



A New Mexico Public Charter School

The ASK Academy

21st Century Design Thinking

**The ASK Academy
Governing Council Annual Meeting**

The Ask Academy Board Room
4550 Sundt Road NE, Rio Rancho, NM

Open Session
August 9, 2018
6:30pm

Minutes

Attendance:

Present	Board Members	Title
X	Dr. Jeanne Forrester	Chair
	Dr. Denise Gonzales	Vice Chair
X	Michael Malloy	Secretary
X	Edgar Short	Director
X	David Stoliker	Director
X	Lindsey Bomke	Director
	Michael Smith	Director
ASK Academy Members		
X	Dan Busse	General Manager
X	Dan Barbour	Assistant Gen Mgr
X	Constance Castilleja	Director of Advancement
X	Paul Stephenson	E&D Director
X	Melanie Feger	Admin. Assistant
	Alyssa Lucero	The Vigil Group

Michael Wm. Malloy

- I. **Call To Order** – 6:30 p.m.
- II. **Establishment of Quorum** – established by introduction
- III. **Pledge of Allegiance**
- IV. **Chair Remarks** – Dr. Forrester wished everyone a happy new school year. She shared a story about spending time with her 34 month old granddaughter and commented that it is a wonderful thing to work in schools. She stated that we need to send out the message that the public is welcome at these board meetings. Also, the new arrangement of the room should make it easier to hear and see. She noted that we need to be sure we follow public meeting protocols and follow the guidelines for public comment. Those wishing to speak must register beforehand, are limited to three minutes and it must be a part of public record. Also, the Board does not engage with the public speaker.
- V. **Public Comment** - none

VI. **Meet the Manager and Scholar Presentation** – Project Manager Esther DeSoto was introduced as our middle school English/Language Arts Manager who has been with ASK for 2 years. She has been in New Mexico since 2008 and taught various subjects such as pre-algebra and history. She enjoys the collaboration at ASK and the interaction with administration. She said she feels cared for here and gave the example of being in a car accident right as she began teaching here and the support was tremendous. She also has an administrator's license. She stated that she loves the uniqueness of ASK scholars, that they look out for each other and engage with her. Her goal is to get scholars to read and write more creatively. She loves using Google-classroom and cited her class project for the book "A Wrinkle in Time." She hopes to also teach "To Kill A Mockingbird" and will utilize Donors Choose to acquire the books. She explained that Donors Choose is a process where a teacher puts out an email of the materials they are looking to obtain. Others see the request and donate to the cause. Mr. Stoliker asked what she needs for her classes. She said that she brought a lot of materials with her however a laminator would be appreciated. Mr. Malloy congratulated her on her two year anniversary with ASK.

Engineering pathway scholar Ojo Martin Del Campo was introduced by Mr. Stephenson. Ojo was looking for a community service project as an Eagle Scout and chose the ASK Academy because he wanted to give back to the school. His original plan was to install planters and pavers but realized that the project was too large and then settled with just doing the pavers to improve an area that was filled in with gravel and was a problem due to scattering of rock. He said that through the process he learned about leadership, motivation, recruitment (via food), planning and preparation and decision-making. He was able to recruit 21 volunteers and gave special credit to his parents and Mr. Barbour. He stated that the lasting impact he wanted to have was "leaving it better than he found it." Mr. Malloy asked if had gone through the Eagle Scout ceremony yet and he said he has not. Mr. Barbour noted that he has tasked the 8th grade engineering scholars to come up with a plan but Ojo brought it fruition. Mr. Stoliker asked how we recognize those who make contributions such as Ojo's. Mrs. Castilleja said that The Foundation has several ways and that a plaque would be one way. It was noted that it might inspire others to do more for the school. Mr. Short suggested using Ojo's phrase of "leaving it better than you found it" on a banner to be hung in the school. He also suggested that the Board have business cards and visit businesses to solicit donations. Ojo was congratulated on his accomplishment.

VII. **Consent Agenda** – Mr. Malloy made a motion to approve the consent agenda, Ms. Bomke seconded. Discussion: Dr. Forrester requested that Board members please review documents prior to the meetings and if they have questions, feel free to contact her by phone or email. Mr. Stoliker asked if an item can be pulled from the consent agenda during the meeting. The response was yes, after the motion is made and seconded. The motion can then be amended to remove that particular item. But the point of the discussion is to be prepared. The motion passed unanimously 5 to 0.

- a. **Approve Minutes of June 7, 2018**
- b. **Financial Monthly Report**
- c. **Flowthrough BAR 520-000-1718-0031-I**
- d. **General Fund BAR 520-000-1718-0032-I**
- e. **Flowthrough BAR 520-000-1819-0001-IB**
- f. **Flowthrough BAR 520-000-1819-0002-I**

VIII. **Reports, Discussion and Possible Action**

a. **General Manager Update**

* Mr. Busse stated that the fact we are a STEM school was made obvious by a recent issue. Scholars noticed that water was drying up in a pond filled with tadpoles on the campus. One Project Manager allowed the scholars to bring in the tadpoles and put them in the turtle tank in a learning space. The turtle promptly ate the tadpoles and the scholars witnessed the circle of life first hand.

* Our Project Manager who was to teach a capstone class resigned shortly before school started. The class was small but this was still disappointing. However a digital electronics class has been added and we will add an AP computer class. We are working towards a higher trajectory for all

scholars. We have hired a PhD to teach math and we are cultivating and supporting the scholars with what they need to succeed. We want the band of scholars at the top to get wider. We are fortunate that we are attracting very qualified people to teach and the one loss did not damage the quality of education at ASK.

* Enrollment is currently at 525. We have 11 invites out and a goal of 535. We are being creative with space.

* Mr. Stephenson added that he is currently meeting with UNM ECE Department to set up a dual credit course where they would send a bus to pick up our scholars on Fridays. He is also talking with UNM West about dual credit in a medical program. He noted that three scholars who just graduated in May stopped by with brownies to celebrate their moving on. Ms. Bomke asked what we are doing to set expectation of taking the year end AP tests. Mr. Stephenson responded that the numbers increase every year. Dr. Forrester suggested that we look at the hard numbers and supports in place for AP testing at mid-year. Mr. Barbour noted that we have reworked our learning walks to emphasize our academic expectations and we are getting a positive reaction to elevated math.

- b. **Facility Update** – Mrs. Castilleja stated that currently we are up first for audit this year and are preparing. Regarding our performance contract, the results of our short-cycle assessment are 93% proficient in math and 91% in reading. Regarding the handbook, there were no material changes and the final format has been reviewed by legal counsel. As for facility update, the bondholders counsel asked to review the real estate contract. They reviewed all related documents as well and added comments. There will be a conference call on Friday with the attorneys. Some changes are substantive and the Foundation attorney is working to get resolution. We still do not have a signature from the bondholders. The Foundation is going to submit for permits and pay for them so that we can put things in motion and keep us on our timeline. Mr. Malloy asked about the audit and it was explained that we have an entrance conference on August 20th so Mike Smith needs to be made aware of this. Mr. Stoliker asked about a move in date for the 6th Grade Academy and the response was most likely over semester break.
- c. **Revised Instructional Materials, Policy 406** – Ms. Bomke made a motion to accept the policy as presented, Mr. Malloy seconded. Discussion: our policy was deemed too informal and it needs to be more in line with state policy. We need to be more specific on curricular adoptions. The Board discussed textbooks and how they have become problematic; ASK uses 50% electronic texts and 50% hardback. The adoption cycle is every 7 years. Textbooks are not the curriculum however and test scores reveal that ASK is doing things right. The motion passed unanimously 5 to 0. Mrs. Castilleja will send an email to the Board with all policies for review, who will then be able to come to the September meeting with comments. In October the policies to be voted on will be presented.

IX. Announcements

- a. **Next Governing Council Meeting is September 13, 2018**
- b. Mrs. Castilleja still needs photos of Board members.

X. Adjournment – 7:50 p.m.

ASK ACADEMY BUDGETING AND FORECASTING WORKSHEET

BUDGETS	YTD Total	MONTHLY BUDGETS											
		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Monthly Budgeted Income	\$ 4,024,062	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339	\$ 335,339
Monthly Budgeted Costs	(\$ 3,874,062)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)	(\$ 322,839)
Monthly Budget Variance	\$ 150,000	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500
Cumulative Budgeted Income	\$3,335,339	\$670,677	\$1,006,016	\$1,341,354	\$1,676,693	\$2,012,031	\$2,347,370	\$2,682,708	\$3,018,047	\$3,353,385	\$3,688,724	\$4,024,062	\$4,359,401
Cumulative Budgeted Costs	(\$3,228,839)	(\$645,677)	(\$988,516)	(\$1,291,354)	(\$1,614,193)	(\$1,937,031)	(\$2,259,870)	(\$2,582,708)	(\$2,905,547)	(\$3,228,385)	(\$3,551,224)	(\$3,874,062)	(\$4,196,901)
Cumulative Budget Variance	\$150,000	\$25,000	\$37,500	\$50,000	\$62,500	\$75,000	\$87,500	\$100,000	\$112,500	\$125,000	\$137,500	\$150,000	\$162,500

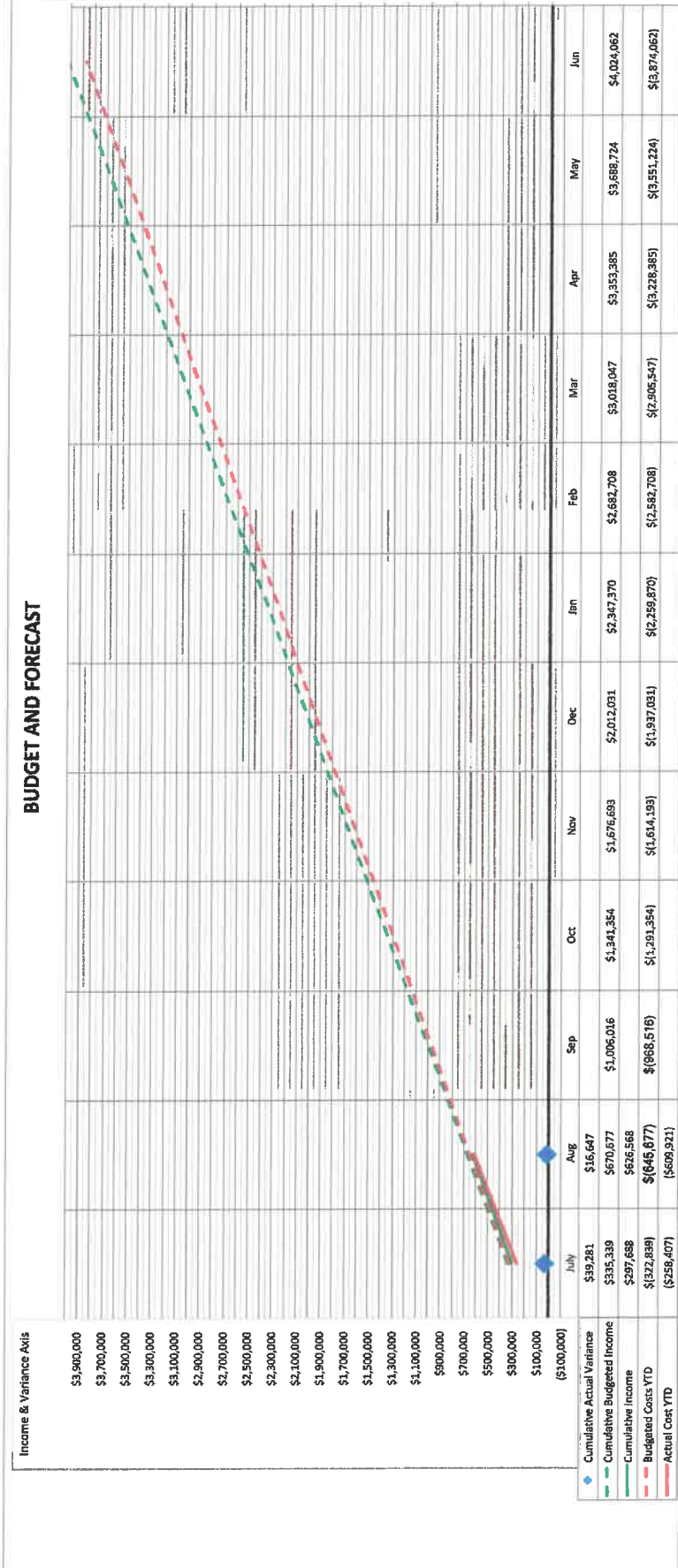
ACTUALS	Monthly Actual	MONTHLY ACTUALS											
		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Monthly Income	\$ 297,688	\$ 328,880	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568
Cumulative Income	(\$ 609,921)	(\$ 281,041)	(\$ 352,859)	(\$ 424,677)	(\$ 496,495)	(\$ 568,313)	(\$ 640,131)	(\$ 711,949)	(\$ 783,767)	(\$ 855,585)	(\$ 927,403)	(\$ 999,221)	(\$ 1,071,039)
Monthly Cost	\$ 39,281	\$ 281,041	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568
Cumulative Cost	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647	\$ 116,647
Monthly Variance	\$ 258,407	\$ 47,839	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921	\$ 360,921
Cumulative Variance	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647	\$ 16,647

MONTHLY VARIANCES	Monthly Variance	MONTHLY VARIANCES											
		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Monthly Income Variance	(\$ 37,651)	(\$ 5,458)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)	(\$ 335,339)
Cumulative Income Variance	(\$ 37,651)	(\$ 44,109)	(\$ 379,447)	(\$ 714,786)	(\$ 1,050,124)	(\$ 1,385,463)	(\$ 1,720,801)	(\$ 2,056,140)	(\$ 2,391,478)	(\$ 2,726,817)	(\$ 3,062,155)	(\$ 3,397,494)	(\$ 3,732,833)
Monthly Cost Variance	\$ 64,432	(\$ 28,676)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)	(\$ 22,839)
Cumulative Cost Variance	\$ 64,432	\$ 35,756	\$ 58,594	\$ 81,433	\$ 104,271	\$ 127,110	\$ 150,948	\$ 174,787	\$ 198,625	\$ 222,464	\$ 246,302	\$ 270,141	\$ 293,979

YEAR TO DATE VARIANCES	YTD Variance	YEAR TO DATE VARIANCES											
		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Budgeted Income YTD	\$ 335,339	\$ 670,677	\$ 1,006,016	\$ 1,341,354	\$ 1,676,693	\$ 2,012,031	\$ 2,347,370	\$ 2,682,708	\$ 3,018,047	\$ 3,353,385	\$ 3,688,724	\$ 4,024,062	\$ 4,359,401
Actual Income YTD	\$ 297,688	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568	\$ 626,568
% Total YTD Income Received	7%	18%	16%	16%	16%	16%	16%	16%	16%	16%	16%	16%	16%
Budgeted Costs YTD	(\$ 322,839)	(\$ 645,677)	(\$ 988,516)	(\$ 1,291,354)	(\$ 1,614,193)	(\$ 1,937,031)	(\$ 2,259,870)	(\$ 2,582,708)	(\$ 2,905,547)	(\$ 3,228,385)	(\$ 3,551,224)	(\$ 3,874,062)	(\$ 4,196,901)
Actual Cost YTD	(\$ 219,126)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)	(\$ 609,921)
% Total YTD Costs Incurred	6%	16%	16%	16%	16%	16%	16%	16%	16%	16%	16%	16%	16%
% Total YTD Cost Variance	-32%	-6%	-37%	-53%	-62%	-69%	-73%	-76%	-79%	-81%	-83%	-84%	-84%

YEAR END PROJECTIONS	Year End	YEAR END PROJECTIONS											
		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Projected Income Variance	\$ (451,806.00)	\$ (264,651.06)	\$ (1,517,788.04)	\$ (2,144,356.53)	\$ (2,570,297.62)	\$ (2,770,925.02)	\$ (2,949,944.59)	\$ (3,089,209.27)	\$ (3,188,657.35)	\$ (3,272,179.81)	\$ (3,340,532.74)	\$ (3,397,493.51)	\$ (3,444,054.28)
Projected Cost Variance	\$ (2,629,512)	\$ (17,878)	\$ (119,531)	\$ (170,358)	\$ (200,854)	\$ (221,185)	\$ (235,707)	\$ (246,598)	\$ (255,069)	\$ (261,846)	\$ (267,391)	\$ (272,012)	\$ (276,663)
Year End Projected Net Variance	\$ (3,081,318)	\$ (282,529)	\$ (1,637,317)	\$ (2,314,715)	\$ (2,771,152)	\$ (2,992,110)	\$ (3,185,652)	\$ (3,330,808)	\$ (3,443,707)	\$ (3,534,026)	\$ (3,607,924)	\$ (3,669,505)	\$ (3,720,717)

BUDGET AND FORECAST



Income & Variance Axis

Cost Axis

Legend:
 ◆ Cumulative Actual Variance
 - - - Cumulative Budgeted Income
 - - - Cumulative Income
 - - - Budgeted Costs YTD
 - - - Actual Costs YTD

Income & Variance Axis
 \$3,900,000
 \$3,700,000
 \$3,500,000
 \$3,300,000
 \$3,100,000
 \$2,900,000
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Cost Axis
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Must submit backup for all BARs, except transfers of funds for SEG or direct grants

**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request**

Doc. ID: 520-000-1819-0003-I

Fund Type: General Fund / Capital Outlay / Debt Service

Adjustment Type: Increase

Fiscal Year: 2018-2019

Entity Name: ASK Academy

Adjustment Changes Intent/Scope of Program Yes or No?: No

Contact: Alyssa Lucero, Business Manager

Total Approved Budget (Flowthrough):

Phone: 505-938-7709

Email: alyssa@vigilgroup.net

FLOWTHROUGH ONLY	Budget Period: Jul 1 2018 12:00AM	To: Jun 30 2019 12:00AM
A. Approved Carryover:		
B. Total Current Year Allocation:		
D. Total Funding Available:		

Revenue 11000.0000.41980 \$300

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
11000	2400 Support Services-School Administration	53330 Professional Development	0000 No Program	0000 No Job Class	\$800	\$300	\$1,100	
Sub Total						\$300		
Indirect Cost								
DOC. TOTAL						\$300		

Justification:

to budget refund of prior year expenditure

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

Must submit backup for all BARs, except transfers of funds for SEG or direct grants

**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request**

Doc. ID: 520-000-1819-0004-I

Fund Type: General Fund / Capital Outlay / Debt Service

Adjustment Type: Increase

Fiscal Year: 2018-2019

Entity Name: ASK Academy

Adjustment Changes Intent/Scope of Program Yes or No?: No

Contact: Alyssa Lucero, Business Manager

Total Approved Budget (Flowthrough):

Phone: 505-938-7709

Email: alyssa@vigilgroup.net

FLOWTHROUGH ONLY	Budget Period: Jul 1 2018 12:00AM	To: Jun 30 2019 12:00AM
A. Approved Carryover:		
B. Total Current Year Allocation:		
D. Total Funding Available:		

Revenue 11000.0000.41706 \$150

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
11000 Operational	1000 Instruction	51300 Additional Compensation	1010 Regular Education (K-12) Programs	1411 Teachers-Grades 1-12	\$2,500	\$150	\$2,650	
Sub Total						\$150		
Indirect Cost								
DOC. TOTAL						\$150		

Justification:

to budget revenues received

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

Must submit backup for all BARs, except transfers of funds for SEG or direct grants

**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request**

Doc. ID: 520-000-1819-0005-I

Fund Type: General Fund / Capital Outlay / Debt Service

Adjustment Type: Increase

Fiscal Year: 2018-2019

Entity Name: ASK Academy

Adjustment Changes Intent/Scope of Program Yes or No?: No

Contact: Alyssa Lucero, Business Manager

Total Approved Budget (Flowthrough):

Phone: 505-938-7709

Email: alyssa@vigilgroup.net

FLOWTHROUGH ONLY	
Budget Period: Jul 1 2018 12:00AM	To: Jun 30 2019 12:00AM
A. Approved Carryover:	
B. Total Current Year Allocation:	
D. Total Funding Available:	

Revenue 11000.0000.41702 \$1,191

Fund	Function	Object	Program	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
11000 Operational	1000 Instruction	56113 Software	1010 Regular Education (K-12) Programs	0000 No Job Class		\$1,191	\$1,191	
Sub Total						\$1,191		
Indirect Cost								
DOC. TOTAL						\$1,191		

Justification:

to budget revenues received

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

SERVICES AGREEMENT

THIS AGREEMENT, with all exhibits hereto (“Agreement”) is made this 28th day of July, 2018, by and between The ASK Academy, a New Mexico public charter school (“School”), and M. Antonette Eichwald, a Special Services Contractor with its principal place of business at 481 Plaza Vinados Bernalillo NM 87004 (“Contractor”), for the provision of certain Speech-Language Pathology (SLP) services for the period beginning August 1st, 2018 and ending June 30, 2019.

RECITALS

WHEREAS, The ASK Academy’s charter was approved by the New Mexico Public Education Commission with certain conditions on November 2010; and

WHEREAS, Contractor has expertise in the provision of Speech-Language Pathology services; and

WHEREAS, The ASK Academy requires a consultant for the purpose of providing such services; and

WHEREAS, The ASK Academy seeks to contract with M. Antonette Eichwald to provide such services, pursuant to NMSA 1978 § 13-1-125(A)(2007).

NOW, THEREFORE, in consideration for the mutual promises, agreements and covenants contained herein, IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

1. Scope of Work.

The Contractor shall provide the following services:

- Speech and language therapy services to The ASK Academy High School students who are eligible for such services based on Individualized Educational Plans (IEP).
- Screenings and, as determined to be necessary, evaluations for students referred for possible communication disorders.
- Information on therapy progress and recommendations to IEP committees as needed. Deliverables and delivery dates shall be as follows:
- The contractor shall provide necessary documentation and reports as required to document SLP services.
- The contractor shall provide receipt of a detailed statement of accounting for services performed and expenses incurred hereunder.

Contractor shall at all times adhere to New Mexico law and The ASK Academy charter provisions in carrying out the Scope of Work. Contractor shall comply with all School rules and regulations, including security requirements, while on SCHOOL premises.

2. Compensation.

- A. The ASK Academy shall pay Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work, at the rate of \$73.50 per hour plus gross receipts tax, inclusive of time, travel, expenses and materials. Contractor warrants that the cost of said project will not exceed this amount and The ASK Academy is not under any obligation to pay more than this price unless The ASK Academy assigns more work outside the Scope of Work. The total amount payable to Contractor pursuant to this Agreement, including reimbursable expenses, shall not exceed \$95,000.00 plus applicable taxes. ADDITIONAL TERMS AND CONTIDIONS: Proposed contract will include a provision that would reimburse contractor at the contract rate of (\$75.00/per hour plus Gross receipts tax for work exceeding the proposed contract. The number of hours will not exceed 20 hours per school year.
- B. Contractor shall invoice The ASK Academy monthly for services performed. Contractor's invoices shall be in the form of a detailed statement of accounting for services performed and expenses incurred hereunder, that has been approved by the appropriate The ASK Academy personnel.
- C. Within five (5) days after the date that The ASK Academy receives written notice from Contractor that payment is requested for services. The ASK Academy shall issue a written certification of complete or partial acceptance or rejection of the services. If The ASK Academy finds that the services are not acceptable, it shall, within five (5) days after the receipt of written notice from Contractor that payment is requested, provide to Contractor a letter of exception explaining the objection to the services along with details of how Contractor may proceed to provide remedial action. Upon certification by The ASK Academy that the services have been received and accepted, payment shall be tendered to Contractor within 10 days.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE ASK Academy Board of Directors. The proposed contract is for one year. This Agreement shall terminate on June 30, 2019, unless terminated earlier pursuant to paragraph 4, infra, or paragraph 5. The RFP contracted agreement expires at the end of the 2018-2019 school year. The school will be required to advertise a new RFP proposal for the 2019-2020 school year.

4. Termination.

A. Termination.

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least ten (10) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. This

Agreement may be terminated immediately with written notice to Contractor, if Contractor becomes unable to perform the services contracted for, as determined by The ASK Academy or if, during the term of this Agreement, Contractor is indicted for fraud, embezzlement or other crime due to misuse of state funds or due to the Appropriations paragraph herein. THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE The ASK Academy's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.

B. Termination Management.

Immediately upon receipt by either The ASK Academy or Contractor of notice of termination of this Agreement, Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of The ASK Academy; 2) comply with all directives issued by The ASK Academy in the notice of termination as to the performance of work under this Agreement; and 3) take such action of The ASK Academy shall direct for the protection, preservation, retention or transfer of all property titled to The ASK Academy and client records generated under this Agreement and any non-expendable personal property or equipment purchased by Contractor with contract funds shall become property of The ASK Academy upon termination. On the date the notice of termination is received, Contractor shall furnish to The ASK Academy its client records, and a final closing of the financial records and books of accounts which were required to be kept by Contractor under the paragraph of this Agreement regarding financial records.

5. Appropriations and Continuation of Charter.

The terms of this Agreement are contingent upon sufficient appropriations and authorizations being made by the Legislature of New Mexico to The ASK Academy for the performance of this Agreement. If sufficient appropriations and authorizations are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by The ASK Academy to Contractor. The ASK Academy's decision as to whether sufficient appropriations are available shall be accepted by Contractor and shall be final. If The ASK Academy proposes an amendment to the Agreement to unilaterally reduce funding, Contractor shall have the option to terminate the Agreement or agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

The terms of this Agreement are further contingent upon the continuation of The ASK Academy's charter. If The ASK Academy's charter is revoked during the term of this Agreement, this Agreement shall terminate immediately upon written notice of such by The ASK Academy to Contractor.

6. Status of Contractor.

Contractor is an independent contractor performing services for The ASK Academy and is not an employee of SCHOOL or the State of New Mexico during the period of this Agreement. Contractor shall not accrue leave, retirement, insurance, bonding, use of state vehicles, or any other benefits afforded to employees of The ASK Academy or the State of New Mexico as a result of this Agreement. Contractor acknowledges that all sums received hereunder are personally reportable by him/her/it for income tax purposes as self-employment or business income and are reportable for self-employment tax.

7. Assignment.

Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of The ASK Academy.

8. Subcontracting.

Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of The ASK Academy.

9. Release.

Contractor's acceptance of final payment of the amount due under this Agreement shall operate as a result of The ASK Academy, its officers and employees, and the State of New Mexico from all liabilities, claims and obligations whatsoever arising from or under this Agreement. Contractor agrees not to purport to bind The ASK Academy or the State of New Mexico unless Contractor has express written authority to do so, and then only within the strict limits of that authority.

10. Confidentiality.

Any confidential information provided to or developed by Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by Contractor without the prior written approval of The ASK Academy. Contractor agrees to comply with all federal and state privacy laws relating to records and information maintained by The ASK Academy, including but not limited to FERPA.

11. Products of Service -- Copyright.

All materials developed or acquired by Contractor under this Agreement shall become the property of The ASK Academy and shall be delivered to The ASK Academy no later than the termination date of this Agreement. Nothing produced, in whole or in part, by Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on her behalf.

12. Conflict of Interest .

Contractor warrants that he/she/it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. Contractor certifies that he/she/it

has complied with and will continue to comply with the requirements of the Governmental Conduct Act, NMSA 1978 §§ 10-16-1 et. seq., including §10-16-4.2.

13. Amendment.

This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto.

14. Merger.

This Agreement incorporates all the agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

15. Penalties.

The Procurement Code, NMSA 1978 §§ 13-1-28 through 13-1-199 imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

16. Equal Opportunity Compliance.

Contractor agrees to abide by all federal and state laws and rules and regulations, and the executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, Contractor agrees to assure that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to, discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with the requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

17. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement.

18. Records and Financial Audit.

Contractor shall maintain detailed time and expenditure records that indicate the date; time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by The ASK Academy, the State Department of Finance and Administration and the State Auditor. The ASK Academy shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of The ASK Academy to recover excessive or illegal payments.

19. Indemnification. Contractor shall defend, indemnify and hold harmless The ASK Academy from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all

other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by Contractor's negligent act or failure to act or if caused by the actions of any subcontractor, agent or client of Contractor resulting in injury or damage to persons or property during the time when Contractor or any agent, or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by Contractor or any agent or subcontractor of Contractor under this Agreement is brought against Contractor, Contractor shall, as soon as practical but no later than two (2) days after he/she/it receives notice thereof, notify the legal counsel of The ASK Academy by certified mail.

20. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To The ASK Academy:

General Manager, The ASK Academy
Daniel Busse
4550 Sundt Rd NE
Rio Rancho NM 87124
Telephone: 505-891-0757
E-Mail Address:
dbusse@theASKacademy.org

To Contractor:

M. A. Eichwald Speech-Language Services
M. Antonette Eichwald
481 Plaza Vinedos
Bernalillo NM 87004
Telephone: 505-771-0971
E-Mail Address:
MAEslp@msn.com

21. Authority.

Each party signing below represents that he/she/it has all required authority to represent his/her respective organization/entity, and to execute this Agreement on behalf of that organization/entity.

IN WITNESS WHEREOF, parties have executed this Agreement as of the date of signature by The ASK Academy as stated below

The ASK Academy

By: 
Daniel P. Busse

Date: 9/5/18

Its: General Manager, The ASK Academy

NM CRS ID Number: 03-177169-00-6
Federal Tax ID Number 27-1399911

CONTRACTOR NAME

By: 
M. Antonette Eichwald

Date: September 5, 2018

Its: _____

NM CRS ID Number 02341887007

The ASK Academy

District: The Ask Academy

Grade Range: 6-12 Code: 520001

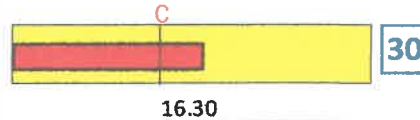
C - State benchmark established in 2012

Possible Points

This School Earned

Current Standing

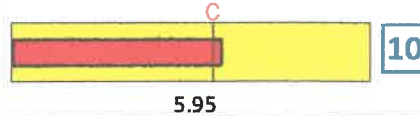
Are students performing on grade level? Did they improve more or less than expected?



B

School Improvement

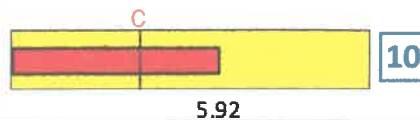
Is the school as a whole making academic progress?



C

Improvement of Higher-Performing Students

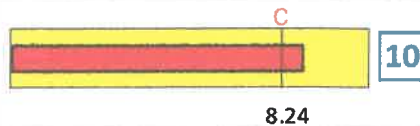
Are higher-performing students improving more or less than expected?



B

Improvement of Lowest-Performing Students

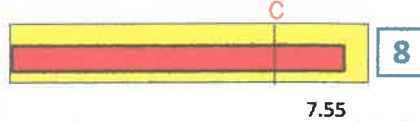
Are the lowest-performing students improving more or less than expected?



C

Opportunity to Learn

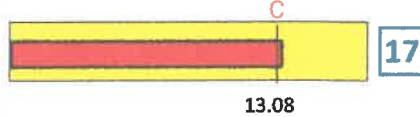
Do students and families believe their school is a good place to attend and learn?



A

Graduation

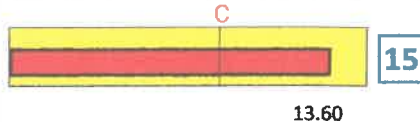
Are students graduating high school, and is the graduation rate improving?



C

College and Career Readiness

Are students participating in college and career readiness opportunities? Are they demonstrating success?



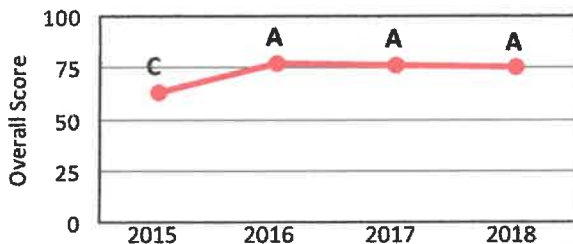
A

Bonus Points

Schools can earn points for reducing truancy, promoting extracurricular activities, engaging families, and using technology.

+ 4.67

This School's History



Note for Families

If your student is enrolled in a school that has earned two "F" grades in the last four years, state law allows you to transfer your child to a school with a higher grade. Please call (505)-827-6909 to learn more. For information about other schools in your community, please visit the School Grading web page at <http://aae.ped.state.nm.us/SchoolGrading.html>.

Final Points

High Schools	
75.0 to 100.0	A
65.0 to 74.9	B
50.0 to 64.9	C
35.0 to 49.9	D
0.0 to 34.9	F

High schools earn a final grade based on these ranges, which were set in 2012.

Tests

School Grading draws on student performance from these state assessments:

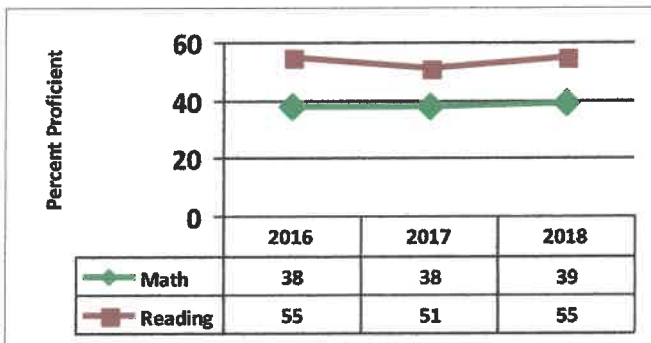
Tests		Grades
PARCC	Partnership for Assessment of Readiness for College and Careers	Mathematics, Reading 3-11
SBA	Standards Based Assessment - Spanish	Reading 3-11
NMAPA	New Mexico Alternate Performance Assessment	Mathematics, Reading 3-11
DIBELS	Dynamic Indicators of Basic Early Literacy Skills (prior to 2017)	Early Literacy KN-2
IStation	IStation (beginning 2017)	Early Literacy KN-2

Details of Each Grade Indicator

Current Standing

Knowing how many students are proficient is a measure of the school's overall success. Current Standing uses up to three years of student performance to provide a broader picture of school achievement. Current Standing also includes a measure of student growth (Value-Added Modeling) that looks at school size, student mobility, and prior student performance.

	All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Reading											
Proficient (%)	55	59	52	57	31	54	67	-	53	12	-
Points Proficiency	5.47										
Points Student Growth	3.33										
Math											
Proficient (%)	39	33	43	45	≤ 20	35	45	-	31	≤ 5	-
Points Proficiency	3.92										
Points Student Growth	3.58										



Proficiencies Over Time

Students are performing on grade level with Proficient or Advanced scores.

School Improvement

School growth (Value-Added Modeling) compares overall student performance from year to year and considers the progress of all students whether or not they are proficient.

	<i>Reading</i>	<i>Math</i>
Growth Index	0.50	-0.01
Points	3.46	2.49

Growth can be negative or positive. When it is positive, the school performed better than was expected when compared to other schools with the same size, mobility, and prior student performance.

Student Growth

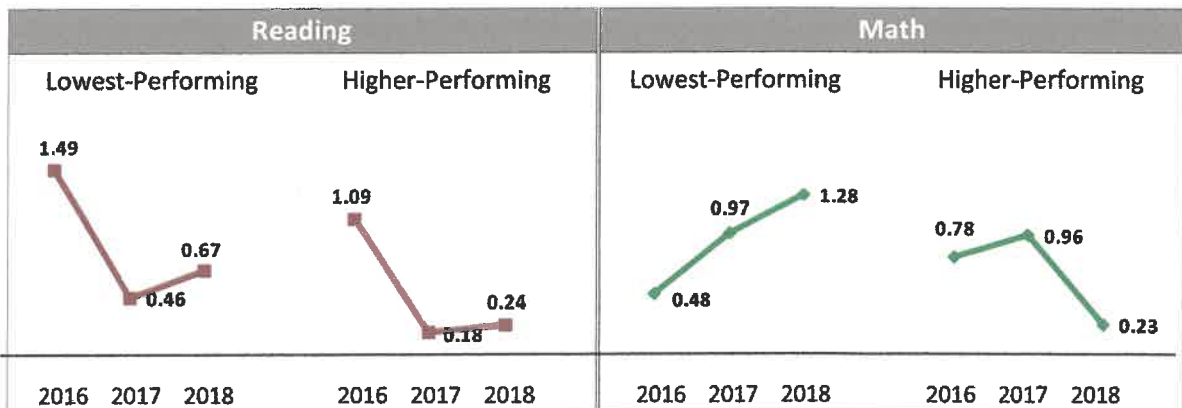
Every student's prior test scores are used to estimate how they should have performed this year. Their academic growth is considered within two groups, the lowest-performing 25% of students and the higher-performing students (75%).

- Above Zero** This group performed higher than expected.
- Near Zero** This group performed as expected based on their academic history.
- Below Zero** This group performed below expectations, and students are falling behind when compared to their peers.

	School Overall	Student Groups										
		F	M	White	Afr American	Hisp	Asian	Am Indian	Econ Disadv	Students with Disabilities	English Language Learners	
Reading Growth												
Higher-Performing Points	0.24 2.97	0.11	0.17	0.17	-	0.17	-0.25	-	0.26	0.33	-	
Lowest-Performing Points	0.67 3.75	-0.12	0.06	0.07	-	0.06	-	-	-0.01	0.02	-	
Math Growth												
Higher-Performing Points	0.23 2.95	0.33	0.28	0.27	-	0.27	-	-	-0.09	0.35	-	
Lowest-Performing Points	1.28 4.49	0.23	0.38	0.40	-	0.32	-	-	-0.06	0.23	-	

Growth Over Time

- Growth Greater than Expected
- Growth Lower than Expected



Opportunity to Learn

Opportunity to Learn is a reflection of the environment schools provide for student learning.

Student Attendance	All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Average (%)	97	97	97	97	97	97	99	97	94	96	-
Points	3.07										

Surveys

Score (Average) 40.35
 Points 4.48
 Number of Surveys 1263

Students answer survey questions on topics such as classroom teaching and expectations of students. The survey contains 10 questions with answers from 0 (Never) to 5 (Always) for a maximum score of 50. For students in grades KN-2, a parent or family member completes the survey.

Graduation

Students are expected to graduate in four years. Each year the school is expected to increase the number of on-time graduates.

	All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Cohort of 2017 - 4-Year Rates											
Graduation (%)	71	69	72	74	-	66	-	50	52	32	75
Points	5.70										
Cohort of 2016 - 5-Year Rates											
Graduation (%)	83	90	80	80	-	86	-	-	85	64	-
Points	2.49										
Cohort of 2015 - 6-Year Rates											
Graduation (%)	57	66	50	60	-	52	48	-	62	44	64
Points	1.14										
Growth in 4-Year Rates											
Growth takes into account three years of graduation rates.		Growth Index		1.54							
		Points		3.75							

College and Career Readiness (CCR)

High school students are expected to participate in at least one college or career readiness program:
 1) College entrance exams (Accuplacer, ACT, ACT Aspire, Compass, PLAN, PSAT, SAT, or SAT Subject Test)
 2) Evidence that the student can pass a college-level course (Advanced Placement, Dual Credit, or IB)
 3) Eligibility for an industry-recognized certification (Career Technical Education)
 Points are given separately for students' participation and for their success in achieving targets.

	All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
		F	M	White	Afr Amer	Hisp	Asian	Am Indian			
Participation (% of Cohort)	90	78	94	≥ 90	-	88	-	-	76	≥ 80	-
Participation Points	4.50										
Success (% of Participants)	91	≥ 80	88	≥ 90	-	81	-	-	84	65	-
Success Points	9.10										

Percentage of School's Cohort of 2017 Participating in Each CCR Opportunity

	All Students	F	M	White	Afr Amer	Hisp	Asian	Am Indian	Econ Disadv	Students with Disabilities	English Language Learners
AccuPlacer	32	29	-	33	-	-	-	-	30	-	-
ACT	58	66	-	62	-	-	-	-	38	-	-
ACT ASPIRE	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
Advanced Placement	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
Career Technical Education	33	22	-	39	-	-	-	-	≤ 20	-	-
Compass	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
Dual Credit	15	≤ 20	-	14	-	-	-	-	≤ 20	-	-
International Baccalaureate	≤ 3	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
PLAN	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
PSAT	89	78	-	≥ 90	-	-	-	-	76	-	-
SAM School Supplemental	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
SAT	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-
SAT Subject Test	≤ 5	≤ 20	-	≤ 10	-	-	-	-	≤ 20	-	-

Bonus Points

Schools can earn points for reducing truancy, promoting extracurricular activities, engaging families, and using technology.

Student and Parent Engagement Truancy Improvement
 Extracurricular Activities Using Technology

Participation

All enrolled students must take the yearly state tests. If a school tests less than 95% of their students, the school's letter grade is reduced by one grade.

Reading (%)	100
Math (%)	98

Additional Information

School History Student performance over time can show the success of interventions and school reform. Students who score Proficient or Advanced are considered to be performing at grade level.

		All Students	Gender		Race / Ethnicity					Econ Disadv	Students with Disabilities	English Language Learners
			F	M	White	Afr Amer	Hisp	Asian	Am Indian			
<i>Reading Proficiency</i>	2018 (%)	55	59	52	57	31	54	67	-	53	12	-
	2017 (%)	51	60	45	53	-	50	-	-	32	20	-
	2016 (%)	55	65	50	60	-	49	≥ 80	46	40	15	-
<i>Math Proficiency</i>	2018 (%)	39	33	43	45	≤ 20	35	45	-	31	≤ 5	-
	2017 (%)	38	30	43	44	-	34	-	-	26	18	-
	2016 (%)	38	40	37	41	-	34	.	33	30	≤ 10	-

Notes

School grading calculations and procedures are described fully in the School Grading Technical Guide posted on the PED's website at <http://aae.ped.state.nm.us/SchoolGradingLinks/1718/Technical Assistance for Educators/Technical Guide 2018.pdf>. This guide provides definitions and decision rules for each indicator, including growth. In addition, the guide details how the state benchmark of C was established.

For Student Growth, separate procedures are used for the school overall and for the student groups. Therefore, the values for student groups will not sum to the total shown under school overall.

For high schools that do not have members of 4-year, 5-year, or 6-year graduation cohorts, the scale is abbreviated, and letter grades are adjusted to account for the school's remaining non-cohort indicators.

A dash is used to protect student confidentiality as required by state and federal law when there are fewer than 10 students in a group.

Schools that administered tests by computer received bonus points based on the number of students participating.

The Web EPSS has been rolled over to the school year - 2018-2019. To select school year 2017-18 or a prior year please select it from the year drop down menu.

Web EPSS & Monitoring 2017-2018

Current LEA:
The ASK Academy

Home > The ASK Academy > PEC AUTHORIZED ANNUAL MONITORING

INSTRUMENT OVERVIEW
The ASK Academy

PEC AUTHORIZED ANNUAL MONITORING 5 53

Status: Preliminary Evaluation	No Current Compliance Concerns (0)	Fails Far Below Standard (0)
Due Date	Concern Identified (0)	Not Applicable Final (2)
Last Update: Megan Shannon 9/4/2018	Exceeds Standard (1)	Resubmitted for Review (0)
8:29:04 AM	Meets Standard (20)	In Progress (0)
Items: 28	Working to Meet Standard (5)	Reminder (0)
	Does Not Meet Standard (0)	

Team Leader:
Not Assigned

LEA Submitters:
Connie Dove , Connie Dove

SEA Reviewers:
Dolores Archuleta , Baylor Del Rosario , Dirk Mathis , Icela Pelayo , Laurel Pierce , Katie Poulos , Megan Shannon , Dylan Wilson , Karen Woerner

[Print Instrument Report](#)

CATEGORY: I. Academic Performance Framework	3 of 3 completed
ITEM: I-A.00: NM A-F grading system	Meets Standard
ITEM: I-A.01: Required Academic Performance Indicators	8 Exceeds Standard
ITEM: I-A.02: Optional supplemental indicator(s)	7 Not Applicable Final
CATEGORY: II. Financial Performance Framework	7 of 7 completed
ITEM: II-A.00: Operating Budgets	2 Meets Standard
ITEM: II-A.01: Audits	Meets Standard
ITEM: II-A.02: Periodic Reports	Meets Standard
ITEM: II-A.03: Expenditures	Meets Standard
ITEM: II-A.04: Reimbursements	Meets Standard
ITEM: II-A.05: Audit Reviews	2 Meets Standard
ITEM: II-A.06: Meals	Meets Standard
CATEGORY: III. Organizational Performance Framework	17 of 17 completed
ITEM: III-A.00: Educational Plan	Meets Standard
ITEM: III-A.01: Education Plan	3 1 Working to Meet Standard
ITEM: III-A.02: Education Plan	4 1 Meets Standard
ITEM: III-A.03: Educational Plan	3 1 Working to Meet Standard
ITEM: III-A.04: Educational Plan	3 1 Working to Meet Standard
ITEM: III-A.05: Educational Plan	Meets Standard
ITEM: III-A.06: Educational Plan	Meets Standard
	5 1

CATEGORY: I. Academic Performance Framework	3 of 3 completed
CATEGORY: II. Financial Performance Framework	7 of 7 completed
CATEGORY: III. Organizational Performance Framework	17 of 17 completed
ITEM: III-A.00: Educational Plan	Meets Standard
	3 1
ITEM: III-A.01: Education Plan	Working to Meet Standard
	4 1
ITEM: III-A.02: Education Plan	Meets Standard
	3 1
ITEM: III-A.03: Educational Plan	Working to Meet Standard
	3 1
ITEM: III-A.04: Educational Plan	Working to Meet Standard
ITEM: III-A.05: Educational Plan	Meets Standard
ITEM: III-A.06: Educational Plan	Meets Standard
	5 1
ITEM: IV-A.00: Business Management and Oversight	Working to Meet Standard
ITEM: IV-A.01: Business Management and Oversight	Meets Standard
	15 1
ITEM: V-A.00: Governance and Reporting	Meets Standard
	1
ITEM: V-A.01: Governance and Reporting	Meets Standard
ITEM: VI-A.00: Employees	Meets Standard
ITEM: VI-A.01: Employees	Meets Standard
ITEM: VI-A.02: Employees	Meets Standard
ITEM: VII-A.00: School Environment	Meets Standard
	6 1
ITEM: VII-A.01: School Environment	Working to Meet Standard
ITEM: VII-A.02: School Environment	Meets Standard

MONITORING INSTRUMENT ITEM REPORT
The ASK Academy
PEC AUTHORIZED ANNUAL MONITORING

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.00: NM A-F grading system

SEA Status	Meets Standard
LEA Status	In Progress
Comments by SEA	08.22.2018 PED Rating: The PED team rated this indicator as, Meets Standard, because the school earned a B on the NM state letter grade report card for 2017-18. 1.29.18 Site Visit: The 2017-2018 A-F school letter grade had not been determined at the time of the site visit. The A-F school letter grade will be made available in August/September 2018 and this indicator will be rated at that time. Requested Follow-Up: None.
Comments by LEA	
Compliance Indicators	This is the location for the state report card data for the most recent school year, generally released in August/September.
Requested Documents	School Improvement Plan/NM Dash Plan required for schools with less than a C letter grade on the previous year's state report card
Other Documents	
Legal References	

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.01: Required Academic Performance Indicators

SEA Status	Exceeds Standard
LEA Status	In Progress
Comments by SEA	08.29.2018 PED Rating: The PED team rated this indicator as, Exceeds Standard, because the school earned such a rating on both of its reading and math mission-specific goals. Please see the data analysis document attached. 1.29.18 Site Visit: The PED team observed Beginning-of-the-Year (BOY) and Middle-of-the-Year (MOY) vendor generated data (i.e., NWEA 'District Summary Report: Winter 2017-2018' in both mathematics and reading) during the annual site visit. On a related note the ASK Director of Advancement (C. Dove) was advised to ensure verifiable evidence is provided at the end of the year (i.e., uploaded into web-EPSS such as the NWEA 'Growth and Achievement' report for each teacher) along with the school's own analysis of its progress towards its mission-specific indicators: <ul style="list-style-type: none"> •SHORT CYCLE ASSESSMENT READING Short Cycle Assessment data (Discovery) will be used to measure academic growth or proficiency in Reading of Full Academic Year (FAY) students. •SHORT CYCLE ASSESSMENT MATH Short Cycle Assessment data (Discovery) will be used to measure academic growth or proficiency in Math of Full Academic Year (FAY) students. •Discovery assessments are no longer available; the school must identify and use another short cycle assessment. Requested Follow-Up: School provides evidence at the end of the year (e.g., vendor generated reports) that can be verified by the PED team along with a description of summary of progress (i.e., whether or not each indicator standard had been met).

MONITORING INSTRUMENT ITEM REPORT
The ASK Academy
PEC AUTHORIZED ANNUAL MONITORING

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Mission Specific Indicators.

Requested Documents Mid-Year Data to demonstrate progress toward indicators
 School's analysis, along with supporting verifiable EOY data, to demonstrate progress toward indicators

Other Documents

Legal References

I. ACADEMIC PERFORMANCE FRAMEWORK

I-A.02: Optional supplemental Indicator(s)

SEA Status Not Applicable Final

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators This is the location for all school reports that will be uploaded by the school to support progress toward Optional Supplemental Indicators (if applicable).

Requested Documents Mid-Year Data to demonstrate progress toward indicators
 School's analysis, along with supporting verifiable EOY data, to demonstrate progress toward indicators

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.00: Operating Budgets

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 08.24.2018 PED Rating: The PED team has rated this indicator as Meets Standard because the school provided the financial self-assessment survey, signed by the school principal, school business manager, and the chairperson of the Finance Committee.

1.29.18 Site Visit. The current Performance Framework template guides annual site visit reviews and evaluations of schools (see NM Stat § 22-8B-9.1). The template specifies that "on a date specified in early August, following the final reporting on the previous FY, the school principal, school business manager and the chairman of the finance committee will complete and sign the questionnaire made up of the questions set forth below" (see Performance Framework document, page 6-12, questions #1-8).

Requested Follow-Up. School provides signed copy of the questionnaire (i.e., questions #1-8 beginning on page 6 of the Performance Framework document). School should upload one (1) questionnaire (into this section II-A.00)

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instead of uploading the same questionnaire in subsequent sections.

Comments by LEA

Compliance Indicators Was the information required for the budget provided on time for the current year and the previous year, if requested by the PEC or its delegate? If not, why not? If not, how long was it before it was turned in? If required, has the school implemented a Corrective Action Plan (and/or a PEC-approved Financial CAP)?

Requested Documents Evidence requested as follow-up, if any, in the "Comments by SEA" section above
 Self-assessment Survey from Performance Framework (pages 6-12) completed and signed by Head Administrator, Business Manager and Finance Chair

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.01: Audits

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators To the best of the knowledge of the financial staff of the school, was the information required for the audits provided on time for the most recent audit? If not, why not? If not, how long before it was turned in? What was the date of the letter from the school certifying its readiness to proceed with an audit review?

Requested Documents

Other Documents Evidence of response to any Audit Findings, if applicable. If so requested in "Comments by SEA" above, school to upload CAP immediately and evidence of implementation by EOY.

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.02: Periodic Reports

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators Is this school on quarterly or monthly reporting? Were the reports for the current year turned in on time? For the current year, did the actual expenditures plus encumbrances ever exceed the budget authority within function? Was it corrected? For each of the last four reports, was the existing cash balance plus anticipated SEG funding sufficient to cover the next month's expenditures at that time? If not, why?

Requested Documents Evidence to support substantial compliance with timely submittal of required reports, if so requested in

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"Comments by SEA" above.

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.03: Expenditures

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators Were there any invoices pending for more than 90 days in the current year? Were payroll liabilities paid timely in the current year?

Requested Documents Evidence to support substantial compliance with timely paying expenditures, if so requested in "Comments by SEA" above.

Other Documents

Legal References

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.04: Reimbursements

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA

Comments by LEA

Compliance Indicators Were all requests for reimbursements submitted to meet PED-mandated deadlines in the current year?

Requested Documents Evidence to support substantial compliance in seeking reimbursements, if so requested in "Comments by SEA" above.

Other Documents

Legal References

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II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.05: Audit Reviews

SEA Status	Meets Standard
LEA Status	In Progress
Comments by SEA	<p>See note dated 4.27.2018 IV-A.01 03.20.2018 PED NOTE. The PED reviewed the FY17 Financial Audit and the findings were noted for the school. 2017-001 Timely deposits (non-compliance) Condition: During test work over cash receipts, we noted three deposits totaling \$37, made up of several checks and cash, were collected and not deposited within 24-hours. Management has implemented the appropriate processes and procedures, however ASK Academy lacks the immediate response to deposit funds within 24-hours of receiving them. Requested follow-up: 1 - By April 16, 2018, the school must provide its Corrective Action Plan addressing all non-compliance findings, significant deficiencies, and/or material weaknesses to the PED's Audit Bureau using the PED template provided to the school. In addition, please also submit the Audit CAP to charter.schools@state.nm.us. Please refer to the memo signed by Acting Deputy Secretary, Finance and Operations, Marian Rael sent via by Action ASD Director/CFO and Audit and Accounting Bureau Chief, Amelia Saiz, on March 16, 2018 at 2:42pm. During the school's next site visit, the CSD may review implementation of the school's Audit CAP. 2 - By June 30, 2018, in addition to submitting the Audit CAP to the Audit Bureau and to charter.schools@state.nm.us, the school must also upload into Web-EPSS evidence of actions it has taken to remedy finding(s) as identified in the FY17 audit report (such as, but not limited to, for example: audit committee meeting minutes initially reviewing/discussing findings, minutes from subsequent meetings showing that the committee is monitoring the school's efforts to remedy identified findings, etc.).</p>
Comments by LEA	
Compliance Indicators	What were the findings, if any, from the last released audit? Were any of the findings a repeat finding from last year? Were there any other findings? (Internal control findings are listed in Section IV-A.00. Material weaknesses and/or significant deficiencies are listed in Section IV-A.01.)
Requested Documents	Evidence of responding to audit findings, if any, in a manner sufficient to remedy the audit finding, if so requested in "Comments by SEA" above.
Other Documents	
Legal References	

II. FINANCIAL PERFORMANCE FRAMEWORK

II-A.06: Meals

SEA Status	Meets Standard
LEA Status	In Progress
Comments by SEA	
Comments by LEA	
Compliance Indicators	If the school serves meals to students, were there any audit findings noted regarding food contracts?
Requested Documents	Evidence of managing food service contracts appropriately, if so requested in "Comments by SEA" above.

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Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.00: Educational Plan

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit: The PED team observed a master schedule that showed "Career Pathways" classes taught by staff. The team also observed Common Core State Standards (CCSS) taught in one class (i.e., '7th grade Pre-Algebra') in which geometric and pathway related class (i.e., 'Bio Med 6') for 7th grade students. The team also observed documentation of weekly "professional learning" as evidenced by "Agenda/Minutes" (e.g., those entitled, 'Science PBL' dated 1.12.18 and 'Vertical alignment' dated 11.17.17).
 Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Is the school implementing its mission and material terms (teacher-, student- and parent- focused) as defined in the Charter Contract?

Requested Documents See "Comments by SEA" above for indicator III-A.00.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.01: Education Plan

SEA Status Working to Meet Standard

LEA Status Meets Requirements

Comments by SEA 04.27.18 PED rating: The PED team has rated this indicator "Working to Meet Standard", because the school provided evidence that appears to move the school towards compliance with required instructional hours as specified in its contract (12th grade students has above the statutory minimum 1080 instructional hours per year but below the contractually required 1121 instructional hours per year as a result of early release due to graduation). Specifically, the school provided a proposed amendment to reduce its contractually required hours and a narrative detailing its compliance with statutorily required instructional hours for all grades.
 1.29.18 PED Site Visit – Instructional Hours: The PED Team's calculation indicates that the instructional hours are slightly below the required minimum hours of 1080 (1075.8) Please see attached Instructional Hours worksheet with 142 full days, 4 half-days plus the 12 hours allowed for Parent/Teacher (SLATE) conferences. Please confirm or explain the discrepancies. For example, are classes being held during the week of October 16th while SLATE conferences are happening? If so, that is 4 additional full days taking the total over the required minimum.

Please note that the budget and actual calendars are not aligned. For example, October: 12 full days plus 2 half

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days; compared to the school's reported 18; January: 13 days, compared to school's reported 14; February: 15 days, compared to school's reported 17; and March: 11 full days plus 2 half days; compared to school's reported 13.

1.29.18 PED Site Visit – Next Step Plans: The PED Team observed Next Step Plans with the required information and signatures.

1.29.18 PED Site Visit – State Assessments: The PED Team observed State Assessments in the student folders (PARCC and SBA). Please be sure that these scores are filed annually for all students.

Requested Follow-Up: School provides revised instructional hours worksheet along with a narrative explanation of how the school meets the 1080 hours.

Comments by LEA

Compliance Indicators Is the school complying with applicable education requirements, including, but not limited to, content standards, including Common Core, instructional days/hours requirements, graduation/promotion/retention requirements, Next Step Plans, Parent Surveys, and State Assessments? Is the school implementing NM Dash Plan? Is the school following the requirements of any programs funded by the state or federal government?

Requested Documents See "Comments by SEA" above for indicator III-A.01.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.02: Education Plan

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 4.27.18 PED Rating: The PED team rated this indicator "Meets Standard" because the school provided evidence (e.g. Student Assistant Team documents including samples of 'SAT Intervention Plan', 'Progress Monitoring for Behavior', 'SAT Meeting Summary', 'Acknowledgement of SAT Interventions' forms and so forth).
 1.29.18 PED Site Visit:
 RtI/SAT: The PED observed SAT process, flowcharts, and training materials used for professional development with teachers. The PED observed SAT folders for students. The new SAT Chair had implemented the procedures recently. Documentation of specific plans were not observed. Progress monitoring documentation was also not observed.
 LOTTERY: The lottery application is listed on the website and includes only basic information (Date, Parents First Name, Parents Last Name, and Email Address) as well as assurances to complete several items AFTER selection (Admissions Process Information, Scholar and Family Agreement, Enrollment Components List, and Scholar Essay).
 MCKINNEY VENTO: Posters were available showing rights of homeless students and contact information for liaison (i.e., school social worker). Homeless identification process includes referrals from teachers, the front office staff and/or parents as stated by the liaison in an interview. A copy of the McKinney-Vento dispute resolution policy was provided to the team and appears to meet requirements of state rule 6.10.3.9 NMAC.
 Requested Follow-Up: School provides intervention plans for students and progress monitoring documents (with student names redacted).

Comments by LEA

Compliance Indicators Is the school protecting the rights of all students, including, but not limited to, compliance with applicable laws and regulations relating to the McKinney Vento Act, RtI/SAT processes, admissions, lottery, waiting lists, fair and open recruitment/enrollment, discipline policies, adherence to due process protections, privacy, civil rights and student liberties?

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Requested Documents See "Comments by SEA" above for indicator III-A.02.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.03: Educational Plan

SEA Status Working to Meet Standard

LEA Status In Progress

Comments by SEA 4.27.18 PED rating: The PED team rated this indicator "Working to Meet" because the school provided evidence (such as actual special education re-evaluation reports for the two students initially identified in STARS as having overdue evaluations) that appear to have moved the school toward compliance in this indicator. 1.29.18 Site Visit - Special Education Services: The PED team reviewed Individualized Education Plan (IEP) files for nine (9) students. The team, for example, observed IEPs that appear to be individualized (i.e., student X 'will learn to manage money through courses such as Career Pathways and his mathematics courses,' in another file student Z will address 'Career Readiness Standards and Benchmarks' as part of her program, while another student A had grade-level Common Core State Standards addressed using 'leadership and teamwork skills in collaborating with others'). The team observed students with disabilities taught primarily in general education classroom settings, but did observe some who were taught in resource or pull-out settings for a portion of the school day. The STARS 40 Day Report lists two students (AR and DH) as having overdue evaluations. The 80 Day STARS Report still shows one (AR) as overdue. Requested Follow-Up: Please provide documentation of recent evaluations for the two students.

Comments by LEA

Compliance Indicators Is the school protecting the rights of students with special needs, including but not limited to, compliance with IDEA, ADA, Section 504 of the Rehabilitation Act of 1973 as well as laws relevant to gifted children?

Requested Documents See "Comments by SEA" above for indicator III-A.03

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.04: Educational Plan

SEA Status Working to Meet Standard

LEA Status In Progress

Comments by SEA 4.27.18 PED rating: The PED team has rated this indicator as "Working to Meet Standard" because the school provided evidence (such as documentation of communications with Language Culture Bureau staff regarding identification, documentation, and services for eligible students, email correspondence dates were March 20 and 23, 2018 and documentation of services being offered to identified EL students through the Career Pathways [CP] class). 4.11.18 PED Note: The PED team, per Language and Culture Bureau's suggestion, emailed an invitation to the school to attend a training session titled "Identifying, Serving, and Exiting English Learners - for Principals

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and School Leaders” that is being held in May 2018. The email was sent to the Head Administrator on 4.10.18.

1.29.18 PED Site Visit – English Learners: The PED team observed the certificate of completion for the screener trainings (10/20/17). The PED team reviewed 10 student files. 5 of the 10 did not have home language surveys in the file. Of the 7 EL files reviewed, only 4 had WIDA screener scores in their files. No parent notification letters (initial nor annual) were found. No Access scores were in the files. Because the school receives students from other schools (e.g., students who transition to the ASK Academy after beginning their education careers at other middle, high school, and elementary schools) potential over- and/or under-identification of English Learners may occur. The school is advised that another strategy it should employ is to generate the STARS bilingual report entitled “ELP Error Report for Snapshot” (*see resources below) and to contact the Language and Culture Bureau for further guidance, which may yield more students who had, in the past, qualified for Language Acquisition services but are currently classified as non-ELs. In addition, the report will also identify students who are currently classified as ELs, but may have achieved a composite score of 5 (thus exiting the student from program). In conclusion, under- and over- identification may be occurring. See resources below to assist in remedying any situations.

The schedule indicated that EL students are receiving service 30 minutes per week in the CP class. The team advised the school that “growth” on the ACCESS assessment for eligible students will be included in the A-F school grading system beginning 2018-2019. The CP class may be sufficient, but consultation with Language and Culture Bureau to ensure services are sufficient is recommended.

RESOURCES:

*Note that the STARS Bilingual Report entitled “ELP Error Report for Snapshot” is a new report that the school may want to utilize to ensure it does not over- or under-identify students for language acquisition services.

English Learner Identification Guidance Manual: http://webnew.ped.state.nm.us/wp-content/uploads/2017/12/NMLUS_Guidance_Handbook_Revised_08.2017.pdf

English Learner Services Manual: http://ped.state.nm.us/ped/BilingualDocs/ServingELs/BMEB_Serving%20ELs_TA_Manual_2016_Rev_2.8.17.pdf

Annual Notice to Parents of Eligible Students: 6.29.5.11(D) which states, “... notification must occur not later than 30 days after the beginning of the school year...”

Requested Follow-Up. School provides evidence it has consulted with the Language and Culture Bureau (e.g., with Kirsi Laine at (505) 827-6505 or kirsi.laine@state.nm.us) and received specific guidance on how to address/approach potential over- and under- identification of students “flagged” on the “ELP Error Report for Snapshot” (e.g., Izabel Arias, Misael Chacon, Kaleiah Gonzalez, Francis Martinez, Manuel Najera, Sang Nguyen, Marian Qioqeh, Jacob Quispe, Destiny Rodriguez, and Analelz Sanchez). The evidence that the school uploads into the web-EPSS portal should include e-mail correspondence with Language and Culture Bureau staff on how to (a) properly document in student cumulative files a student’s eligibility and (b) confirmation that services (i.e., CP class) provided to ELs is sufficient in developing English skills of ELs so they are able to increase growth on the state-mandated assessment ACCESS in a rapid fashion.

Comments by LEA

Compliance Indicators Is the school protecting the rights of English Language Learners, including, but not limited to, compliance with applicable laws, rules, and regulations of Title I, Title III, and ESSA? Is the school properly identifying, servicing, and monitoring English Learners?

Requested Documents See “Comments by SEA” above for indicator III-A.04.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.05: Educational Plan

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit

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Truancy Letters: The PED team observed actual 5- day unexcused absence letters that appear to indicate the school's requests to meet with parents/guardians that appear to be compliant with 6.10.8 NMAC (e.g., 'Please contact the ASK...your cooperation is much [appreciated]'). A sample 10- day unexcused letter was also provided that appear to be compliant with regulation (i.e., 'If there is another unexcused absence after delivery of a written notice of habitual truancy, the scholar shall within seven [7] days of this unexcused absence be reported to the probation services of the judicial district...'). Although not required, the school could be more explicit in their request to meet with parents to develop interventions for such students.

Attendance data in STARS: According to STARS, the attendance rate at 40th day of 2017-2018 was 97.53% (above the goal of 95%) and the truancy rate for 2016-2017 was 2.59%. The goal for truancy is to be below 2%. The PED team recommends reviewing STARS data to insure that all absences are reported for attendance but only unexcused absences are reported for truancy.

Requested Follow-Up: None.

RESOURCE FOR SCHOOL (State Rule):

NMAC 6.10.8.7(I) "Student in need of early intervention' means a student who has accumulated five (5) unexcused absences within a school year."

NMAC 6.10.8.8(B)(6)(a) "if a student is in need of early intervention, the school district or charter school shall contact the student's parent(s)/guardian(s) to inform them that the student has unexcused absences from school and to discuss possible interventions unless the parent(s)/guardian(s) has contacted the school to explain the absence and the excuse complies with the school district attendance policy;"

Comments by LEA

Compliance Indicators Is the school complying with applicable laws, rules, and regulations relating to compulsory attendance?

Requested Documents See "Comments by SEA" above for indicator III-A.05.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

III-A.06: Educational Plan

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit - Recurrent Enrollment: According to STARS, the recurrent enrollment for 2017-2018 was 85.82% which meets the goal of 85% as outlined in the Performance Framework. (8.6% of the students withdrew during the previous school year.)
 Requested Follow-Up: None.

Comments by LEA

Compliance Indicators Did the school meet their recurrent enrollment goal for the current school year? The percentage of students that withdrew during the previous school year will also be noted here.

Requested Documents Data is pulled from the STARS Report: District and Location Reports -- Options for Parents -- Charter School Enrollment Report

Other Documents

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Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.00: Business Management and Oversight

SEA Status	Working to Meet Standard
LEA Status	Meets Requirements
Comments by SEA	07.03.18 FY2017 Audit and CAP The PED's Charter School Division has evaluated The ASK Academy's response to requests for documentation regarding the 2017 Audit Report with deadlines of April 16, 2018 (CAP) and June 30, 2018 (supporting documentation).

Audit finding subject to this request:

* 2017-001 Timely Deposits (Non-compliance)

It has been determined that: (1) the school has completed and submitted the requested Corrective Action Plan (CAP) for findings contained in the audit, and (2) the school has submitted the requested documentation verifying that the corrective actions contained in the CAP have been implemented and are being monitored for compliance, and (3) the school has one current year findings, with no repeats. The school, therefore, has been given a "Working to Meet" for this indicator in the Authorized Annual Monitoring document.

The school should be aware that questions regarding the submitted CAP and the documentation of its implementation will be addressed in the school's Annual Monitoring Visit. djm

1.29.18 PED Site Visit – CPO: The PED Team observed the current certificate for the Chief Procurement Officer (dated 9/7/17) and the confirmation of registration with State Purchasing. The school is reminded to register the name of the CPO each year by January 1st at <http://spd.gsd.state.nm.us/SPDSoleSource/SB443Enter.aspx> per 1.4.1.94(D)(2) NMAC and 13-1-95.2 NMSA 1978: "On or before January 1 of each year beginning in 2014, and every time a chief procurement officer is hired, each state agency and local public body shall provide to the state purchasing agent the name of the state agency's or local public body's chief procurement officer.

1.29.2018 PED Reminder: Once the FY17 audit report for the school has been released by the NM Office of the State Auditor the school provides evidence it has taken action identified in its management response to remedy finding(s) (if any).

Requested Follow-Up: School uploads into web-EPSS evidence of actions it has taken to remedy finding(s) (if any) identified in the FY17 audit report (e.g., audit committee meeting minutes initially reviewing/discussing finding[s] and minutes from subsequent meetings showing that the committee is monitoring the school's efforts to remedy identified finding[s]).

Resources:

Since 2014, each New Mexico charter school has been required to have a certified chief procurement officer (CPO) (see statute and regulation below). The CPO is the only entity at the charter school able to issue purchase orders, authorize small purchases, and approve procurement pursuant to the Procurement Code and each charter school must also report the identity of the school's CPO to the State Purchasing Division, and report changes to the CPO. The PED has reviewed the list of reported CPOs and has determined that the school does not have a state-certified CPO reported on file with the State Purchasing Division.

Per 1.4.1.94(D)(2) NMAC and 13-1-95.2 NMSA 1978: "On and after July 1, 2015, only certified chief procurement officers may... issue purchase orders and authorize small purchases pursuant to the Procurement Code..."

Per 1.4.1.94(D)(2) NMAC and 13-1-95.2 NMSA 1978: "On or before January 1 of each year beginning in 2014, and every time a chief procurement officer is hired, each state agency and local public body shall provide to the state purchasing agent the name of the state agency's or local public body's chief procurement officer.. The

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information required from the state agency or local public body shall be submitted to the state purchasing agent through a database established by the state purchasing agent and made available on the state purchasing division's website. All required information must be submitted using this method."

State Purchasing Division List: <http://spd.gsd.state.nm.us/SPDSoleSource/SB443DetailPublicView.aspx> To Report Changes for the CPO List: <http://spd.gsd.state.nm.us/SPDSoleSource/SB443Enter.aspx>
To Remove CPO from List: <http://spd.gsd.state.nm.us/SPDSoleSource/SB443Unregister.aspx>

Comments by LEA

Compliance Indicators

Is the school meeting financial reporting and compliance requirements, including, but not limited to, internal control findings from audit (if any), designated CPO, procurement code, and financial reporting to any/all PED Bureaus? This area also includes official transcripts and employment verifications for staff as those items determine T&E.

Requested Documents

See "Comments by SEA" above for indicator IV-A.00.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

IV-A.01: Business Management and Oversight

SEA Status

Meets Standard

LEA Status

In Progress

Comments by SEA

7.16.17 Audit and CAP The PED's Charter School Division has evaluated The ASK Academy's 2017 Audit Report. Since (1) the school has submitted its Corrective Action Plan and its implementation and monitoring documentation, and (2) the school has received no current year findings of material weakness or significant deficiency, the school has been rated as "Meets Standard" for this indicator.

Questions, comments, and concerns regarding your school's audit response and/or its rating on this indicator should be directed to Dirk Mathis, Charter School Data and Financial Analysis Administrator, at 505-827-6565 or via e-mail to: dirkj.mathis@state.nm.us. djm

04.27.18 PED rating: The PED team rated this indicator "Falls Far Below Standard" because there were (repeated) Significant Deficiencies identified in the Financial Audit.

2016-001 Foundation Book Keeping (significant deficiency) Repeated and Modified

Condition: During fiscal year 2017, we noted the following regarding the Foundations bookkeeping:

1. During the year, the transactions in the bond accounts were not recorded in the school's book.
2. The Foundation did not prepare or maintain a list of capital assets.
3. Foundation did not review retained earnings to ensure revenues and expenses were properly closed resulting in beginning retained earnings balance being incorrect. Reasons for reoccurrence, Foundation bookkeeper failed to close QuickBooks before the audit began.

Requested follow-up:

1 - By April 16, 2018, the school must provide its Corrective Action Plan addressing all non-compliance findings, significant deficiencies, and/or material weaknesses to the PED's Audit Bureau using the PED template provided to the school. In addition, please also submit the Audit CAP to charter.schools@state.nm.us. Please refer to the memo signed by Acting Deputy Secretary, Finance and Operations, Marian Rael sent via by Action ASD Director/CFO and Audit and Accounting Bureau Chief, Amelia Saiz, on March 16, 2018 at 2:42pm. During the school's next site visit, the CSD may review implementation of the school's Audit CAP. As of April 13, 2018, the PED received the school's Corrective Action Plan.

2 - By June 30, 2018, in addition to submitting the Audit CAP to the Audit Bureau and to charter.schools@state.nm.us, the school must also upload into Web-EPSS evidence of actions it has taken to remedy finding(s) as identified in the FY17 audit report (such as, but not limited to, for example: audit committee meeting minutes initially reviewing/discussing findings, minutes from subsequent meetings showing that the

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committee is monitoring the school's efforts to remedy identified findings, etc.).

2.1.18 FY17 Audit Report. Once the FY17 audit report for the school has been released by the NM Office of the State Auditor the PED will input finding(s) (if any) in this section and provide the appropriate rating for the indicator.

Comments by LEA

Compliance Indicators Is the school following generally accepted accounting principles? Were there any material weaknesses or significant deficiencies identified in the audit?

Requested Documents See "Comments by SEA" above for indicator IV-A.01.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

V-A.00: Governance and Reporting

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA PED Note: Per NMAC 6.80.5.8 (new) and 6.80.5.9 (continuing), all Governing Board members must meet annual training requirements, no later than June 30th. Per PEC policy, all governing board membership changes must be reported timely. Please see <https://webnew.ped.state.nm.us/bureaus/public-education-commission/policies-and-processes/amendment-request/> for policy and forms. Please note that these items are included in the Performance Framework (indicator V-A.00) and beginning July 1, 2018, compliance with Governing Board training and reporting requirements will be reviewed and rated.

04.27.18 PED rating: The PED team rated this indicator "Meet Standard" because they school provided evidence that it included the authority for the closure and provided specificity for the closure on approved minutes dated October 12th, 2017 as per NM Stat § 10-15-1[I][1]. Additionally, the school did not have any OMA complaints filed by the AG Office.

1.29.18 Site Visit: The PED team observed that Governing Board agendas (required) are posted on the school's website. The OMA Annual Resolution, Bylaws, and meeting minutes are also posted (which is the PED recommendation).

9.25.17 PED Comment: The PED observed a governing board meeting and identified the following concern(s) (see attached).

Concern Identified: Statutory authority for closed session should be reflected in the draft minutes. September 14, 2017 regular meeting minutes should document or record statutory authority used by the council that allowed for the closed session to take place. Statute requires that "the authority for the closure and the subject to be discussed shall be stated with reasonable specificity in the motion" (see NM Stat § 10-15-1[I][1]). For this particular closed session it would be appropriate to cite NM Stat § 10-15-1[H][8]) which states, (8) "meetings for

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the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.”
Requested Follow-Up: The school should provide evidence (e.g., governing board meeting draft minutes) that address the concern(s) identified during the observation.

Comments by LEA

Compliance Indicators Is the school's Governing Body complying with governance requirements ? Did the Governing Body members respond to any concerns that were noted during the CSD's observation of the Governing Body meeting? Also, in the event of any audit findings, did the Governing Body respond with evidence of addressing the concerns?

Requested Documents Response by Governing Body to audit findings, if any
Response by Governing Body to GB Observation Form/Report

Other Documents Governing Body Observation Form

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

V-A.01: Governance and Reporting

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit: The PED Team observed a mid-year evaluation conducted by the school's Governing Council for the school's head administrator located in his personnel file.

Requested Follow-Up: None

Comments by LEA

Compliance Indicators Is the Governing Body holding management accountable, such as completing a detailed, annual evaluation for the Head Administrator?

Requested Documents See "Comments by SEA" above for indicator V-A.01.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A. 00: Employees

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit: The PED Team reviewed 7 personnel files, to include the head administrator (general manager). All personnel files included current and signed contracts matching the level of teaching license and reported salary, current teaching licenses, verification of teaching experience and official transcripts.
Requested Follow-Up: None

MONITORING INSTRUMENT ITEM REPORT
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Comments by LEA

Compliance Indicators Is the school meeting teacher and other staff credentialing requirements, including licensure, waivers, and mentorship program?

Requested Documents See "Comments by SEA" above for indicator VI-A.00.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A.01: Employees

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit: The PED Team reviewed 7 personnel files, to include the head administrator (general manager). The PED team observed current school year PDP's located in a designated file or maintained online through the Frontline Oasis platform. The PED team observed current and signed teaching contracts matching the level of teaching license and reported salary. The PED team observed all Educator Effectiveness summative reports in a designated file.
 Requested Follow-Up: None

Comments by LEA

Compliance Indicators Is the school respecting employee rights, including, but not limited to, compliance with the school personnel act, Charter School Act, FMLA, ADA, the right to organize collectively, the right to Professional Development and Evaluations?

Requested Documents See "Comments by SEA" above for indicator VI-A.02.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VI-A.02: Employees

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18 Site Visit: The PED team reviewed 7 personnel files, to include the head administrator (general manager). All personnel files included appropriate background check verifications.
 Requested Follow-Up: None

MONITORING INSTRUMENT ITEM REPORT
The ASK Academy
PEC AUTHORIZED ANNUAL MONITORING

Comments by LEA

Compliance Indicators Is the school completing required background checks of all individuals associated with the school?

Requested Documents See "Comments by SEA" above for indicator VI-A.02.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.00: School Environment

SEA Status Meets Standard

LEA Status In Progress

Comments by SEA 1.29.18: During the PED site visit, the team observed no evidence to indicate non-compliance with applicable laws, rules, and regulations relating to the school's facilities.
 Requested Follow-Up: None

Comments by LEA

Compliance Indicators Is the school complying with facilities requirements, including E-occupancy, facility condition rating, facility master plan, facility maintenance plan, fire inspections and emergency drills, facility variances, and student transportation programs?

Requested Documents See "Comments by SEA" above for indicator VII-A.00.

Other Documents

Legal References

III. ORGANIZATIONAL PERFORMANCE FRAMEWORK

VII-A.01: School Environment

SEA Status Working to Meet Standard

LEA Status Meets Requirements

Comments by SEA 09.04.2018 PED Rating: The PED team revised the rating for this indicator to, Working to Meet Standard, because the school provided the additional requested follow-up documentation. Specifically, the school provided a Master immunization log for the middle school and high school students. The Master immunization log appears to be compliant with NMSA 24-5-4, indicating which students were compliant with all immunizations and which students were exempt from immunizations per an approved waiver. The school also provided an assurance letter from the contracted nurse all students at The ASK Academy were in compliance with immunization requirements.
 4.27.18 PED rating: The PED team has rated this indicator "Falls Far Below Standard" because only 1 of the 2 requested items of evidence were provided, such as the tentative emergency drill schedule for the remainder 2017-18 SY to ensure compliance with NM Stat § 22-13-14. However, the school did not provide the requested Master Immunization Log with "student redacted names" outlining students that were compliant with immunization requirements OR have an approved DOH immunization waiver as stated in, NMSA §

MONITORING INSTRUMENT ITEM REPORT

The ASK Academy

PEC AUTHORIZED ANNUAL MONITORING

24-5-4, NMSA; 6.12.2.8(f) and Department of Health memorandum sent to school leaders entitled, "Immunization Requirements Guidance" dated February 20, 2015.

Resources:

See attached, Department of Health memorandum sent to school leaders entitled, "Immunization Requirements Guidance" dated February 20, 2015.

1.29.18 Site Visit: The PED team observed the following during its site visit:

Child Abuse & Neglect Training: The PED team observed training certificates in each personnel file.

Visitor Badges & Safe Schools Plan: During the site visit, team members were required to sign-in and wear badges. (Note: driver's licenses or other identification was obtained and copied by the school for their records).

PE and Health: The PED team conducted a classroom observation for one high school period of PE/Health class. The PED Team also observed the middle and high school PE/Health syllabus to include state standards pulled directly from the NM-PED physical education standards. PE Teacher Lemons, provided proof of National Board Certification during the 2017-2018 school year and also implements standards set forth by National Board standards into each PE course. Tying to school mission - Project-based learning implemented into both Health and PE courses such as: *(dance unit) the scholars are tasked with researching different dance types and the eras they developed. Upon completion of a thorough research project, scholar is responsible for learning the dance (self-directed learning) and then teaching fellow peers the dance. For the middle school level course, the PED Team observed integration of physical education and health components to include mental health, social awareness, character development, and bullying prevention.

Immunization Status Log: Current student immunization status log was not readily available as required by NMSA § 24-5-4, NMSA; 6.12.2.8(f) and Department of Health memorandum sent to school leaders entitled, "Immunization Requirements Guidance" dated February 20, 2015.

Emergency Drills: The PED Team reviewed the school's safety binder to include SY 2017-2018 fire drill log. To date, 4 fire drills were conducted in first month of school and one fire drill observed each month thereafter to current month. The PED team reviewed SY 2016-2017 emergency drill log and observed 1 shelter-in-place drill conducted 10/26/2016. The PED Team did not observe second required shelter-in-place nor the one required evacuation drill, as required by statute NM Stat § 22-13-14.

Requested Follow-Up: School provides master list of students with immunization status (compliant, exempt, disenrolled) with student names redacted. School also provides a schedule to show that, during the 2017-2018 and 2018-2019 school year, 2 shelter-in-place drills, one evacuation drill, and all required fire drills will be performed per regulation. (The documentation of drills completed will be also be reviewed at the next site visit.)

Comments by LEA	Resubmitted for review: Immunization Logs & 2018-19 Drill Schedule.
Compliance Indicators	Is the school complying with health and safety requirements, including, but not limited to, Safe Schools Plan, immunization requirements and master log, staff training on reporting child abuse and neglect, health rules and services, food service requirements, PE and Health curriculum, etc.?
Requested Documents	See "Comments by SEA" above for indicator VII-A.01.