



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

ARSENIO ROMERO, Ph.D.
SECRETARY OF EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

**Charter Schools Division
2022-23 Annual Report
March 1, 2024**

School Name: Alma d'Arte Charter High School

School Address: 402 W. Court Ave Las Cruces, NM 88005

Head Administrator: Dr. Adam Amador

Governing Board Chair: Kimberly Skaggs

Business Manager: Chris Masters

Authorized Grade Levels: 9-12

Grade Levels Served: 9-12

Authorized Enrollment Cap: 280

2022-23 End of Year Enrollment: 122

Contract Term: 2022-2027 (with conditions)

Conditions or CAP: Academic Renewal Conditions; SPED Corrective Action Plan (see last page)

Waivers: none

Mission:

- a. To Graduate Artist/ Scholars Prepared to Succeed.
- b. To be an preeminent Center for artistic and academic excellence in preparing students for post-secondary education and successful living in a global community.

Their mission was taken from their website: <https://www.almadarte.org/>

(This does not match the contract that we have online)

<https://webnew.ped.state.nm.us/wp-content/uploads/2022/07/Alma-d%E2%80%99arte-Charter-High-School-Amended-Contract-and-Performance-Framework-2022-2027.1.pdf>

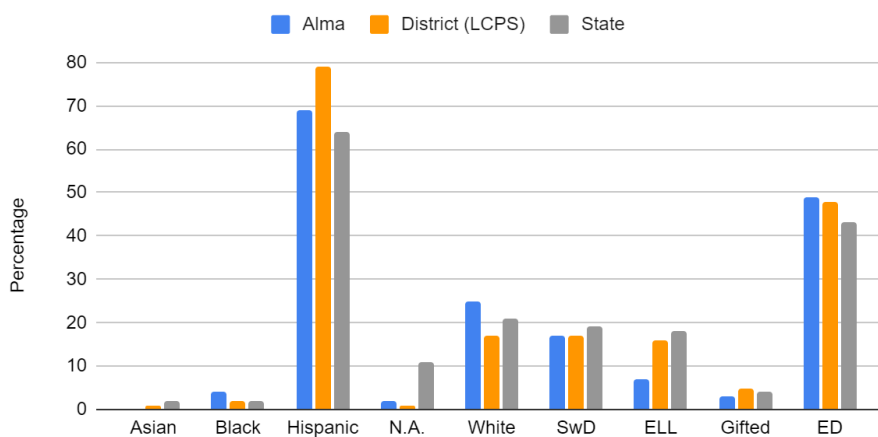
Educational Program:

School Vision: To be a pre-eminent center for artistic and academic excellence in preparing students for post-secondary education and successful living in a global community.

- i. Alma d’arte provides at least four art strands (visual arts, performing arts, culinary arts and literary arts) that students choose from year to year.
- ii. Alma d'arte students are expected to contribute in one or more of the following each semester:
 - a. the school’s Winter Arts Showcase,
 - b. a recruiting presentation or event,
 - c. a community arts event, or
 - d. a community-based activity or event as part of the apprenticeship experience.
- iii. As an essential component of the school’s academic and artistic focus, seniors at the school will participate in community apprenticeships. The teachers work with the students to identify the community mentors for the apprenticeships.
- iv. Alma will provide annual training for teachers in integrating arts with core curriculum.
- v. Arts integration shall be demonstrated via evidence such as, but not limited to, lesson plans, classroom evidence, or completed projects.

Demographics as reported in STARS 2022-23 End of Year (EOY)

Enrollment by Subgroup EOY 2022-23



Source: STARS Enrollment Subgroup Percentages with Averages

Academic Performance

Academic Performance Framework Indicators	2022-23 Score (100 points possible)
1: State Accountability System: NMVistas Overall Score	53
2: Subgroup performance: high, middle, and low-performing quartiles	unavailable
3: School-specific Goals: if two goals, average of points on each	0
Overall Academic Score: average of indicators 1 and 3	26.5

State Accountability System:

State and federal statute mandates accountability for all public schools. This section provides a snapshot of the school's academic performance according to data collected by the Public Education Department (PED) for the 2022-23 school year.

The New Mexico State Accountability System ([NMVISTAS](#)) gives every public school in the state an overall score. For 2022-23, NMVistas scored schools according to the following designations:

- School of Excellence: Schools performing in the top 10% of all schools on the NMVistas school index.
- Spotlight School: Schools performing in the next 15% of all schools on the NMVistas school index.
- Traditional School: Schools performing below the top 25% of schools and not designated for additional supports per the following designations.
- Targeted Support and Improvement School (TSI): Schools serving a student group that falls below the cutoff for CSI schools (described below).
- Additional Targeted Support and Improvement (ATSI): TSI schools serving a student group that is performing in the lowest 5% of all schools.
- Comprehensive Support School (CSI): Title I schools that are:
 - o performing in the lowest 5% of Title I schools in New Mexico as identified by the school index score;
 - o have an average four-year graduation rate less than or equal to 66.67% over the past three years;
 - o a Title I school that was previously identified as ATSI due to low performing subgroups that has not demonstrated sufficient improvement in those subgroups over 3 years; or
 - o the department may identify additional schools as CSI schools as deemed necessary.
- More Rigorous Intervention (MRI): Schools not exiting CSI status after 3 years receiving support.

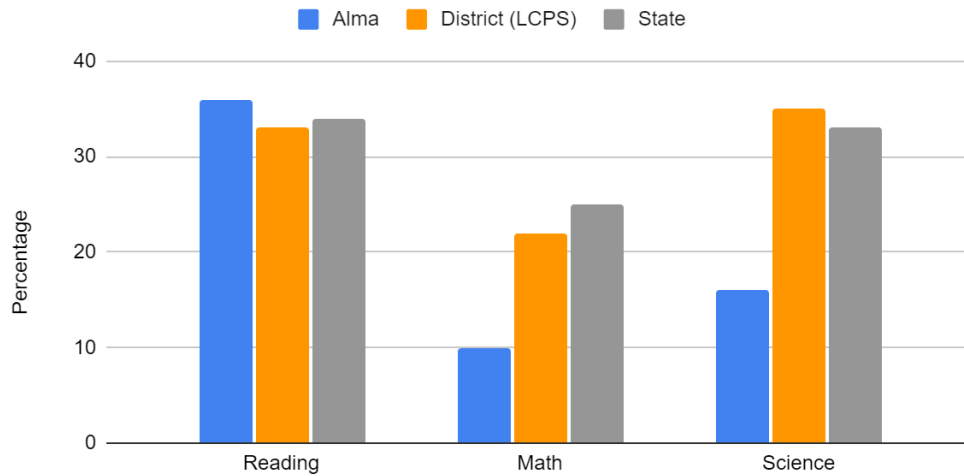
Details and criteria for each type of designation are provided on the [NMVISTAS](#) web page.

For the school year 2022-23, **Alma D'arte Charter** received the designation of **Comprehensive Support School (CSI)**.

Proficiency

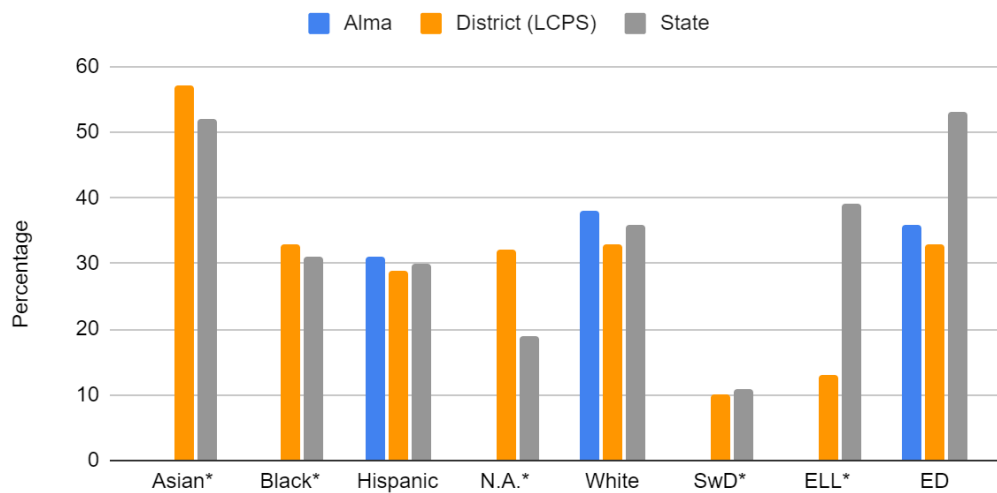
Because science is assessed only in grades 5, 8, and 11, schools that do not serve these grades do not have science proficiency data.

Percent of Students Proficient in Core Subjects 2022-23



Source: NMVistas.org

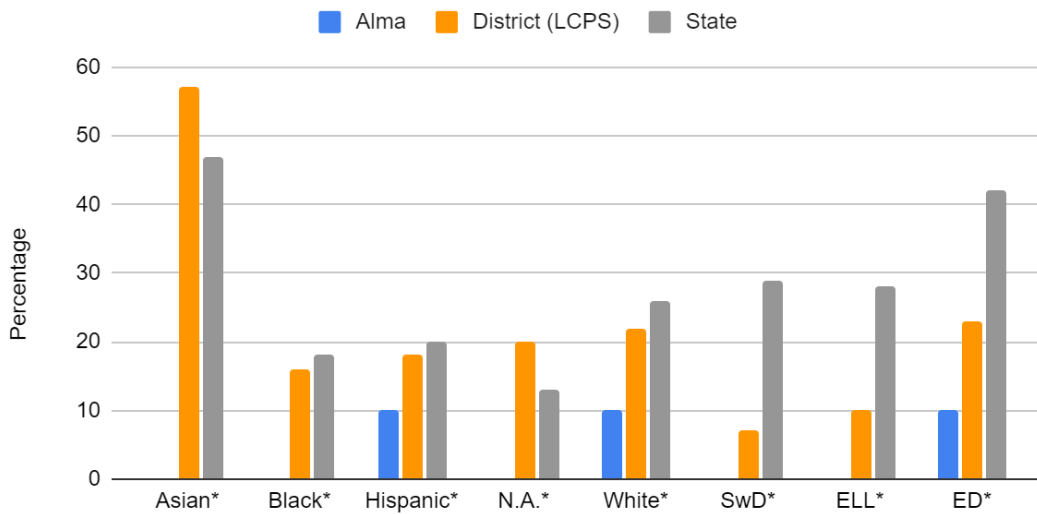
Percent Proficient in Reading by Subgroup 2022-23



Source: NMVistas.org

***Note:** groups are masked due to population size, and/or some groups are not represented in the school.

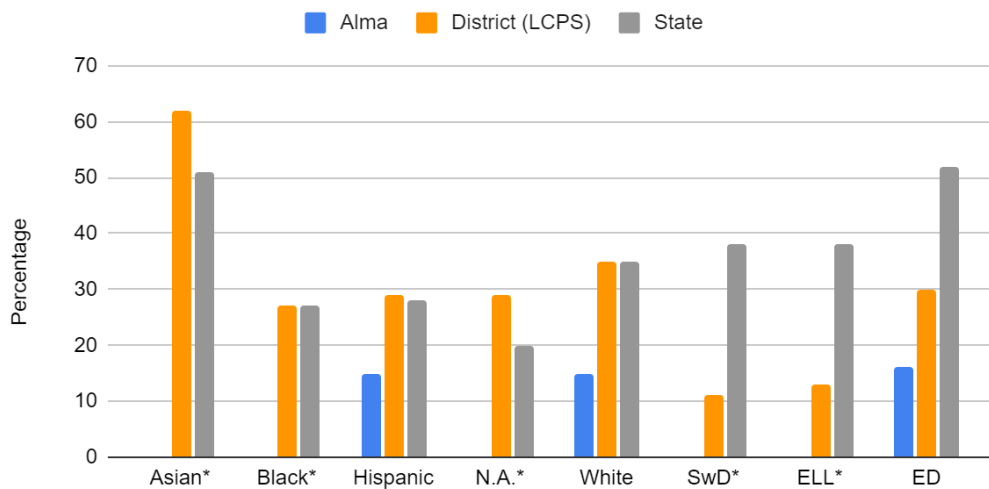
Percent Proficient in Math by Subgroup 2022-23



Source: NMVistas.org

***Note:** groups are masked due to population size, and/or some groups are not represented in the school. Hispanic, white, and economically disadvantaged populations are also masked, $\leq 10\%$ in math. For district, Native American population is masked, $\leq 20\%$ in math.

Percent Proficient in Science by Subgroup 2022-23



Source: NMVistas.org

***Note:** groups are masked due to population size, and/or some groups are not represented in the school.

Improvement (Growth)

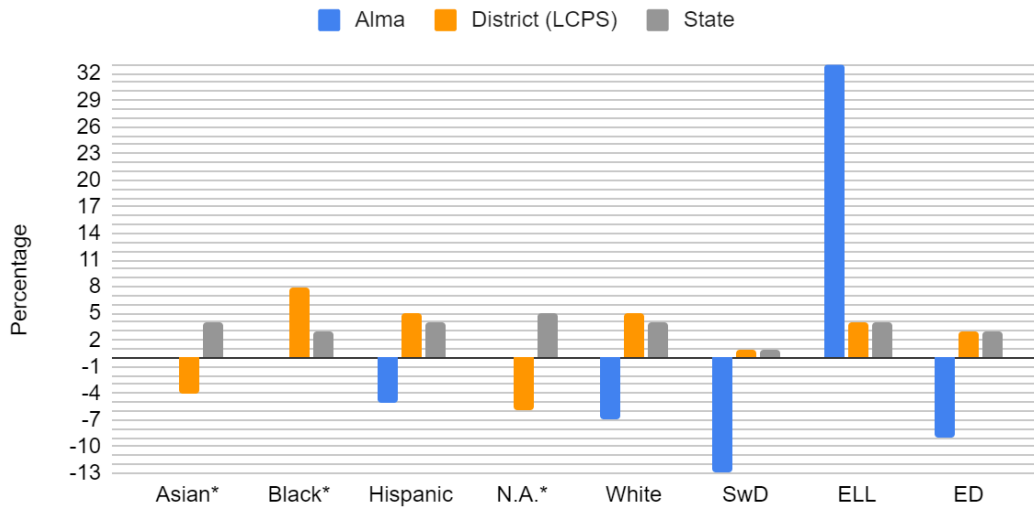
Percent Growth for All Students (2021-22 to 2022-23)



Source: Assessment, Research, Evaluation, and Accountability Bureau of PED

***Note:** Math growth was 0% for the state for SY2023.

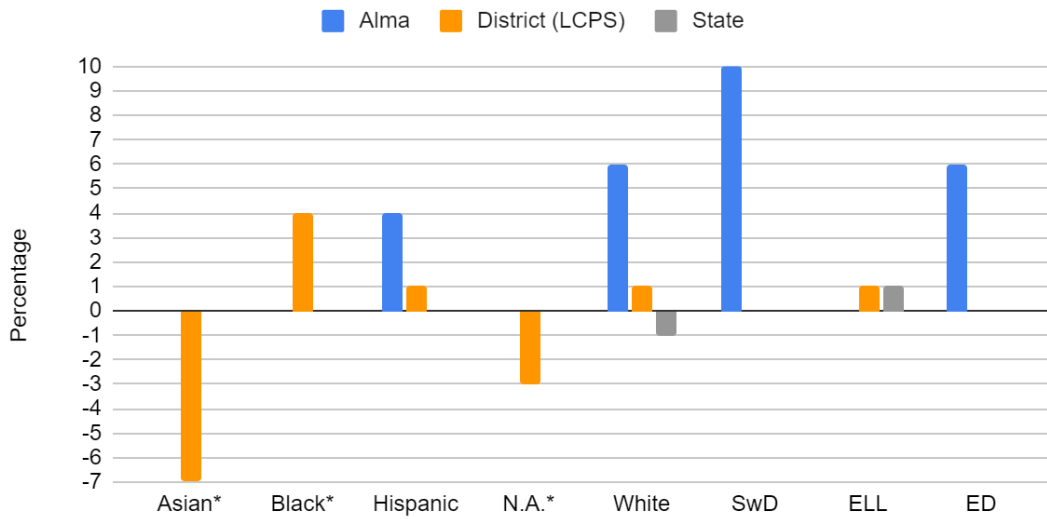
ELA Percent Growth by Subgroup (2021-22 to 2022-23)



Source: Assessment, Research, Evaluation, and Accountability Bureau of PED

***Note:** groups are masked due to population size.

Math Percent Growth by Subgroup (2021-22 to 2022-23)



Source: Assessment, Research, Evaluation, and Accountability Bureau of PED

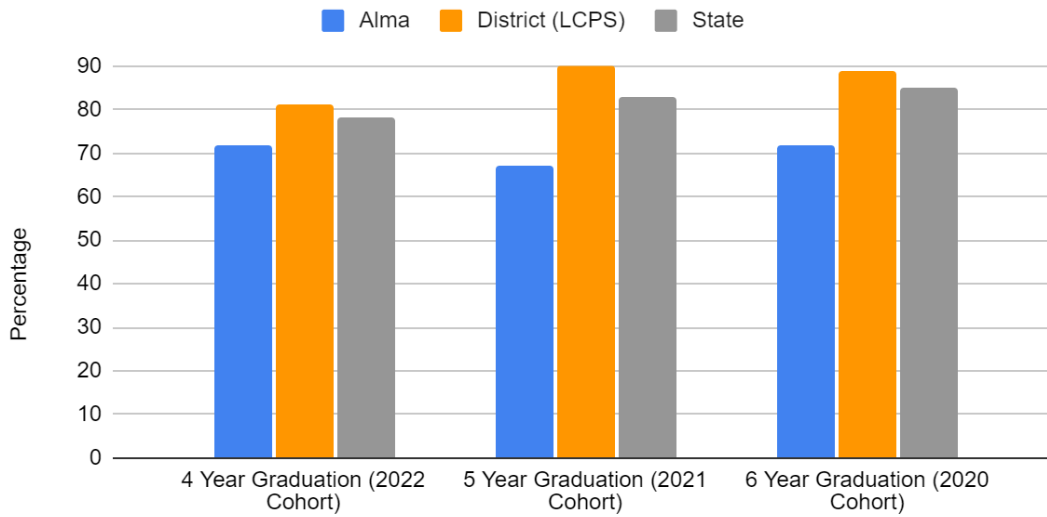
***Note:** groups are masked due to population size.

English Learner Progress (NMVistas): Masked due to population size

High School Graduation

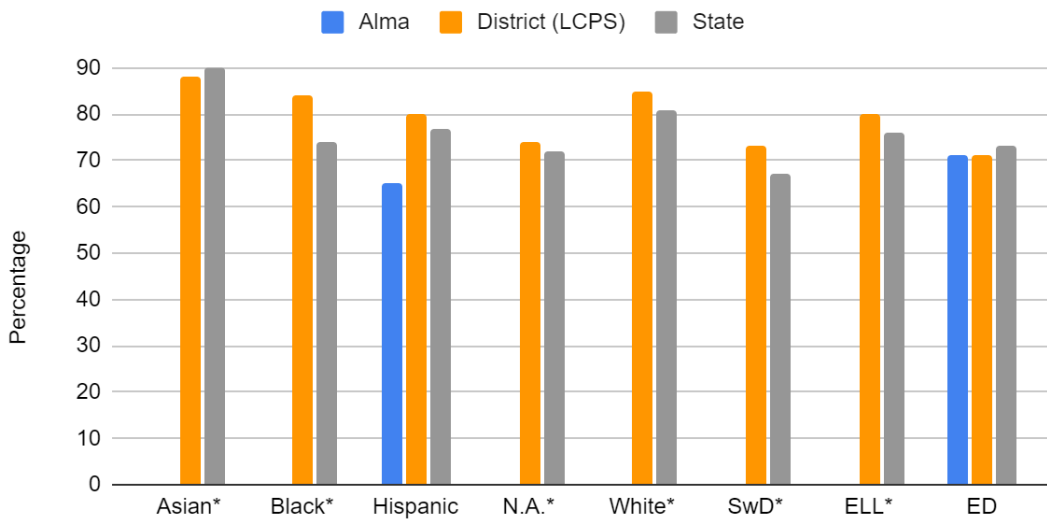
Data refer to prior year cohorts, with the most recent 4-year graduation data available for the 2022 graduation cohort, 5-year data for the 2021 cohort, and 6-year data for the 2020 cohort. The 4-year, 5-year, and 6-year graduation rates for these years are provided with comparative data for the state and district. The 4-year rate is then disaggregated by ethnicity and student group.

High School Graduation



Source: NMVistas.org

4-Year Graduation by Subgroup



Source: NMVistas.org

***Note:** groups are masked due to population size.

Mission-Specific Goals

Goal 1: Graduating 12th graders, who are enrolled on the 40th day and 120th day, will complete 100 hours in their apprenticeship by the end of April. Timesheets will be verified by the apprenticeship teacher and turned in every Monday for the previous week.

Performance Level	Target	Points
Exceeds Standard	90% or more of the graduating 12th graders, who are enrolled on the 40th day and 120th day, will complete 100 hours in their apprenticeship by the end of April.	100
Meets Standard	75-89% of graduating 12th graders, who are enrolled on the 40th day and 120th day, will complete 100 hours in their apprenticeship by the end of April.	75
Working to Meet Standard	55-74% of graduating 12th graders, who are enrolled on the 40th day and 120th day, will complete 100 hours in their apprenticeship by the end of April.	25
Does Not Meet Standard	Less than 55% of graduating 12th graders, who are enrolled on the 40th day and 120th day, will complete 100 hours in their apprenticeship by the end of April.	0

Rating: Data not provided

Goal 2: All 9-12th graders enrolled on the 40th and 120th day, will earn 20 out of 24 points (83%), using the school-provided rubric, on a year-long arts-integrated project including an oral presentation to a panel of staff members.

Performance Level	Target	Points
Exceeds Standard	90% or more 9-12th graders, enrolled on the 40th and 120th day, will earn a score of 20 out of 24 possible points (83%), using the school provided rubric, on a year-long arts-integrated project including an oral presentation to a panel of staff members.	100
Meets Standard	80-89% of 9-12th graders, enrolled on the 40th and 120th day, will earn a score of 20 out of 24 possible points (83%), using the school provided rubric, on a year-long arts-integrated project including an oral presentation to a panel of staff members.	75
Working to Meet Standard	70-79% of 9-12th graders, enrolled on the 40th and 120th day, will earn a score of 20 out of 24 possible points (83%), using the school provided rubric, on a year-long arts-integrated project including an oral presentation to a panel of staff members.	25
Does Not Meet Standard	Less than 70% of 9-12th graders, enrolled on the 40th and 120th day, will earn a score of 20 out of 24 possible points (83%), using the school provided rubric, on a year-long arts-integrated project including an oral presentation to a panel of staff members.	0

Rating: Data not provided

Organizational and Financial Performance Framework

2022-23 Overall Rating: Does Not Meet Standard

Pursuant to the [PEC Performance Framework and Accountability System](#), schools receive ratings of **Meets Standard**, **Working to Meet Standard**, or **Does Not Meet Standard** for individual indicators in the framework. Explanations for any rating other than Meets Standard are provided below.

The school also receives an overall rating of either **Meets Standard** or **Does Not Meet Standard** for the year. If a school receives a **Does Not Meet Standard** rating for three or more indicators, it will receive an overall rating of **Does Not Meet Standard**.

If a school receives a **Does Not Meet Standard** rating, on any indicator, the CSD and PEC may conduct a closer review the following year on that indicator, and/or the PEC may require the school to submit a corrective action plan in order to specify actions and a timeline to correct the performance deficiency.

A school may receive a **Working to Meet Standard** rating on multiple indicators and still receive an overall rating of **Meets Standard**. If a school receives this rating across multiple years, the CSD and PEC may conduct a closer review the following year on that indicator, and the school will need to address the issue in its renewal application at the end of its charter term.

Alma d'Arte Charter High School	2022-23
Organizational Performance	
1a Mission and Educational Program	Working to Meet Standard
1b State Assessment Requirements	Meets Standard
1c Rights of Students with Disabilities	Does Not Meet Standard
1d Rights of English Learners	Meets Standard
1e Meeting Program Requirements	Working to Meet Standard
1f NM DASH Plan	Meets Standard
2a Governance Requirements	Working to Meet Standard
2b Nepotism, Conflict of Interest	Meets Standard
2c Reporting Requirements	Working to Meet Standard
3a Rights of All Students	Does Not Meet Standard
3b Attendance and Retention	Working to Meet Standard
3c Staff Credentialing	Does Not Meet Standard
3d Employee Rights	Does Not Meet Standard
3e Background Checks, Ethics	Meets Standard
4a Facilities	Working to Meet Standard
4b Transportation	N/A
4c Health and Safety	Meets Standard
4d Handling Information	Meets Standard
4e Information accessible to the public	Meets Standard
4f School climate	Working to Meet Standard
5a Financial Reporting and Compliance	Does Not Meet Standard
5b Accounting Principles	Does Not Meet Standard
5c Responsive to Audit Findings	Does Not Meet Standard
5d Managing Grant Funds	Does Not Meet Standard
5e Staffing for Fiscal Management	Working to Meet Standard
5f Internal Controls	Meets Standard

Explanation of 2022-23 Indicator Ratings

1.a. Head administrator and stakeholder groups reported implementation of arts integration and internship aspects of mission and terms needs improvement; few aspects of arts integration into non-arts instruction.

1.c. Concerns about the SPED program were noted during the site visit. The Special Ed Division issued a formal annual determination letter for 2022-23 with non-compliance on indicators 13 and 4B. The school is on a Corrective Action Plan of Needs Technical Assistance Year 1.

1.e. Communication from other bureaus stated that there is a lack of timely reporting/data reconciliation, including Safe Schools Plan and CTE grant.

2.a July 2023 one new member did not complete required training hours.

- 2.c. Notification of governing board membership changes not submitted to the PEC/CSD; the school never provided a formal notified CSD on the designation of one GC focus group member.
- 3.a. No documented lottery process or policy; no documented complaint policy or current student/family handbook.
- 3.b. EOY: Attendance rate is 93% (target is 95%)
- 3.c. Licensure discrepancies not resolved at end of school year.
- 3.d. Concerns about employee rights raised at site visit and no evidence of teacher mentoring program.
- 4.a. Minor facility safety and security, maintenance, cleanliness concerns raised during site visit and observed. HA reported a plan to improve.
- 4.f. Concerns about school climate raised at visit by multiple stakeholder groups.
- 5.a. Q1 late 18 days, Q2 late 3 days, Q3 late 3 weeks, Q4 late 3 days.
- 5.b. FY22 audit reflects four (4) findings, including one (1) material weakness ([FY22 Audit](#))
- [5.c. FY22 audit reflects two repeat findings from 2021.](#)
- 5.d. Carl D Perkins Secondary, K-12 Plus/ELTP Planning Grant, and Career Technical Educational Program (pilot) grants reverted 100% of grant funds.
- 5.e. School does not have a functional audit committee or finance committee.

Site Visit Attendees

Thursday, February 2, 2023

CSD Team: Martica Davis (Lead), Corina Chavez, Lucy Valenzuela, Kyle Wood, and Kimberly Gonzales (Kyle & Kimberly were remote)

School Leadership: Kayla Martinez, Head Administrator

Governing Board: Kim Skaggs, Paul Dulin, and Gabriel Holguin

Renewal Condition Status

Condition (from renewal contract): Alma d'Arte Charter School Executive Director and/or designee will submit evidence to the Charter Schools Division (CSD) staff in the fall and in the spring of the current contract, a detailed Academic Improvement Plan and Short Cycle Assessment results to improve student academic outcomes. The submissions will include measurable goals, responsible parties, timelines, action steps, and fall and or spring SCA results. Goals were set for a 5% growth in proficiencies for both Math and ELA, for students attending Alma for a full academic year (FAY).

Analysis: Upon reviewing the school’s submissions in response to the condition (sent to CSD on 1/17/23 and on 7/10/23), it is evident that the school had difficulty complying with the requirements during school year 2022-23. The conditions report is due from the school twice per year: once at the end of December and once at the end of June. Fall and Spring condition reports were received late and incomplete. Growth goal results were not reported in the form provided to the school, no BOY data was provided, only proficiency rates were reported. Whether the results were 90% of Full Academic Year students is unclear. Overall, the results provided by the school show a decline from Middle of the Year (MOY) to End of the Year (EOY) proficiencies in both math and ELA. Barriers cited by the school: they had trouble administering short-cycle assessments, they had a mid-year change of head administrator, and challenges with data collection.

The condition documentation is **attached**.

Special Education Corrective Action Plan Status

Summary of Annual Determination Letter, 2022-23 School Year (from letter dated February 7, 2024): Each year, the NMPED is required to assign annual determinations in accordance with the Individuals with Disabilities Education Act (IDEA). The determination is made based upon data submitted by the Local Education Agency (LEA) through the STARS system and participation in random sampling of student post-secondary transition data. Information is also obtained through monitoring visits, dispute resolution information, and any other public documentation made available.

LEA Determination: Based upon a comprehensive review of the LEA’s data and information, **Alma d’Arte Charter High School** is assigned an annual determination of **Needs Assistance- Year 1** for School Year 2022-2023. The data used to make this annual determination was based on the data in the enclosed document titled “2022-2023 Annual Determination Data” and is listed below:

- **Indicator 4B:** Suspension and Expulsion by Race and Ethnicity– Hispanic b. Lack of policies, procedures, and practices. [Non-Compliant]
- **Indicator 13:** Secondary Transition [Non-Compliant]


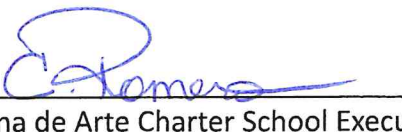
Corrective Action Plan (CAP) required: As a result of the identified non-compliance, the Special Education Division (SED) will be issuing a Corrective Action Plan (CAP) to address the identified non-compliance. As part of the CAP process, the LEA will initially be required to complete either a Root Cause Analysis (RCA) and/or a Self-Assessment (SA) for missed compliance indicators. The RCA/SA must be completed and returned to the assigned SED Education Administrator, Lorie Pacheco, no later than February 29, 2024.

Based upon the results of the RCA or SA, the areas of non-compliance will be addressed through a CAP. The CAP may also include any target indicators where the set target was not met by the LEA. All non-compliance identified in the letter must be corrected no later than February 7, 2025.

Letter of determination and determination data sheets are **attached**.

Alma de Arte Charter School –
Charter Renewal Documentation showing compliance with school condition

Condition: Alma de Arte Charter School Executive Director and/or designee will submit evidence to the Charter Schools Division (CSD) staff *in the fall and in the spring* of the current contract, a detailed Academic Improvement Plan and Short Cycle Assessment results to improve student academic outcomes. The submissions will include measurable goals, responsible parties, timelines, action steps, and fall and/or spring SCA results.

<p>Section 1 (Yellow sections) completed and submitted by December 31 of each year.</p> <p>I affirm that the Information has been collected and is provided in the first 90-day NM-DASH plan report or is explained further in the comment section below.</p>	<p>Section 2 (White sections) completed and submitted by June 30 of each year.</p> <p>I affirm that the Information has been collected and is provided in the second 90-day NM-DASH plan report or is explained further in the comment section below.</p>
<p></p> <p>Alma de Arte Charter School Executive Director or designee</p>	<p></p> <p>Alma de Arte Charter School Executive Director or designee</p>
<p><u>1/17/23</u></p> <p>Date of first submittal</p>	<p><u>6-30-2023</u></p> <p>Date of second updated submittal</p>

Goals:

- By the end of each school year, 90% of FAY students from 9-12th grade will increase their reading skill proficiency overall by 5 percentage points as measured by the short cycle data and dyslexia screener collected in the end of the year assessments (Illuminate and dyslexia screener, or something similar).
- By the end of each school year, 90% of FAY students from 9-12th grade will increase their math skill proficiency overall by 5 percentage points as measured by the short cycle data collected in the end of the year assessments (Illuminate or something similar).

Section 1: Fall SCA Results and implementation

Improvement Actions	
Short Cycle Assessment program is implemented in the fall. Remedial instruction happens in the classroom and during after school activities/tutoring based on day-to-day lessons/observations and data from short cycle assessments that are completed during the year.	
X	Step 1: Within the first two weeks of school (or the first two weeks of a student enrolling in Alma for the first time) each student will be tested with the Reading Plus or similar assessment and within the first month, we will run the Beginning of Year (BOY) short cycle assessments. PERSONS RESPONSIBLE: Testing Coordinator and the teacher of the subject area being tested (Math, ELA, and Science (if applicable)).
X	Step 2: Brigance testing given to all Special Education students for Beginning of Year (BOY) PERSONS RESPONSIBLE: Special Education Program Specialist
X	Step 3: Data results will be given out to teachers within the two weeks following the completion of testing or as soon as they are readily available to use to inform their instruction and planning in their classroom.

	PERSONS RESPONSIBLE: Testing Coordinator and the teacher of the subject area being tested (Math, ELA, and Science (if applicable)).
X	<p>Step 4: The school will establish a math and reading curriculum, and utilize this curriculum throughout the year, that targets growth in students to close the learning gaps.</p> <p>PERSONS RESPONSIBLE: ELA teachers, math teachers, and Principal (monitoring walkthrough to see if data driven instruction is being utilized in the classroom).</p>

Comments on completion Steps 1-4, as needed:

Fall testing was completed using Illuminate. We had issues with the math portion and are working with Illuminate on a solution

amending it to our needs/separating by subject area rather than a cumulative test). Reading Plus and a Math curriculum

intervention program are still being reviewed on what our needs are with our current students. Brigance testing was completed with SPED.

Section 2. Winter and Spring SCA Results

Classroom support implemented during the school year	
X	<p>Step 1: The school will utilize the math and reading curriculum throughout the year that targets growth in students to close the learning gaps.</p> <p>PERSONS RESPONSIBLE: ELA teachers, Math teachers, and Principal (monitoring walkthrough to see if data driven instruction is being utilized in the classroom).</p>

X	<p>Step 2: The school will provide high quality reading and math interventions in an afterschool program for the students/families who opt in.</p> <p>PERSONS RESPONSIBLE: ELA teachers and Principal (monitoring walkthrough to see if data driven instruction is being utilized in the classroom).</p>
X	<p>Step 3: Mid-year, each student will be tested with the mid-year short cycle assessments. Data results will be given out to teachers within the two weeks following the completion of testing or as soon as they are readily available to use to inform their instruction and planning in their classroom.</p> <p>PERSONS RESPONSIBLE: Testing Coordinator and the teacher of the subject area being tested (Math, ELA, and Science (if applicable)).</p>
X	<p>Step 4: Mid-year, Brigance testing given to all Special Education students. Data results will be given out to teachers within the two weeks following the completion of testing or as soon as they are readily available to use to inform their instruction and planning in their classroom.</p> <p>PERSONS RESPONSIBLE: Special Education Program Specialist</p>
End of Year testing and assessment	
X	<p>Step 5: End of year, each student will be tested with the end of year short cycle assessments and the math end of the year assessments. Data results will be added to BOY and mid-year data and progress for each student calculated.</p> <p>PERSONS RESPONSIBLE: Testing Coordinator and the teacher of the subject area being tested (Math, ELA, and Science (if applicable)).</p>
X	<p>Step 6: May meeting with the team. Annual meeting with academic planning team to close out short cycle</p>

	<p>assessment for the year, confirm progress and make any adjustments. Update will be provided to those not in attendance.</p> <p>PERSONS RESPONSIBLE:</p>
--	--

Comments on completion of Steps 1 – 6, as needed:

Results of Goals - For informational purposes only, not included as part of the Condition

- By the end of each school year, 90% of full academic year students in 9-12th grade will increase their reading skill proficiency overall by 5 percentage points as measured by the short cycle data and dyslexia screener collected in the end of the year assessments (Illuminate and dyslexia screener).
- By the end of each school year, 90% of full academic year students in 9-12th grade will increase their math skill proficiency overall by 5 percentage points as measured by the short cycle data collected in the end of the year assessments (Illuminate is used in 2022).

Short Cycle Assessment Used	% of 9-12 students who increased their reading skill proficiency overall by 5%	% of 9-12 students who increased their math skill proficiency overall by 5%

What changes are proposed by the school to improve the outcome if fewer than 90% of students met the goal?	See, second 90-day NM-DASH plan report	See, second 90-day NM-DASH plan report
---	--	--

Comments on completion of Steps 1-6, as needed:

Middle of year and end of year short cycle testing was completed using Illuminate. Here is the Illuminate Data Results:

MOY Math – 9th through 12th

- Out of 110 students that were tested, 13% were in the proficient range.

EOY Math = 9th through 12th

- Out of 110 students that were tested, 11.2% were in the proficient range.

English Language Arts (ELA)

MOY – 9th grade

- 24 students tested, 8% were proficient.

EOY – 9th grade

- 24 students tested, 0% were proficient.

MOY – 10th grade

- 33 students tested, 6 % were proficient.

EOY – 10th grade

- 34 students tested, 0% were proficient.

MOY – 11th grade

- 33 students tested, 0% were proficient.

EOY – 11th grade

- 35 students tested, 0% were proficient.

MOY – 12th grade

- 18 students tested, 0% were proficient.

EOY – 12th grade

- 18 students tested, 0% were proficient.

Special Education Data (BRIGANCE ASSESSMENT)

MOY – 9th – 12th grade

- Reading - 25 students tested, 13 students were proficient (52%)
- Math – 25 students tested, 6 students were proficient (24%)

EOY – 9th – 12th grade

- Reading – 27 students tested, 15 students were proficient (56%)
- Math – 27 students tested, 6 students were proficient (22%)

Interventions were provided by Math, ELA, and Sped staff through afterschool program.

2022-2023 Local Education Agency (LEA) Annual Determination Data

LEA: ALMA D'ARTE CHARTER

2022-2023 Annual Determination: Needs Assistance - Year 1

Compliance Indicators						
Indicator	Indicator Description	School Year Data Used	Indicator Type	Requirement	LEA Score	LEA Performance
4B	Suspension and Expulsion by Race and Ethnicity	2021-2022	Compliance	0.00%	<i>Hispanic b. Lack of Policies, procedures and practices</i>	<i>Non-Compliant</i>
9	Disproportionate Representation	2022-2023	Compliance	0.00%	<i>No Dispro Rep</i>	<i>Compliant</i>
10	Disproportionate Representation in Specific Disability Categories	2022-2023	Compliance	0.00%	<i>No Dispro Rep</i>	<i>Compliant</i>
11	Child Find - 60 Day Timeline	2022-2023	Compliance	100.00%	<i>NDR</i>	<i>NA</i>
12	Early Childhood Transition	2022-2023	Compliance	100.00%	<i>NDR</i>	<i>NA</i>
13	Secondary Transition	2022-2023	Compliance	100.00%	<i>90.00%</i>	<i>Non-Compliant</i>

Other Factors		
Area	Year Data Used	LEA Performance
Corrected Non-Compliance	2021-2022	<i>NA</i>
Continued Non-Compliance	2022-2023	<i>0</i>
Submission of Timely Data	2022-2023	<i>Yes</i>
Submission of Reliable Data	2022-2023	<i>Yes</i>
Audit Results	FY 2021	<i>No Findings</i>

Interpreting the Data:
<ul style="list-style-type: none"> ▪ For indicators 4B, 9 and 10 the OSEP requirement is 0%; however, the state has it's own definition of Significant Discrepancy and Diproportionate Representation. If LEAs do not meet the state's definition, LEAs are found to be compliant. ▪ The LEA Score is compared to the measurment requirement to determine the LEA Performance. ▪ An LEA Performance of "Compliant" is utilized for Compliance Indicators. Compliant means the LEA was compliant with the requirements for this indicator. "Non-Compliant" means the LEA was not compliant with the requiremets for the indicator. ▪ An LEA Score of "NDR" means No Data Reported. ▪ An LEA Performance rating of "NA" means Not Available/Not Applicable. This usually occurs when there is no data available (NDR) to make an LEA Performance rating. ▪ "No Sig Discrep" means the LEA was not found to have Significant Discrepancy as defined by the State for this indicator ▪ "No Disp Rep" means the LEA was not found to have Disproportionate Representation as defined by the State for the Indicator. ▪ An LEA Performance of "Yes" for Submission of Timely Data indicates the LEA met all data reporting timelines. No indicates the LEA did not meet all data reporting timelines. ▪ An LEA Performance of "Yes" for Submission of Reliable Data indicates the LEA submitted valid and accurate data. No indicates the LEA did not meet submit valid and accurate data.



**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR AVE.
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us**

ARSENIO ROMERO, PH.D.
SECRETARY OF EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

February 07, 2024

Principal Adam Amador
Alma d' arte Charter High School
402 W. Court Avenue, Bldg. #1
Las Cruces, NM 88005

RE: Annual Determination 2022-2023 School Year (Corrective Action Required)

Dear Principal Amador:

Each year, the New Mexico Public Education Department (PED), as the State Education Agency (SEA), is required to assign annual determinations in accordance with the Individuals with Disabilities Education Act (IDEA) at 34 CFR § 300.600(a)(2) and Subsection F of 6.31.2.9 NMAC. This determination is made based upon data submitted by the Local Education Agency (LEA) through the Student Teacher Accountability Reporting System (STARS) and participation in random sampling of student post-secondary transition data. Information is also obtained through monitoring visits, dispute resolution information, and any other public documentation made available.

Making Determinations

In making determinations, data submitted for State Performance Plan (SPP) and Annual Performance Report (APR) indicators 1-14 were examined to determine the validity and reliability of the submitted data and its consistency with the required measures outlined in the SPP and APR, Part B Measurement Table. Specific compliance indicators (9, 10, 11, 12, and 13) were reviewed to determine if the LEA demonstrated substantial compliance of 95% or higher. Indicator 4B data were reviewed to ensure that LEAs did not have any significant discrepancy in the rates of long-term suspensions and expulsions. The correction of issues of non-compliance, the submission of timely and valid data as well as audit findings were also considered in assigning the LEA an annual determination.

The SEA also considered the following factors in making an annual determination for the LEA:

- Unresolved special conditions;

2022-2023 Annual Determination

February 07, 2024

Page 2 of 3

- Designation as a "high risk" LEA;
- Long standing audit issues;
- Length of time a problem existed was unacceptable;
- Magnitude of the problem was a concern;
- Progress the LEA made to correct the problem was insufficient.

The determination criteria are further summarized in the enclosed *2022-2023 Determination Criteria* table.

LEA Determination

Based upon a comprehensive review of the LEA's data and information, Alma d' arte Charter High School is assigned an annual determination of **Needs Assistance - Year 1** for School Year 2022-2023. The data used to make this annual determination was based on the data in the enclosed document titled *2022-2023 Annual Determination Data and is listed below.*

- **Indicator 4B**
- **Indicator 13**

For LEAs that were found to have non-compliance with a compliance indicator (4B, 9, 10, 11, 12, or 13), this letter serves as the official notification of non-compliance. According to 34 CFR § 300.600 (e), LEAs must correct non-compliance as soon as possible, and in no case later than one year after the state's identification of the non-compliance.

About an "Intervention" Designation

If your LEA was assigned the determination of Needs Intervention or Needs Substantial Intervention, you may request an informal hearing in accordance with Subsection F of 6.31.2.9 NMAC. The hearing will afford the LEA an opportunity to demonstrate why a determination of Needs Intervention or Needs Substantial Intervention should not be made. The request for the hearing must be made in writing to the New Mexico Secretary of Education within 30 days of the date of the determination. The hearing will be conducted by the Secretary or the Secretary's designee. The formal rules of evidence shall not apply to the hearing.

Correcting Non-Compliance

Although 95% is considered a level of substantial compliance, all non-compliance must be fully corrected as soon as possible and in no case later than one year from the SEA's identification of the non-compliance in accordance with 34 CFR §300.600(e). The targets for compliance indicators 11, 12, and 13 must be 100% and the targets for indicators 4A, 4B, 9, and 10 are 0%. Correction of non-compliance is required for LEAs that were found to be Meets Requirements but had a score of less than 100% or greater than 0% for a compliance indicator.

An SEA or LEA is not considered to be compliant with the indicators unless it meets the target set by the U.S. Secretary of Education in accordance with 34 CFR §§ 300.600(d) and 300.601(a)(3) and has fully corrected any non-compliance. This includes ensuring that LEAs demonstrate correction of non-compliance in accordance with the Office of Special Education Programs

(OSEP) Question and Answer (QA) 23-01 document (copy enclosed). States are not permitted to establish thresholds for meeting compliance that is less than full compliance (100%).

2022-2023 Annual Determination

February 07, 2024

Page 3 of 3

The determination of the correction of non-compliance is based on an updated review of the data and information primarily obtained from the LEA. This includes correction of individual case(s) of non-compliance and a conclusion that the LEA is correctly implementing the specific regulatory requirements. This two-prong approach is consistent with the OSEP QA 23-01 regarding "Reporting on Correction of Non-compliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act."

As a result of the identified non-compliance, the Special Education Division (SED) will be issuing a Corrective Action Plan (CAP) to address the identified non-compliance. As part of the CAP process, the LEA will initially be required to complete either a Root Cause Analysis (RCA) and/or a Self-Assessment (SA) for missed compliance indicators. The RCA/SA must be completed and returned to the assigned SED Education Administrator, Lorie Pacheco, no later than February 29, 2024.

Based upon the results of the RCA or SA, the areas of non-compliance will be addressed through a CAP. The CAP may also include any target indicators where the set target was not met by the LEA. All non-compliance identified in this letter must be corrected no later than February 07, 2025.

If you have any questions or concerns, please do not hesitate to call Lorie Pacheco at (505) 372-9509. Thank you for your efforts to improve the educational outcomes for students with disabilities.

Sincerely,

DocuSigned by:



140A3ED72E6C41E...
Arsenio Romero

Secretary of Education

AR/cm

Enc. (5): How the State Made Determinations under Section 616

2022-2023 Annual Determination Data

2022-2023 Determination Criteria

OSEP QA 23-01

Root Cause Analysis (RCA) Form(s):

cc: Corina Chavez, Director, Charter Schools Division, PED

Lorie Pacheco, Education Administrator, Special Education Division, PED

Cecilia Romero, Special Education Director, Alma d' arte Charter High School



STATE OF NEW MEXICO
PUBLIC EDUCATION COMMISSION
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-6661
www.ped.state.nm.us

PATRICIA GIPSON, CHAIR
PUBLIC EDUCATION COMMISSION

ARSENIO ROMERO, PHD
SECRETARY OF PUBLIC EDUCATION

Patricia Gipson, Chair
District 7, Las Cruces

Steven J. Carrillo, Vice Chair
District 10, Santa Fe

Timothy E. Beck, Secretary
District 2, Albuquerque

Melissa Armijo, Member
District 1, Albuquerque

Alan Brauer, Member
District 3, Albuquerque

Rebekka Burt, Member
District 4, Rio Rancho

Sharon Clahchischillage, Member
District 5, Aztec

Stewart Ingham, Member
District 6, Deming

Michael M. Taylor, Member
District 8, Roswell

K.T. Manis, Member
District 9, Hobbs

April 26, 2024

Dr. Adam Amador
Richelle Peugh-Swofford
Alma d'Arte Charter High School
aamador@almadarte.org
rpeugh-swafford@almadarte.org

Dear Dr. Amador and Ms. Peugh-Swofford:

Thank you for your time and information presented to the New Mexico Public Education Commission ("PEC") last week. This letter confirms the outcome of that meeting with regard to Alma d'Arte Charter High School. It is our hope that the school can make progress on the areas of concern outlined in this letter. Given the severity of the concerns outlined in this letter, we ask that you provide all members of the Governing Board with a copy of this letter. As you know on April 19, 2024, the PEC took several actions with regard to Alma d'Arte pursuant to NMAC 6.2.9.

1. Annual report for 2022-2023 shows unsatisfactory performance, and the school is not on track for renewal. The PEC accepted the annual report for the school from the Charter Schools Division for school year 2022-2023. The PEC now provides the school a notice of unsatisfactory performance, confirms that the school is not on track for renewal and identifies the unsatisfactory performance related to:

- the Vistas designation of CSI Graduation;
- the low academic proficiency rates in math and science;
- the lack of growth in reading overall and for the subgroups identified on page 6 of the annual report;

- the lack of growth in math overall and for the subgroups identified on page 7 of the annual report;
- the low graduation rates;
- the inability to provide data for the Mission Specific Indicators resulting in no score;
- the overall designation on the Organizational and Financial Frameworks of “Does Not Meet”, and
- the unsatisfactory performance related to
 - 1.c. Rights of Students with Disabilities,
 - 3.a. Rights of All Students,
 - 3.c. Staff Credentialing,
 - 3.d. Employee Rights, and
 - 5.a. -5.f. indicators related to fiscal management

The unsatisfactory performance should be corrected by the next annual report.

2. Reporting on the School’s Condition of Renewal is unsatisfactory. As you know, the school was renewed with the following condition:

The School will provide a NMDASH plan, or other plan approved by the PEC, outlining how the school will improve student growth in both literacy and mathematics. The plan will include implementation of short-cycle assessments, use of the data from those assessments to set measurable goals for student growth in literacy and mathematics, implementation of instructional strategies (for both core instruction and intervention) for meeting those goals, and progress monitoring at regular intervals. The plan must include action steps, a timeline and persons responsible.

The PEC accepted the report on the Condition listed above and found the following:

- the progress towards improvement in proficiency and growth of students is insufficient,
- the compliance with the reporting on the Condition is insufficient, and
- the timing and information required to submit the Condition in a timely and complete manner needs to be corrected.

3. Breach of Contract. Based on concerns in the 2022-2023 annual report, the report on the Condition and concerns outlined in the letter of me from February 26, 2024, the PEC voted on April, 19, 2024 to provide notice of breach of the charter school contract and to place the school on the intervention ladder. The PEC voted unanimously as follows:

Alma d’Arte Charter High School should reestablish a respectful, safe and effective learning environment at the School and remedy the following concerns and charter contract provisions:

Academic progress	
Concern	Contract Provision
1. Show academic proficiency and growth of the students, improve inadequacies related to testing of students and improve results and complete documentation for the Mission Specific indicators and the condition of renewal	Contract Section 4; 1., 2. and 4.i. Contract Section 5; Academic Performance Framework; and Condition of Renewal
2. Correct and confirm compliance with Special Education requirements, including correcting concerns identified in the Special education annual determination letter from the Public Education Department. Include a report (without student identifying information) of pending complaints at the school level related to Special Education and how they are being addressed there.	Contract Section 4, 8.2 Organizational Performance Framework, 1.f and 3.a and Condition of Renewal
3. Confirm and ensure compliance with Attendance for Success Act, including the disenrollment processes. Include a review of disenrollments (without student identifying information) utilized by the school for the past two school years.	Contract Section 4, 8.4 as amended Organizational Performance Framework, 1.c and 3.b
Organizational and financial concerns	
Concern	Contract Provision
A. Correct inadequate financial oversight and ensure that the school has compliant finance and audit committees at all times	Contract Section 4.1 and Section 5, 4., and Financial Performance Framework, 5.e
B. Remedy audit findings through a corrective action plan derived from the audit response provided by the School with suggested improvement by CSD.	Contract Section 4.1 and Section 5, 4., and Financial Performance Framework, 5.b and 5.c

<p>C. Provide and implement a complaint policy approved by the Governing Council at the school and a plan for addressing parent and student complaints. Include a report showing the status of pending parent and student complaints (without identifying information) reported to the School.</p>	<p>Organizational Performance Framework, 1.c, 1.d, 3.a and 3.d</p>
<p>D. Confirm that the School has adequate admission and enrollment policy and procedures that allow student choice.</p>	<p>Organizational Performance Framework, 3.a</p>
<p>E. Provide and implement an adequate plan for teacher mentoring, ensure that the rights of teachers are being enforced and utilize a staff grievance policy that is consistent with the Collective Bargaining Agreement.</p>	<p>Organizational Performance Framework, 3.d</p>
<p>F. Provide timely and complete reporting and notifications to CSD and PED</p>	<p>Contract Section 5.3. ii., and Organizational Performance Framework, 2.a</p>

The PEC further has asked the Charter School Division to review the School’s compliance with Special Education and Attendance for Success requirements during the present school year and the adequacy of the processes and protocols at the School to ensure ongoing compliance and work with other agencies, as appropriate, or hire consultants to assist in the review.

Finally, the PEC has asked the school to report its Condition update and short cycle assessment data at the June meeting of PEC related to proficiency and growth.

Under the intervention ladder, the school is required to provide a Corrective Action Plan to be approved by the PEC. The Charter Schools Division will be reaching out to you immediately to work with you on this plan, which must be provided to the PEC by **May 10th, 2024** for approval by the PEC at its May meeting. The document should identify specific actions that will be taken, including information regarding the people who will take specifically identified actions by a date certain.

We appreciate your efforts to address the issues listed above. Thank you.

Sincerely,

/e/Patricia Gipson

Chair, Public Education Commission

