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PUBLIC EDUCATION DEPARTMENT  
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CHRISTOPHER N. RUSZKOWSKI  
SECRETARY OF EDUCATION

SUSANA MARTINEZ  
GOVERNOR

October 17, 2018

Superintendent Pamela Montoya  
P.O. Box 547  
Dulce, NM 87528

Dear Superintendent Montoya,

As you know, Dulce Elementary School in the Dulce Independent School District (DISD) was identified in 2017 for More Rigorous Intervention (MRI) under New Mexico's federally-approved Every Student Succeeds Act (ESSA) State Plan. The State of New Mexico identified only four MRI schools statewide. As of today, Dulce Elementary School has now earned a school grade of "F" every year for the past six academic years, including the most recent school grade earned for the 2017-18 academic year.

Only one other school in the entire State of New Mexico has earned this many failing consecutive grades—an entire generation of students has been underserved by the district.

The MRI designation provided an unprecedented opportunity for reform—allowing for your district to think and act differently than ever before. The designation also provided Dulce Elementary School with the possibility of \$2 million in *additional* resources. Further, the New Mexico Public Education Department (NMPED) has a duty to provide greater oversight, monitoring, and accountability to ensure that our students are provided with new opportunities and that your school does not perpetuate a culture and track record of low expectations and underperformance.

On June 11, 2018, you signed and returned a letter to NMPED acknowledging that the district agreed to all terms of the conditional approval letter provided on May 23, 2018. Under this signed agreement, your district fully committed to implementing the *Significantly Restructure & Redesign* option, with fidelity, as defined by meeting the terms and conditions outlined by NMPED. DISD specifically acknowledged and agreed to school performance criteria that will lead either to the successful exit of MRI status via dramatic improvements in students outcomes, or school closure. It states:

If Dulce earns two more consecutive "F" grades in the 2017-18 and 2018-19 school years then the federal grant allocation for 2019-20 and 2020-21 will be withheld and repurposed to implement School Closure during the 2019-20 school year. If the school earns a combination of "D" and "F" ratings over the next three academic years, the school shall close at the end of the 2021-22 school year. Dulce must earn at least three "C" grades or better during the next four school grading periods, which may include 2017-2018 in order to successfully exit MRI status.

The signed agreement also outlined NMPED's responsibility to monitoring implementation of all elements of your state-approved plan, and the state's options for further intervention and action if the district's plan is not being fully implemented. Already in the first quarter of the 2018-19 school year, NMPED has identified the district as significantly out of compliance with your locally-developed, state-approved plan.

The fact that NMPED monitoring has already identified continued chronic underperformance and failure to deliver on the basic components of your plan is alarming. Your parents, families, students, and community deserve better, and your inability to execute at this stage is unacceptable. The *Significantly Restructure & Redesign* plan authored by the district outlined evidence-based practices to improve instruction and student learning. Unfortunately, failure to implement the basic functions of a school, let alone the ambitious plan needed to dramatically improve student outcomes, indicates that the school is not on track at this juncture to improve student outcomes.

Please see the attached appendix for a description about what conditions and deliverables were agreed upon, and what we have identified in terms of evidence, or lack thereof, in your plan's implementation. NMPED finds DISD to be significantly out of compliance with the MRI plan developed over a six month period and ultimately agreed upon on June 11, 2018. DISD has already failed to implement its MRI plan as agreed upon.

In addition to other deficiencies, DISD has failed to meet the requirements agreed to by the agreed upon deadlines, for example:

- DISD has failed to ensure that the students at Dulce Elementary School are being served by teachers who meet the qualifications of the plan
- DISD has failed to provide evidence that the principal meets qualifications agreed upon
- DISD has failed to meet the curricular requirements

**As a result, NMPED is suspending additional funding for years two and three of plan implementation pursuant to the terms of your MRI plan agreed upon in June 2017.**

Your signature, on June 11, 2018, indicated agreement and acknowledgment that if the plan was not accomplished, then NMPED reserved the right, as determined within its sole discretion, to suspend some or all of the allocated funding to Dulce Independent Schools. In accordance therewith, MRI funding for year two and year three is suspended as of the date of this letter. At present, DISD will continue to have access to year one funds as long as all requirements listed below including documentation on the principal, curriculum, and budget documents are submitted and approved by NMPED.

It has come to our attention that spending has occurred outside of the bounds of the originally approved budget. As a reminder, NMPED approval is required before you make any alternations to your plan or budget. In addition, there has been staff and leadership turnover at the school—as such please submit documentation that “...the principal of Dulce Elementary School has a multi-year track record of increasing student performance and is compensated at a higher salary than any other school principal in the district” per the original approved plan. Please submit an updated budget, and all other necessary documentation needed to demonstrate full compliance with year one implementation, to NMPED by October 31, 2018 to comply with the previously requested budget information.

As a reminder, Section 22-5-14 NMSA 1978 describes the powers and duties of the local superintendent. As Superintendent of the Dulce Independent School District, you are responsible for carrying out the educational policies and rules of the New Mexico Public Education Department and local school board policies and other duties as required by law, the department, or the local school board.

New Mexico’s State Plan under the Every Student Succeeds Act presented a unique opportunity to dramatically turn around our most struggling schools. The unprecedented opportunity, and the additional resources that came with it, are not without additional responsibility. It is our duty to ensure another generation of students is not underserved by DISD, and your responsibility to act with boldness and urgency on behalf of our students.

Respectfully,



Christopher N. Ruszkowski  
Cabinet Secretary, NM Public Education Department

- Cc: Dulce Board of Education  
Ashley Eden, Deputy Secretary, School Transformation, PED  
Icela Pelayo, Acting Deputy Secretary, Teaching & Learning, PED  
Marian Rael, Acting Deputy Secretary, Finance & Operations, PED  
Elisabeth Peterson, Director of Priority Schools Bureau, PED  
Denise Koscielniak, Director of Comprehensive School Supports Division, PED  
De Alva Calabaza, Interim Assistant Secretary for Indian Education, PED
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