

August 15, 2018

Dr. Robert Hunter
Middle College High School
705 Gurley Street
Gallup, New Mexico 87301

CORRECTIVE ACTION PLAN

ALL CORRECTIVE ACTION MUST BE FULLY IMPLEMENTED, AND ALL NONCOMPLIANCE CORRECTED AS SOON AS POSSIBLE.

Reference/Authority: <i>New Mexico State Inv. Council v. Weinstein</i> , 2016-NMCA-069, 382 P.3d 923; Open Meetings Act, NMSA 1978 §§ 10-15-1 to 10-15-4
Findings: Action within the exclusive control of the Governing Council has been improperly delegated to Dr. Hunter by Resolution.
Corrective Action Plan Requirements: Governing Council will take action to revoke the Resolution giving signature authority, except as it relates to personnel contracts; Governing Council will correct and/or ratify past actions taken by Dr. Hunter that require Governing Council approval. Completion date: next MCHS Board Meeting.
Reference/Authority: Open Meetings Act, NMSA 1978 §§ 10-15-1 to 10-15-4
Findings: Agendas contain vague executive session information; agendas are changed during Governing Council meeting to add items not previously on the agenda; Meeting minutes do not contain specific information on action items; Roll call votes are not taken nor recorded in meeting minutes.
Corrective Action Plan Requirements: Comply with Open Meetings Act; submit full packet of information to Superintendent at same time as provided to Governing Council; provide Superintendent with copy of approved meeting minutes within five (5) days of approval by Governing Council; Charter is placed on notice that Superintendent and/or designee may attend Governing Council meetings from time-to-time. Completion date: immediately and continuous throughout 2018-19 school year.
Reference/Authority: 2012 Charter Renewal Application
Findings: Charter claims it “follows the Gallup McKinley Board Policy” with regard to all PED required policies, yet the Charter has adopted policies that do not comply with Board of Education of GMCS policies and/or State law.
Corrective Action Plan Requirements: Revoke the Policy Manual of the Charter and strictly adhere to Board of Education of GMCS policies. This action excludes MCHS policy as it relates to the Governing Board’s guidance documents. Completion date: next MCHS Board Meeting.
Reference/Authority: NMSA 1978 § 22-12-1 to 22-12-10; 2012 Charter Renewal Application

<p>Findings: Charter has failed to report student attendance in Powerschool and has failed to accurately track student attendance; Charter has failed to follow Board of Education of GMCS policies regarding attendance and truancy; Charter has failed to follow Compulsory School Attendance Act by failing to provide proper notification to students, parents, and probation services office/District Attorney.</p>
<p>Corrective Action Plan Requirements: Charter will accurately and timely submit daily attendance in Powerschool for all students in all courses taken through MCHS or UNM-Gallup. Charter will submit an updated parent/student handbook to the Superintendent for approval. Completion date: immediately and continuous throughout 2018-19 school year. Updated handbook to be submitted to the Superintendent by September 15, 2018.</p>
<p>Reference/Authority: NMSA 1978 § 22-5-4.3; § 6.11.2.7 NMAC; Title IX Education Amendments of 1972</p>
<p>Findings: Charter has failed to report student discipline in STARS and failed to follow Board of Education of GMCS policies, State law, and PED regulations with regard to disciplinary action and suspension/dismissal of students from MCHS.</p>
<p>Corrective Action Plan Requirements: All disciplinary action will be reported in STARS and to the Superintendent within five (5) days of the action taken by MCHS or UNM-Gallup; disciplinary action taken by UNM-Gallup will result in disciplinary action taken and reported by MCHS; actions involving suspension or expulsion/dismissal of a student will be in accordance with GMCS policies, GMCS discipline handbook, and will utilize GMCS's Hearing Officer. Completion date: immediately and continuous throughout 2018-19 school year.</p>
<p>Reference/Authority: NMSA 1978 § 22-8B-4(A) and 22-1-4(A); Title VI of the Civil Rights Act of 1964</p>
<p>Findings: Charter's student population is not reflective of the Native American population.</p>
<p>Corrective Action Plan Requirements: Charter will document and demonstrate to the Board of Education its efforts to increase the Native American student population at MCHS. Completion date: plan of action is due by September 15, 2018.</p>
<p>Reference/Authority: NMSA 1978 § 22-8B-4.1</p>
<p>Findings: Charter's lottery system appears to have a disparate impact on Native American students and Charter lacks detailed policies regarding lottery system. Charter documents provide conflicting information with regard to students permitted into the lottery.</p>
<p>Corrective Action Plan Requirements: Charter will provide a detailed explanation and all documentation to the Superintendent about the 2016-2019 lottery processes. Charter will provide a detailed explanation of the existing waitlist, how it was developed, and how students are assigned to and selected from the waitlist. Charter will provide a detailed explanation and all documentation to the Superintendent of the lottery to occur in April 2019 and include an individual designated by the Superintendent in all aspects of the lottery process. Charter will identify whether or not it is accepting seniors and, if not, it will begin so immediately. Completion date: past documentation relating to the lottery process is due by September 15, 2018. Future lottery documentation will be provided at least a week prior to the lottery.</p>
<p>Reference/Authority: NMSA 1978 § 22-2-8.1</p>
<p>Findings: Dr. Hunter and the Governing Council have falsified budget documents and information to overstate the hours of instruction and presented conflicting information with regard to length of school year, length of school day, days of instruction, and instructional hours.</p>

Corrective Action Plan Requirements: Charter will submit new budget to the Superintendent for approval to include accurate information with regard to instructional hours and days. Completion date: by August 30, 2018
Reference/Authority: NMSA 1978 § 22-1-1.2 and 22-8B-9.1
Findings: Charter maintains an exorbitant cash balance not being utilized to improve student achievement.
Corrective Action Plan Requirements: Charter will submit both long-term and short-term plans for use of funds in furtherance of MCHS mission and academic success and diversity of the student body. Both plans will require GMCS Board of Education and Governing Council approval. Cash balance shall not be used for capital outlay without Board of Education approval. Completion date: by September 15, 2018
Reference/Authority: NMSA 1978 § 22-10A-4(D); NM Const. art. IX, § 14; and NMSA 1978 §§ 22-8-38 & 22-8-40
Findings: Charter staff have been paid outside of the pay scales of GMCS and engaged in outside activities during work hours.
Corrective Action Plan Requirements: Charter will provide the Superintendent with a detailed explanation of how salaries are in-line with GMCS salary schedules and coding. Charter will provide the Superintendent with detailed explanation and description of MCHS's personnel system. In order to facilitate increased direct attention to the academic needs of MCHS, Dr. Hunter will devote work hours to duties as MCHS's CEO and attend UNM-Gallup meetings by invite and only as MCHS's CEO during work hours. Completion date: by August 31, 2018.
Reference/Authority: 2012 Charter Renewal Application
Findings: The Charter School has made multiple organizational changes failing to seek approval of amendments from the Chartering Authority.
Corrective Action Plan Requirements: Charter will submit an updated organizational chart to the Superintendent. The Board of Education of GMCS must approve all future changes to the organizational structure. Completion date: August 30, 2018, and continuous throughout the 2018-19 school year.
Reference/Authority: NMSA 1978 § 22-5-5.1
Findings: Charter indicated that it could not locate \$215,402.15 worth of assets.
Corrective Action Plan Requirements: Charter will provide an updated inventory report to the Board of Education during its regular meeting in December 2018. Completion date: by October 15, 2018.
Reference/Authority: NMSA 1978 § 22-5-5.1; NMSA 1978 § 22-10A-4(D); NM Const. art. IX, § 14; and NMSA 1978 §§ 22-8-38 & 22-8-40
Findings: Concerns exist with regard to Charter's compliance with Public School Finance Act, the Procurement Code, and the Anti-Donations Clause.
Corrective Action Plan Requirements: Charter will request a special audit to be conducted by the State Auditor's Office with the scope of the audit to be identified by the District. Completion date: Request for audit to be made following GMCS delivering the outline of the scope of work. Audit will be completed by December 1, 2018.
Reference/Authority:
Findings: Charter has failed to provide services to at-risk students.
Corrective Action Plan Requirements: Charter will identify at-risk students and services to be provided. If no at-risk students exist, Charter will use at-risk monies for Professional

Development such as Empower, with any contractor providing such services to be approved by the Board of Education. Completion date: Identification of at-risk students by August 30, 2018, and professional development plan submitted to GMCS Superintendent by September 15, 2018.

The CEO will either give written reports for every regular meeting of the Board of Education of GMCS to report to the Board of Education on MCHS's actions in fulfilling the requirements of this Corrective Action Plan or the GMCS Superintendent may request a verbal presentation by the CEO at GMCS School Board Meetings.

The Charter will require the following training to be completed within the 2018-2019 School Year:

1. An additional two (2) hours, in addition to those required by law, of Open Meetings Act training for all Governing Council members by a PED-approved contractor.
2. MCHS Administrator(s) to attend the STARS Conference scheduled for September 24 - 26, 2018.
3. The MCHS Business Manager to attend the budget workshop and receive training on the anti-donation clause and Governmental Conduct Act before October 30, 2018.
4. Governing Council members to attend the New Mexico Coalition of Charter Schools' annual training.
5. MCHS Administrator(s) to attend training by GMCS on students' rights and disciplinary procedures before August 31, 2018.
6. MCHS Administrator(s) or teacher(s) to attend Equity for Multilingual Learners or Lesson Planning for Language Learners.
7. MCHS Administrator(s) to attend FERPA training.
8. MCHS Administrator(s) to attend travel reimbursement training by Department of Finance Administration or other Contractor approved by the Board of Education before October 30, 2018.