

The Special Education Liaison reviewed the responses to the CAP dated March 31, 2019. It appears the charter is making a good faith effort toward compliance. However, there are concerns about how services are provided. Special education and related services are supposed to be based on the needs of the student, **NOT** the model of services the LEA offers. It appears the charter is moving students around to meet whichever model the charter is now trying (Study Skills class, Learning Lab, now self-contained class). This should not be occurring as decisions to make those types of moves are an IEP team decision. The IEP team also decides what type of services the student requires **NOT** the administration. Self-contained classrooms are the most restrictive and the charter just decided to move all students into self-contained classrooms for math and English.

The other concern is transfer IEPs. From what has been indicated, it does not appear the charter has a systematic process for ensuring the below requirements are met for students with transfer IEPs:

34 CFR 300.323 (e) *IEPs for children who transfer public agencies in the same State.* If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency either -

- (1) Adopts the child's IEP from the previous public agency; or
- (2) Develops, adopts, and implements a new IEP that meets the applicable requirements in §§ 300.320 through 300.324.

(f) *IEPs for children who transfer from another State.* If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency -

- (1) Conducts an evaluation pursuant to §§ 300.304 through 300.306 (if determined to be necessary by the new public agency); and
- (2) Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in §§ 300.320 through 300.324.

(g) *Transmittal of records.* To facilitate the transition for a child described in paragraphs (e) and (f) of this section -

- (1) The new public agency in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2); and
- (2) The previous public agency in which the child was enrolled must take reasonable steps to promptly respond to the request from the new public agency.

The following are additional concerns:

CAP Item/Area of Concern	Concern
Item B., Action Step 2. And 3.	Services should be tracked via service logs or another method in which the charter chooses. Services received must equal services indicated in each student's IEP. The LEA must be able to demonstrate it is servicing students as indicated in their IEP.
Case Management indicated as Special Education and/or Related Service	Was this action completed through the IEP process or did the LEA administration make this systematic change on their own? This type of change should have occurred through the IEP process.
Compensatory Services	What is the LEAs' system for tracking compensatory services?



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March 31, 2019

Alma d' arte Charter High School

Response to March 21, 2019, Notice of Concern for Noncompliance from Patricia Gibson, Chair of Public Education Department

#2. Serving English Language Learners

LEA: Alma d'arte Charter

Alma is following State Requirements as Outlined Below

CAP Item	Action Taken
<p>A. Language Usage Survey: Identify English Language Learners</p>	<p>Per recommendation of the Language and Culture bureau, Alma removed the LUS from our Registration Packet.</p> <p>Although Alma conducted a thorough review of Registration/Cumulative Files, Special Education files/all IEPs, and STARS data and identified 14 potential ELL students. Of the 14, 2 had no LUS and no STARS data.</p> <p>Alma Audited Cumulative and Special Education files, STARS, and contacted previous schools/districts to identify ELs:</p> <ul style="list-style-type: none"> We Identified 14 potential ELs in the STARS Report and Identified students for ACCESS test

Commented [KL1]: How do we know the students are ELs if no LUS or STARS data available? Was the LUS given? If so, for potential ELs, was the WIDA Screener administered?

Commented [KL2]: Potential ELs are students whose LUS indicates in questions 1-7 a language other than English and who must be administered the WIDA Screener. Based on the WIDA Screener overall score the student is either initially fluent English proficient (IFEP) or an English learner (EL).

	<p>Alma contacts previous school/district for LUS once at registration. For students whose matriculating schools do not provide LUS, Alma reviews student in STARS for the document(s) needed (LUS, possible English proficiency screening assessment results, possible ACCESS for ELL results).</p> <p>We are up to date with all EL potential identifications.</p> <p>Personnel Responsible: Principal, Registrar, STARS Data Coordinator, TESOL and TESOL/SPED Endorsed Teachers</p> <p>Timeline: Ongoing</p>
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<p>B. English Language Proficiency Screening Assessment</p>	<ul style="list-style-type: none"> • Per responses to question 1-6 and/or a language other than English on the LUS, Alma students are given the ACCESS Test online. • The WIDA Screener will be given once, initially, to students whose LUS has one or more 'yes' responses to questions 1 to 6 and/or a language other than English noted in question 7 (potential ELs). • WIDA Access Test was administered March 5-8 to 14 EL potential learners.
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Commented [KL3]: WIDA Screener is the English language proficiency screening assessment.

Commented [KL4]: The ACCESS for ELLs is the annual assessment administered to all current ELs. (not sure why the word 'potential' is used in this context).

	<ul style="list-style-type: none"> • When Alma received scores from WIDA, we will compare to STARS report and make service adjustments as needed. • LEA will also annually administer WIDA Screener ACCESS for students who have not yet tested out of EL service (4.5 composite) until proficient (a score of 5 on all areas of instrument). • For students who are identified with severe cognitive disabilities the NMAPA or Alternate ACCESS Test for ELs will be administered annually until proficient. <p>Person Responsible: Principal, SPED Coordinator (TESOL Endorsed), DTC, Registrar</p> <p>Timeline: Annually and Ongoing Monitoring</p>
<p>C. Screening and Assessment: Parent Notification</p>	<ul style="list-style-type: none"> • Upon receiving results of the WIDA ACCESS administered March 5-8, 2019, parents will receive a notification letter of English learners upon initial identification (6.29.5.11 NMAC and Title I) and annually thereafter for continuation of service (Title I requirement). • Alma keeps the LUS, WIDA Screener Online results, and

Commented [KL5]: ACCESS for ELLs is the annual English language proficiency assessment. Students exit EL status when they reach an overall composite score of 5.0 on the ACCESS for ELLs assessment or an overall composite score of P1 on the Alternate ACCESS.

WIDA Screener is the English language proficiency screening assessment. Students only take this screening assessment once. If a student scores an overall composite score of 5.0 or higher the student is an IFEP. If the student scores an overall composite score of 4.5 or lower the student is identified as an EL.

Commented [KL6]: Incorrect, please see exit criteria in comment above for ACCESS for ELLs.

Commented [KL7]: and
Please note: The IEP of an EL with a significant cognitive disability has to state that the student takes also the Alternate ACCESS assessment.

Commented [KL8]: Initial notification letters must be sent home within the first 30 days of the beginning of the school year. If the student registered during the school year, the school has 14 days to screen the student and notify parents.

	<p>parent notification letter in the students' cumulative files.</p> <p>Person Responsible: Principal, SPED Coordinator (TESOL Endorsed), DTC, Registrar, TESOL Endorsed Educator Assists with Monitoring, Notifications, and Testing</p> <p>Timeline: Ongoing (Upon initial Identification AND Annually as Title I requires notification normally within 30 days of start of school year)</p>
<p>D. English Learner (EL) Programs; Linguistic and Cultural Support for EL Learners</p>	<p>Alma is supporting EL potential students until students are proficient and can participate meaningfully in the standard instructional program.</p> <p>Attaining Proficiency:</p> <ul style="list-style-type: none"> Alma is offering ELD self-contained courses for Math and ELA using SIOP and language supports for students not yet nearing proficient EL students will develop the English Language in integrated ELA-ELD classes that is co-taught by a TESOL/HQ-ELA endorsed and ELA/Spanish Bilingual/ESL tutor teacher. ELA teacher will push in to support other ELA teachers for ELD. EL students will also develop the English Language in integrated Math-ELD classes, co-taught by a Spanish bilingual TESOL/HQ-Math endorsed and Spanish bilingual Math teacher. Math teacher will push in to support other Math

Commented [KL9]: Does this also include the ACCESS for ELLs results?

Commented [KL10]: Not sure why the term 'potential' is used in this context?

Commented [KL11]: This is unclear. Is the school offering an English language development (ELD) class/course for ELs to attain English language proficiency? In such a class English language acquisition would be the main focus. Content classes such as Math and ELA would be with other students but the teacher would use language supports for ELs to ensure students learn the content while still learning English

teachers for ELD. Program will include Maintenance Bilingual Spanish (Edgenuity); and a focus on academic language development and writing skills (Step Up to Writing Program). LEA is also using Edulastic and previewing NWEA MAP testing for benchmarking language and academic skills development.

- Identified students are assigned to a bilingual (8 faculty) and/or TESOL/Bilingual endorsed (5 faculty) teacher. We have TESOL endorsed for ELA, History, Math, and SPED (Science teacher is bilingual but not TESOL endorsed) and offer monolingual support.

All Alma teachers were trained in SIOP (2017-2018) and updated EL Strategies Training with new and continuing Faculty.

- Strategies Shared to Support language acquisition in the content areas through academic vocabulary development (word walls), scaffolded instruction, building on prior knowledge, and using specific sensory and graphic supports (i.e. foldable, graphic organizers).
- Reading Strategies for PD: Teach Before Reading Strategies (previewing headings, captions, etc.; looking at pictures; making predictions), During Reading

	<p>Strategies (questioning, visualizing, paraphrasing, re-reading, complete outlines, etc.), and After Reading Strategies (summarize, answer questions, confirm predictions).</p> <p>Exiting ELs: ACCESS for ELLs is given annually to all EL students only until the student reaches proficiency (composite of 5 or higher):</p> <ul style="list-style-type: none"> • Student exits EL program • Alma continues to monitor and support most recent EL exits for two academic years <p>Identifying Staff: Teachers who are TESOL or Bilingual Endorsed and received SIOP training</p> <p>Personnel Responsible: Principal, STARS Coordinator, Special Education and TESOL Endorsed EL Coordinators</p> <p>Timeline: Ongoing Monitoring as Evidenced in CUM file progress notes</p>
E. Monitoring and Data Analysis	<p>Alma is committed to data-driven instruction and assessment and is previewing data-driven platforms, especially NWEA MAP (for Spanish speakers), Step Up to Writing, and other platforms for short cycle assessments. Currently, we are using Edulastic (PARCC aligned) until we understand the new NMSBA state summative assessment.</p>

Alma conducted a thorough review of all files (CUM, STARS, and Special Education) and identified 14 potential ELs and have created a list of those to monitor for domain specific growth and Exit.

- We checked EL's CUM Folders for language levels for services needed, and for no longer needs services results, to find English fluency scores.
- We Double-check STARS Data / IEP Data to ensure identification and services provided.
- We monitor grades of these students in PowerSchool and advisory.
- We are monitoring students for two (2) years after EXIT with score of 5 or higher, through ZAP, progress reports, and grades in PowerSchool.
- Domain Specific (reading, writing, listening, and speaking) ACCESS Test scores are shared with ELL's teachers yearly/ongoing with comparable prior years' scores to create goals and monitor growth.

Personnel Responsible: Principal, TESOL Endorsed ELL Coordinator, Special

Commented [KL12]: Not sure why this term 'potential' is used here

	<p>Education Coordinator and Teacher, ELL Teachers</p> <p>Timeline: Ongoing; Alma provides teachers data for ELLs at the 40, 80, and 120 day reports</p>
<p>F. Advance EL with enrichment and advanced curricular opportunities</p>	<p>Alma is implementing ENGaging LATino Communities for Education (ENLACE) Program in U.S. History class for college and career readiness enrichment.</p> <p>Alma offers advanced learning opportunities through AP/Dual Enrollment.</p> <p>Alma pursue avenues to test students in home language for language levels for advanced classes/AP Classes (i.e., Avant) and bilingual seal.</p> <p>Alma d' arte is researching academic recognition for bilingualism (APS considers students who have taken and passed 4 foreign language classes with a 'C' or better eligible for Bilingual Seal on diploma upon graduation).</p> <ul style="list-style-type: none"> • Students are offered Spanish for Maintenance Bilingual