

**Via Certified Mail,
Regular Mail & Email**

108-807

March 6, 2024

Dr. Jeffrey Cottrill, Superintendent
IDEA Public Schools
2115 W. Pike Blvd.
Weslaco, Texas 78596

Mr. Collin M. Sewell, Board President
IDEA Public Schools
PO Box 3432
Odessa, Texas 79762

RE: Conservator Appointments to IDEA Public Schools

Dear Dr. Cottrill and Mr. Sewell:

The purpose of this letter is to notify you of the appointment of a management team of two conservators to IDEA Public Schools (district or charter district) as part of a settlement agreement between the charter district and the Texas Education Agency (TEA or agency).¹ As you are aware, since 2021 TEA has been actively conducting investigations into numerous allegations against the charter district of financial and operational impropriety.

Earlier this year, the charter district negotiated a settlement agreement with TEA, which was fully executed as of the date of this letter. The terms of the settlement provide that the district will accept the appointment of one or more conservators who will provide TEA assurances that the district makes every effort to be in compliance with all applicable statutes and regulations.

Please be advised that, in accordance with the settlement agreement, I am appointing Christopher Ruszkowski to serve as the lead conservator for the charter district and Dr. David Lee to serve as a conservator to support, *inter alia*, improvement of financial systems and controls (together, the Conservators). It should be noted that Dr. Lee was previously appointed to serve as the district's monitor on April 20, 2022. The Conservators will have all authority permitted under Texas law and otherwise agreed to in the settlement agreement, including, but not limited to, the following:

- Overseeing and directing any action of the district and/or governance team;
- Facilitating a needs assessment of the district and governance systems;
- Conducting onsite inspections during the period of the placement;
- Supporting the creation of a plan to address corrective action concerns outlined in the needs assessment;

¹ Pursuant to Texas Education Code (TEC) §39A.002-.003, two or more conservators appointed to a district are also referred to as a management team.

- Reporting to the agency on the progress toward completing activities in any corrective action plan and all governance activities of the district;
- Directing the board to remove board members in the event of observed board member misconduct, and further directing appointment of replacement board member(s); and
- Reporting findings of fact that rise to the level of material violations of law or rule to the Commissioner of Education.

Please note that the appointment of the Conservators does not relieve the district and its governing board of the responsibility to, at all times, operate the district in compliance with all applicable statutes and rules. The agency reserves the right to implement all available interventions and sanctions under Texas Education Code (TEC), Chapters 12, 39, 39A and Title 19, Texas Administrative Code (TAC), Chapter 97 and 100, individually or in combination, to address the current, or any future, deficiencies identified for the district. Specifically, the charter district is currently subject to multiple Corrective Action Plans (CAPs) related to special education complaints. The settlement agreement and this enforcement action do not impact the active special education CAPs or any future complaints and potential investigations related to special education concerns. The charter district is still required to complete the CAPs, provide all necessary student compensatory services in a timely manner, and adhere to all special education laws and regulations. The agency expressly reserves, and does not waive, its right to impose any available and appropriate future sanctions or interventions related to ongoing or future special education matters or otherwise as permitted by law.

The cost of the Conservators' services will be paid by the district in accordance with TEC §39A.903. Each Conservator's fee shall be \$125 per hour plus necessary travel expenses not to exceed the state per diem rate. Failure to make timely payments to the Conservators may result in appropriate amounts being deducted from the district's Foundation School Program (FSP) funds.

It is my sincere desire that all parties work together in a cooperative and productive manner to address the issues identified in the district. If you have questions about the appointment of the Conservators, please contact Garrett Black, Director of Governance Interventions at (512) 463-9146 or via email at Garrett.Black@tea.texas.gov.

Sincerely,



Mike Morath
Commissioner of Education

MM/lm