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May 9, 2023

Isaac Casados
Governing Board Chair
La Tierra Montessori School for the Arts and Science
Via email: Isaac.Casados@montessorilatierra.org

Patricia Herrera
Head Administrator
La Tierra Montessori School for the Arts and Sciences
Via email: patricia.herrera@montessorilatierra.org

Geno Zamora
Attorney
Via email: geno@ortiz-zamora.com

Dear Mr. Casados, Ms. Herrera and Mr. Zamora:

RE: PEC Decision to Revoke the Charter and Charter Contract of La Tierra Montessori School for the Arts and Sciences: Finding of Fact and Conclusions of Law

Dear Ms. Casados, Ms. Herrera and Mr. Zamora:

This letter will confirm the decision of the Public Education Commission (PEC) made on April 20, 2023 to revoke the charter and charter contract of La Tierra Montessori School for the Arts and Sciences as of July 1, 2023. The Charter School Division will move forward immediately to work with the School on the closure protocol to close down the school before this time to ensure that the children and staff may move to new schools in a timely way.

The PEC provides the following finding of fact:

- 1) The chart below outlines the contract sections that the PEC has found to have been violated by the school.

- 2) The information in the attached “*Documents, Testimony, Stipulation and Argument Supporting Revocation of the Charter and Charter Contract of La Tierra Montessori School for the Arts and Sciences*” provides the facts in support of revocation. (The bates stamped documents referenced in this document have been uploaded to the google drive: https://drive.google.com/drive/folders/1zmziRAR_yA8MC30C3jvw8pjV7gmHAjBz)

The PEC has made the following conclusions of law:

- 1) The school failed to conduct tribal consultation with the Ohkay Owingeh Pueblo in violation of NMSA 22-8B-12K (4) and
- 2) The school violated contract terms resulting in violations of NMSA 22-8B-12K (1), (2) and (3).

Therefore, revocation is proper.

The school may appeal to the secretary pursuant to NMSA 1978, §22-8B-7 and provisions of section 6.80.4.14.

Thank you.

Sincerely,

el Alan Brauer

Chair, Public Education Commission

Contract Violations

URGENT SAFETY AND SPECIAL EDUCATION CONCERNS	
Section 4.6, Operation, ii., iii 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.
URGENT FISCAL CONCERNS	
Section 4.1 5. ix. 6, vii. and viii	<u>Contract</u> The school shall be governed and managed in a fiscally conservative manner. The board is responsible for compliance with public school finance and procurement,
Section 5.4	The School shall allow the Commission and the Department to conduct financial, program or compliance audits and shall hold open for inspection all records, documents and files relating to any activity or program provided by the School relating to the School. Thes school shall notify the Commission within 15 days of allegations of, or convictions for, any crime related to the misappropriation of school funds or theft of school property by any staff member,

Performance Framework, Section 5	and <u>Financial Performance Framework</u> indicators. 5.a. Is the school meeting financial reporting and compliance requirements? 5.b. Is the school following Generally Accepted Accounting Principles? 5.c. Is the school responsive to audit findings? 5.e. Is the school adequately staffed to ensure proper fiscal management? 5.f. Is the school meeting their obligations timely and with appropriate internal controls?
ACADEMIC CONCERNS RELATING BOTH TO THE CONTRACT AND STATE STANDARDS OF EXCELLENCE	
Section, 5.2, i., ii. and iv.	Participate in State-required assessment and meet State's standards of excellence.
OTHER CONTRACT VIOLATIONS	
Section 2, Scope, paragraph 2,i. and ii.,	Designated charter representative in its contract negotiations with the PEC or failure to comply with the contract by the present board signed by its designated charter representative.
Section 4, 1, Purpose	The School shall operate a public school consistent with the terms of the Charter and the Contract, and all applicable laws; shall achieve student outcomes according to the educational standards established by law, this Charter and Contract; and shall be governed and managed in a financially prudent manner.
2, Mission	The Charter School shall implement the mission identified below: La Tierra Montessori School of the Arts and Sciences will provide students and their families in the Espanola region the opportunity to improve educational outcomes utilizing an integrated approach that includes Montessori, the Arts and the Sciences.
4, i. Comprehensive Educational Program of the School	The School's educational program shall be as described below: i. Montessori methods and materials that address the education of the whole child will be utilized as an approach to instruction. The school will use Montessori instruction in multi-age groupings with teachers who are trained in Montessori curriculum and practices. Self-directed Montessori materials designed for hands-on learning are a part of each child's experience in every classroom.
Performance Framework, Section 1	1.a. Is the school implementing the material terms of the approved charter application as defined in the Charter Contract? 1.b. Does the school comply with state and contractual assessment requirements? 1.c. Is the school protecting the rights of students with special needs? 1.d. Is the school protecting the rights of English Learner students?
Section 4.5, vi., viii. and ix.	Comply with all provisions of the Contract and law, hiring and overseeing the Head Administrator