

Cesar Chavez Community School Educational Program Amendment Request
Public Education Commission (PEC) Meeting, December 16, 2022
Charter Schools Division (CSD) Analysis

Cesar Chavez Community School (CCCS) requests PEC approval to amend the educational program in its contract to modify the the following components:

- Curriculum
- Methods of Instruction
- Formative and Summative Assessments

Pursuant to the outcome of the November 7, 2022 mediation between CCCS and the PEC, CCCS submitted a draft version of the amendment, after which CSD included a thorough review of the request and supporting documentation, including the current charter contract and other data and reports related to the history and performance of the school, and conducted an administrative completeness review to ensure all prompts were sufficiently addressed, and provided feedback, including the questions listed at the end of this document.

CCCS proposes an educational program change that appears to center on online, synchronous teaching as the school's exclusive method of delivering direct instruction to its students. The school has self-reported that they have been implementing this instructional model since the required school closure due to the Covid-19 Pandemic in March of 2020.

PEC policy on Educational Program Amendments is that schools may request to make changes to the original contractual language of the Educational Program, barring any change that may affect the school's mission or essence of the school's educational program.

CSD's preliminary analysis determined that additional information was needed to clarify whether the request aligned with the charter mission or changed the essence of the school's educational program.

The proposed amendment centers on an online, synchronous teaching and learning format, however, CCCS also expresses in the amendment narrative a desire to maintain an online blended learning community, which implies some amount of in-person academic instruction. CSD asked specific questions in an effort to clarify the educational settings in which direct academic instruction would take place, and whether students would have the option to receive direct academic instruction in-person, based on student desire and student need. CSD requested information about percentages of time students would spend, or have the opportunity to spend, participating in in-person direct academic instruction, counseling and support services. Specific questions about CCCS's plan to meet the potential need for in-person, direct, specially-designed academic instruction for student subgroups, including special education students, gifted education students, and English Language Learner students were also asked.

CCCS's final amendment request did not include specific information to clarify what percentages of direct academic instruction for all students would occur in-person vs. online, leaving CSD to conclude that,

under the proposed educational program, 100% of direct academic instruction for all students would take place online. Specific information about the planned availability and frequency of in-person, specially designed special education instruction, gifted education instruction, and English language (ELL) instruction was also requested, but not provided. Detailed plans and frequencies related to the availability of in-person student counseling and other support services were also requested, but not provided.

[The U.S. Department of Education](#) found that data collected before and during the COVID-19 pandemic have shown that in-person learning, on the whole, leads to better academic outcomes, greater levels of student engagement, higher rates of attendance, and better social and emotional well-being, and ensures access to critical school services and extracurricular activities when compared to remote learning.

Approval Factors

The PEC’s decision to approve or deny an *Educational Program Amendment Request* will be based on the following considerations:

The Education Program Amendment Request does not change the essence of the school’s program
The applicant demonstrated capacity to successfully implement the requested change.

CCCS performance data

All performance data (academic, organizational, and financial) for the last three years including any outstanding complaints or investigations will be provided to the PEC for its consideration of the amendment request.

	2019-2020	2020-2021	2021-2022
Academic Performance			
1. State Accountability System		Unable to Review - COVID	Pending
2. Subgroup Performance		Unable to Review - COVID	Pending
3. Mission Specific Goals		Unable to Review - COVID	Meets Standard
Organizational and Financial Performance Framework			
1.a. Mission and Educational Program	Meets Standard	Meets Standard	Does Not Meet Standard
1.b. State Assessment Requirements	Meets Standard	Unable to Review - COVID	Does Not Meet Standard
1.c. Rights of Students with Disabilities	Working to Meet Standard	Meets Standard	Working to Meet Standard
1.d. Rights of English Learners	Meets Standard	Meets Standard	Meets Standard
1.e. Meeting Program Requirements	Meets Standard	ASSURANCES	Meets Standard
1.f. NM DASH Plan	Not Applicable	Not Applicable	Working to Meet Standard
2.a. Financial Reporting and Compliance	Working to Meet Standard	Meets Standard	Meets Standard
2.b. Accounting Principals	Meets Standard	Meets Standard	Meets Standard
2.c. Responsive to Audit Findings	Meets Standard	Meets Standard	Meets Standard
2.d. Managing Grant Funds	Meets Standard	Meets Standard	Working to Meet Standard
2.e. Staffing for Fiscal Management	Meets Standard	Meets Standard	Does Not Meet Standard
2.f. Internal Controls	Not Applicable	Meets Standard	Meets Standard
3.a. Governance Requirements	Meets Standard	Meets Standard	Meets Standard
3.b. Nepotism, Conflict of Interest	Meets Standard	ASSURANCES	Meets Standard
3.c. Reporting Requirements	Meets Standard	ASSURANCES	Meets Standard
4.a. Rights of all Students	Meets Standard	ASSURANCES	Meets Standard
4.b. Attendance and Retention	Working to Meet Standard	Working to Meet Standard	Does Not Meet Standard
4.c. Staff Credentialing	Meets Standard	Meets Standard	Meets Standard
4.d. Employee Rights	Meets Standard	ASSURANCES	Meets Standard
4.e. Background Check, Ethics	Meets Standard	ASSURANCES	Meets Standard
5.a. Facilities	Meets Standard	ASSURANCES	Meets Standard
5.b. Transportation	Not Applicable	ASSURANCES	N/A
5.c. Health and Safety	Meets Standard	ASSURANCES	Meets Standard
5.d. Handling Information	Meets Standard	ASSURANCES	Meets Standard

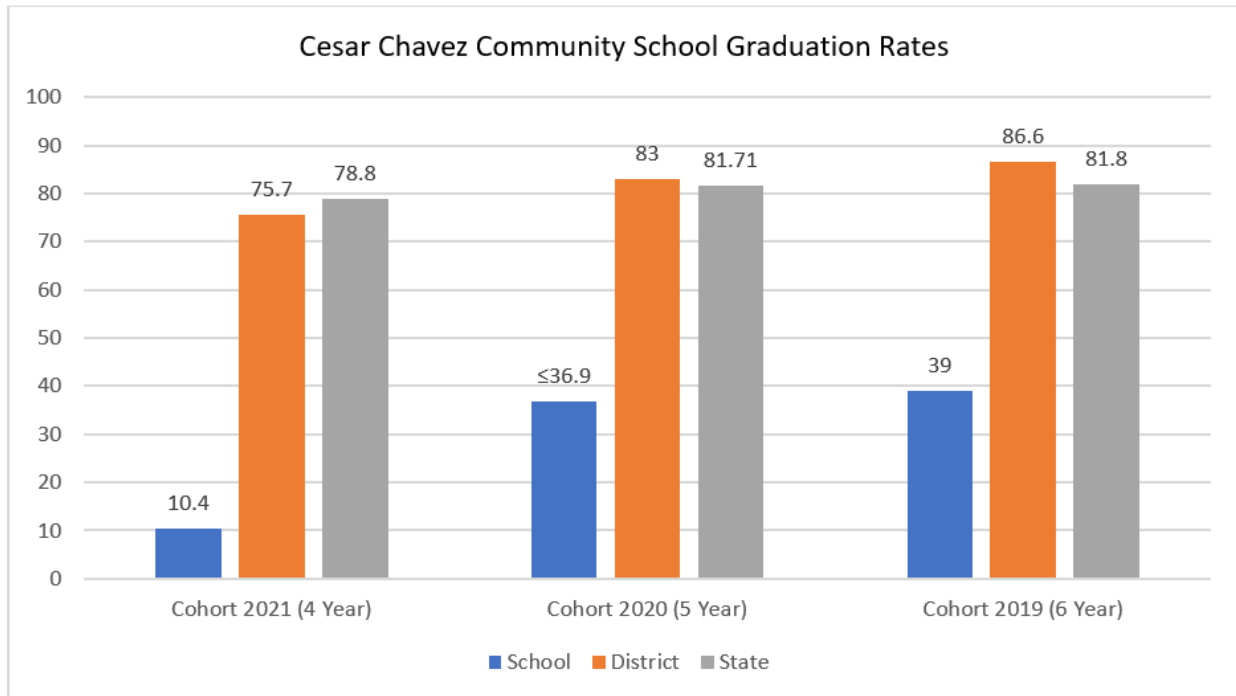
- Indicator 1 a: Ed Program (this was due to the not providing in-person learning)
- Indicator 1 b: (see Assessment participation rates below)
- Indicator 1.c: Special Ed Division – IEPS/Services concerns; school is/was receiving training with REC 6 for writing IEPS-goals & progress monitoring
- Indicator 1.f: CCCS did not complete the annual DASH plan in 2021-22
- Indicator 2.d Family Income Index & Career Tech Ed Pilot Program funding not fully expended
- Indicator 2. e CPO license not provided; not registered on GSD website; Audit & finance committee members listing not provided
- Incator 4.b (See Attendance, Retention and Recurrent Enrollment Rates below)

SY2021-22 Assessment and Participation Rates:

Assessment	% Proficient	Participation Rate
ELA	≤ 20	56%
Math	≤ 20	56%
Science	.24	62%
ACCESS	N/A	72%

SY2021-22 Attendance and Recurrent Enrollment:

Attendance	52%
Retention Rate	76%
Recurrent Enrollment	68%



Submission Window

Cesar Chavez Community Charter School reported in the Educational Program Amendment Request that the school is currently, and has been implementing the proposed changes to the Educational Program. Because CCCS has continued to implement the proposed amendment prior to approval and well before the start of the subsequent fiscal year in which a request is made, thus CCCS is not meeting the requirement of indicator 3C: meeting reporting requirements.

Implementation Considerations

Professional Development

CSD recognizes the unique challenges that arose out of the need for schools to shift rapidly to home-based learning at the onset of the global pandemic. CSD also acknowledges that this shift required many schools, like Cesar Chavez, to spring into action, training their teachers and staff on various web-based tools and instructional resources, with the goal of providing continuous, free and appropriate education, to the fullest extent possible, for the children of this state. CSD recognized that this pivot was no small feat and is excited to see how this crisis situation has ultimately led to more technology-rich learning environments. While CSD recognizes the effort and hours of Professional Development invested to enrich home-based learning during and since the pandemic, we also recognize that there are differences between the implementation and delivery of home-based learning, similar to what we saw during the pandemic, and online educational programs, such as the one proposed in the amendment. Educational research shows that high levels of continuous professional development are needed by teachers who provide online instruction, particularly in the areas of online student perseverance and engagement. Additionally, recent national education data shows that home-based, online learning during the pandemic had a substantial negative impact on the social-emotional development and behavior, and those impacts continued to be felt throughout the 2021-2022 school year. Given this information, it is important for CSD to gather evidence on how not only student academic needs are to be met under the proposed educational plan, but also how the social-emotional development and behavior of students will be met by the teachers and staff of CCCS.

Capacity

Because CCCS has been implementing an online school since Spring 2020, there are capacities that have been developed. CSD classroom observations, as part of the 2021-22 school visit indicate effective instruction and student engagement.

Evidence of Support

CSD requested additional evidence of CCCS's engagement with the current school community concerning the proposed Amendment. While the school did provide narrative, no evidence, such as the stakeholder survey cited, a complete set of survey responses, parent/ family/ community meeting agendas or minutes, or other documentation that would demonstrate how the school sought input into the proposed Amendment by administrators, teachers, students, families and/ or other school community stakeholders was included as part of a response to CSD or the final Amendment Request.

Conclusion

Based on the provided Educational Amendment Request, CSD is unable to determine that the proposed Educational Program Amendment does not represent a change to the essence of the educational program of Cesar Chavez Community Charter School. Further, it is unclear that CCCS will be able to fully support the population of students seeking to reconnect to school if most, or all instruction and programming occurs online. Because the school has not provided concrete responses to these questions, CSD believes the amendment needs more information to be complete.

School Mission and Education Program

Comparison between current contract language and proposed contract language: Strikethrough: removed; blue text: added

Mission: Cesar Chavez Community School offers intensive support to students entering or reconnecting to high school through flexible and personalized programs during non-traditional hours. We prepare our graduates for their next steps, including education, training, work, family, and participation in the community.

Educational Program of the School: CCCS offers individualized, flexible scheduling and a high level of individual support to help students connect or reconnect with school and earn a diploma. With nine years' experience serving this population, we are convinced that having the students prepared and poised for their next steps beyond graduation is one of the most crucial long-term services we can provide. Thus all that is included in the renewal priorities will contribute to this final, overarching goal for preparing CCCS students for their next steps.

Student – Focused Term(s). CCCS Key Commitments: Small classes will be maintained (~~generally~~ **average** 17:1); Students will have an assigned mentor who will implement the CCCS mentoring program; Student progress will be tracked, as appropriate to each student's needs, challenges and goals, assessing credit completion, rate/timeliness of credit completion, attendance, behavior, scheduling, etc. Higher-level thinking, problem-solving and life applications will be incorporated into curriculum planning and instruction using strategies such as Paideia Seminar; Community service, service learning and/or experiential learning will be offered to students at CCCS; ~~GRADS, the state-wide pregnant and parenting graduation support program, will be offered to students on-site.~~ **Teen parenting support will be provided through social work, parenting curriculum and community resources;** **CCCS utilizes a range of flexible and personalized learning programs, platforms, modalities, and environments including online and in-person supports and learning options;** **Direct instruction is offered online daily through synchronous, interactive direct instruction platforms, such as Zoom;** **CCCS students work with CCCS staff to create an individualized scheduling plan to best meet students' needs;** **Students have options to learn online from home as well as selected in-person supports and learning opportunities that are creative and personalized;** **Online and in-person supports and learning can include and are not limited to: registration, technology support, testing, tutoring, support labs, study hall, Mentoring, wrap-around services such as Social Work**

and Counseling, project-based and experiential learning, community service learning, Work Experience, Edgenuity, CTE and elective courses

Teacher – Focused Term(s). Key Commitments: CCCS will schedule training and in-service days for staff; Staff development will include training in strategies focused on areas such as higher-level thinking, problem-solving, life applications. trauma-informed strategies and virtual learning.

Questions sent to CCSD by CSD on 11.28.22 (all pertain to the actual amendment request narrative).

1. The amendment form asks to explain how the school has engaged with the current school community to evaluate support or opposition to the change, support the transition, and explain the need to make the change, and to include specific information regarding the support or opposition by parents, teachers, students, administrative staff to the change. The narrative mentions *“In the student survey, 86% of students expressed wanting to keep the online program as it was. 14% were contacted for discussion and action plans further addressing student needs”*, please share the survey and expand on what was raised as a concern by the 14%, and what was included in plans to address students’ needs.
2. What percentage of direct instruction, including specialized instruction for special education, gifted education, and ELL instruction will take place in-person?
3. Will direct instruction for all populations occur completely online?
4. Will all in-person contact take place in small groups or 1:1 tutoring and counseling or is there any whole group in person direct instruction?
5. The school’s subgroup percentages are higher than both the district and state. Can the school outline how it has/how it will continue to provide “intensive support” for the school’s population of subgroup students while using the proposed blended learning model?

School’s Narrative: CCCS has seen some of the same challenges in on-campus and online learning; students who are dealing with complex barriers to learning continue to need ongoing one-on-one interventions and support. CCCS continues to provide this in its online blended model.

5. Which supports, specifically, will be available online vs in-person?

6. How much professional development has CCCS staff already had concerning Virtual Learning, Blended Learning, and the impact on special education, underserved and underrepresented populations?

School’s Narrative: We have seen that our students thrive in an online environment where learning is independent yet supported with close contact and clear, synchronous structures, and where there is

differentiation, scaffolding, learning supports, and creative, teacher-created curriculum.

7. The student data provided in the amendment was not disaggregated. Cesar Chavez serves historically underrepresented populations larger than those served at district and state level, as well as the groups identified as underserved via Martinez-Yazzie (Hispanic, African American/ Black, Native, Students with Disabilities, English Learners, and Socioeconomically Disadvantaged). How has the school taken into consideration the proposed change for these populations?

8. Considering challenges with the Internet have been reported to CSD as a barrier to success in the past, what has the school done and or what will they continue to do to mitigate challenges that may arise with internet access, connectivity, and affordability?

School's Narrative: Online Direct Instruction provides the ability to implement increased flexibility, increased personalization and support, increased learning, and engagement, and 21st Century skill building essential for 21st Century careers and choices.

9. What evidence is being used to support this claim within the CCCS school community?

10. The narrative references "Fall 2022 Surveys", can you provide the entire survey set of questions and responses? Is this the same survey referenced on page 22 as the "student survey"?

11. What additional supports and services will be provided to students and families to support increased home-school connections to support the virtual learning environment?

12. What support will be provided to students who lack a positive home environment or a stable living environment e.g., such as homeless students?

13. The applications showed a decrease in the number associated with "mobility" since the pandemic (and online learning) please explain. Does this mean CCCS serves a less mobile population than pre-pandemic?

School's Narrative: CCCS realizes there are many "at-risk" or "at-promise" students who want or need the flexibility that online learning offers but have not previously had good options. Traditional Online barriers for "at-risk" students include: requiring students to provide their own computers, requiring fees for online programs, systems that are almost solely independent and asynchronous learning, or "canned curricula," programs that lack differentiation and personalized relationships between staff and students, staffing that lacks wrap-around support services, and learning that lacks direct instruction, relevant student-centered learning connections, and scaffolded learning supports. This is an equity issue. All students deserve to have the choice to learn online from home, if that is what best fits their needs and circumstances. "At-risk" students need online direct instruction programs with ample supports in place to meet their needs.

13. What documentation or evidence can be provided to demonstrate the anticipated success of CCCS's proposed model, compared to other schools with the same or similar model?

14. The school's mission states that, "we prepare our graduates for their next steps, including education, training, work, family, and participation in the community." Has CCCS tracked implementation of next step preparation for its students while in a blended setting? Please provide

data to show that this portion of the mission statement has not been/will not be affected by the proposed change.

15. The application states *“The school continues to use our full array of assessments to evaluate and inform instruction including teacher developed formative assessments, curriculum-based rubrics and assessments, school-wide interim assessments, and summative assessments.”* Please clarify the names and types of interim assessments you will use.