



May 4, 2018

Christopher N. Ruszkowski
Secretary-Designate
State of New Mexico Public Education Department
300 Don Gaspar
Santa Fe, NM 87501

Re: Whittier Elementary School

Dear Secretary-Designate Ruszkowski:

We acknowledge receipt of your April 27, 2018, letter wherein you approved the Albuquerque Public Schools' (APS) MRI plan for Whittier Elementary School with conditions. This letter serves to notify you of our acceptance of the conditions with the understandings set forth below, which correspond with the numbered conditions in your April 27 letter:

1. Accepted with the understanding that every reasonable effort will be made to staff the school by the first day of the 2018-2019 school year with Highly Effective or Exemplary teachers, but that to the extent this has not been 100 percent accomplished APS will continue its aggressive recruiting efforts to complete staffing as soon as possible while complying with the Section 22-5-14 NMSA 1978, the School Personnel Act and applicable Regulations related to staffing and supervisory personnel. APS will monitor the status of State of New Mexico Ex Rel., the Honorable Mimi Stewart et al. v. New Mexico Public Education Department et al. Cause No. D-101-CV-2015-00409 to ensure compliance with the pending injunction.

APS continues to believe that every classroom should be staffed with a licensed teacher over a substitute, if unable to fill positions with Highly Effective or Exemplary rated teachers. APS also continues to place high value in National Board Teachers and Accomplished Teaching and will continue to recruit these teachers.

2. Accepted

3. Accepted with the understanding that uninterrupted blocks for ELA and math will be developed as soon as possible, but some additional time beyond the May 15, 2018 deadline may be required to fulfill this part of the condition while complying with Section 22-10A-18 NMSA 1978. The school will make every effort to have uninterrupted blocks of time for ELA and math; however, it also will need to create a schedule that serves all students and provides common planning time for grade level teachers.

4. Accepted with the understanding that the newly hired principal at Whittier was given a multi-year contract to assure continuity, and any change in the principal and support

principal by June 1, 2019, will be done in accordance with the Principal Evaluation System required by the PED. APS has hired a principal with a multi-year track year of success, therefore, finds it unreasonable that one year of data would determine her employment status. APS will utilize the PED evaluation system for the principal, which includes multi-measures of effective leadership. With regard to support personnel, including the associate superintendent, APS will comply with the School Personnel Act.

5. Accepted with the understanding that APS working with PED and our classroom teachers will ensure that curriculum, instruction and assessment are research-based, vertically aligned and standards-aligned. It is envisioned that a collaborative effort with PED and our teachers will be undertaken to assure the requirement is properly implemented. As described in the recent resubmission to the PED, Whittier will work with WestEd/Dana Center to align standards. Instructional materials for ELA are currently being adopted.

6. Accepted

7. Accepted

8. Accepted with the understanding that APS believes that PED's intention was for Whittier to achieve a C grade for three consecutive years beginning with the 2018-2019 school year, which would be the first year for Whittier to be under the MRI plan. If this understanding is not correct, we look forward to clarification from PED.

It cannot go without noting that all along in this application process there has been changing PED criteria, which gives APS real concern that its efforts will not be judged objectively. One example of the changing criteria is the following relating to staffing the MRI schools:

In the initial RFA the requirement was that the MRI schools be staffed by "Effective" "Highly Effective" and "Exemplary" teachers. APS submitted an application, which comported with the requested criteria. This application was denied. PED in denying the initial application advised APS that it could submit an updated application that specifically addressed eight areas of focus that the Secretary-Designate identified. One of the eight areas of focus related to staffing the MRI schools. PED stated that the updated application should provide that the MRI schools would be staffed with "Highly Effective" and "Exemplary" teachers. The Effective classification was deleted. In the spirit of good faith and cooperation, to assure that the MRI school could operate in accordance with the proposed APS plan, APS agreed to recruit aggressively to staff the MRI schools with Highly Effective and Exemplary teachers. APS, relying on the statement that PED would assist in achieving the MRI plans, requested assistance from PED in identifying teachers statewide who had the required status, because this information was only available to PED. This request was met with silence from PED. The deafening silence from PED made it clear to APS that it would be left to its own devices to recruit teachers with the required status of Highly Effective and Exemplary. APS has begun the hiring process of teachers who meet the qualifications included in the APS updated plan.

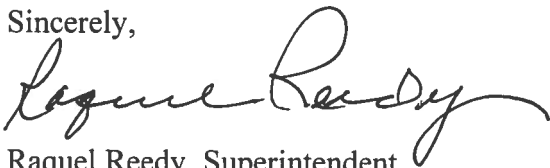
On April 27, 2018, in approving conditionally the APS MRI Application for Los Padillas Elementary School and Whittier Elementary School the Secretary-Designate and PED shifted again the criteria regarding staffing. The new April 27, 2018, criteria requires that the teachers staffing the MRI schools not only have the designation of Highly Effective or Exemplary, but that these teachers have a “multi-year” track record of having the designation of Highly Effective or Exemplary.

APS is left to only guess what new criteria will be used by the Secretary-Designate and PED in providing the assistance that was originally promised in the RFA. APS, and reasonably informed observers of the process, agree that we are justified in our skepticism and lack of confidence in the Secretary-Designate and PED.

Given the shifting criteria in the staffing area of focus, which is only one of the eight areas, and without detailing changes in criteria in each of the other seven areas of focus, APS believes that its best course of action is to proceed with implementation of its MRI plans for Los Padillas, Whittier and Hawthorne elementary schools.

While APS will move forward to implement its plan, developed collaboratively by stakeholders and backed by in-depth research, for Whittier Elementary School and will make a good faith effort to implement the conditions imposed by the Secretary-Designate, APS does not waive, and in fact reserves the right to stop or change implementation of the plan or the conditions, if it determines that parts of or all of the plan or the conditions are legally impermissible or the timelines prove to be impractical, or not in the best interest of children. Should it appear that the timelines are not readily achievable; APS will work cooperatively with PED to set achievable timelines so as to implement its plan.

Sincerely,

A handwritten signature in cursive script that reads "Raquel Reedy". The signature is written in black ink and is positioned above the printed name.

Raquel Reedy, Superintendent