

#1. Special Education Bureau

LEA: **Alma d'arte Charter**

Concerns with PEC CAP	
CAP Item	Concern/Recommendation
Item A., Action Step 1.	Remove "30" and include "all". This will ensure LEA monitors any incoming IEPs for students transferring into the LEA.
Item B., Action Step 1. and 2.	The model described here does not meet the need(s) of each individual student as indicated in each student's IEP. Special Education services are to be individualized based on the student's needs not a "one size fits all" program. For example, some IEPs call for individualized versus group instruction, while others indicate in a "self-contained" setting, others call for specialized instruction in specific content areas, etc. LEA must be required to provide services as indicated in each student's IEP.
Item B., Action Step 1. and 2.	LEA is required to track services provided and monitor progress. It is a concern the LEA will be unable to meet this requirement by having student's sign into the lab. For example, a student requires 900 minutes per week of special education services in 2 subject areas, an LEA must be able to demonstrate the service was provided and the progress the student is making.

Additional Concerns	
Concern	Explanation
No approved IDEA B application as of 12/16/18	The LEA presented the IDEA B application for discussion and possible action on 12/19/18. The minutes will not be available until 1/21/19 at which time the application can be final approved. The LEA is unable to utilize IDEA B funds until the application is approved.
2018-2019 40 day STARS Data not validated	LEA had numerous errors which did not allow for the LEAs data to be validated for 40 day. Caseloads were assigned to a staff member that was placed on leave in September and service providers were not available. Students are to be owed compensatory services.
State Complaint C1819-10	The LEA was cited for 3 violations as follows: <ul style="list-style-type: none"> - Failure to develop and implement an IEP that addressed student's needs. - Absence of a certified special education teacher. - Preventing student from making progress due to not holding an IEP meeting to determine student's needs and develop appropriate special education services.
Individual case management indicated as Special Education and Related Service	Special education and related services are based on the student's needs for special education. It is unclear how "Case Management" services support the needs of students with disabilities requiring specialized instruction.

Concern	Explanation
Transfer IEP requirements are not being met	Federal requirements for IEPs for children who transfer public agencies from in-state and out-of-state are not documented in IEPs. Transfer IEPs must be adopted and/or a new one must be developed, there is no documentation this requirement is being met.
Study skills course versus specialized instruction	The LEA has only provided a study skills class and now a lab which do not meet the needs of students as indicated in their IEPs. These students will be owed compensatory services.

#2. Language and Culture Bureau

Alma d'Arte Charter High School CAP Review

January 3, 2019

English Learner Identification Steps –

It is not evident in the CAP that the school is following state requirements as described below in A - C

A. Language Usage Survey (LUS)

The LUS is only given to students who are entering public education in New Mexico *for the first time*. Please ensure that the school uses the process as described on page 34 of the LUS Guidance Handbook, FAQ #21, in the link below for transfer students. Since the school is a high school many of the students have already attended a public school in New Mexico for elementary and middle school with records that can be reviewed in STARS. For the pathway in STARS, please go to the District and Location Reports -> General Reports -> Student Display (templates: Student and Assessment Fact).

https://webnew.ped.state.nm.us/wp-content/uploads/2018/04/ADA-NMLUS_Guidance_Handbook_Revised_4.10.2018.pdf

Timeline: Ongoing

B. English Language Proficiency Screening Assessment

If there are any 'yes' responses to questions #1-6 and/or a language other than English noted in question #7 of the LUS, the student is administered the department-approved English language proficiency assessment, which is the WIDA Screener Online. Based on the composite overall score of the WIDA Screener Online the student is either an English learner or an initially fluent English proficient student. With a composite overall score of 5.0 or higher the student is considered proficient in English. If the student scores at a composite overall score of 4.5 or lower the student is considered an English learner.

C. A parent notification letter must be sent to the parents of English learners upon initial identification (6.29.5.11 NMAC and Title I) and annually (Title I requirement).

The LUS, WIDA Screener Online results and parent notification are kept in the cumulative file.

Timeline: Ongoing

English Learner (EL) Programs

The federal requirement is that a school must offer an EL program and service until an EL student is proficient in English and can participate meaningfully in the standard instructional programs without EL supports within a reasonable amount of time.

The two goals of an EL program are

- Attaining English language proficiency
- Meaningful access to the standard instructional program within a reasonable period of time.

For English language proficiency a school has to offer an English language development (ELD) course depending on the English language proficiency (ELP) level of the student. An integrated ELD-ELA class can be offered to EL students who are nearing proficiency on the department-approved annual English language proficiency assessment, which is the ACCESS for ELLs assessment. It is not evident in the CAP that the school offers an ELD class/course for students who are not yet nearing proficiency in English.

In order for an EL student to learn grade-level content and thus have meaningful access to the standard instructional program all content area classes have to shelter instruction and offer language supports for the student.

Teachers need to be trained in the EL program and in how to support language in the content classes. It seems from the CAP that teachers are receiving training or have received it or hold a TESOL endorsement.

Exiting ELs

The ACCESS for ELLs must be administered annually to all EL students until the student reaches proficiency, which is an overall composite score of 5.0 or higher. Once a student is proficient in English the student no longer takes the ACCESS for ELLs assessment. The student is reclassified fluent English proficient, no longer participates in the EL program, and must be monitored for two years for academic progress.

Timeline: ACCESS for ELLs testing window opens on January 14, 2019 and closes on March 8, 2019. ACCESS for ELLs scores must be kept in the cumulative file of the student.

Monitoring timeline: Ongoing. Proof of monitoring for academic progress needs to be evident in the cumulative file.

The CAP mentioned the Seal of Biliteracy, however, Alma d'Arte Charter High School has not completed a request for the State Seal of Bilingualism and Biliteracy.

#3. CSD/PED Review of Financial CAP

Alma d'Arte Charter High School Financial CAP Review

January 3, 2019

The Financial Corrective Action Plan appears to be complete and reasonable. It would be helpful for the school to include the policies and procedures that are adopted by the board. For example, it states that the school has implemented segregation of duties but it does not document how (which has led them to the current predicament). Also, it would be helpful if the school produces copies of the board packets. School Budget and Finance have an example of good board packets on their website.

Getting a CPO established is great, but how and what will the CPO be doing? The State Auditor's Office issued a Risk Advisory to Chief Procurement Officers (attached separate document) regarding their responsibilities beyond getting a certificate.

The follow up and review by the Charter Schools Division as part of the school's annual monitoring report will require evidence of implementation of the plan, which should include some of the items mentioned above.