

**New Mexico's Charter Schools
Lobbying Expenditures & Capital Outlay**

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Purpose of Charter Schools

Charter schools were originally established to provide an alternative to traditional public schools. Advocates claimed charter schools would provide greater accountability for student outcomes and ultimately improve student performance. In addition, charter schools were established to provide greater efficiencies, encourage innovation and establish new models of educating students as well as provide more educational choices for students and their families and generally improve the entire public school system through these efforts and through competition.

Review of Charter Schools

Through annual reviews of student achievement data and other mechanisms, the Albuquerque Partnership has consistently evaluated and challenged New Mexico's public school system. We believe this critical review must also be extended to charter schools and recently published an analysis of charter school achievement data. While charter school student performance results were mixed and there is increasingly considerable debate regarding other charter school benefits, it is apparent that charter schools have, at the very least, created some unintended consequences. For example, the average charter school serves fewer than two hundred students while the average charter school principal earns considerably more than a comparative traditional public school principal serving many more students. This same student ratio and staff salary quotient is played out throughout the charter school. That is; charter school business managers, teachers, counselors, etc. earn more than their traditional public school counterparts on a per student basis. More significantly, however, is the increasing efforts of charter schools to acquire additional public funding for equipment and facilities through the legislative and capital outlay processes.

Lobbying Expenditures

The desire to secure additional public funding for equipment and facilities appears to be the primary impetus for the increasing trend of charter schools employing professional lobbyists. Even a brief review of lobbying expenditures by New Mexico's charter schools reveals some concerns that should be addressed.

The Albuquerque Partnership requested detailed information on lobbying expenditures from all of New Mexico's sixty-one operating charter schools as well as information from five charter schools scheduled to open in the Fall of 2007. Although only eleven charter schools claimed lobbying expenditures and only ten provided records or information, it is apparent that a significant amount of charter school funding is being diverted for lobbying activities. Below is a summary of responses and findings from the Albuquerque Partnership's request for this information. The Albuquerque Partnership also requested information from organizations that appear to be lobbying on behalf of charter schools.

Charter School Responses

No Response:	21
No Lobbying Expenditures or No Records:	34
Provided Information and/or Records:	10
Claimed Lobbying Expenditures, but did not Provide Information or Records:	1

Note: See Appendix A for a complete list of all charter school responses.

Lobbying Expenditures by Charter School

Southwest Learning Centers - \$50,000 (2005-2007)

(includes the following three charter schools co-located at the same site that appear to share facilities and resources)

La Luz Del Monte Learning Center - \$4,000 (2007)

- \$4,000 – Richard Romero

Southwest Primary Learning Center - \$9,000 (2007)

- \$4,000 – Richard Romero
- \$5,000 – Sue Griffith (aka SG Consultants)

Southwest Secondary Learning Center - \$37,000 (2005-2007)

- \$22,000 – Richard Romero
- \$15,000 – Sue Griffith (aka SG Consultants)

21st Century Public Academy - \$55,631 (2004 – 2007)

- Drew Setter (contract for \$2,500/month from 5/1/04-4/31/06 w/ potential one year extensions, however, the actual invoices appear to total approximately \$56,000)

Amy Biehl - \$32,108 (2002 – 2007)

- No records provided, just a total of lobbying expenses by fiscal year

South Valley Academy - \$3,000 (2002)

- No records provided at this time (will “assemble” information)
- “believes” there was a \$3,000 contract with Engaging Communications

Public Academy for Performing Arts - \$20,000 (August 1, 2006 – May 30, 2007)

- \$10,000 – Richard Romero
- \$10,000 – Sue Griffith

Nuestros Valores Charter School - \$44,841 (2005 – 2007)

- \$44,841 – Ethelbah, Lawrence & Associates

The Academy for Technology and the Classics (Santa Fe) - \$24,000 (2007)

- \$8,000 – Richard Romero
- \$8,000 – Sue Griffith
- \$8,000 – Michael Olguin

Espanola Military Academy (Espanola)

- Responded by telephone that they had incurred lobbyist expenditures and would provide this information, but did not provide any information or records

Middle College High School (Gallup)

- Records were available for review on site, however, we did not review records due to the time and expense to travel to Gallup

New Mexico Coalition for Charter School

- No Response

New Mexico Association of Charter Schools

- No Response

Center for Educational Initiatives

- No Response

Common Findings

- Only one school provided records indicating that lobbying contracts were approved and/or discussed by the school's Governing Board/Council
- No school provided any records indicating a competitive process was used to select a lobbyist(s) – some schools indicated there was a personal relationship between the selected lobbyist(s) and some one at the school
- All contracts that were reviewed are relatively limited in the scope of work and/or deliverable services, i.e. contracts stated that lobbyists will help secure capital money or work to change the language in the Capital Outlay bill, arrange tours, represent the school at school board and other meetings or serve as a liaison with government entities
- No school provided documents that describe or otherwise demonstrate specific results or accomplishments achieved or delivered as a direct consequence of lobbying efforts
- 21st Century Public Academy provided reports of a limited scope from their lobbyist

- No other school provided any reports, records and/or documents from their lobbyist(s)
- At least eleven schools have paid professional lobbyists a minimum of \$229,580 from 2002 - 2007
- Richard Romero and/or Sue Griffith represent at least five out of eleven schools that acknowledged lobbying expenditures
- No other lobbyist appears to represent more than one school
- Of the Albuquerque charter schools that acknowledged lobbying expenditures, 6 out of 8 are among the Albuquerque charter schools with the highest percentages of Anglo students

Note: See Appendix B for detailed information on race and ethnicity for Albuquerque charter schools.

Individual School Findings

- Creative Education Preparatory Institute (CEPI) 2 originally responded that they had records to be reviewed and later stated that Creative Education Preparatory Institute 1, not CEPI 2 had contracted with lobbyists
- Creative Education Preparatory Institute 1 did not respond
- Espanola Military Academy responded by telephone that they had incurred some lobbyist expenditures, but did not provide any information or records

Recommendations

- The New Mexico Public Education Department, State Legislature and local school boards must begin to hold charter schools accountable for enhanced academic achievement of their students.
- The New Mexico Public Education Department, State Legislature and local school boards should conduct a thorough analysis of charter school expenditures, including lobbying expenditures.
- The New Mexico Public Education Department, State Legislature and local school boards should develop a cost-benefit analysis for charter schools that includes Capital Outlay funding, number of students served and other data to determine whether charter schools are providing a cost effective service.
- The New Mexico State Legislature should prohibit charter schools from employing or contracting with professional lobbyists or place a moratorium on such activity until the above analysis is completed.

The Albuquerque Partnership recognizes there are several excellent charter schools, many of which are serving high-risk students. As an original proponent of the creation of charter schools, the Albuquerque Partnership continues to support educational options for families and students, however, the most important outcome of charter schools or any school should be student achievement. The Albuquerque Partnership is deeply concerned that significant funding for charter schools is being diverted to lobbying activities in an effort to dramatically change public funding for students without appropriate oversight and to the potential disadvantage of the majority of public school students.

An unofficial analysis of legislative capital outlay funding on a per student basis for the 2006 and 2007 Legislative Sessions reveals that traditional Albuquerque public schools received approximately \$68 per student and \$203 per student respectively. Meanwhile, Albuquerque charter schools received \$97 per student in 2006 and \$702 per student in 2007. Of course, this analysis does not include the capital outlay allocated to the Public School Capital Outlay Council to carry out the provisions of the Public School Capital Outlay Act, funding for educational infrastructure pursuant to the Technology for Education Act, funding for high-growth areas statewide nor funding for the local share of capital outlay projects for charter schools statewide.

Also troubling, is an apparent correlation between the racial and ethnic demographics of Albuquerque charter schools and capital outlay funding. Again, an unofficial review of 2007 Legislative Capital Outlay funding by charter school reveals that the schools receiving the greatest funding are generally the schools with the highest percentages of Anglo students. Of course, this correlation is troubling for several reasons and should remind everyone of the issues of equality, disparities and uniformity famously raised in the landmark 1998 *Zuni* case that shaped New Mexico's current system of funding capital outlay improvements for public schools.

Appendix A

Charter School Responses

NEW MEXICO CHARTER SCHOOLS – 2006-2007

ALAMOGORDO CHARTER SCHOOLS						Otero County			
Charter School	Response	\$ Paid to Lobbyists 02-07	2007 Capital Outlay \$			Grades	Students	Teachers	
Lacy Simms Middle School	No Response	?	\$00.00			6-8	88	9	
ALBUQUERQUE CHARTER SCHOOLS						Bernalillo County			
Charter School						Grades	Students	Teachers	
Academia De Lengua Y Cultura	No Lobbyist or No Records	\$00.00	\$00.00			6-8	67	6	
Albuquerque Charter Vocational High School	No Response	?	\$00.00			9-12	330	18	
Albuquerque Institute of Math & Science (formerly known as High Tech High Albuquerque)	No Lobbyist	\$00.00	\$00.00			9-12			
Amy Biehl Charter High	Yes	\$32,108	\$395,000			9-12	208	16	
Cesar Chavez Community School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	100	6	
Christine Duncan Community	No Lobbyist or No Records	\$00.00	\$95,000					NEW	
Creative Education Prep Institute #1	No Response	?	\$00.00			9-12	162	4	
Creative Education Prep Institute #2	No Lobbyist	\$00.00	\$00.00			9-12	170	7	
East Mountain High School	No Lobbyist or No Records	\$00.00	\$200,000			9-12	305	26	
Horizon Academy South	No Response	?	\$00.00			K-6	566	26	
Horizon Academy West	No Lobbyist or No Records	\$00.00	\$00.00			K-6	599	29	
La Academia de Esperanza	No Lobbyist or No Records	\$00.00	\$00.00			6-12	170	17	
La Luz Del Monte Learning Center	Yes	\$4,000	\$00.00			7-8			
La Promesa Early Learning Center	No Response	?	\$350,000			K-3			
La Resolana Learning Academy	No Lobbyist or No Records	\$00.00	\$00.00			6-8	NEW	NEW	
Los Puentes Charter School	No Lobbyist or No Records	\$00.00	\$90,000			8-12	113	12	
Montessori Elementary School	No Lobbyist or No Records	\$00.00	\$00.00			K-6	NEW	NEW	
Montessori of the Rio Grande	No Lobbyist or No Records	\$00.00	\$200,000			K-5	152	9	
Mountain Mahogany Community School	No Response	?	\$00.00			K-4	NEW	NEW	
Native American Community Academy	No Lobbyist or No Records	\$00.00	\$25,000			6-7	NEW	NEW	
North Albuquerque Co-op Community	No Lobbyist or No Records	\$00.00	\$50,000			K-6	NEW	NEW	
North Valley Academy	No Lobbyist or No Records	\$00.00	\$00.00			K-8	508	29	
Nuestros Valores Charter School	Yes	\$44,841	\$237,000			9-12	148	14	
Public Academy for Performing Arts	Yes	\$20,000	\$245,000			6-12	329	21	
Ralph J. Bunche Academy	No Response	?	\$00.00			K-8	NEW	NEW	
Robert F. Kennedy Charter School	No Lobbyist or No Records	\$00.00	\$100,000			9-12	241	14	

ALBUQUERQUE CHARTER SCHOOLS –continued**Bernalillo County**

Charter School						Grades	Students	Teachers	
S.I.A. Tech (School for Integrated Academics & Technologies)	No Lobbyist or No Records	\$00.00	\$00.00					4	
South Valley Academy	Yes	\$3,000 +	\$738,000			9-12	223	17	
Southwest Primary Learning Center	Yes	\$9,000	\$285,000			K-6	NEW	NEW	
Southwest Secondary Learning Center	Yes	\$37,000	\$1,177,000			8-12	306	13	
The Learning Community Charter School	No Response	?	\$00.00			6-12	161	10	
Twenty-First Century Public Academy	Yes	\$55,631 +	\$140,000			6-8	204	16	
Youth Build Trade & Technology High	No Lobbyist or No Records	?	\$65,000			9-12	NEW	NEW	

AZTEC CHARTER SCHOOLS**San Juan County**

Charter School						Grades	Students	Teachers	
Mosaic Academy Charter	No Lobbyist or No Records	\$00.00	\$00.00			K-8	NEW	NEW	

BERNALILLO CHARTER SCHOOLS**Sandoval County**

Charter School						Grades	Students	Teachers	
Village Academy	No Response		\$00.00			K-8	NEW	NEW	

CARLSBAD CHARTER SCHOOLS**Eddy County**

Charter School						Grades	Students	Teachers	
Jefferson Montessori Academy	No Lobbyist or No Records	?	\$00.00			K-12	111	18	

CIMARRON CHARTER SCHOOLS**Colfax County**

Charter School						Grades	Students	Teachers	
Moreno Valley High School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	93	9	

CLAYTON CHARTER SCHOOLS**Union County**

Charter School						Grades	Students	Teachers	
Amistad Charter School	No Response	?	\$00.00			K-6	24	3	

DEMING CHARTER SCHOOLS**Luna County**

Charter School						Grades	Students	Teachers	
Deming Cesar Chavez Charter High	No Response	?	\$00.00			9-12	NEW	NEW	

ESPANOLA CHARTER SCHOOLS**Rio Arriba County**

Charter School						Grades	Students	Teachers	
Carinos De Los Ninos	No Response	?	\$00.00			K-6	NEW	NEW	
Espanola Military Academy	Yes	?	\$150,000			6-12	162	11	

GALLUP CHARTER SCHOOLS**McKinley County**

Charter School						Grades	Students	Teachers	
Middle College High School	Yes	?	\$00.00			10-12	45	3	

JEMEZ MOUNTAIN CHARTER SCHOOLS**Rio Arriba County**

Charter School						Grades	Students	Teachers	
Lindrith Area Hertiage Charter School	No Response	?	\$00.00			K-6	NEW	NEW	

JEMEZ VALLEY CHARTER SCHOOLS**Sandoval County**

Charter School						Grades	Students	Teachers	
San Diego Riverside	No Lobbyist or No Records	\$00.00	\$45,000			K-8	94	10	
Walatowa Charter High School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	20	5	

LAS CRUCES CHARTER SCHOOLS						Dona Ana County			
Charter School						Grades	Students	Teachers	
Alma D' Arte Charter High	No Response	?	\$00.00			9-12	123	10	
La Academia Dolores Huerta	No Response	?	\$00.00			6-8	115	7	
LAS VEGAS CITY CHARTER SCHOOLS						San Miguel County			
Charter School						Grades	Students	Teachers	
Bridge Academy Charter High	No Lobbyist or No Records	\$00.00	\$10,000			9-12	31	4	
QUESTA CHARTER SCHOOLS						Taos County			
Charter School						Grades	Students	Teachers	
Red River Valley Charter	No Lobbyist or No Records	\$00.00	\$300,000			K-8	93	8	
Roots and Wings Community School	No Lobbyist or No Records	\$00.00	\$00.00			6-12	24	2	
ROSWELL CHARTER SCHOOLS						Roosevelt County			
Charter School						Grades	Students	Teachers	
Sidney Gutierrez Middle School	No Lobbyist or No Records	\$00.00	\$100,000			6-8	59	5	
SANTA FE CHARTER SCHOOLS						Santa Fe County			
Charter School						Grades	Students	Teachers	
Academy for Technology and the Classics	Yes	\$24,000	\$235,000			7-12	220	18	
Charter School 37	No Response		\$25,000			9-12	NEW	NEW	
Monte Del Sol Charter School	No Lobbyist or No Records	\$00.00	\$105,000			7-12	360	28	
Turquoise Trail Elementary	No Lobbyist or No Records	\$00.00	\$00.00			K-6	451	31	
SILVER CITY CHARTER SCHOOLS						San Miguel County			
Charter School						Grades	Students	Teachers	
Aldo Leopold Charter School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	NEW	NEW	
SOCCORO CHARTER SCHOOLS						Socorro County			
Charter School						Grades	Students	Teachers	
Cottonwood Valley Charter School	No Response	?	\$00.00			K-8	160	11	
TAOS CHARTER SCHOOLS						Taos County			
Charter School						Grades	Students	Teachers	
Anansi Charter School	No Lobbyist or No Records	\$00.00	\$00.00			K-2	49	4	
Taos Municipal Charter School	No Lobbyist or No Records	\$00.00	\$00.00			K-8	188	14	
WEST LAS VEGAS CHARTER SCHOOLS						San Miguel County			
Charter School						Grades	Students	Teachers	
Rio Gallinas School	No Response					4-8	41	3	

CHARTER SCHOOL(S) TO OPEN IN THE FALL OF 2007

ALBUQUERQUE CHARTER SCHOOLS						Bernalillo County			
Charter School						Grades	Students	Teachers	
Bataan Charter School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	400		
Career Academic Technical Academy	No Response	?	\$00.00			10-12	125		
The Albuquerque Talent Development Secondary Charter School	No Lobbyist or No Records	\$00.00	\$00.00			9-12	300		
LAS CRUCES CHARTER SCHOOLS						Dona Ana County			
Charter School						Grades	Students	Teachers	
Las Montanas Charter School	No Response	?	\$00.00			9	100		
TAOS CHARTER SCHOOLS						Taos County			
Charter School						Grades	Students	Teachers	
Vistas Grande High School	No Response	?	\$00.00			9-12	240		

Appendix B

2005-2006 Albuquerque Charter Schools 40 Day Enrollment by Race and Ethnicity

2005-2006 Albuquerque Charter School 40-Day Enrollment by Race and Ethnicity

School Name	#Anglo	%	# Hispanic	%	# Native American	%	# African American	%	# Asian/Pacific Islander	%	# Total
ACADEMIA DE LENGUA Y CULTURA	2	1.6	110	92.4	5	4.2	2	1.6	0	0	119
AMY BIEHL CHARTER HS	113	51.8	80	36.7	13	5.9	8	3.6	4	1.8	218
CESAR CHAVEZ COMMUNITY SCHOOL	6	4.9	107	88.4	3	2.4	5	4.1	0	0	121
CHARTER VOCATIONAL HS	93	30	187	60.5	20	6.4	6	1.9	3	0.9	309
CHARTER VOC-TECH CENTER	67	42.1	76	47.7	8	5	3	1.8	5	3.1	159
CREATIVE EDUCATION PREP #1	50	28.9	107	61.8	11	6.3	5	2.8	0	0	173
CREATIVE EDUCATION PREP #2	53	31.3	89	52.6	14	8.2	8	4.7	5	2.9	169
EAST MOUNTAIN HS	248	78.9	56	17.8	7	2.2	0	0	3	0.9	314
HORIZON ACADEMY NORTHWEST	94	23.9	246	62.7	19	4.8	22	5.6	11	2.8	392
HORIZON ACADEMY SOUTH	44	12	305	83.7	2	0.5	9	2.4	4	1	364
HORIZON ACADEMY TECH	20	8.6	200	86.2	4	1.7	8	3.4	0	0	232
HORIZON ACADEMY WEST	42	9.2	368	80.8	13	2.8	27	5.9	5	1	455
LA ACADEMIA DE ESPERANZA	42	20.6	118	58.1	33	16.2	9	4.4	1	0.5	203
LA LUZ DEL MONTE	45	72.5	14	22.5	0	0	2	3.2	1	1.6	62
LA PROMESA EARLY LEARNING	3	11.5	19	73	1	3.8	3	11.5	0	0	26
LOS PUENTES CHARTER SCHOOL	25	18.3	97	71.3	7	5.1	4	2.9	3	2.2	136
MONTESSORI ELEMENTARY SCHOOL	107	65.6	34	20.8	3	1.8	11	6.7	8	4.9	163
MONTESSORI OF THE RIO GRANDE	62	40.5	61	39.8	14	9.1	11	7.1	5	3.2	153
MOUNTAIN MAHOGANY	53	31.3	9	13	0	0	5	7.2	2	2.8	69
NUESTROS VALORES CHARTER	3	2.7	106	96.3	0	0	1	0.9	0	0	110
PUBLIC ACAD FOR PERF ARTS	183	56.3	117	36	12	3.6	9	2.7	4	1.2	325
ROBERT F. KENNEDY CHARTER	18	7.4	189	78.4	18	7.4	16	6.6	0	0	241
S.I.A. TECH	23	10.1	83	36.7	108	47.7	10	4.4	2	0.8	226
SOUTH VALLEY ACADEMY	13	6.1	197	93.3	1	0.4	0	0	0	0	211
SW PRIMARY LEARNING CTR	68	66	30	29.1	0	0	4	3.8	1	0.9	103
SW SECONDARY LEARNING CTR	154	64.7	69	28.9	4	1.6	8	3.3	3	1.2	238
THE LEARNING COMMUNITY	62	36	97	56.3	6	3.4	5	2.9	2	1.1	172
TWENTY-FIRST CENTURY CHARTER	95	46.5	87	42.6	9	4.4	10	4.9	3	1.4	204
YOUTH BUILD COMM CHARTER	15	17.2	56	64.3	9	10.3	6	6.8	1	1.1	87

Appendix C

2007 Capital Outlay Legislative Appropriations For NM Charter Schools

Charter School
2007 Legislative Capital Outlay Appropriations

	SB 827	SB 710/a
<u>Albuquerque</u>		
21 st Century Charter School *	\$140,000	
Amy Biehl Charter High School *	\$345,000	\$50,000
Christine Duncan Community School	\$95,000	
East Mountain High School	\$200,000	
La Promesa Early Learning Center **	\$350,000	
Los Puentes Charter School		\$90,000
Media Arts Collaborative Charter School	\$30,000	
Montessori of the Rio Grande	\$200,000	
Native American Community Academy	\$25,000	
North Albuquerque Cooperative Community Charter School	\$50,000	
Nuestros Valores Charter School *	\$177,000	\$60,000
Public Academy for the Performing Arts *	\$245,000	
Robert F. Kennedy Charter School	\$100,000	
South Valley Academy Charter School *	\$588,000	\$150,000
Southwest Primary Learning Center *	\$235,000	\$50,000
Southwest Secondary Learning Center *	\$877,000	\$300,000
Youth Build Trade & Technology High	\$65,000	
Subtotal for Albuquerque	\$4,422,000	

	SB 827	SB 710/a
<u>Espanola</u>		
Espanola Military Academy *	\$150,000	
<u>Jemez Valley</u>		
San Diego Riverside Charter School		\$45,000
<u>Las Vegas</u>		
Bridge Academy Charter High School	\$10,000	
<u>Questa</u>		
Red River Valley Charter	\$300,000	
<u>Roswell</u>		
Sidney Gutierrez Middle School	\$100,000	
<u>Santa Fe</u>		
Academy for Technology & the Classics *	\$185,000	\$50,000
Charter School 37 **	\$25,000	
Monte Del Sol Charter School	\$105,000	
Subtotal for Santa Fe	\$365,000	
Total	\$5,392,000	

* Schools that acknowledged lobbying expenditures

** Schools that did not respond

