effective options for our families.