

AGENDA ITEM EXECUTIVE SUMMARY

- I. **Public Education Commission Meeting Date:** February 12, 2016
- II. **Item Title: Report from Options For Parents and the Charter School Division--Discussion and Possible Actions**
 - A. Schools of Concern
 - B. Update on Creative Education Preparatory Institute (CEPI) Hearing
 - C. Update on Planning Year Checklist
 - D. Report on First Year Charter School Site Visits
 - a. Dzil Dit Looi School of Empowerment, Action and Perseverance (DEAP)
 - b. Sandoval Academy of Bilingual Education
 - c. Technology Leadership High School
- III. **Executive Summary and Proposed Motions:**
 - A. **Schools of Concern**

The On-going Actions and Monitoring document on the next pages identifies the status of all on-going monitoring and/or actions.

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Status of Charters Under a Notice of Intent to Revoke, Revocation Decision or Non-Renewal Decision

Charter School Name	Commission Action and Date	Alleged Violation	Status
Anthony Charter School	Non-renewal - December 10, 2014	<ul style="list-style-type: none"> • Failure to meet prior renewal conditions including: <ul style="list-style-type: none"> • Identifying how the Discovery short cycle aligns with academic program • Strategic planning by governing counsel to measure student progress • Strategic planning by governing counsel to evaluate principal • Approving all policies required by law • Failure to meet improvement plan requirements • Violations of material terms and failure to meet goals of contract • The application is otherwise contrary to the best interests of the charter school's projected students, the local community, or the school district in whose geographic boundaries the charter school applies to operate. 	<ul style="list-style-type: none"> • PED Office of General Counsel indicates it has negotiated a settlement with the school that retains the contract terms of the prior two year contract, but extends that contract an additional three years through June 30, 2018. • In September the PEC voted to have a subcommittee of the PEC engage in a negotiation process with the school to establish 2015-2016 framework goals for this school. • After this vote the school's attorney contacted CSD and stated that the settlement agreement negotiations included a performance framework and negotiations with the PEC would not be appropriate. • CSD confirmed with the PED Office of General Counsel that it is including Performance Framework goals in the negotiations. • In November the PEC voted to

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			invite the school to engage in a negotiation process a subcommittee of the PEC on December 2 nd . The school declined the invitation, asserting that the 2015-2016 framework goals for this school will be established in the settlement agreement.
Creative Education Preparatory Institute	November 13, 2015	<ul style="list-style-type: none"> • Failure to provide the minimum required instructional hours per NMSA §22-2-8.1, providing only 634 instructional hours of the 1080 required hours (58%). • Failure to abide by the 2015-2016 school calendar submitted as part of the school budget, by providing fewer than 181 days consisting of 4 instructional hours each and failing to monitor, track, or account for 362 “additional hours.” • Failure to comply with the Compulsory School Attendance Act and NMAC 6.10.8, which require that “class attendance be taken and maintained by class period for every instructional day for each student in each school or school program in the school district”, the “governing body of a charter school ... or its authorized representatives shall give written notice of the habitual truancy by mail to or by personal service on the parent of the student subject to and in noncompliance with the provisions of the Compulsory School Attendance Law”, and “if unexcused absences continue after written notice of habitual truancy as 	<p>On November 13, 2015, the PEC voted to require CSD to conduct an investigation into the allegations.</p> <p>On February 12, 2016, CSD provided an investigative report to the PEC with the recommendation that the PEC move to revoke the charter.</p> <p>On February 12, 2016, the PEC voted to issue a notice of intent to revoke the charter.</p> <p>The NOI was sent to the school on February 22, 2016. On February 29, 2016, a statement of additional facts was sent to the school to support the revocation.</p>

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		<p>provided in Subsection B of this section has occurred, the student shall be reported to the probation services office of the judicial district where the student resides for an investigation as to whether the student shall be considered to be a neglected child or a child in a family in need of services.”</p> <ul style="list-style-type: none">• Failure to abide by the contract material terms including:<ul style="list-style-type: none">• Failure to “meet and monitor its state-required instructional hour requirements...through a combination of instructional approaches, each with its own scheduling demands”• Failure to “ensure that students engage in meaningful post-secondary learning opportunities (e.g., dual enrollment, trades education, internships, or other forms of service learning) to help prepare them for college or the workforce”• Failure to provide “Guided Computer-based studies” as described in Exhibit 2 of the contract, which states “Students will attend either the morning OR afternoon instructional block, engaging core courses through computer-based studies”• Failure to ensure implementation of the provision that states “Students will log on to their school studies daily (a minimum of one hour per day). This requirement will be monitored via student attainment of two-week goals	
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		<p>and regular progress reports.”</p> <ul style="list-style-type: none"> • Failure to demonstrate compliance with the background check requirements found in 22-10A-5 (C). • Failure to comply with the Federal and State accessibility requirements found in the 2010 Americans with Disabilities Act (2010 ADA) and the state adopted New Mexico Building Code-2009 (NMBC-2009) and the November 4, 2015 directive of the Governor’s Commission on Disability. • Failure to ensure that English language learners can participate meaningfully and equally in educational programs as required by Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974 (EEOA). • Failure to demonstrate compliance with the requirement in NMAC 6.29.1.9 and the contract to “fully implement the State’s Response to Intervention (RtI) Framework known as the Three-Tier Model of Student Intervention.” • Failure to accurately report special education students in STARS. • Failure to provide special education services as required by student IEPs. • CEPI has violated State regulation 6.20.2.11 (B) (6), NMAC and Regulation SBE-6, which require that the reports sent to the New Mexico Public Education Department (PED) must agree to the general ledger and the New Mexico State Audit Rule, which requires that the audit report of each 	
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		<p>school district shall include a cash reconciliation schedule which reconciled the cash balance as of the end of the previous fiscal year to the cash balance at the end of the current fiscal year.</p> <ul style="list-style-type: none">• CEPI has violated NMAC 6.20.2.11 (A) Internal Control Structure Standards, which requires “every school district shall establish and maintain an internal control structure to provide management with reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization and recorded properly to permit the preparation of general purpose financial statements in accordance with GAAP. The internal control structure shall include written administrative controls (rules, procedures and practices, and policies that affect the organization) and accounting controls (activity cycles, financial statement captions, accounting applications including computer systems) that are in accordance with GAAP.”• CEPI has violated NMAC 6.20.2.14 (F).1 Cash Control Standards, which requires “posting errors are not to be erased, crossed out, or in any other manner eliminated from the ledger. A separate entry is required to incorporate necessary corrections. Cross referencing of a correcting entry to the original error should be inserted under the "description" column	
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		<p>of the ledger.”</p> <ul style="list-style-type: none"> • CEPI has violated sound financial management and 6.20.2.9 (A) NMAC and 22-8-5 through 22- 8-12.2 NMSA 1978, which require that budgets not be exceeded at the legal level of control. For school districts the function is the legal level of control. • CEPI has failed to comply with the requirement that all bank accounts shall be reconciled on a monthly basis and reconciled bank statements are to be reviewed by someone other than the preparer for accuracy. • CEPI has violated ERB rules, which require that the electronic reports, consisting of salaries and contributions and demographic information, must be sent by the 15th of the month following the month covered by the Report. The form must be faxed the same day that the contributions are electronically submitted, no later than the 15th of the month following the month covered by the Report. The amounts reported on the ERB forms should reconcile with the general ledger. • CEPI has violated NMAC 6.20.2.17 PURCHASING, which requires “A. Each school district shall establish and implement written policies and procedures for purchasing which shall be in compliance with the Procurement Code, Section 13-1-21 et seq., NMSA 1978. Purchasing policies and procedures for grant funding shall 	
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		<p>comply with requirements established within the grant and the Procurement Code. An internal control structure over purchasing shall be established and maintained to assure compliance with</p> <ul style="list-style-type: none">• CEPI has violated NMAC 6.20.2.12, which requires that an organizational structure be in place which separates incompatible activities to preclude control by any individual.• CEPI has violated NMSA 1978 10-7C-15, which requires “Monthly contributions to the Retiree Health Care (RHC) are required to be remitted no later than the 10th of the following month.”• CEPI has violated NMAC 6.20.2.17 (A), which requires that each school shall establish and implement written policies and procedures for purchasing which shall be in compliance with the Procurement Code, Section 13-1-21 et seq., NMSA 1978. An internal control structure over purchasing shall be established and maintained to assure compliance with school policy, and state and federal regulations. CEPI has also violated the New Mexico Manual of Procedures for Public School Accounting and Budgeting, Supplement 13 – Purchasing, which states that “the preparation and execution of a duly authorized purchase order must	
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		<p>precede the placement of any order for goods, services or construction.”</p> <ul style="list-style-type: none"> • CEPI has violated NMAC 6.20.2, which states that "money received and receipted shall be deposited in the bank within twenty-four (24) hours or one banking day.” • CEPI has violated NMAC 2.42.2.11 (B) (1), which states public officers and employees of state agencies shall be reimbursed for mileage accrued in the use of a private automobile or aircraft in the official discharge of official duties as follows: “unless the secretary has reduced the rates set for mileage for any class of public officials and for employees of state agencies pursuant to Section 10-8-5 (D) NMSA, 80% of the internal revenue service standard mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle.” 	
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Status of Commission Requested Reports, Monitoring, Inquiries, Site Visits

Charter School Name	Date of Commission Request	Matter	Status
Southwest Learning Centers		Ongoing investigation.	

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Status of Corrective Action Plans

Charter School Name	Date of CAP Assignment	Matter	Status	Next Reporting Date
La Resolana Leadership Academy	May 15, 2015	<p>Special education compliance.</p> <p>The school has not been developing accurate IEP schedule of service pages resulting in placement in incorrect levels.</p> <p>The school reported 13 level 4 students on their 80th day and 120th day STARS report and received the funding accordingly, but at both the 80th day and 120th day the school had only 3 level 4 students enrolled.</p>	<ul style="list-style-type: none"> - School submitted a corrective action plan that was accepted by the PED on June 19, 2015. - CSD evaluated the school's report on the implementation of the corrective action plan that was submitted on October 15. CSD has provided the school findings regarding the report. - CSD evaluated the school's report on the implementation of the corrective action plan that was submitted on October 15. CSD has provided the school findings regarding the report. 	Reporting will continue through June 30, 2017 on October 15, December 15, March 15 , and May 15 annually.
Mission Achievement and Success	June 19, 2015	Special education compliance.	<ul style="list-style-type: none"> - In early July, the school's legal counsel has contacted PED and PED's legal counsel. CSD is waiting for further direction from 	<ul style="list-style-type: none"> - Further action is awaiting guidance from PED Office of General Counsel

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			<p>the Office of General Counsel.</p> <ul style="list-style-type: none"> - On June 19, 2015 the PEC voted to require to school to create a Corrective Action Plan for the July 18, 2015 meeting. - On July 17, 2015 the PEC voted to rescind the CAP. 	
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Schools Looking for a New Facility

Charter School Name	Date of Notification to PEC
South Valley Preparatory School	August 19, 2015
Tierra Adentro: The New Mexico School Of Academics, Art and Artesanía	September 24-25, 2015
Technology Leadership High School	November 13
La Academia Dolores Huerta	March 11
Explore Academy	March 11

B. Update on Creative Education Preparatory Institute (CEPI)

At the November PEC meeting, CSD was directed to conduct an investigation into statutory and contractual violations that may be occurring at CEPI, which have been brought to the attention of the PEC, PED, and CSD, through complaints submitted by parents and students at CEPI.

On February 12, 2016 the Commission voted to issue a Notice of Intent to Revoke the charter of CEPI. The revocation hearing has been scheduled for March 22, 2016 in Mabry Hall at 301 Don Gaspar in Santa Fe.

C. Update on Planning Year Checklist

CSD has been working closely with the two new charter schools that are in their planning year. This work has included three full day training sessions.

The first planning year submission date was January 31. The next submission date is March 31.

CSD is in the process of reviewing all submitted materials for any deficiencies and to ensure, where relevant, the submissions have addressed the deficiencies identified in the new application review process.

CSD will continue to work closely with these schools to ensure they meet all planning year requirements are able to get off to a strong start.

D. Report on First Year Charter School Site Visits

CSD conducted first year site visits in November and December. Each school received feedback and specific “Required Follow-Up” after their visits. Since that time, CSD has provided additional feedback to the schools regarding compliance matters.

In the materials that follow, CSD is providing a report on each school and any compliance concerns.

a. Dzil Dit Looi School of Empowerment, Action and Perseverance (DEAP)

On December 7, 2015 CSD staff conducted a first year site visit to Dzil Ditl'ooi School of Empowerment, Action and Perseverance (DEAP). CSD identified the following concerns:

- Due to facilities issues the school had a delayed start. A review of daily lesson plans and the curriculum map indicate that not all classes were on pace for completion within the year.
- Staff files did not demonstrate compliance with background check requirements for two staff members.
- Staff files and a review of information from the licensure bureau did not demonstrate compliance with licensure requirements for two staff members and did not demonstrate compliance with Highly Qualified Teacher requirements.
- Staff files did not demonstrate the implementation of a mentorship plan for new teachers as required by NMAC 6.60.10.8.
- The school did not have a full time licensed administrator, as was identified in the school's new charter school application. The school had a 0.2 FTE licensed administrator, who was on campus one (1) day every two (2) weeks and available by phone at other times. Some administrative functions were being conducted by an individual not holding a valid 3B license.
- Student files did not contain proof of residence. At least three enrolled students were Arizona residents and there are Arizona schools that are closer to the students' residence than DEAP. The Arizona students were not reported in STARS and did not generate SEG funding.
- Student files contain a permission slip for students to use ceremonial tobacco.
- There appeared to have been changes to the governing body makeup and CSD had not received written notification of the changes.
- The school did not provide any evidence to demonstrate that students eligible for appropriate language assistance services to become proficient in English and to participate equally in the

- standard instructional program were receiving those services.
- Students with IEPs had not been receiving services as required in the IEPs. IEPs had not been adopted or modified by the school within a reasonable time. One student's IEP was modified on December 2nd; the other IEP had not been modified.
- The school's instructional schedule and calendar was 10 hours short of the state required 1080 minimum instructional hours. Further, the number of instructional hours being utilized for conferences and home visits exceed the 12 hours of allowable time for 7th grade (NMAC 6.30.2.10.H).

Within the time required, the school responded to the "Required Follow-Up". In that response the school:

- Demonstrated compliance with the requirement found in Attorney General Opinion No. 78-14 to charge tuition to all non-resident students. The school adjusted its budget to reflect the receipt of tuition paid on behalf of Arizona students.
- Indicated that the school has obtained proof of residency for all students living in NM, as possible. CSD will review those items during its next site visit.
- Provided an updated curriculum map to ensure timely implementation of the entire curriculum.
- Indicated that the unlicensed EA had been terminated and that the unlicensed Dine Language teacher had obtained licensure.
- Provided evidence to demonstrate the implementation of a mentorship plan for new teachers.
- Provided an updated Statement of Governing Body to Consult with PED and Affidavit of Governing Body Member to update governing body membership.
- Provided a "Recruiting & Sourcing Plan for Head Administrator", which has not yet resulted in the hiring of a licensed, full time administrator.
- Provided information to indicate that the school has not used ceremonial tobacco. Further provided a process for using ceremonial tobacco and provided a blank "Ceremonial Tobacco Log".
- Provided a plan to provide compensatory services to one student with an IEP.
- Provided a revised instructional schedule and annual calendar and requested a change to the instructional schedule from the Secretary.
- Requested PED provide copies of background checks for the two individuals whose files did not previously contain valid background checks. However, the requests cannot be processed because PED does not have current background checks for either individual.
- Identified how ELLs are served including a lesson plan template demonstrating the requirement to plan for ELD standards.

Despite the information and materials provided, the follow concerns remain outstanding:

- Compliance with background check requirements
- Hiring of a full time, licensed administrator
- Potential use of ceremonial tobacco
- Special Education – Gifted Services

The documents that follow include CSD's correspondence with the school and the school's responses.

Proposed Motion Language

- Take no action.
- Move to require the school to continue to work with and report to CSD to ensure it addresses the outstanding concerns identified in CSD's site visit report and on the record today.
- Move to require the school to work with CSD to create a corrective action plan, to be presented to the PEC at the April meeting, to address the outstanding concerns identified in CSD's site visit report and on the record today.



DZIL DIT'OOÍ SCHOOL OF EMPOWERMENT, ACTION AND PERSEVERANCE (DEAP)

Empowering students and communities through education, culture, wellness and service

PO BOX 156 Navajo, NM 87328 ♦ (505)777-2053 ♦ www.deapschool.org

February 10, 2016

Katie Poulos
Director of Options for Parents
NM Public Education Department
300 Don Gaspar
Santa Fe, NM 87501

Dear Ms. Poulos:

This correspondence is in response to the requests made in the report dated December 31, 2015 from your December 7th site visit to Dził Dít'ooí School of Empowerment, Action and Perseverance (DEAP).

1. On or before February 10, 2016, demonstrate that all student files contain proof of New Mexico residence or proof that tuition has been paid for non-resident students.

Again, the Public School Code does not require schools to obtain proof of New Mexico residence and schools are generally prohibited from denying a student enrollment due to lack of providing proof of residency. However, DEAP has collected proof of residency with a list of acceptable documents to verify residency of students including utility bills and voter ID cards. Upon your next site visit, you may review the documents which demonstrate the residence of our students. The only student/family who has not submitted residency verification is the student we had previously informed we felt could qualify as a McKinney-Vento eligible student.

2. With regards to tuition for non-resident students, according to the Attorney General Opinion No. 78-14, "*the rate of the non-resident tuition **shall not exceed** the average cost per capita for each year of public school education within the school district based upon the average daily membership in the public schools of the school district for the preceding school year.*"

As noted in our correspondence of January 20, 2016, we worked to secure the funding for tuition scholarships for the Arizona students; this will be reflected in the school's operating budget (object code 43208) in the amount of \$4,027.75 per student for the 4 students identified as Arizona residents; the total being \$16,111.000. You may review the attached invoice (Attachment 1).

Thank you,

Ellen Moore, Head Administrator



DZIL DITŁ'OOÍ SCHOOL OF EMPOWERMENT, ACTION AND PERSEVERANCE (DEAP)

Empowering students and communities through education, culture, wellness and service

PO BOX 156 Navajo, NM 87328 ♦ www.deapschool.org

January 20, 2016

Katie Poulos
Director of Options for Parents
NM Public Education Department
300 Don Gaspar
Santa Fe, NM 87501

Dear Ms. Poulos,

This correspondence is in response to the requests made in the report dated December 31, 2015 from your December 7th site visit to Dził Dítł'ooí School of Empowerment, Action and Perseverance (DEAP). The table below includes the specific items you requested, followed by a summary of the evidence we are providing via email as well and hard copy. In total we are sending 18 documents including this letter.

With regards to the specific follow-up required of DEAP, for a majority of the follow-up items, DEAP was only given until January 20, 2016 to respond. While DEAP has worked hard to comply with the specified due date, we feel it is important to note that by the terms of DEAP's Charter School Contract (page 21), DEAP should have received 30 days to provide input and comment to the Site Visit Report. And, while DEAP is attempting to respond fully and within the truncated timeline to the required follow-up issues, there are a few items for which DEAP requests additional clarification. It should also be noted that this is the second request for clarification as we have not yet received a response to the initial request for clarification, sent last week.

1. On or before January 20, 2016, provide CSD a detailed plan addressing how the program of instruction will be modified to ensure implementation of the entire curriculum and provide students adequate preparation time for end of year PARCC assessments.

In the beginning of the school year (mid-September) DEAP administered NWEA and local assessments to evaluate student abilities against standards, and it was determined that there was a need to review pre-6th and 7th grade concepts in math and ELA prior to introducing grade-level standards. A mix of the *Connected Math* and *Eureka Math* programs were used for math review, and the *Core Knowledge* program was used for ELA review, as indicated on the PDF copy of "**DEAP Updated Curriculum Map Scope and Sequence**" (Attachment 1). In October of 2015 DEAP students started receiving grade-level instruction from teachers using *Eureka Math*, *Core Knowledge* (CCSS Reading and Analysis) and *IXL Online* (CCSS Reading and Writing Skills).

The necessity of skills review postponed the implementation of our curriculum and assessment pacing guide, but we revised our pacing guides to maximize coverage while building student skills. In the attachment, for grades 6 and 7, the green shaded cells indicate curriculum that has already

been implemented, and the subsequent white shaded cells indicate the pacing of the spring term by unit and dates in preparation for PARCC.

Included in the document are windows for school and state-level formative and summative assessments, including NWEA and PARCC, as well as DEAP's PARCC Preparation Window during which students will take practice assessments and receive targeted instruction in the month-long lead-up to the exam. As reflected in this document, by the time the PARCC is administered 83% (6th grade) and 66% (7th grade) of the Eureka Math, and 83% of the Core Knowledge supplemental ELA curriculum will have been completed. In addition, the *IXL Online* program, aligned to CCSS, will be used to differentiate skills practice in the areas of reading and writing.

2. On or before January 20, 2016, demonstrate compliance with background check requirements, including obtaining proper background checks for the two individuals whose files currently contain background checks obtained from the district.

DEAP's Head Administrator and Director of Operations have ordered Background Check results to be sent directly to the school by sending the **Authorization of Release forms** to the Public Education Department (PED)--see attachment 2.

3. On or before January 20, 2016, demonstrate compliance with licensure requirements for all instructional staff and support staff.

DEAP has a licensed K-8 teacher (Ms. Begay) who is seeking endorsements and TESOL certification (see attachment 3: **Individual Plan for establishing HQT**), a Level 2 Sub-licensed long-term substitute teacher (Ms. McDaniel), and a Language & Culture teacher (Mr. Morgan) with an Arizona license (see attachment 4: **Morgan AZ License**) who is in the process of obtaining a New Mexico license as the reciprocity process does not exist for Language & Culture Teachers--even when the same tribal entity originally certified their language fluency and the Indian Education Act is supposed to encourage cooperation among the educational leadership of Arizona, Utah, New Mexico and the Navajo Nation. Further, on January 15, DEAP sponsored a Substitute Teacher workshop to support prospective substitute teachers (see attachment 5 **Substitute Teacher Workshop Sign-In Sheet**).

4. On or before January 20, 2016, demonstrate the school is actively implementing the individual plan to ensure the licensed classroom teacher obtains HQT status and has notified parents of the non-HQT status.

Attached is the copy of DEAP's **letter to parents re: HQT (attachment 6)**, a copy of Ms. Begay's plan to become certified in TESOL and HQT in Reading, as well as a confirmation of payment for registering to take the assessments (**NMTA CBT Authorization—attachment 7**) as evidence that Ms. Begay is in progress for taking the required assessments.

5. On or before January 20, 2016, submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

Attached is a **Mentorship Plan** (attachment 8) for Ms. Begay as well as her **Professional Development Plan (PDP—attachment 9)**. Both Ms. Begay's and Mr. Morgan's **PDPs** will be uploaded to Teachscape no later than January 25, 2016.

6. On or before January 20, 2016, demonstrate that a licensed administrator is providing all administrative functions and that the school is actively implementing a plan to hire a licensed full time administrator.

Ideally, as planned in the charter, DEAP would have a 1.0FTE Head Administrator and although we have made an earnest effort, we were unable to identify a person who lives in or around the community, who met the qualifications, competencies and strengths enumerated in the job

description and who could serve as the full-time principal this school year. We began advertising for the position in January of 2015 on our website, in local newspapers, with institutions of higher education, through our networks and in other social media avenues, we continue to advertise for the position [\[http://www.deapschool.org/employment.html\]](http://www.deapschool.org/employment.html) and are implementing the attached **plan to hire a full-time licensed administrator (attachment 10)**, while ensuring compliance by having a part-time licensed administrator on staff who assumes the administrative responsibility and overall instructional leadership for student discipline and planning, operations, supervision and evaluation of the educational program.

It should be noted that pursuant to 22-8B-5 NMSA of the Charter School Act, DEAP obtained a waiver from the New Mexico Public Education Department, for the requirements under the Public School Code pertaining to school principal duties. It is DEAP's understanding that pursuant to this waiver, DEAP is allowed to adjust the duties of the school principal until such time as the school is fully staffed, at which time, the principal's role will be revised. Please provide clarification with regards to how this waiver of principal duties, as provided for in DEAP's Charter School Contract (see Exhibit 2 of the DEAP signed contract with the PEC), grants DEAP flexibility in terms of adherence to the requirement for a licensed administrator to provide "*all administrative functions*" as you requested.

7. On or before January 20, 2016, provide a detailed and specific description of where, when and how ceremonial tobacco has been, will be, or is used.

DEAP has not used ceremonial tobacco and has no specific plans to use it in the future, however, we have put systems into place to prepare for it: DEAP has collected parent permission slips (which you observed in the student files). Half of the parents have provided permission for their child to participate, half have not. Our student information system tracks which students have parental approval and which do not. Our Tobacco policy, submitted to the Charter Schools Division (CSD) liaison during our planning year, specifies that a student's parents must provide permission in order for a student to participate. Attached is a form (**Ceremonial Tobacco Log—attachment 11**) we would use to log details of events and to track student participation if and when ceremonial tobacco would be used at DEAP.

8. On or before January 20, 2016, notify the CSD in writing of the change in membership and submit the appropriate forms to ensure that the governing board continues to qualify as a board of finance.

DEAP completed the BOF application forms in May 2015, and submitted them to the CSD, when there was a change in board membership. As indicated in the documents, as well as board minutes on our website, they were completed in May 2015 in compliance with BOF requirements. Attached is the **Statement of Governing Body to consult with the PE (attachment 12)**, signed by all members of the board, including Dornell Pete, the new board member who also signed the required Affidavit (page 2 of attachment 12) document attached).

9. On or before January 20, 2016, provide evidence to demonstrate how the school is providing all students who qualify as ELLs appropriate language assistance services that are educationally sound in theory and effective in practice.

DEAP administer the W-APT to students in October. Based on the results of the W-APT, we identified 15 students are considered English Language Learners (ELL) based on proficiency levels in the areas of listening, reading, writing, and speaking (beginning, intermediate, advanced). Instructional staff collaborated to set goals and strategies for providing instruction to ensure those student have appropriate access to the curriculum.

According the US Department of Education's What Works Clearinghouse, http://ies.ed.gov/ncee/wwc/pdf/practice_guides/english_learners_pg_040114.pdf the following has be found to be successful in helping ELL students:

1. Teaching academic vocabulary words intensively across several days using a variety of instructional activities.

2. Integrating oral and written English language instruction into content-area teaching.
3. Providing regular, structured opportunities for students to develop written language skills.
4. Providing small-group instructional intervention to students struggling in areas of literacy and English language development.

At DEAP, teachers currently utilize SIOP strategies to promote academic success for the ELL students in the following ways: 1) Lesson Preparation: the specific supports/accommodations are provided according to the English Language Standards and are indicated in the school's Lesson Plan Template (see attached **Lesson Plan Template—attachment 13**). We display lesson objectives and review them with ELL students. Language Objectives may include key vocabulary, grammar or language structures, function or skills. Lesson content is appropriate for student age, background and readiness level with supplementary materials used when possible (e.g., multimedia, pictures, demonstrations, graphic organizers, and highlighted text. We include meaningful activities that allow students to practice using language in the content areas through reading, writing, listening and speaking.

2) Building Background Knowledge: we teach concepts link to student's background to build a bridge between what students know and new concepts. Vocabulary is clearly emphasized and repeated throughout content learning.

3) Comprehensible Input: we ensure students, regardless of ELL proficiency level, understand the lesson by clearly explaining tasks and checking for student understanding.

4) Scaffolding: we vary the questions asked of students and the contexts in which they are asked apply learning, in order to ensure students learn and practice higher order and critical thinking skills.

5) Participation, Practice & Application: students interact with teachers and with each other during class time to explain what they are learning. We utilize grouping, wait time for thinking and to clarify key concepts. We also provide hands-on materials and opportunities for students to learn concepts in context and apply what they have learning through the 4 language domains: Reading, Writing, Listening, and Speaking.

6) Lesson Delivery: as a lesson is being delivered, teachers are monitoring students to assess if content and language objectives are supported, that students are engaged, and that the pacing of the less is appropriate give proficiency levels. At times, this has required that we move more slowly through the lessons than we initially anticipated.

7) Review and Assessment: we review key vocabulary and concepts, provide feedback and make sure students are assessed on what is taught. Additionally, as specified above in addition to our ELA curriculum we also build student skills through the *IXL Online* program.

10. On or before January 20, 2016, provide evidence indicating all required special education services, including compensatory services, are being provided according to IEP requirements.

We are currently implementing Compensatory Services plans for students with IEPs at DEAP. Attachment 14 shows the service logs for the **SLP**, **Counseling** and **PT** compensatory services. If needed, we can also provide a copy of invoice from the ancillary service providers to demonstrate that the compensatory services are in progress.

11. On or before January 20, 2016, submit a revised daily instruction schedule ensuring the students will receive no fewer than 1080 instructional hours excluding passing time, breaks and lunch. The schedule must comply with the limitation of allowable time for conferences and home visits. A request to revise the instructional calendar must be submitted to the Secretary and School Budget and Finance Analysis Bureau for approval.

Attached is the **letter (attachment 15)** we are prepared to send, to the Secretary and the school's school budget analyst, requesting a revision to the school calendar. Also, attached is the **revised calendar (attachment 16)** indicating 1126 hours of instruction, excluding the passing times, all breaks and lunch. An **spreadsheet (attachment 17)** is also attached to clarify all assumptions of our calculation.

12. On or before January 20, 2016, return the school snapshot marked with any necessary corrections to the snapshot information.

We reviewed the school snapshot and note the need for the following corrections:

- The address should be **PO Box 156**
- The school's phone number is **(505)777-2053**
- For the Year 2015-16, we are serving Grades **6-7** (not 6-11)
- Grades to phase in are **8-11** (in this charter term). Grade 12 will added upon renewal.

13. On or before February 10, 2016, demonstrate that all student files contain proof of New Mexico residence or proof that tuition has been paid for non-resident students.

The Public School Code does not require schools to obtain proof of New Mexico residence and schools are generally prohibited from denying a student enrollment due to lack of providing proof of residency. However, DEAP has collected proof of residency with a list of acceptable documents to verify residency of students including utility bills and voter ID cards.

With regards to tuition for non-resident students, NMSA 22-12-5 and the Attorney General Opinion No. 78-14 offer a bit of guidance on the tuition rate for non-resident students. According to the Attorney General Opinion No. 78-14, "*the rate of the non-resident tuition **shall not exceed** the average cost per capita for each year of public school education within the school district based upon the average daily membership in the public schools of the school district for the preceding school year.*" DEAP requests further guidance from you in determining *if* there is a tuition rate for non-resident students and what it should be.

We are currently in the process of securing funding for a tuition scholarships the Arizona students which will be reflected in the school's operating budget (object code 43208) once we have determined the amount.

Thank you,



Ellen Moore, Head Administrator
DEAP



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
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HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

December 31, 2015

Dzil Diti'ooi School of Empowerment, Action and Perseverance
Ellen Moore, Principal
PO BOX 156
Navajo, NM 87328

Dear Ms. Moore:

On December 7, 2015 CSD staff conducted a first year site visit to Dzil Diti'ooi School of Empowerment, Action and Perseverance (DEAP). We appreciated the opportunity to meet with your team, tour the facility, and observe the school in action. Below is a summary of the items reviewed, our observations and findings, and any specific follow-up required of the school with due dates.

1. **TOUR OF FACILITIES:** A tour of facilities was conducted.

REQUIRED FOLLOW-UP: None

2. **STUDENT COUNT*:** CSD staff observed a total of 21 students present in grades six and seven. Two students were reported absent which is consistent with the 40 day STARS Report of 23 students.

GRADE	OBSERVED	STARS 40 th DAY COUNT	REPORTED ABSENT	REPORTED PRESENT
6	10	11	1	10
7	11	12	1	11

*If the discrepancy between the students counted and students reported is more than 5%, additional information is required.

REQUIRED FOLLOW-UP: None

3. **PROGRAM OF INSTRUCTION:** Classroom visits of approximately 10 minutes were conducted by CSD staff. Students were divided into two classrooms by grade, consisting of grades six and seven.

The math class was arranged in a "U" shape so students could see each other and the board. The room has several sets of textbooks and workbooks. Students were learning about ratios.

Instruction was led by the teacher with all students engaged and attentive. The teacher checked for understanding and responded to student questions. All 10 students were recording notes and drawing in their journals. CSD reviewed the grade level curriculum plan and identified the lesson within the first unit of a six unit math curriculum. The instruction does not appear to be maintaining the required pace for completion within the school year.

The personal wellness class had student desks in workgroups of 4. The instructor was telling the students origin stories switching between English and Navajo. The instruction was following a worksheet (graphic organizer) the students had been given. Approximately ½ the class was actively engaged with the instructor. An adult aide was in the classroom but was not observed engaging with students. CSD staff could not identify a connection between the personnel wellness lesson and the curriculum map provided. On the curriculum map Unit 1 covers “Local Health vs Colonizing Health”, Unit 2 covers “Food, Water and Health”, Unit 3 covers “Environmental Preparedness”, Unit 4 covers “The growth patterns and development changes in humans through life-cycle using Dine philosophy”, and Unit 5 covers “Relationships and Health.”

The school provided lesson plans for the Dine language class, and the lesson plan appears to align with the second term. Based on a review of each of the daily lesson plans and the curriculum maps, not all classes are on the same pace for completion within the year.

The licensed teacher and core subject instructor was asked about the school’s delayed start and student preparation for end of year assessments. The teacher replied that she had not considered how it would affect student performance, but stated she believed students’ greatest challenge would be with technology, not content.

REQUIRED FOLLOW-UP: On or before January 20, 2016, the school shall provide CSD a detailed plan addressing how the program of instruction will be modified to ensure implementation of the entire curriculum and provide students adequate preparation time for end of year PARCC assessments.

4. **STAFF FILES:** Staff files did not include appropriate background checks for all staff and volunteers and did not include licensure for all instructional staff, leadership, and business staff. Two employees provided copies of background checks obtained directly from the district by the employee. The school may obtain evidence of valid background check from the Cogent system, the FBI, PED or from the AS400 system, but may not accept copies from other school districts or the employee. One classroom teacher and one educational assistant did not hold required New Mexico licensure. One classroom teacher who does hold required New Mexico licensure is not highly qualified.

The one licensed classroom teacher has an entry level license. There is no documentation of mentorship plans, specific improvement plans, or instructional guidance for the provisional Level 1 teacher: NMAC 6.60.6.7 “A level 1 teaching license” means a provisional teaching license issued for the first five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program, for additional preparation to be a quality teacher.

The school does not have a full time licensed administrator, which was identified in the school’s new charter school application. The school currently has a 0.2 FTE licensed administrator, who is on campus one (1) day every two (2) weeks and available by phone at other times. Some administrative functions are being conducted by an individual not holding a valid 3B license.

REQUIRED FOLLOW-UP: On or before January 20, 2016, the school shall demonstrate compliance with background check requirements, including obtaining proper background checks for the two individuals whose files currently contain background checks obtained from the district. On or before January 20, 2016, the school shall demonstrate compliance with licensure requirements for all instructional staff and support staff. On or before January 20, 2016, the school shall demonstrate it is actively implementing the individual plan to ensure the licensed classroom teacher obtains HQT status and has notified parents of the non-HQT status. On or before January 20, 2016, the school shall submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship. On or before January 20, 2016, the school shall demonstrate that a licensed administrator is providing all administrative functions and that the school is actively implementing a plan to hire a licensed full time administrator.

5. STUDENT FILES: Student files contained home language surveys for all students.

Student files do not contain proof of residence. At least three students are Arizona residents and there are Arizona schools that are closer to the students' residence than DEAP. In accordance with NMSA 22-12-5 and Attorney General Opinion No. 78-14, public school students who are not residents of New Mexico must pay a tuition fee at the rate established by law.

Student files contain a permission slip for students to use ceremonial tobacco.

REQUIRED FOLLOW-UP: On or before January 20, 2016 provide a detailed and specific description of *where*, *when* and *how* ceremonial tobacco has been, will be, or is used. On or before February 10, 2016 all student files must contain proof of New Mexico residence or proof that tuition has been paid for non-resident students.

6. GOVERNING BOARD: The school's website provides notice of Governing Board meetings, and agendas are available on the school's website with the notice. Minutes are also available on the website; however, minutes have not been updated for November and December. There appear to have been changes to the governing body makeup. CSD does not have a record of written notification of the change.

REQUIRED FOLLOW-UP: By January 20, 2016, the school will notify the CSD in writing of the change in membership and submit the appropriate forms to ensure that the governing board continues to qualify as a board of finance. The Board of Finance application package is enclosed.

7. ELL IMPLEMENTATION: All students were administered the Home Language Survey. Student files for all students who indicated the influence of a language other than English contained W-APT assessment results. ACCESS tests are scheduled to be administered in January. The school did not provide any evidence to demonstrate that students eligible for appropriate language assistance services to become proficient in English and to participate equally in the standard instructional program are receiving those services. All students who qualify for ELL services must be provided services that are educationally sound in theory and effective in practice.

REQUIRED FOLLOW-UP: On or before January 20, 2016, the school must provide evidence to demonstrate how the school is providing all students who qualify as ELLs appropriate language assistance services that are educationally sound in theory and effective in practice.

8. **RESPONSE TO INTERVENTION AND STUDENT ASSISTANCE TEAM:** CSD staff reviewed the SAT files and meeting minutes. The SAT files and meeting minutes provided evidence that the school is utilizing the RtI process through identification of individuals needing assistance then acting on the recommendations. Since the beginning of the year, 8 students have been referred for academic assistance through the RtI process and 1 student has been referred for behavioral issues. The administrator stated the school has contacted a diagnostician and will make arrangements for any required testing in January.

REQUIRED FOLLOW-UP: None

9. **SPECIAL EDUCATION PROCESS:** The school's special education records indicate two students eligible to receive special education services. Student files did not contain service logs. A student is currently enrolled with a gifted IEP from the previous school indicating 2.25 hours per week of gifted instruction. The IEP has not been modified by DEAP staff and there is no evidence the student is receiving the required services. An IEP from a previous school for a student with disabilities was modified December 2, 2015. The student was not provided services from the beginning of the year through December 2nd. Compensatory services are owed from the beginning of the year through the date of modification.

REQUIRED FOLLOW-UP: On or before January 20, 2016, CSD requires the school to provide evidence indicating all required special education services, including compensatory services, are being provided according to IEP requirements.

10. **CURRICULUM DEVELOPMENT PLAN:** The administrator provided copies of curriculum maps/pacing guides for the entire year.

REQUIRED FOLLOW-UP: None

11. **DAILY INSTRUCTION SCHEDULE:** A review of the daily instructional schedule revealed the school presently has scheduled 148 full days of 7 instructional hours totaling 1036 instructional hours and 10 half days of 3.4 instructional hours totaling 34 hours of instruction. This provides a total of 1070 hours of instruction which is 10 hours short of the state required 1080 minimum instructional hours. At the time of the site visit, the number of instructional hours being utilized for conferences and home visits exceed the 12 hours of allowable time for 7th grade (NMAC 6.30.2.10.H).

REQUIRED FOLLOW-UP: On or before January 20, 2016, the school will submit a revised daily instruction schedule ensuring the students will receive no fewer than 1080 instructional hours excluding passing time, breaks and lunch. The schedule must comply with the limitation of allowable time for conferences and home visits. A request to revise the instructional calendar must be submitted to the Secretary and School Budget and Finance Analysis Bureau for approval.

12. **ACADEMIC DISCUSSION:** The administrator indicated collection of data to address progress toward the school's goals in on track.

REQUIRED FOLLOW-UP: None

13. **TECHNICAL ASSISTANCE:** CSD has attached, with this letter, a copy of the school snapshot.

REQUIRED FOLLOW-UP: On or before January 20, 2016, return the school snapshot marked with any necessary corrections to the snapshot information.

January 20, 2016	On or before January 20, 2016, provide CSD a detailed plan addressing how the program of instruction will be modified to ensure implementation of the entire curriculum and provide students adequate preparation time for end of year PARCC assessments.	<input type="checkbox"/>
	On or before January 20, 2016, demonstrate compliance with background check requirements, including obtaining proper background checks for the two individuals whose files currently contain background checks obtained from the district.	<input type="checkbox"/>
	On or before January 20, 2016, demonstrate compliance with licensure requirements for all instructional staff and support staff.	<input type="checkbox"/>
	On or before January 20, 2016, demonstrate the school is actively implementing the individual plan to ensure the licensed classroom teacher obtains HQT status and has notified parents of the non-HQT status.	<input type="checkbox"/>
	On or before January 20, 2016, submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.	<input type="checkbox"/>
	On or before January 20, 2016, demonstrate that a licensed administrator is providing all administrative functions and that the school is actively implementing a plan to hire a licensed full time administrator.	<input type="checkbox"/>
	On or before January 20, 2016, provide a detailed and specific description of where, when and how ceremonial tobacco has been, will be, or is used.	<input type="checkbox"/>
	On or before January 20, 2016, notify the CSD in writing of the change in membership and submit the appropriate forms to ensure that the governing board continues to qualify as a board of finance. The Board of Finance application package is enclosed.	<input type="checkbox"/>
	On or before January 20, 2016, provide evidence to demonstrate how the school is providing all students who qualify as ELLs appropriate language assistance services that are educationally sound in theory and effective in practice.	<input type="checkbox"/>
	On or before January 20, 2016, provide evidence indicating all required special education services, including compensatory services, are being provided according to IEP requirements.	<input type="checkbox"/>

	On or before January 20, 2016, submit a revised daily instruction schedule ensuring the students will receive no fewer than 1080 instructional hours excluding passing time, breaks and lunch. The schedule must comply with the limitation of allowable time for conferences and home visits. A request to revise the instructional calendar must be submitted to the Secretary and School Budget and Finance Analysis Bureau for approval.	<input type="checkbox"/>
	On or before January 20, 2016, return the school snapshot marked with any necessary corrections to the snapshot information.	<input type="checkbox"/>
February 10, 2016	On or before February 10, 2016, demonstrate that all student files contain proof of New Mexico residence or proof that tuition has been paid for non-resident students.	<input type="checkbox"/>

If you have any questions or concerns about the information above, please contact Ed Woodd at 505-827-6909 or Edward.Woodd@state.nm.us.

Sincerely,



Katie Poulos, Director
Charter School Division

Enc. (2): Board of Finance application package
School snapshot

cc: File

b. Sandoval Academy of Bilingual Education

On Monday, November 9, CSD staff conducted a first year site visit to Sandoval Academy of Bilingual Education. CSD identified the following concerns:

- The school did not timely submit its 40th day reporting data to the PED. In addition, the school was also late in completing its 120th day reporting data to the PED.
- The school's educational program is not being implemented as written in the charter application; the school's educational program described in the material terms of the Performance Contract does not anticipate or provide for mixed grade classrooms. The educational program specifically identifies that the grades will be separated and the dual language will be implemented differently for each grade level (Grade 1 - 80 percent Spanish and 20 percent English; Grade 2 - 70 percent Spanish and 30 percent English). However, because of financial concerns the school has combined students from first and second grade into one classroom. A classroom observation found that there was no educational differentiation for students by grade level, thus students were not receiving appropriate grade level instruction.
- Staff files did not demonstrate compliance with background check requirements. The administrator indicated he reviewed all employee background checks, but did not print them for employee files.
- Staff files did not demonstrate compliance with the material terms of the Performance Contract, which state "All classroom teachers will hold a bilingual endorsement." The 3rd grade teacher has a level one K-8 Elementary license, but does not have a bilingual endorsed license.
- School documents do not demonstrate compliance with the material terms of the Performance Contract, which state "the School will make provisions for its staff to be trained by Dual Language of New Mexico and/or New Mexico Association for Bilingual Education."
- The school's website did not demonstrate compliance with the requirements of the OMA to provide notice and agendas on the school's website.
- There appeared to have been changes to the governing body makeup and CSD had not received written notification of the changes.
- The school's ELL reporting was incorrect, underreporting the number of ELLs, and the schools processes did not ensure all students were properly screened for ELL service eligibility.
- The school did not provide any evidence to demonstrate that students eligible for appropriate language assistance services to

become proficient in English and to participate equally in the standard instructional program were receiving the required services.

- The school indicated the RTI/SAT process was not being implemented as required by the charter contract and NMAC 6.29.1.9.
- Students with IEPs had not been receiving services as required in the IEPs. IEPs had not been adopted or modified by the school within a reasonable time.
- The school's instructional schedule and calendar had been modified without first requesting a change be approved by the secretary. Additionally, the revised schedule was 5 hours short of the state required 990 minimum instructional hours.

The school responded, untimely, to the "Required Follow-Up". In that response the school:

- Provided a corrected calendar and instructional schedule that met the state required 990 minimum instructional hours.
- Provided a letter requesting that the school be allowed to implement mixed grade classes. The school did not follow CSD's request to provide supporting information and evidence to determine whether the amendment should be recommended for approval.
- Provided evidence that the school required all staff to reapply for the background checks and printed verification for all files.
- Stated that teachers did not receive training from Dual Language of New Mexico and/or New Mexico Association for Bilingual Education because of "budget constraints."
- Provided an updated Statement of Governing Body to Consult with PED and Affidavit of Governing Body Member to update governing body membership.
- Stated that the school has adopted the NM SAT process for SAT/RTI/504 and has put documents into place for their use. The school provided blank forms. CSD does not have evidence that the process is being implemented.
- Identified the staff that have been hired to provide special education services, but did not demonstrate that it is providing compensatory services or that it has adopted prior IEPs or held IEP meetings as required.
- Provided documentation to demonstrate ELL reporting had been corrected and the students were being provided services as required.

The school has not yet addressed the following concerns, which remain outstanding:

- Special Education Services
- Compliance with contract material terms related to:
 - the school's educational program and mixed grade classrooms;

- teacher training; and
 - teacher licensure endorsement.
- Implementation of RtI/SAT processes
- Timely data reporting to PED

The documents that follow include CSD's correspondence with the school and the school's responses.

Proposed Motion Language

- Take no action.
- Move to require the school to continue to work with and report to CSD to ensure it addresses the outstanding concerns identified in CSD's site visit report and on the record today.
- Move to require the school to work with CSD to create a corrective action plan, to be presented to the PEC at the April meeting, to address the outstanding concerns identified in CSD's site visit report and on the record today.



4321 Fulcrum Way Suite A Rio Rancho, NM 87144

505-771-0555 (phone) 505-771-9071 (fax)

Dr. Pedro "Pete" Vallejo, Principal

Response to First Year visit on November 9, 2015

1. Concern: As of the day of the visit, 43 students were on the roster. Only 40 were on the 40-day report.

Response: 3 Students were new to us after the initial 40 days. The increase of 3 students will be reflected for the 80-day report.

2. Concern: Provide CSD with daily and unit lesson plans that align to the curriculum plan.

Response: The teachers have an established curriculum map in place. Throughout the year, there will be times when the curriculum/instruction for the day do not match the map. As those times occur, adjustments will be tracked so that adjustments can be made for the following year. Changes to the map will be adjusted at the end of each school year. The curriculum maps for the 15-16 year have already been provided to CSD. The NMTEACH evaluation monitors curriculum/instruction already to further ensure the curriculum plan is included for the teacher's annual evaluation. The score for the teachers will be confirmed by the 12/20/15 deadline for domains 2/3. Domains 2/3 will be further observed and scores by a state appointed outside observer for semester 2 and I will evaluate domains 1/4 by the 15-16 SY deadline.

3. Concern: Provide CSD with an Amendment request to amend the educational program of the school to allow for the implementation of combination classes.

Response: The letter to CSD requesting the change is an addendum to this report.

4. Concern: Ensure all personnel files have background checks.

Response: All employees have had a background check. I, being new to the protocol, did not print out the document that I verified online already. In order to accommodate this, Staff will be required to reapply for the background checks and I will verify them and print out the forms by the end of January, 2016.

5. Concern: The need to had PD plans, formal mentorship plans, specific improvement plans, and instructional guidance for teachers who require mentorship.

Response: Only 1 teacher require mentorship only due to her status as a level 1 teacher. No other plans are needed for her. I will have a mentorship plan in place for her by the end of January, 2016

6. Concern: provide CSD with a specific and detailed plan with benchmark dates for coming into compliance with the material terms of the contract that require our teachers to hold a bilingual endorsement and to work with DLeNM and/or NMABE for training.

Response: 2 of our teachers have bilingual endorsements as required. The third was to complete her training with CNM's Bilingual Endorsement program, but the final needed course was cancelled prior to the start of the year and will not be offered until Spring 2016. The teacher is already enrolled in the course. She will be in compliance and the end of the Spring 2016 semester.

7. Concern: The GC must notify the CSD of changes in membership and ensure they continue to qualify as a board of finance.

Response: The GC will provide a letter to the CSD notifying them of any changes as well as completing the Board of Finance application. Considering the upcoming changes on the board, completion of the application may not occur until changes are made and may extend until after our February GC meeting.

8. Concern: The school must post agendas available online the SABE website.

Response: GC Minutes are already posted online. These include the agenda as well. Notifications of meetings is already posted as well under the calendar section.

9. Concern: 80-day reporting numbers need to be accurate in reporting ELL students.

Response: Our 3 ELL students have been addressed for the 80-day report and acknowledged by the NMPED as correct.

10. Concern: Ensure all ELL's are accurately identified so that ACCESS test ordering is completed.

Response: The information is accurate and tests have already been ordered for our ELL students.

11. Concern: Identified ELL students are part of the bilingual program and revise the instructional plan to reflect the second hour for the ELL's in the bilingual program.

Response: This has been completed and the instructional plan completed. Any instructional changes needed as a result of the 80-day report regarding the instructional plan will be addressed as required per the PED as the 80-day is addressed in January 2016.

12. Concern: provide CSD with RtI and SAT Process to include school policies and processes, identification of persons responsible, completed forms and supporting documents and relevant meeting notes.

Response: Due to the complexity of the RtI process and SAT processes, I will be working with other charters to gather information about their processes and work with our GC to determine policy creation as required. Completed policies will be submitted to the CSD as they become available.

13. Concern: Provide documentation for coming into compliance with IDEA requirements including providing services as require in student IEP's

Response: We have a diagnostician on contract who has been helping us. We have 1 student who has an IEP requiring SLP services of 15 minutes per month and 10 minutes a week. We recently signed a contract with an SLP and she have come in to work with her for 90 minutes. We will establish a schedule for compensatory education upon our return from the winter break. We have 2 students who require Gifted education services as well as a student who needs to have an initial IEP conducted. I have been working with CES to find teachers appropriate to our needs. I should be able to provide these students services as soon as we are approved by them shortly thereafter. These services should be in place by the end of January 2016.

14. Concern: Provide a revised instructional schedule demonstrating at least 990 hours of instructional time including parent teacher conferences.

Response: There was an error on the initial calendar send to CSD. I will work with my GC to correct the hours on instruction per day to 5 hours and 55 minutes as well as include the parent-teacher conference days 12/18/15 and 3/22-23/16. The 5 hours and 55 minutes per day still exceeds the 990 hours for the year. It needs to be accepted by the GC and then sent to CSD for the update. This should occur at the January or February GC meeting.



4321 Fulcrum Way NE Suite A • Rio Rancho, New Mexico 87144
505-771-0555 • 505-771-9071 fax

12/18/15

Katie Poulos
Director of Options for Parents
NM Public Education Department
300 Don Gaspar
Santa Fe, NM 87501
c: (505) 469-0373
o: (505) 827-6532
www.ped.state.nm.us

Katie,

I am writing to inform you that there was an error on the calendar sent to CSD regarding the instructional minutes and parent-teacher conferences. The calendar indicates 6 hours and 40 minutes for both Kindergarten and Grades 1-6. This is not correct. The updated instructional minutes per day should read as 5 hours and 55 minutes per day. This is due to the accidental inclusion of lunch in the initial accounting of minutes. The adjustment adds up to 1023 instructional hours per year. This exceeds the 990 required instructional hours. Also, three parent-conference days were not included in the calendar. These should be December 18, 2015 and March 22-23, 2016. These are student free days and within the allotted time based on the PED requirements. Please let me know if there is anything further you need. Thank you.

Dr. Pedro “Pete” Vallejo, Principal



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12/18/15

Katie Poulos
Director of Options for Parents
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Katie,

I am informing you that we need to make a slight change in our charter. Due to enrollment numbers, we were able keep to a Kindergarten class and a Third grade class intact. However, we needed to combine our First and Second grade classes based on the numbers. We currently have 6 First graders and 10 Second graders. There are not enough for stand-alone classes. Therefore, we need to make an exception for this year to allow for the combined classes. The teacher will work to ensure each grade receives appropriate grade-level instruction. This is reflected in the curriculum maps established for the year. Testing will also occur at the appropriate grade-level. We hope to return to full single grade classes next year. Please let us know if there is anything further you need.

Dr. Pedro “Pete” Vallejo, Principal

November 25, 2015

Sandoval Academy of Bilingual Education
Pedro Vallejo
4321 Fulcrum Way
Rio Rancho, NM 87144

Dear Mr. Vallejo,

On Monday, November 9, CSD staff conducted a first year site visit to Sandoval Academy of Bilingual Education. We appreciated the opportunity to meet with you, tour the facility, and observe the school in action. Below is a summary of the items reviewed, our observations and findings, and any specific follow-up required of the school with due dates.

1. **Tour of Facilities:** A tour of facilities was conducted.
Required Follow-up: None
2. **Student Count*:** The school did not timely submit 40th day reporting data to the PED. At the time of the site visit, the school had just submitted the data for its 40 day STARS report to the PED but the data had not yet posted to STARS.

The school's enrollment roster indicated a today enrollment of 43 students. Daily attendance percentage reported at the school is over 95%. The school's STARS reporting indicates a 2 student discrepancy in grades 1 and 2 and a 1 student discrepancy in grade 3.

GRADE	OBSERVED	STARS 40 th DAY COUNT	REPORTED ABSENT	REPORTED PRESENT
Kindergarten	18	18	0	18
1 and 2 Combined	13	12	1	13
3	11	12	0	11

*If the discrepancy between the students counted and students reported is more than 5%, additional information is required.

Required Follow-up: On or before December 18, provide an explanation for the discrepancy in the number of students reported in STARS and the number of students identified on the roster on the day of the visit.

3. **Program of Instruction:** Classroom visits of approximately 10 minutes were conducted by CSD staff. Students have been divided into three classrooms with a combined 1st and 2nd grade classroom. There is one teacher assigned to each classroom.

The school's educational program described in the material terms of the Performance Contract does not anticipate or provide for mixed grade classrooms. The educational program specifically identifies that the grades will be separated and the dual language will be implemented

differently for each grade level (Grade 1 - 80 percent Spanish and 20 percent English; Grade 2 - 70 percent Spanish and 30 percent English).

In the Kindergarten classroom, students were sitting on the carpet engaged in call and response activities led by a student volunteer. Students were counting, singing songs, and reciting words in Spanish and English. The instructor incorporated handwriting and capitalization into the lesson. Instruction was primarily in Spanish and appeared to meet the 90/10 dual language program for the classroom.

In the combination 1st/2nd grade class, students were seated at their desks in groups of 3-4. The class schedule indicated students were learning math. Students had just completed work that appeared to be language arts focused, however language arts was not on the class schedule until the end of the day. The teacher explained in Spanish how students were to create a turkey out of a paper plate. It was unclear how the activity was aligned to mathematics. CSD staff did not observe any differentiation for students by grade level. The activity did not appear to align to the curriculum plan provided by the school principal.

In the 3rd grade classroom, students were seated at their desks in groups of 3-4. Students were finishing checking/correcting their work on a language arts activity. Students then departed for recess. CSD staff took a copy of the activity and compared it to the curriculum plan provided by the school principal. The activity did not clearly align to the curriculum plan.

The school does not appear to be in compliance with the requirement, found in NMAC Title 6, Chapter 29, Part 1, to implement a curriculum aligned to the Common Core State Standards for Excellence.

Required Follow-up: On or before December 18, provide CSD with daily and unit lesson plans that align to the curriculum plan provided to CSD by the principal as well as documentation of processes the principal will use to evaluate and ensure the fidelity of curriculum implementation in the classroom.

On or before December 18, provide CSD with an amendment request to amend the educational program of the school to allow for the implementation of combination classes. The request must be supported by a high quality plan that demonstrates the school has the capacity to implement a combination class that will not hinder the academic progress of the students. The plan should include ensuring and developing teacher capacity, professional development, monitoring to ensure differentiation by grade level, etc.

4. **Staff Files:** Staff files did not include background checks for all staff and did not include licensure for all instructional staff, leadership, and business staff. The administrator indicated he reviewed all employee background checks, but did not print them for employee files. All staff are have licensed, but not all files contained copies of licensure.

The 3rd grade teacher has a level one K-8 Elementary license, but does not have a bilingual endorsed license. The material terms of the Performance Contract state "All classroom teachers

will hold a bilingual endorsement." There was no documentation of mentorship plans, specific improvement plans, or instructional guidance for the Level 1 teacher. NMAC 6.60.6.7 "A level 1 teaching license" means a provisional teaching license issued for the first five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program, for additional preparation to be a quality teacher.

The material terms of the Performance Contract state "the School will make provisions for its staff to be trained by Dual Language of New Mexico and/or New Mexico Association for Bilingual Education."

Required Follow-up: On or before December 18, 2015, ensure all personnel files include evidence of a completed background check and appropriate licensure and implement a process to ensure this is completed with all new staff. Provide CSD an assurance this has been completed.

On or before December 18, submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

On or before December 18, provide CSD a specific and detailed plan with benchmark dates for coming into compliance with the material terms of the contract that require "All classroom teachers will hold a bilingual endorsement. In addition, the School will make provisions for its staff to be trained by Dual Language of New Mexico and/or New Mexico Association for Bilingual Education."

5. **Student Files:** Student files contained home language surveys for all students.

Required Follow-up: None

6. **Governing Board:** The school's website provides notice of Governing Board meetings, but agendas are not clearly available on the school's website with the notice. Minutes are also not available on the website; links to old minutes are not active. The membership of the governing board has changed CSD does not have a record of written notification of the change.

Required Follow-up: By December 18, 2015, the school will notify the CSD in writing of the change in membership and submit the appropriate forms to ensure that the governing board continues to qualify as a board of finance. The Board of Finance application package is enclosed.

The school must make the agendas available on the school's webpage. The school should also consider implementing the best practice of posting governing board minutes on that webpage. If the school does not post the Governing Board minutes, the school must submit the Governing Board minutes to CSD on a monthly basis.

7. **ELL Implementation:** The school has reported 0 ELL students in their 40th day STARS report. All student files contained Home Language Surveys. Within 20 days of enrollment, the school

administered the W-APT to most of the students whose Home Language Surveys indicated the influence of a language other than English. There were a few students who enrolled after the beginning of the school year that did not have the W-APT administered as required. The school did identify students who qualify as ELL.

A note on Home Language Surveys (HLS):

Students who transfer to SABE from another school should already have an HLS in their file that transfers with them. Please look for this; ask for the CUM file from the previous school. If the student had the W-APT administered at the previous school then SABE follows those results (do not re-administer W-APT). If the student has taken the ACCESS at the previous school site and did not meet proficiency, then the ACCESS continues to be administered annually until proficiency is reached.

The ACCESS test must be administered annually for each student who qualifies for ELL services until proficiency is reached. Students attaining proficiency are exited from services and must be monitored for two years afterward. ACCESS tests are ordered by the bi-lingual department based on the 40th day reporting. The ACCESS test administration date is January.

The school is implementing a bi-lingual program for all students. ELLs in a bilingual program must receive instruction in a **second hour**, ESL class. Currently, SABE has a dual language program with 29 students, who have a teacher who meets licensure/endorsement requirements; none have been classified as ELLs based on STARS reporting.

Required Follow-up: As part of the 80th day reporting, revise the number of ELLs to accurately identify all students who qualify for ELL status based on the W-APT results..

On or before December 1, ensure that the bilingual department has been accurately informed of all students identified as ELLs so that ACCESS tests can be ordered for these students.

On or before December 1, if identified ELLs are in the bilingual program, please revise the Instructional Plan and re-submit in Share Point to reflect the second hour (Course Description B) for the ELLs in the bilingual program.

8. **Response to Intervention and Student Assistance Team:** The school did not provide any documentation related to RTI or SAT. The school indicated Response to Intervention (Rtl) and Student Assistance Team (SAT) processes are not currently being implemented.

Required Follow-up: On or before December 18, provide CSD documentation of the implementation of Rtl and SAT processes to include school policies and processes, identification of the persons responsible for implementation, completed forms and supporting documents, and relevant meeting notes.

9. **Special Education Process:** Student records indicate 4 students are or may be eligible to receive Special Education services. Of those four, two are gifted. The school's 40th day STARS report indicates only 1 student with disabilities.

CSD staff saw no evidence that services required in the IEPs were being provided. There are no available service logs for any Special education students in the files.

The IEP folders show no indication of IEP meetings having been conducted this year to either adopt or revise the IEPs based on the students' new placement.

Required Follow-up: On or before December 18, provide documentation of a detailed plan to come into compliance with IDEA requirements, including providing services as required in the students' IEPs.

10. **Curriculum Development Plan:** The administrator provided copies of curriculum maps/pacing guides for the entire year.

Required Follow-up: None

11. **Daily Instruction Schedule:** The instructional calendar and daily schedule the school submitted to the Office of Budget and Management Services (OBMS) differs from the calendar and schedule CSD was given during the visit. The original submission to OBMS indicates 173 full instructional days of 6 hours 10 minutes each for a total of 1,066.83 hours annually. The daily schedule and calendar provided to CSD by the school indicates 174 instructional days of 5 hours 40 minutes for total of 985 hours annually. The school does not meet the minimum hours of 990 hours annually.

Required Follow-up: On or before December 18, provide a revised daily instructional schedule and calendar demonstrating at least 990 hours of instructional time. The calendar must include clear delineation of in-service days and days used for home visits by the teacher or for parent-teacher conferences. The statute indicates up to thirty-three hours of the full-day kindergarten and up to twenty-two hours of grades one through six programs may be used for home visits by the teacher or for parent-teacher conferences.

12. **Academic Discussion:** The administrator indicated collection of data to address progress toward the school's goals in on track.

Required Follow-up: None

Summary of Required Follow Up:

December 1	Inform bilingual department of all students identified as ELLs. (Item 7)	<input type="checkbox"/>
	Revise the Instructional Plan and re-submit in Share Point to reflect the second hour (Course Description B) for the ELLs in the bilingual program. (Item 7)	<input type="checkbox"/>

80 th Day Reporting	Revise the number of ELLs to accurately identify all students who qualify for ELL status based on the W-APT results. (Item 7)	<input type="checkbox"/>
December 18	Explanation for the discrepancy in the number of students reported in STARS and the number of students identified on the roster on the day of the visit. (Item 2)	<input type="checkbox"/>
	Daily and unit lesson plans aligned to the curriculum plan and documentation of processes to evaluate and ensure the fidelity of curriculum implementation in the classroom. (Item 3)	<input type="checkbox"/>
	Amendment request to amend the educational program of the school to allow for the implementation of combination classes. (Item 3)	<input type="checkbox"/>
	Assurance of complete personnel files. (Item 4)	<input type="checkbox"/>
	Implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship. (Item 4)	<input type="checkbox"/>
	Plan for teacher-focused terms of performance contract. (Item 4)	<input type="checkbox"/>
	Written notification of the change in governing body membership and submission of board of finance application forms. (Item 6)	<input type="checkbox"/>
	Make governing body meeting agendas available on the school's webpage 72 hours prior to each meeting. (Item 6)	<input type="checkbox"/>
	Documentation of the implementation of RtI and SAT processes. (Item 8)	<input type="checkbox"/>
	Documentation of a detailed plan to come into compliance with IDEA requirements. (Item 9)	<input type="checkbox"/>
	Revised daily instructional schedule and calendar demonstrating at least 990 hours of instructional time. (Item 11)	<input type="checkbox"/>

If you have any questions or concerns about the information above, please contact Ed Woodd at 505-827-6909 or charter.schools@state.nm.us.

Sincerely,



Katie Poulos, Director
Options for Parents
Charter School Division

c. Technology Leadership High School

On November 3, 2015, CSD staff conducted a first year site visit to Technology Leadership High School. CSD identified the following concerns:

- Attendance was being kept daily in Power School but only checked by instructors during the morning block; attendance was not being regularly taken during the afternoon block. As a result, the school was not complying with the requirement to take daily class attendance found in NM Statute 22-12-7 and 22-12-9 Compulsory Attendance Law.
- The school did not provide evidence that it was complying with the provisions of the Compulsory Attendance Law requiring interventions, notification, and actions related to habitual truancy.
- Classroom visits demonstrated that the school did not appear to be in compliance with the requirements to implement a curriculum aligned to the Common Core State Standards for Excellence as found in NMAC 6.29.1.11 and parts 13 & 14.
- Staff files did not demonstrate the implementation of a mentorship plan for new teachers as required by NMAC 6.60.10.8.
- The school's website did not demonstrate compliance with the requirements of the OMA to provide notice and agendas on the school's website.
- The school's ELL reporting was incorrect, underreporting the number of ELLs, and the schools processes did not ensure all students were properly screened for ELL service eligibility.
- The school did not provide any evidence to demonstrate that students eligible for appropriate language assistance services to become proficient in English and to participate equally in the standard instructional program were receiving the required services.
- The school indicated the RTI/SAT process was not being implemented as required by the charter contract and NMAC 6.29.1.9.
- Students with IEPs had not been receiving services as required in the IEPs. IEPs had not been adopted or modified by the school within a reasonable time. The school was not appropriately staffed to meet the IEP requirements.
- The school did not demonstrate continued curriculum development aligned to the charter application and curriculum development plan.
- The school's instructional schedule and calendar had been modified without first requesting a change be approved by the secretary. Additionally, the revised schedule was at least 5 hours short and potentially more than 30 hours short, of the state required 1080 minimum instructional hours.

The school responded, untimely, to the "Required Follow-Up". In that response the school:

- Stated that the school “submitted a waiver for our need of another SPED teachers and it was accepted.” The Special Education Bureau indicated that no such waiver was submitted until the 120th day, in February.
- Stated that the school spoke with the “SPED Department at PED and TLHS is in compliance with IDEA requirements.” This statement was not confirmed by any member of the Special Education Bureau.
- Stated that the school’s agendas have been added to the website and will be uploaded every month. However, the school’s website continues to state “To obtain an agenda in advance, please contact Executive Director Kara Cortazzo at cortazzo@techabq.org.” Thus it is unclear whether the school is meeting the requirement to post agendas at least 72 hours in advance of the meeting.
- Submitted a compulsory school attendance policy which cites attendance statute and defines what constitutes excused absences. The school’s attendance policy specifies a need for early identifications and interventions. The school provided CSD with a letter template stating parents “may” schedule a meeting with the school administration if they “would like,” rather than mandating a meeting as called for in statute. There were no examples provided of letters for three, five, seven, or ten days of unexcused absence as specified in their attendance policy. There were no provisions in the submitted policy for mandating meetings or notifying outside agencies as required in NMSA 22-12-7. The school did not submit action steps to ensure teachers take attendance in the afternoon sessions.
- Provided a curriculum map of two thematic project plans which include expected student outcomes and project objectives. The curriculum maps identified NMCCSS and NMCS strands and benchmarks for physical science, algebra, and English/Language Arts. The school did not include evidence of daily lesson plans or documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation as required in the CSD follow-up letter. The school provided one assessment rubric that did not appear to be aligned with NMCCSS.
- Submitted a New Teacher Mentorship process identical to the one given to CSD staff during the November 3, monitoring visit. The school did not provide evidence of the implementation of this process or professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship as required in the CSD follow-up letter.
- Provided documentation that it had administered the W-APT to all students whose Home Language Surveys indicated the influence of a language other than English and reported all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division. The

school did not provide any evidence that students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services that are educationally sound in theory and effective in practice.

- Provided a process, identical to the one given to CSD staff during the November 3, monitoring visit, which indicates the school will abide by statute and regulations regarding Child Find, 3-Tiered Intervention, and the IEP process. No documentation was provided identifying the persons responsible for implementation, completed forms and supporting documents, or relevant meeting notes.
- Submitted a revised school calendar and daily schedule and a check in sheet to be used during the 10 minute morning check in/breakfast session.
 - The revised schedule did not account for the 15 minute breaks that CSD staff observed, and the school did not indicate whether those are continuing or have been eliminate.
 - The check in only requires the student to state a number from 1 to 10 indicating how they are feeling that day. No curriculum was submitted to demonstrate that the check in time should be used as instructional time.

Without the morning check in session, the revised daily schedule submitted by the school has 10 fewer minutes of daily instructional time than the schedule given to CSD staff during the November 3, monitoring visit. The instructional minutes on the Thursday schedule submitted are identical to the daily schedule submitted during the November 3, monitoring visit. Based on the revised school schedule submitted December 9, the school scheduled 1,018.3 instructional hours which is 61.7 hours short of the required 1,080 instructional hours.

The school was given an additional opportunity to respond. The school again responded, untimely, to the “Required Follow-Up”. In that response the school:

- Indicated it was making “significant progress” with attendance, citing a 77.74% attendance rate on the 80th day and provided template attendance letters, which include notification to parents of potential penalties for non-compliance, and an “RTI Attendance” plan that include processes to take attendance daily in all classes and to report habitual truant to the appropriate authorities.
- Provided a “Curriculum Director Fidelity Process” to address the process for planning and implementation and including assessment rubrics, a curriculum map template, and a project overview template. The school’s response stated they do not use daily lesson plans. The school’s documentation did not demonstrate implementation of the process.

- Provided the same “mentorship plan” provided at the site visit and in the prior submission and additionally provided a blank mentorship contact log, a blank mentorship observation form, and a blank teacher needs assessment form. The school still has not provided any evidence to demonstrate the implementation of a formal mentorship plan as required by NMAC 6.60.10.8.
- Provided a document titled “English Language Learner Program Model” and a document titled “Sheltered Instruction Strategies for English Language Learners”, but did not provide any evidence to demonstrate the implementation of the program model.
- Provided a list of the members on the school SAT team and blank forms for the SAT process, and stated that the school has not referred any students to SAT. The school did not provide any evidence to demonstrate the implementation Tier 1 of the RTI process.
- Scheduled a meeting with the Special Education Bureau that was canceled by the Special Education Bureau.
- Provided a revised instructional schedule and unrevised calendar and stated that “the school calendar that TLHS submitted was not revised. It is the same calendar that was approved by the PED, PEC and TLHS Governing Board (attached as 2015 calendar and 2016 calendar).” The calendar differs from the calendar submitted to PED, including 5 fewer “non-instructional” days than are included in the PED approved calendar. The schedule differs from the schedule submitted to, and approved by PED in that the submission to PED identifies 6.5 hours daily instruction, but the school’s schedule includes 4.5 hours instruction each Thursday and up to 6.67 hours instruction on MTWF (if advisory periods are counted). The school has not accounted for break times observed by CSD staff, but has added “passing periods” in the middle of each project. These passing periods are not counted as instructional time. The instructional time, counting advisory totals approximately 1047 hours, 33 hours short of the required instructional time.
- Provided Assets Developmental Framework, Information on Assets, PYD Article for Advisory, Schedule, and TLHS 360 Model of Support to support the use of the Advisory time as instructional time. These materials do not align to CSD’s observations of the use of advisory time during the site visit.

The school has not yet addressed the following concerns, which remain outstanding:

- Special Education services
- Implementation of the required mentorship plan
- Implementation of RtI/SAT processes
- ELL services

- Instructional calendar that does not comply with calendar submitted to finance and budget, with fewer non-instructional days than indicated and fewer instructional hours than indicated
- Instructional calendar that does not meet instructional hour requirements

The documents that follow include CSD's correspondence with the school and the school's responses.

Proposed Motion Language

- Take no action.
- Move to require the school to continue to work with and report to CSD to ensure it addresses the outstanding concerns identified in CSD's site visit report and on the record today.
- Move to require the school to work with CSD to create a corrective action plan, to be presented to the PEC at the April meeting, to address the outstanding concerns identified in CSD's site visit report and on the record today.

1. **STUDENT COUNT:** The STARS 40 day attendance rate reported by the schools shows an approximate absence rate of 63%. In a sample of 8 school days, there were 167 reported absences, 120 of which were unexcused.

TLHS is making significant progress with our students and families in the area of attendance. As of our 40th day report, TLHS had 42.20% attendance rate. CSD pulled data the beginning of November at 63%. As of our 80th day report, TLHS had 77.74% attendance rate.

CSD required the school to submit, on or before December 9, 2015, a specific plan with detailed action steps to ensure daily class attendance is taken, reduce the number of unexcused absences and increase the attendance rate. The detailed action plan was to comply with the requirements of NMSA § 22-12-7, 8, & 9. Additionally, the school is required to report on the implementation of this plan to CSD no later than January 29, 2016.

The school did not fulfill the requirements established in the November 16 letter. The school submitted a compulsory school attendance policy that cites attendance statute and defines what constitutes excused absences. The school's attendance policy specifies a need for early identifications and interventions. The school provided CSD with a letter template stating parents "may" schedule a meeting with the school administration if they "would like," rather than mandating a meeting as called for in statute. There were no examples provided of letters for three, five, seven, or ten days of unexcused absence as specified in their attendance policy. There were no provisions in the submitted policy for mandating meetings or notifying outside agencies as required in NMSA 22-12-7. The school did not submit action steps to ensure teachers take attendance in the afternoon sessions.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall provide CSD with a specific, detailed plan to reduce absenteeism to include:

1. Samples of letters sent home to parents for 3, 5, 7, and 10 days of unexcused absence as specified in the school's policy; **Attached as: Attendance Letters**
2. Notification forms sent to parents outlining their obligations and potential penalties for non-compliance under 22-12-7, C, D, & E; **Imbedded in the Letters**
3. Provisions for notifications to outside agencies as required in NMSA 22-12-7; **Imbedded in the RTI, Letters, and attached as: Outside Agencies**
4. Specific action steps to ensure teachers take attendance in the afternoon classes. **Attached as: RTI Attendance**

2. **PROGRAM OF INSTRUCTION: CSD** required the school to submit, on or before December 1, 2015, documentation of expected students outcomes, project objectives, assessment rubrics, and evidence of alignment with Common Core State Standards. Additionally, the school was required to send CSD unit and daily lesson plans and documentation of the processes the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.

The school did not fulfill the requirements established in the November 16 letter. The school provided a curriculum map of two thematic project plans that include expected student outcomes and project objectives. The curriculum maps demonstrated alignment with CCSS by identifying strands and benchmarks for physical science, algebra, and English/Language Arts. The school did not include evidence of daily lesson plans or documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation as required in the CSD follow-up letter. One assessment rubrics was provided which does not appear to be aligned with CCSS.

REQUIRED FOLLOW-UP: No later than February 1, 2016, provide to CSD:

1. One month of daily lesson plans (though February 1) for both groups of students. Based on our school mission, model of instruction, performance assessments, and Project Based Learning (PBL), as articulated in our Charter, TLHS does not utilize traditional daily lesson plans. One of the assets and innovations of PBL is the planning process. In PBL, you plan upfront using a backwards design process. Through this process you can effectively map out a project that is aligned to CCSS. Once you plan it, you're free to differentiate daily instruction and meet the immediate needs of your students rather than being bound by traditional daily lesson plans that focus on mere coverage of content instead of in-depth inquiry based learning experiences. The school provided curriculum maps of two thematic project plans that include expected student outcomes and project objectives. The curriculum maps demonstrate alignment with CCSS by identifying strands and benchmarks for physical science, algebra, and English/Language Arts. The curriculum maps, rubrics and the process for fidelity of curriculum are evidence of implementation of our program of instruction consistent with our charter. Therefore TLHS does not utilize traditional lesson plans.
2. Assessment rubrics - attached as: TLHS Project Assessment Rubrics – Digital Citizenship and TLHS Project Assessment Rubrics – Power to Survive
3. Documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation - attached as Curriculum Director Fidelity Process 2015-2016. TLHS has attached: Curriculum Map Template and TLHS Project Overview Templates for your reference.

3. **STAFF FILES:** CSD required the school to submit, on or before December 9, 2015, evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

The school did not fulfill the requirements established in the November 16 letter. The school submitted a New Teacher Mentorship process identical to the one given to CSD staff during the November 3, monitoring visit. The school did not provide evidence of the **implementation** of this process or professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship as required in the CSD follow-up letter.

REQUIRED FOLLOW-UP: No later than February 1, 2016, submit evidence of:

1. Implementation of professional development plans – attached as: PDP's
2. Formal mentorship plans – attached as: TLHS Mentorship Plan for New Teachers
3. Specific improvement plans – currently TLHS does not have a teacher on an improvement plan.
4. Instructional guidance for all teachers requiring mentorship – The forms that TLHS uses are attached as: TLHS Mentor Contact Log, TLHS Mentor Observation Form, and TLHS Teacher Needs Assessment Form

4. **GOVERNING BOARD:** CSD required, the school make the agendas available on the webpage for the governing council (<http://leadershiphsn.org/tech/about/governing-council/>). CSD also required that the school either post governing body minutes on that webpage, or submit the Governing Board minutes to CSD on a monthly basis.

The school's website contains governing board agendas and governing Board minutes through October.

REQUIRED FOLLOW-UP: No later than February 1, 2016, submit:

1. November and December Governing Board minutes to CSD. November and December Governing Board was cancelled and has been posted on our website since November and December.

5. **ELL IMPLEMENTATION:** CSD required the school to submit, no later than November 19, 2015, documentation that demonstrates it has administered the W-APT to all 34 students whose Home Language Surveys indicated the influence of a language other than English, and evidence that students who qualify for services have been placed in a specialized English language program. CSD required the school to report all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division on or before November 19, 2015 so materials for the ACCESS test may be ordered.

The school did not fulfill all the requirements established in the November 16, letter. The school provided documentation that it had administered the W-APT to all students whose Home Language Surveys indicated the influence of a language other than English and reported all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division. The school did not provide any evidence that students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services that are educationally sound in theory and effective in practice.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit:

1. Evidence to demonstrate that all students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services. **Attached as: ELL Plan and ELL Instructional Strategies**

6. **RESPONSE TO INTERVENTION AND STUDENT ASSISTANCE TEAM:** CSD required the school to submit, on or before December 1, 2015, documentation of the implementation of the RtI and SAT processes to include school policies and processes, identification of the persons responsible for implementation, completed forms and supporting documents, and relevant meeting notes.

The school did not fulfill the requirements established in the November 16 letter. The school provided a process, identical to the one given to CSD staff during the November 3, monitoring visit, which indicates the school will abide by statute and regulations regarding Child Find, 3-Tiered Intervention, and the IEP process. No documentation was provided identifying the persons responsible for implementation, completed forms and supporting documents, or relevant meeting notes.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit:

1. Documentation identifying the persons responsible for implementation of the RTI/SAT process – attached as: SAT Team
2. Completed forms – TLHS has not had students referred to SAT at this time, therefore I have attached the documents that TLHS will be using as needed: Attached as: Consent for SAT Assessments, Initial SAT Meeting, SAT Action Intervention Plan, SAT Follow up, and SAT Form
3. Supporting documents - TLHS has not had students referred to SAT at this time, therefore I have attached the documents that TLHS will be using as needed: Attached as: Consent for SAT Assessments, Initial SAT Meeting, SAT Action Intervention Plan, SAT Follow up, and SAT Form
4. Relevant meeting notes - TLHS has not had students referred to SAT at this time.

7. **SPECIAL EDUCATION PROCESS:** CSD required the school to submit, no later than December 1, 2015, documentation of a detailed plan to come into compliance with IDEA requirements, including providing services as required in student IEPs. Additionally, the school was to provide a specific plan to ensure sufficient special education staffing.

The school did not fulfill the requirements established in the November 16 letter. In response to CSD follow-up, the school stated the PED Special Education Bureau granted them a waiver regarding hiring of additional staff. The school provided no information to demonstrate services are being provided in compliance with IEPs or to demonstrate IEP meetings have been held to adjust IEP requirements as required in the CSD follow-up letter. The school stated the PED Special Education Bureau said the school is in compliance. CSD contacted the Special Education Bureau and they indicated they had not corresponded directly with the school, but that the school has accurately reported special education students in the STARS 40th day report. CSD staff has requested the Special Education Bureau visit the school to assist them with coming into compliance regarding services required in student IEPs and the IDEA.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school will submit:

1. Documentation of the scheduled date of an on-site Special Education Bureau visit to help the school come into compliance. Special Education Bureau support visit has been scheduled for February 10th at 9:00 am.

The screenshot shows the Outlook interface with the following details:

- Search results:** In folders, All folders, Inbox, Archive, Options, With attachments, Date, Older than a week, Older than a month, Older than a year.
- Email Title:** RE: Support
- From:** RC Romero, Corrine, PED <Corrine.Romero3@state.nm.us>
- To:** Kara Cortazzo; Cc: Mutz, Mark, PED <Mark.Mutz@state.nm.us>
- Subject:** Re: Support
- Body:** Yes, I will be there on the 10th at 9:00am Corrine
- Footer:** Can we do February 10th at 9:00?

8.

CURRICULUM DEVELOPMENT PLAN: CSD required the school to submit, no later than December 15, 2015, documentation of continued implementation of the curriculum development plan submitted as part of the planning year checklist to include: project alignment with CCSS, expected student outcomes, assessment rubrics, mastery criteria, and detailed project plans.

The school did not fulfill the requirements established in the November 16, letter. The school submitted a detailed curriculum map for a project titled "The Power to Survive." It is aligned with algebra and physical science CCSS and includes assignments and expected student outcomes. The school has also submitted a project plan for the second trimester titled "Digital Citizenship." It is aligned with CCSS ELA standards and includes expected student outcomes. One assessment rubric was included with this project as required in the CSD follow-up letter but the rubric was not aligned with content standards.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit:

1. Documentation of assessment rubrics for the projects provided as well as student mastery criteria. Attached as: attached as: TLHS Project Assessment Rubrics – Digital Citizenship and TLHS Project Assessment Rubrics – Power to Survive which include mastery criteria.

9. **DAILY INSTRUCTION SCHEDULE:** CSD required the school to submit, no later than December 1, 2015, a revised daily instructional schedule and calendar demonstrating at least 1,080 hours of instructional time. Breaks must be included and cannot be counted as instructional time. If the school wishes to count the 10 minute breakfast period as social/emotional instruction, a specific curriculum must be provided to CSD.

The school did not fulfill the requirements established in the November 16, letter. The school submitted a revised school calendar and daily schedule and a check in sheet to be used during the 10 minute morning check in/breakfast session. The school calendar that TLHS submitted was not revised. It is the same calendar that was approved by the PED, PEC and TLHS Governing Board (attached as 2015 calendar and 2016 calendar). The check in only requires the student to state a number from 1 to 10 indicating how they are feeling that day. No curriculum was submitted for the check in time as required in the CSD follow-up letter and, therefore, the 10 minute breakfast cannot be counted as instructional time. After reflection from our visit with CSD TLHS realized the terminology of our schedule did not reflect the practice that is consistent with our Charter. As a result we have changed from Check-ins to Advisory AM to reflect our practice. TLHS is a "Breakfast after the Bell" High School therefore TLHS provides breakfast after the instructional day has begun. The previous language of the schedule failed to convey how we utilize that instructional time. Attached as: Assets Developmental Framework, Information on Assets, PYD Article for Advisory, Schedule, and TLHS 360 Model of Support

Without the morning check in session, the revised daily schedule submitted by the school has 10 fewer minutes of daily instructional time than the schedule given to CSD staff during the November 3, monitoring visit. The instructional minutes on the Thursday schedule submitted are identical to the daily schedule submitted during the November 3, monitoring visit.

After a careful CSD count of instructional hours on the revised school schedule submitted December 9, the school has scheduled 1,018.3 instructional hours which is 61.7 hours short of the required 1,080 instructional hours.

TLHS has 1091 hours of instruction time. The school calendar is attached.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit a revised school calendar and daily schedule that provides AT LEAST the minimum 1,080 instructional hours exclusive of breakfast and breaks. Please see attached our school calendar and daily schedule, which reflects 1091 hours of instructional time, exclusive of lunch. Per NM state statute 22-2-8.1

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22-2-8.1. School year; length of school day; minimum.

A. Except as otherwise provided in this section, regular students shall be in school-directed programs, exclusive of lunch, for a minimum of the following:

(1) kindergarten, for half-day programs, two and one-half **hours** per day or four hundred fifty **hours** per year or, for full-day programs, five and one-half **hours** per day or nine hundred ninety **hours** per year;

(2) grades one through six, five and one-half **hours** per day or nine hundred ninety **hours** per year; and

(3) grades seven through twelve, six **hours** per day or one thousand eighty **hours** per year.

B. Up to thirty-three **hours** of the full-day kindergarten program may be used for home visits by the teacher or for parent-teacher conferences. Up to twenty-two **hours** of grades one through six programs may be used for home visits by the teacher or for parent-teacher conferences. Up to twelve **hours** of grades seven through twelve programs may be used to consult with parents to develop next step plans for students and for parent-teacher conferences.

C. Nothing in this section precludes a local school board from setting a school year or the length of school days in excess of the minimum requirements established by Subsection A of this section.

D. The secretary may waive the minimum length of school days in those school districts where such **minimums** would create undue hardships as defined by the department as long as the school year is adjusted to ensure that students in those school districts receive the same total **instructional** time as other students in the state.

History: 1978 Comp., § 22-2-8.1, enacted by Laws 1986, ch. 33, § 2; 1993, ch. 226, § 4; 2000, ch. 107, § 1; 2003, ch. 72, § 1; 2009, ch. 276, § 1; 2011, ch. 35, § 1; 2011, ch. 154, § 1.

A request to revise the instructional calendar must be submitted to the Secretary of Education and School Budget and Finance Analysis Bureau for approval.

Please see above. This is not applicable because TLHS has not made request to change the school calendar.

On or Before February 1, 2016	The school shall provide CSD with a specific, detailed plan to reduce absenteeism to include: samples of letters sent home to parents for 3, 5, 7, and 10 days of unexcused absence as specified in the school's policy; notification forms sent to parents outlining their obligations and potential penalties for non-compliance under 22-12-7, C, D, & E; provisions for notifications to outside agencies as required in NMSA 22-12-7; specific action steps to ensure teachers take attendance in the afternoon classes.	<input type="checkbox"/>
	The school shall provide to CSD one month of daily lesson plans (though February 1) for both groups of students, plus assessment rubrics and documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.	<input type="checkbox"/>
	The school shall submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.	<input type="checkbox"/>
	The school shall submit November and December Governing Board minutes to CSD.	<input type="checkbox"/>
	The school shall submit evidence to demonstrate that all students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services that are educationally sound in theory and effective in practice.	<input type="checkbox"/>
	The school shall submit documentation identifying the persons responsible for implementation of the RtI/SAT	<input type="checkbox"/>

	process, completed forms, supporting documents, and relevant meeting notes.	
	The school will submit documentation of the scheduled date of an on-site Special Education Bureau visit to help the school come into compliance with IDEA and IEP requirements.	<input type="checkbox"/>
	The school shall submit documentation of assessment rubrics for the projects provided as well as student mastery criteria.	<input type="checkbox"/>
	The school shall submit a revised school calendar and daily schedule that provides AT LEAST the minimum 1,080 instructional hours exclusive of breakfast and breaks. A request to revise the instructional calendar must be submitted to the Secretary and School Budget and Finance Analysis Bureau for approval.	<input type="checkbox"/>

If you have any questions or concerns about the information above, please contact Ed Woodd at 505-827-6576, edward.woodd@state.nm.us



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HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
GOVERNOR

January 12, 2016

Technology Leadership High School
Kara Cortazzo
10500 Research Road
Albuquerque, NM 87123

Dear Ms. Cortazzo:

On November 3, 2015, CSD staff conducted a first year site visit to Technology Leadership High School. On November 16, 2015, CSD provided the school with a summary of the items reviewed, observations and findings, and specific follow-up required of the school with due dates. CSD has reviewed the school's responses and is providing further observations, findings, and specific follow-up **required** of the school with due dates. CSD will be reporting to the Public Education Commission on the school's response and ability to demonstrate compliance at the commission's February meeting.

1. **STUDENT COUNT:** The STARS 40 day attendance rate reported by the schools shows an approximate absence rate of 63%. In a sample of 8 school days, there were 167 reported absences, 120 of which were unexcused.

CSD required the school to submit, on or before December 9, 2015, a specific plan with detailed action steps to ensure daily class attendance is taken, reduce the number of unexcused absences and increase the attendance rate. The detailed action plan was to comply with the requirements of NMSA § 22-12-7, 8, & 9. Additionally, the school is required to report on the implementation of this plan to CSD no later than January 29, 2016.

The school did not fulfill the requirements established in the November 16 letter. The school submitted a compulsory school attendance policy which cites attendance statute and defines what constitutes excused absences. The school's attendance policy specifies a need for early identifications and interventions. The school provided CSD with a letter template stating parents "may" schedule a meeting with the school administration if they "would like," rather than mandating a meeting as called for in statute. There were no examples provided of letters for three, five, seven, or ten days of unexcused absence as specified in their attendance policy. There were no provisions in the submitted policy for mandating meetings or notifying outside agencies as required in NMSA 22-12-7. The school did not submit action steps to ensure teachers take attendance in the afternoon sessions.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall provide CSD with a specific, detailed plan to reduce absenteeism to include: samples of letters sent home to parents for 3, 5, 7, and 10 days of unexcused absence as specified in the school's policy; notification forms sent to parents outlining their obligations and potential penalties for non-compliance under 22-12-7, C, D, & E; provisions for notifications to outside agencies as required in NMSA 22-12-7; specific action steps to ensure teachers take attendance in the afternoon classes.

2. **PROGRAM OF INSTRUCTION:** CSD required the school to submit, on or before December 1, 2015, documentation of expected students outcomes, project objectives, assessment rubrics, and evidence of alignment with Common Core State Standards. Additionally, the school was required to send CSD unit and daily lesson plans and documentation of the processes the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.

The school did not fulfill the requirements established in the November 16 letter. The school provided a curriculum map of two thematic project plans which include expected student outcomes and project objectives. The curriculum maps demonstrated alignment with CCSS by identifying strands and benchmarks for physical science, algebra, and English/Language Arts. The school did not include evidence of daily lesson plans or documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation as required in the CSD follow-up letter. One assessment rubrics was provided which does not appear to be aligned with CCSS.

REQUIRED FOLLOW-UP: No later than February 1, 2016, provide to CSD one month of daily lesson plans (though February 1) for both groups of students, plus assessment rubrics, and documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.

3. **STAFF FILES:** CSD required the school to submit, on or before December 9, 2015, evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

The school did not fulfill the requirements established in the November 16 letter. The school submitted a New Teacher Mentorship process identical to the one given to CSD staff during the November 3, monitoring visit. The school did not provide evidence of the implementation of this process or professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship as required in the CSD follow-up letter.

REQUIRED FOLLOW-UP: No later than February 1, 2016, submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

4. **GOVERNING BOARD:** CSD required, the school make the agendas available on the webpage for the governing council (<http://leadershiphsn.org/tech/about/governing-council/>). CSD also required that the school either post governing body minutes on that webpage, or submit the Governing Board minutes to CSD on a monthly basis.

The school's website contains governing board agendas and governing Board minutes through October.

REQUIRED FOLLOW-UP: No later than February 1, 2016, submit November and December Governing Board minutes to CSD.

5. **ELL IMPLEMENTATION:** CSD required the school to submit, no later than November 19, 2015, documentation that demonstrates it has administered the W-APT to all 34 students whose Home Language Surveys indicated the influence of a language other than English, and evidence that students who qualify for services have been placed in a specialized English language program. CSD required the school to report all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division on or before November 19, 2015 so materials for the ACCESS test may be ordered.

The school did not fulfill all the requirements established in the November 16, letter. The school provided documentation that it had administered the W-APT to all students whose Home Language Surveys indicated the influence of a language other than English and reported all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division. The school did not provide any evidence that students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services that are educationally sound in theory and effective in practice.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit evidence to demonstrate that all students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services.

6. **RESPONSE TO INTERVENTION AND STUDENT ASSISTANCE TEAM:** CSD required the school to submit, on or before December 1, 2015, documentation of the implementation of the RtI and SAT processes to include school policies and processes, identification of the persons responsible for implementation, completed forms and supporting documents, and relevant meeting notes.

The school did not fulfill the requirements established in the November 16 letter. The school provided a process, identical to the one given to CSD staff during the November 3, monitoring visit, which indicates the school will abide by statute and regulations regarding Child Find, 3-Tiered Intervention, and the IEP process. No documentation was provided identifying the persons responsible for implementation, completed forms and supporting documents, or relevant meeting notes.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit documentation identifying the persons responsible for implementation of the RtI/SAT process, completed forms, supporting documents, and relevant meeting notes.

7. **SPECIAL EDUCATION PROCESS:** CSD required the school to submit, no later than December 1, 2015, documentation of a detailed plan to come into compliance with IDEA requirements, including providing services as required in student IEPs. Additionally, the school was to provide a specific plan to ensure sufficient special education staffing.

The school did not fulfill the requirements established in the November 16 letter. In response to CSD follow-up, the school stated the PED Special Education Bureau granted them a waiver regarding hiring of additional staff. The school provided no information to demonstrate services are being provided in compliance with IEPs or to demonstrate IEP meetings have been held to

adjust IEP requirements as required in the CSD follow-up letter. The school stated the PED Special Education Bureau said the school is in compliance. CSD contacted the Special Education Bureau and they indicated they had not corresponded directly with the school, but that the school has accurately reported special education students in the STARS 40th day report. CSD staff has requested the Special Education Bureau visit the school to assist them with coming into compliance regarding services required in student IEPs and the IDEA.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school will submit documentation of the scheduled date of an on-site Special Education Bureau visit to help the school come into compliance.

8. **CURRICULUM DEVELOPMENT PLAN:** CSD required the school to submit, no later than December 15, 2015, documentation of continued implementation of the curriculum development plan submitted as part of the planning year checklist to include: project alignment with CCSS, expected student outcomes, assessment rubrics, mastery criteria, and detailed project plans.

The school did not fulfill the requirements established in the November 16, letter. The school submitted a detailed curriculum map for a project titled "The Power to Survive." It is aligned with algebra and physical science CCSS and includes assignments and expected student outcomes. The school has also submitted a project plan for the second trimester titled "Digital Citizenship." It is aligned with CCSS ELA standards and includes expected student outcomes. One assessment rubric was included with this project as required in the CSD follow-up letter but the rubric was not aligned with content standards.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit documentation of assessment rubrics for the projects provided as well as student mastery criteria.

9. **DAILY INSTRUCTION SCHEDULE:** CSD required the school to submit, no later than December 1, 2015, a revised daily instructional schedule and calendar demonstrating at least 1,080 hours of instructional time. Breaks must be included and cannot be counted as instructional time. If the school wishes to count the 10 minute breakfast period as social/emotional instruction, a specific curriculum must be provided to CSD.

The school did not fulfill the requirements established in the November 16, letter. The school submitted a revised school calendar and daily schedule and a check in sheet to be used during the 10 minute morning check in/breakfast session. The check in only requires the student to state a number from 1 to 10 indicating how they are feeling that day. No curriculum was submitted for the check in time as required in the CSD follow-up letter and, therefore, the 10 minute breakfast cannot be counted as instructional time. Without the morning check in session, the revised daily schedule submitted by the school has 10 fewer minutes of daily instructional time than the schedule given to CSD staff during the November 3, monitoring visit. The instructional minutes on the Thursday schedule submitted are identical to the daily schedule submitted during the November 3, monitoring visit. After a careful CSD count of instructional hours on the revised school schedule submitted December 9, the school has scheduled 1,018.3 instructional hours which is 61.7 hours short of the required 1,080 instructional hours.

REQUIRED FOLLOW-UP: No later than February 1, 2016, the school shall submit a revised school calendar and daily schedule that provides AT LEAST the minimum 1,080 instructional hours exclusive of breakfast and breaks. A request to revise the instructional calendar must be

submitted to the Secretary of Education and School Budget and Finance Analysis Bureau for approval.

On or Before February 1, 2016	The school shall provide CSD with a specific, detailed plan to reduce absenteeism to include: samples of letters sent home to parents for 3, 5, 7, and 10 days of unexcused absence as specified in the school's policy; notification forms sent to parents outlining their obligations and potential penalties for non-compliance under 22-12-7, C, D, & E; provisions for notifications to outside agencies as required in NMSA 22-12-7; specific action steps to ensure teachers take attendance in the afternoon classes.	<input type="checkbox"/>
	The school shall provide to CSD one month of daily lesson plans (though February 1) for both groups of students, plus assessment rubrics and documentation of the process the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.	<input type="checkbox"/>
	The school shall submit evidence of <u>implementation</u> of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.	<input type="checkbox"/>
	The school shall submit November and December Governing Board minutes to CSD.	<input type="checkbox"/>
	The school shall submit evidence to demonstrate that all students who qualify for services have been placed in a specialized English language program or are otherwise receiving appropriate language assistance services that are educationally sound in theory and effective in practice.	<input type="checkbox"/>
	The school shall submit documentation identifying the persons responsible for implementation of the RtI/SAT process, completed forms, supporting documents, and relevant meeting notes.	<input type="checkbox"/>
	The school will submit documentation of the scheduled date of an on-site Special Education Bureau visit to help the school come into compliance with IDEA and IEP requirements.	<input type="checkbox"/>
	The school shall submit documentation of assessment rubrics for the projects provided as well as student mastery criteria.	<input type="checkbox"/>
	The school shall submit a revised school calendar and daily schedule that provides AT LEAST the minimum 1,080 instructional hours exclusive of breakfast and breaks. A request to revise the instructional calendar must be submitted to the Secretary and School Budget and Finance Analysis Bureau for approval.	<input type="checkbox"/>

If you have any questions or concerns about the information above, please contact Ed Woodd at 505-827-6576, edward.woodd@state.nm.us

Sincerely,



Katie Poulos
Director, Options for Parents

cc: File

Poulos, Katie, PED

From: Kara Cortazzo <cortazzo@techabq.org>
Sent: Wednesday, December 09, 2015 9:19 AM
To: Poulos, Katie, PED; Woodd, Edward, PED
Cc: Cynthia Ramirez; Velina Chavez; Brett Lovette
Subject: TLHS Site Visit
Attachments: Schedule .docx; 2015 TLHS Calendar CSD.xlsx; 2016 TLHS Calendar CSD.xlsx; Attendance.docx; Attendance Letter.docx; Check in.docx; SAT-RTI.docx; Power to Survive.pdf; Mentorship Plan for New Teachers.docx; Digital Citizen.pdf

Hello Ed and Katie,

I attached the documents that you have requested from our site visit. The GC agendas and meeting have been added to our website and will be uploaded every month.

REQUIRED FOLLOW-UP: Prior to December 1, 2015, the school must provide documentation of a detailed plan to come into compliance with IDEA requirements, including providing services as required in the students' IEPs. Additionally, the school must provide a specific plan to ensure sufficient special education certified staffing.

TLHS has submitted a waiver for our need of another SPED teachers and it was accepted. TLHS will continue to advertise for another SPED teacher until one is obtained. I have spoke to the SPED Department at PED and TLHS is in compliance with IDEA requirements.

Kara Cortazzo
Executive Director of Technology Leadership High School
Cell (505) 554-9026
cortazzo@techabq.org

November 11, 2015

Technology Leadership High School
Kara Cortazzo
10500 Research Road
Albuquerque, NM 87123

Dear Kara,

On November 3, 2015, CSD staff conducted a first year site visit to Technology Leadership High School. We appreciated the opportunity to meet with you and Brett, tour the facility, and observe the school in action. Below is a summary of the items reviewed, our observations and findings, and any specific follow-up required of the school with due dates.

TOUR of FACILITIES: A tour of facilities was conducted.

REQUIRED FOLLOW-UP: None

1. **STUDENT COUNT*:** The school's current roster includes 74 students. The STARS 40th day count was 80, the school provided withdrawal for six students who had withdrawn since the 40th day.

Attendance is being kept daily in Power School but only checked by instructors during the morning block; attendance is not being regularly taken during the afternoon block. Based on this observation, the school is not complying with the requirement to take daily class attendance found in NM Statute 22-12-7 and 22-12-9 Compulsory Attendance Law.

24 of 74 students on the current roster were absent the day of the visit. CSD staff noted half of the absences (12 of 24) this day were unexcused. The administrator indicated this is a typical daily attendance rate. The protocol the school has established for follow-up on absences is:

- Call the home
- Text the parent
- Visit the home
- Contact the parole officer (if appropriate)
- Schedule a parent meeting

The administrator indicated their strategies are not working with many of the students, especially the ones who have dropped out of previous schools and/or whose parents are not supportive of school attendance policies.

GRADE	OBSERVED	STARS 40 DAY REPORT	REPORTED ABSENT	REPORTED PRESENT
9	52	80	24	51

*If the discrepancy between the students observed and students reported is more than 5%, additional information is required.

REQUIRED FOLLOW-UP: On or before December 9, 2015, CSD requires the school to submit a specific plan with detailed action steps to ensure daily class attendance is taken, reduce the number of unexcused absences and increase the attendance rate. The detailed action plan shall include specific provisions as detailed in NM Statute 22-12-7, 8, & 9 providing for identification of students in need of early intervention and students habitually truant; notification forms to be sent to the Charter School Division; documentation of parent notifications and meetings; probation department notifications; notification to parents of provisions 22-12-7, C, D, & E outlining

their obligations and potential penalties for non-compliance. Additionally, the school must provide a report on the implementation of this plan to CSD no later than January 29, 2016. For technical assistance in developing this plan school should contact Lisa Salazar at lisa.salazar@state.nm.us.

2. **PROGRAM OF INSTRUCTION:** Classroom visits of approximately 10 minutes were conducted by CSD staff. Students have been divided into two working groups of approximately 37 in a block schedule. There are two instructors assigned to each block working group.

In the first classroom visited, the instructor was at the white board talking to the students about algebra and its relationship to the Pythagorean Theorem in coding for their video games. Approximately $\frac{1}{2}$ of the students were not engaged and were not taking notes. The co-instructor in the room was not engaging with the students.

In the second classroom visited, the students were working independently on computers while the instructors circulated throughout giving students hints about the answers. The students were all actively engaged with the computer game. CSD staff noted that while the word games were intended to teach student vocabulary related to cyber security, the students did not appear to be engaged in learning the vocabulary. Rather students were observed to be guessing letters without making a connection to the lesson intended to be learned.

CSD staff noted an absence of unit plans, lesson objectives, curriculum guides and rubrics in both classrooms. The school has employed a full-time director of instruction to act as a mentor. He indicated he is in the classrooms daily to observe, evaluate, and guide instruction.

The school does not appear to be in compliance with the requirements to implement a curriculum aligned to the Common Core State Standards for Excellence as found in NMAC 6.29.1.11 and parts 13 & 14.

REQUIRED FOLLOW-UP: On or before December 9, 2015, the school will submit documentation of expected students outcomes, project objectives, assessment rubrics, and evidence of alignment with Common Core State Standards. Additionally, the school will send CSD unit and daily lesson plans and documentation of the processes the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation.

3. **STAFF FILES:** Staff files included background checks for all staff and licensure for instructional staff, leadership, and business staff. CSD staff noted all instructional faculty have entry level licenses. The school has submitted endorsement waiver requests for history and TESOL. There is no documentation of mentorship plans, specific improvement plans, or instructional guidance for the provisional Level 1 teachers: NMAC 6.60.6.7 "A level 1 teaching license" means a provisional teaching license issued for the first five years of teaching that gives a beginning teacher the opportunity, through a formal mentorship program, for additional preparation to be a quality teacher.

REQUIRED FOLLOW-UP: On or before December 9, 2015, the school shall submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship.

4. **STUDENT FILES:** Student files contained home language surveys for all students.

REQUIRED FOLLOW-UP: None

5. **GOVERNING BOARD:** The school provided a Board binder that contained agendas and minutes. The school's governing body has 5 identified members. The school's website contains a calendar on which notice is provided of governing body meetings. The website does not contain governing body agendas or minutes. The Open Meeting Act was revised in 2013 to require "the agenda shall be available to the public and posted on the public body's web site, if one is maintained."

In reviewing the governing body minutes, CSD staff observed some vote counts contained only 2 votes when 4 or 5 members were present. CSD staff also noted that the minutes do not clearly contain the "substance of the proposals considered", rather a general item description is provided without clarity on the substance of the proposed action.

REQUIRED FOLLOW-UP: Beginning with the next governing body meeting, the votes for all present members must be recorded in the minutes and the minutes must provide a clear description of the "substance of the proposals considered". The school must make the agendas available on the webpage for the governing council (<http://leadershiphsn.org/tech/about/governing-council/>). The school should also consider implementing the best practice of posting governing body minutes on that webpage. If the school does not post the Governing Board minutes, the school must submit the Governing Board minutes to CSD on a monthly basis.

6. **ELL IMPLEMENTATION:** The school has reported 7 ELL students in their 40th day STARS report. All student files contained Home Language Surveys. Student Home Language Surveys for 34 students indicated the influence of a language other than English. The school did not administer the W-APT to these 34 students within 20 days of enrollment.

While a home language survey administered at a prior school may be used by the current school, the W-APT must be administered by the current school within 20 days of a student's enrollment, if the student's home language survey indicates the influence of a language other than English. A student whose composite score on all four domains is less than 5.0, or who scores less than 5.0 on any one domain, on the W-APT is eligible for ELL services.

The ACCESS test must be administered annually for each student who qualifies for ELL services until proficiency is reached. Students attaining proficiency are exited from services and must be monitored for two years afterward. The ACCESS test administration date is January. Materials for the test must be ordered from PED Bilingual division by November 20.

The school did not provide evidence to demonstrate how students eligible for ELL services are receiving those services. All students who qualify for ELL services must be placed or served in a specialized English language program.

REQUIRED FOLLOW-UP: No later than November 19, 2015, the school must provide CSD documentation that demonstrates it has administered the W-APT to all 34 students whose Home Language Surveys indicated the influence of a language other than English, and the school must provide evidence that students who qualify for services have been placed in a specialized English language program. The school must report all students qualifying for ELL Services to the PED Bilingual-Multi-Cultural Division on or before November 19, 2015 so materials for the ACCESS test may be ordered; CSD must be copied on the communication. The school must administer the ACCESS test to all eligible students during the month of January.

- 7. RESPONSE TO INTERVENTION AND STUDENT ASSISTANCE TEAM:** The school provided a boilerplate policy that restates RTI and SAT regulations. The school indicated Response to Intervention (RtI) and Student Assistance Team (SAT) processes are not currently being implemented. CSD provided the school with the New Mexico Response To Intervention Framework Manual.

REQUIRED FOLLOW-UP: Prior to December 1, 2015, the school shall provide CSD documentation of the implementation of the RtI and SAT processes to include school policies and processes, identification of the persons responsible for implementation, completed forms and supporting documents, and relevant meeting notes.

- 8. SPECIAL EDUCATION PROCESS:** Student records indicate 30 students are eligible to receive Special Education services and have IEPs. Of those 30, 16 are designated level 3 or 4 and 2 are gifted. Based on the current IEPs, the total number of minutes of required services per week is 21,365. Several of the level 4 students' IEPs require the students to receive 80% or more of their instruction in a special education classroom rather than in the general education classroom. The school currently employs 1 special education certified FTE.

CSD staff saw no evidence that services required in the IEPs were being provided. There are no available service logs for any Special education students in the files.

The IEP folders show no indication of IEP meetings having been conducted this year except to recommend social work services. There were many student files indicating IEPs that are not in the 40th day STARS report. CSD has asked the Special Education Bureau to provide the school technical assistance. The school should work with Corrine Romero, Corrine.Romero3@state.nm.us.

REQUIRED FOLLOW-UP: Prior to December 1, 2015, the school must provide documentation of a detailed plan to come into compliance with IDEA requirements, including providing services as required in the students' IEPs. Additionally, the school must provide a specific plan to ensure sufficient special education certified staffing.

- 9. CURRICULUM DEVELOPMENT PLAN:** During interviews, the administrator indicated she wrote the initial 90 day curriculum plan which connects to the Common Core Standards and requires a high level of cognitive processing from students. The Curriculum Director is charged with facilitating curriculum development for the remainder of the year by guiding the teachers through the process. CSD staff found no evidence of an established process, or development of rigorous performance based assessments as stated in the Schools Charter. The Curriculum Director indicated he will be engaging the staff in the process soon.

REQUIRED FOLLOW-UP: Prior to December 1, 2015, CSD requires documentation of continued implementation of the curriculum development plan submitted as part of the planning year checklist to include: project alignment to the Common Core State Standards, expected student outcomes, assessment rubrics, mastery criteria, and detailed project plans.

- 10. DAILY INSTRUCTION SCHEDULE:** The instructional calendar and daily schedule the school submitted to the Office of Budget and Management Services (OBMS) differs from the calendar and schedule CSD was given during the visit. The original submission to OBMS indicates 168 full instructional days of 6.5 hours each for a total of 32.5 hours weekly. The daily schedule and calendar provided to CSD by the school indicates 4 instructional days of 6 hours 40 minutes and one instructional day of 4 hours 20 minutes weekly for a total of 30.97 hours weekly. The school indicates the breakfast/check in should be counted as instructional time, no evidence was provided

to demonstrate this is instructional time. If the breakfast/check in time is counted as instructional time, the daily schedule indicates 4 full instructional days of 6 hours, 50 minutes and one instructional day of 4 hours, 30 minutes weekly for a total of 31.82 hours weekly.

A count of instructional minutes from the current calendar indicated 1,047 instructional hours without breakfast time and 1075 hours with breakfast time, both of which are short of the required 1,080.

Additionally, during the visit CSD staff observed that students are given a 10-15 minute break during the instructional blocks. The administrator indicated these are given on an "as needed" basis. These breaks should be accounted for in the schedule and cannot count as instructional time.

REQUIRED FOLLOW-UP: On or before December 1, the school must provide a revised daily instructional schedule and calendar demonstrating at least 1,080 hours of instructional time. Breaks must be included and cannot be counted as instructional time. If the school wishes to count the 10 minute breakfast period as social/emotional instruction, a specific curriculum must be provided to CSD.

- 11. ACADEMIC DISCUSSION:** The administrator indicated collection of data to address progress toward the school's goals in on track.

REQUIRED FOLLOW-UP: None

November 19	Deadline to Administer W-APT (Item 6)	<input type="checkbox"/>
	Order ACCESS Materials from PED Bilingual Division (Item 6)	<input type="checkbox"/>
December 1	Document RtI and SAT Process to include forms, persons responsible and meeting notes (Item 7)	<input type="checkbox"/>
	Document IDEA Compliance including detailed plans to assure service provision and hiring sufficient licensed staff. (Item 8)	<input type="checkbox"/>
	Submit Curriculum Plan to include: project alignment to the Common Core State Standards, expected student outcomes, assessment rubrics, mastery criteria, and detailed project plans. (Item 9)	<input type="checkbox"/>
	Revised Daily Schedule to meet the minimum 1,080 hours of instruction exclusive of breaks. If the breakfast period is to be used as instructional time, curriculum must be submitted. (Item 10)	<input type="checkbox"/>
December 9	Submit Plan to Reduce Absences to include a specific plan with detailed action steps to reduce the number of unexcused absences and increase the attendance rate. The detailed action plan shall include specific provisions as detailed in NM Statute 22-12-7, 8, & 9 providing for identification of students in need of early intervention and students habitually truant; and meetings; notification forms to be sent to the Charter School Division; documentation of parent notifications; probation department notifications; notification to parents of provisions 22-12-7, C, D, & E outlining their obligations and potential penalties for non-compliance. (Item 1)	<input type="checkbox"/>
	Submit Teacher Mentorship Plan: submit evidence of implementation of professional development plans, formal mentorship plans, specific improvement plans, and instructional guidance for all teachers requiring mentorship. (Item 3)	<input type="checkbox"/>

	<p>Program of instruction submission to include documentation of expected students outcomes, project objectives, assessment rubrics, and evidence of alignment with Common Core State Standards. Additionally, the school will send CSD unit and daily lesson plans and documentation of the processes the Curriculum Director will utilize to evaluate the fidelity of curriculum implementation. (Item 2)</p>	
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If you have any questions or concerns about the information above, please contact Ed Wood at 505-827-6576, or edward.woodd@state.nm.us

Sincerely,



Katie Poulos

Director, Options for Parents