

La Tierra Montessori School of Arts and Sciences
Public Education Commission (PEC) Meeting, January 20, 2023
Analysis of LTMS Corrective Action Plan

The Charter School Division would like to acknowledge the work of La Tierra Montessori School to respond to the action taken by the PEC during the December 16, 2022 PEC Meeting, as well as the effort of the school to develop a Corrective Action Plan.

The school's Corrective Action Plan was submitted to CSD on January 11, 2023, following an extension to the original January 6, 2023 deadline, granted by Chair Burt. The Corrective Action Plan details steps La Tierra Montessori reports it has taken to address points identified in the 'Notice of Breach', and plans by the school to provide continual and scheduled updates to CSD in the coming months (*see Table 1*). An analysis of the Corrective Action Plan (CAP) submitted by La Tierra Montessori school is presented as follows:

Section 2, Scope, paragraph 2, i. and ii.

The school must act through the designated charter representatives in its contract negotiations.

The Governing Board breached the contract either:

- 1) by representing to PEC that the Charter Contract was negotiated by a person with authority and approved by the Board when the present board now represents that those people did not have such authority, or***
- 2) if the designated charter representatives were appropriately acting on behalf of the school, then the present board has failed to comply with the signed contract and implement it.***
- 3) Further, if there was an issue with authority to enter into Charter Contract, the School failed to timely remedy any possible issues related to the contract from the time period May – July 2022 even after being directed to correct these issues by the PEC on August 19, 2022.***

To address this portion of the 'Notice of Breach', the school includes in the Corrective Action Plan, an explanation of the intent to propose amendments to the mission statement, mission-specific goals, and other charter contract language, including a change to the school's name, and present those changes to the PEC at the February 2023 PEC meeting. CSD determines that this portion of the Corrective Action Plan sufficiently addresses the concerns identified in this portion of the 'Notice of Breach'.

Section 4, 1, Purpose 2, Mission 4, Comprehensive Educational Program of the School and

Section 5 Performance Framework

The Governing Board breached the contract by failing

- 1) “to institute a Montessori program with trained Montessori staff”; to provide documentation to CSD regarding how the mission-specific goals are being implemented, and to fully implement the mission and educational program as negotiated,***

- 2) to set up the mission-specific goals and set up a scoring sheet for the implementation of the mission-specific goals, and**
- 3) to timely seek to amend the contract if the board had concerns with the contract when this requirement was requested of them in August 2022**

To address this portion of the 'Notice of Breach', the school states in the Corrective Action Plan that no changes have been made to the Montessori program during the current contract term. The explanation, however, does not detail how the school has instituted a Montessori Program, or has provided Montessori training to the teaching staff. In the Corrective Action Plan, the school establishes a goal to provide Montessori training to teachers with 3 or more years of service to the school, and a commitment to update to the PEC in April of 2023.

As previously stated, La Tierra Montessori School has committed to proposing an amendment to the mission-specific goals prior to the February 2023 PEC meeting, and has sought consultation from CSD to develop their goals and scoring rubrics.

Section 4.5, Governance, vi., viii. and ix.

Comply with all provisions of the Contract and law, hiring and overseeing the Head Administrator, and comply with Board Training requirements.

To address this portion of the 'Notice of Breach', the school explains that it has hired Patricia Herrera as the Head Administrator. CSD is aware that Patricia Herrera is contracted as 0.19 FTE for the Interim Head Administrator position, and also as 0.50 FTE in a Special Education Coordinator position. It is unclear, from the Corrective Action Plan, how the board plans to ensure appropriate oversight of the school, overall, as well as the Special Education Program, with one employee contracted to oversee both roles. CSD determines that the Corrective Action Plan, as it pertains to this portion of the 'Notice of Breach', requires further development, and does not sufficiently address identified concerns at this time.

In the Corrective Action Plan, the school explains that it has fully complied with Governing Board Training Requirements to date and plans to complete all required board training prior to March 2023. CSD acknowledges this and determines that the goal related to this portion of the Corrective Action Plan does sufficiently address this concern outlined in the 'Notice of Breach'.

Section 4.6, Operation, ii., iii, vi. and viii.

Comply with all federal and state laws relating to the education of children with disabilities, comply with all laws related to safety, notify the Commission of allegations or inappropriate contact with a student

The Governing Board breached the contract by inadequately overseeing the Head Administrator to ensure that

- 1) the educational program is being implemented in the school;**
- 2) the school staffing is appropriate, and the staff is trained to implement the mission and educational philosophy;**

- 3) the school is not appropriately working to meet the needs and requirements of special education students; and**
- 4) to address safety and health issues at the school.**

To address this portion of the 'Notice of Breach', the school explains in the Corrective Action Plan that it provides sufficient oversight of the Head Administrator to ensure that the educational Program is being implemented, and that the school staff is trained to implement the mission and educational philosophy of the school. The school restates its plan to provide enhanced training to teachers, and explains that it has retained a Montessori trained teacher. CSD determines that the Corrective Action Plan, as it pertains to *items 1 and 2* of this portion of the 'Notice of Breach', sufficiently addresses these areas of concern.

In the response to the 'Notice of Breach', La Tierra Montessori School reports that it complies with all federal and state laws relating to the education of children with disabilities. In the Corrective Action Plan, the school details steps it has taken to remedy issues found with the school's special education program. Additionally, the school set several goals related to the administration of the program, as well as the documentation and delivery of related services. CSD is unable to determine from the CAP, the school's plan and ability to fully deliver Special Education and related services as outlined in Student IEPs without delay, and throughout each school day, based on the specific, individual needs of students. Additionally, after closer examination of the Special Education Program at La Tierra Montessori school during a January 9, 2023 site visit by the NMPED's Special Education Bureau, it is the belief of the CSD that the school's response to the 'Notice of Breach', including the goals and timelines detailed in the Corrective Action Plan, do not fully address the concerns related to *item 3* of this portion of the 'Notice of Breach'.

The La Tierra Montessori School Corrective Action Plan explains that the school complies with all laws related to safety, and that the school notifies the Commission of allegations or inappropriate contact with a student. The CAP also explains steps LTMS has taken and will take to further develop and refine board approved policy related to school safety and incident reporting. However, following a January 9, 2023 site visit to the school, CSD determined that additional issues related to school safety should be considered prior to determining that the plans outlined in the current CAP adequately address and serve as a remedy for *item 4* in this section of the 'Notice of Breach'.

Section, 5.2, i., ii. and iv.

Participate in State-required assessment and meet State's standards of excellence

The Governing Board breached the contract by failing to meet or make substantial progress toward achievement of the department's standards of excellence or student performance standards identified in the charter contract including achieving academic outcomes and participation in state-wide testing.

In the response to the 'Notice of Breach', La Tierra Montessori School reports in the Correction Plan the steps the school has taken to improve the administration of assessments, student participation in assessments, as well as improve student outcomes. The CAP further details goals the school has set related to the administration of NWEA MAPS assessments (mid-year and end-of-year) and ACCESS testing, and the plan to provide ongoing updates to CSD. CSD determines that the Corrective Action Plan, as it pertains to this portion of the 'Notice of Breach', sufficiently addresses these areas of concern.

TABLE 1.

Summary of Proposed Goals in CAP	Implementation Date/ PEC Reporting Deadline
Propose Amendment to Mission Statement	Feb 2023 PEC Meeting (2/17/23)
Propose Amendment to Mission Specific Goal	Feb 2023 PEC Meeting (2/17/23)
Propose Amendment to Contract Language, including School Name Change	Feb 2023 PEC Meeting (2/17/23)
Begin Offering Montessori Training to Teachers with 3+ years of Service	April 2023
Complete Governing Board Training	February 2023
Implement and Document Academic Progress Monitoring and Provide Timely Parental Updates	Update to CSD March 2023
Documentation and Delivery of Special Education and Related Services (Specialized Instruction, OT, Speech, Social Work) to CSD	Continual Update to CSD
Parents will receive letters from the department regarding ancillary compensatory services	February 15, 2023
Develop Special Education Support/ Service Delivery Schedule	Update March 2023
Implementation of Indicator 13; Transition Planning	Update 2023
Diagnostics for Students Referred for Evaluation	Update March 2023
Modify "200"/ Employee Specific Policy	April 2023
Administer Mid-Year and EOY NWEA MAPS	April 2023 and June 2023
Administer ACCESS during March 2023	April 2023

