

Cesar Chavez Community School

Public Education Commission (PEC) Meeting, February 17, 2023
Site Visit Update and CSD Analysis of CCCS Corrective Action Plan

CSD Analysis of School-developed Corrective Action Plan (CAP)

As recommended by the PEC, the Charter Schools Division sought to assist Cesar Chavez Community School with the development of a Corrective Action Plan (CAP):

- An initial plan was submitted to the Charter School Division on Monday, February 14, 2023, after CSD's Friday, February 10, 2023, deadline.
- CSD completed an analysis of the school's CAP on Monday, February 14, 2023.
- The school submitted a revised CAP to CSD on Tuesday, February 15, 2023.
- CSD completed an analysis of the school's revised CAP on Tuesday, February 15, 2023.

A brief analysis of the most recent Corrective Action Plan is as follows:

Section 1. New CCCS Expanded Hybrid Plan

In this section of the CAP, the school proposes actions the school plans to take to complete a needs assessment for "new, expanded hybrid options" and how they will implement this portion of the plan.

Under this portion of the plan, the school would not return to in-person instruction in the school building until March 14, 2023, three months after a PEC vote to amend the Charter Contract failed and nearly two months after CSD issued a directive for the school to return to in-person instruction. As stated in the most recent site visit analysis, it is not evident that CCCS has resumed any level of in-person direct instruction and consistent daily use of the school building by students, staff, and teachers.

Section 2a. Contract Sections Under Dispute- Mission

This section of the CAP references Section 4.6 of the Charter Contract and states it will "continue to meet its Mission and Mission Specific Goals as per Charter Contract."

Detailed action steps to be taken by the school, as well as the evidence sources and timelines supporting the ability of the school to implement this portion of the CAP successfully, are not included in the plan. Additionally, timelines clarifying when the school will provide evidence to CSD require clarification; CSD has not received proof of CCCS' progress related to this portion of the CAP.

Section 2b. Contract Sections Under Dispute- Educational Program

In this section of the CCCS CAP, the school references Section 4.6 of the Charter contract. The school states it will "continue to meet all commitments of its Comprehensive Educational Program of the School."

This portion of the Correction Action Plan is incomplete; it needs to detail action steps to be taken by the school fully or the evidence sources the school plans to provide to CSD to demonstrate its ability to

successfully implement this portion of the CAP. Additionally, the school should include clear timelines of when the school will provide evidence to CSD.

Section 2b. *Contract Sections Under Dispute- Sites*

In this section of the CCCS CAP, the school references Section 11 of the Charter Contract and states it will "continue to provide educational services and instruction at the school site. See also the New CCCS Expanded Hybrid Plan above."

This portion of the Correction Action Plan is incomplete; it does not fully detail action steps to be taken by the school or the evidence sources the school plans to provide to CSD to demonstrate its ability to implement this portion of the CAP successfully. It also needs to be determined how the plan will support the needs of students and families who may require or desire direct instruction, specialized instruction, or related services on campus five days per week. Additionally, the CAP does not currently list detailed timelines clarifying when the school will provide evidence to CSD.

Summary

CSD determines that the Corrective Action Plan does not appropriately address the PEC's Notice of Breach, the directive by the CSD to return to in-person learning, and the requirement of Cesar Chavez Community School to fully meet all legal and contractual obligations under the school's existing charter contract and PEC guidelines.

Other Areas of Concern (noted by CSD)

Covid-19

In February 2022, the school explained to the PEC that the school's failure to return to in-person learning was due to ongoing concerns related to Covid-19. The CAP presented by the school does not address or include any COVID-19 mitigation measures and outbreak response plans that align with the school's previously reported reasoning to remain in a fully-remote learning environment.

Lease Assistance

During the December 2022 PEC Meeting, the PEC issued the following directive to the school concerning lease reimbursement: "*The school must discuss the school's lease reimbursement funding amount with PSFA to ensure that the school is not receiving lease reimbursement to which it may not be entitled and shall report the result of the discussion at the January 20, 2023, PEC meeting*".

The CAP submitted by the school should address Lease Assistance or plans to consult with the New Mexico Public School Funding Authority (PSFA). Additionally, CSD has not received a report or evidence that the school has consulted with or received guidance from PSFA, nor is it clear if the school has provided updated information to the PEC.

Update- February 14, 2023 Site Visit

On Tuesday, February 14, 2023, the Charter School Division conducted an announced follow-up visit to Cesar Chavez Community School. CSD staff noted the following observations:

- The school was locked (the visit took place before 4:00 pm).
- The parking lot was empty; there was no evidence of school staff or student presence at the building.
- Signs posted on the doors in English and Spanish state the school is on "a remote learning plan" and only "staff only allowed in the building at this time."
- An additional sign informing visitors of "On-site Staff Availability" was posted on the door; however, it was unclear if this availability is "by appointment only" during the specified times, or if the school building is open and accessible to all students and visitors during those times.
- There is conflicting information about the actual operating and business hours of the school and the school building across school signage, the school website, and other public information sources.

Since the December 2022 Public Education Commission Meeting, the Charter School Division has yet to receive evidence that Cesar Chavez Community School has returned to in-person learning. Further, CSD has not received evidence detailing the availability and scheduling of in-person instruction and special education services, teachers' in-person scheduling and availability, and clarification of the building's operational hours. Conflicting information about the school's hours exists across the school's signage/posted notices, website, and other public information sources.