THE CHAIR: Good morning. And I now call to order this meeting of the Public Education Commission. It is Thursday, October 21st, and it is 9:02 a.m. And I will ask Commissioner Armbruster to please do a roll-call vote. Roll call. Not a roll-call vote. We're voting whether we're here or not.

COMMISSIONER ARMBRUSTER: Okay, sure. Why not?

Commissioner Toulouse?

COMMISSIONER TOULOUSE: Present.

COMMISSIONER ARMBRUSTER: Commissioner Conyers?

COMMISSIONER CONYERS: Present.

COMMISSIONER ARMBRUSTER: Commissioner Caballero is here.

Commissioner Gipson?

THE CHAIR: Here.

COMMISSIONER ARMBRUSTER: Commissioner Johnston?

COMMISSIONER JOHNSTON: Present.

COMMISSIONER ARMBRUSTER: Commissioner Crone is not here.

MS. CARMIE TOULOUSE: Commissioner Ruiz?

THE CHAIR: And Commissioner Peralta will be joining us at about 11:00. He's at a PSCOC meeting. So he will come over as soon as that meeting concludes, or he can get away, either one.

COMMISSIONER ARMBRUSTER: And we do have a quorum of seven.

THE CHAIR: And we do have a quorum of seven.

I will do the Pledge of Allegiance. And then I will ask Commissioner Conyers to do the New Mexico Flag Salute.

(Pledge of Allegiance and Salute to the New Mexico Flag conducted.)

THE CHAIR: I'm assuming that there's no one for Public Comment.

All right. So now we're quickly moving on to No. 4. So we have approval of the August 20th,
| Page 6 |
|---|---|
| 1 | 2017, Work Session. Do I hear a motion? |
| 2 | COMMISSIONER RUIZ: So move. |
| 3 | THE CHAIR: There is a motion by |
| 4 | Commissioner Ruiz. |
| 5 | COMMISSIONER CONYERS: (Indicates.) |
| 6 | THE CHAIR: A second by Commissioner |
| 7 | Conyers. |
| 8 | All in favor. |
| 9 | (Commissioners so indicate.) |
| 10 | THE CHAIR: Opposed? |
| 11 | (No response.) |
| 12 | THE CHAIR: Hearing no opposition, the |
| 13 | motion passes. |
| 14 | 4B, Approval of August 31st, 2017 -- Cindy, did I say August 20th? |
| 15 | THE REPORTER: Yes. |
| 16 | THE CHAIR: It should be -- so I need to |
| 17 | amend that motion; because it's the August 30th |
| 18 | minutes. |
| 19 | COMMISSIONER CONYERS: I approve. |
| 20 | THE CHAIR: You approve -- will you accept |
| 21 | the amendment, Commissioner Ruiz? |
| 22 | COMMISSIONER RUIZ: Absolutely. |
| 23 | THE CHAIR: Thank you. |
| 24 | 4B, Approval of the August 31st, 2017, PEC |

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|---|---|
| 1 | Work Session Minutes. |
| 2 | COMMISSIONER RUIZ: (Indicates.) |
| 3 | THE CHAIR: There is a motion by |
| 4 | Commissioner Ruiz. |
| 5 | COMMISSIONER ARMBRUSTER: (Indicates.) |
| 6 | THE CHAIR: A second by Commissioner |
| 7 | Armbruster. |
| 8 | All in favor? |
| 9 | (Commissioners so indicate.) |
| 10 | THE CHAIR: Opposed? |
| 11 | (No response.) |
| 12 | THE CHAIR: Hearing no opposition, the |
| 13 | motion passes. |
| 14 | 4C, Approval of PEC Meeting Transcript |
| 15 | Minutes for September 1st, 2017. |
| 16 | Do I hear a motion? |
| 17 | COMMISSIONER ARMBRUSTER: (Indicates.) |
| 18 | THE CHAIR: A motion by Commissioner |
| 19 | Armbruster. |
| 20 | COMMISSIONER CONYERS: (Indicates.) |
| 21 | THE CHAIR: A second by Commissioner |
| 22 | Conyers. |
| 23 | All in favor? |
| 24 | (Commissioners so indicate.) |
| 25 | THE CHAIR: Opposed? |

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| 1 | (No response.) |
| 2 | THE CHAIR: Hearing no opposition, the |
| 3 | motion passes. |
| 4 | And, finally, 4C, Approval of the Summary |
| 5 | Minutes for the September 1st, 2017, meeting. |
| 6 | Do I hear a motion? |
| 7 | COMMISSIONER TOULOUSE: So move. |
| 8 | THE CHAIR: A motion by Commissioner |
| 9 | Toulouse. |
| 10 | COMMISSIONER RUIZ: (Indicates.) |
| 11 | THE CHAIR: A second by Commissioner Ruiz. |
| 12 | All in favor? |
| 13 | (Commissioners so indicate.) |
| 14 | THE CHAIR: Opposed? |
| 15 | (No response.) |
| 16 | THE CHAIR: Hearing no opposition, the |
| 17 | motion passes. |
| 18 | We are on to Item No. 5 which is |
| 19 | Discussion and Possible Action on Charter School |
| 20 | Amendments. |
| 21 | MS. POULOS: Madam Chairwoman, |
| 22 | Commissioners, that item should have been removed |
| 23 | before the agenda was finalized. There are no |
| 24 | amendments this month. They all came in too late |
| 25 | for us to put them on the agenda; so... |

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|---|---|
| 1 | THE CHAIR: Okay. All right. Thank you. |
| 2 | Okay. Item -- we are now on to Item |
| 3 | No. 6, Report from Options for Parents and the |
| 4 | Charter School Division, Discussion and Possible |
| 5 | Action and Update. |
| 6 | MS. POULOS: Yes. So we will start with |
| 7 | the update. I'll start with the less exciting and |
| 8 | go on to the more exciting. So the less exciting; |
| 9 | although, in some ways good, just on workload. |
| 10 | As you know, there were about nine schools |
| 11 | that -- PEC-authorized schools that were up for |
| 12 | renewal this year. Four of those schools, I've been |
| 13 | trying to keep you up-to-date with that have made |
| 14 | the decision not to renew with the PEC; instead, |
| 15 | they are choosing to renew with Albuquerque Public |
| 16 | Schools. |
| 17 | Those schools, the earliest to notify us |
| 18 | was back in early May was ACE Leadership High |
| 19 | School. And then after we gave them our analysis of |
| 20 | their academic performance over the past several |
| 21 | years, two other schools made the choice at that |
| 22 | point and notified us after we had already started |
| 23 | our work. And that was Health Leadership High |
| 24 | School, and that was Academy of Trades and |
| 25 | Technology. |
One school was silent and not communicating with us at all despite our attempts to schedule our work out; and that was Cottonwood Classical. And at the very last minute, right before October 3rd, they let us know that they would not be submitting an application. So we do have five applicants. And we are working on those. That's why my team is not here today. They are all at the New Mexico Connections site visit today.

They did two visits this week: One to Horizon Academy West yesterday. They will take a break while we are all at NACSA next week. And then the following week they will do the remaining two visits up in Taos, and I think another one in Albuquerque.

The next piece of updates is we were awarded the Federal Charter School Program Grant, which is very exciting. We've been trying for three years to get that funding source back. This year, there were 22 applicants across the country. Only nine were awarded grants, and we were part of that nine.

We were awarded $22.5 million for a five-year period. Of course, that's going to be subject to making progress on the grant, especially the objectives that we've laid out. But the initial funding term is a two-year funding term; so we have $6.35 million for the next two years.

There's a couple of things that are built into that grant. So I think there's some people that have heard we want to start 22 new schools. That's not the case.

What we have in the grant is funding to support the start-up of up to 15 new schools. That would be brand new schools over the five-year term. And I believe the way that we looked at that, we thought that the numbers would probably be two this year, two next year, maybe three in 2019-'20, and then four in each of the following years. Don't know if that will play out; so we'll see.

One of the important things to note is that most of the application process for this grant is actually built on the high-quality, rigorous standards that the PEC has put into place. So even if somebody wants to be a locally authorized charter school, if they're not using those same standards and that same review process, they'll actually have to submit a secondary application using the PEC standards and review process; because we do believe that it is actually a very good process for ensuring high-quality applicants.

There's some other pieces built in. They'll actually have to build out a project plan and a budget plan for the grant itself.

And we also have a pretty rigorous interview process. It's called a "Behavioral Event Interview." We actually are using that here at PED for our PPE program, our Principals Pursuing Excellence. And they have used that to really look for the right competencies in a school leader, focus on results, holding adults accountable to ensure all students are learning; a couple of other things, engaging community, things we think are really important. So we're very excited about that.

We are hoping to get an application process up in the next month and a half to be able to make grant awards if we do have quality applicants this year. And so we are talking with the U.S. Department of Ed on Monday. And that will be kind of our kickoff for when we actually get to start working on the grant.

The other thing that is built -- or two things that are built in when we talk about growing schools is growth and expansion of, again, up to 15 charter schools. And the way we broke that out was thinking about this word that we don't like to hear, "replication", but not necessarily any sort of term of art; but the idea being if somebody is already operating a school, and it's successful, seeing that maybe on a new school site or maybe in a new community through a new application.

So we're really thinking about, again, that opportunity to use something that's already working and expand that, especially when we have demand from our parents and our communities.

And then the other group of that is the growth and expansion; so increasing enrollment caps or even increasing grade levels served. Again, this is no guarantee. They obviously have to come through their authorizer. But a lot of our processes are built in the grant on what the Commission does; so that it does align. It doesn't require duplicative work for the schools, for the Commission, or anyone else.

So that's the kind of bulk of the money. And, actually, we've had questions about what that money can be used for. And so I just wanted to...
 quickly share that in case the Commissioners were interested.  

But the grants that the recipients -- the sub-grants from us that they can get are allowed to be used on the following activities: Preparing teachers, school leaders and specialized instructional support personnel, including through paying the costs associated with providing professional development and hiring and compensating during the planning period. So the ability to hire staff earlier on during that planning period. And that includes, again, for teachers, school leaders, and specialized instructional staff. 

Acquiring supplies, training, equipment, including technology and educational materials, carrying out necessary renovations to ensure that a new school building complies with statutes and regulations and minor facility repairs. So not being able to build a whole new facility, but being able to make some renovations to bring those facilities up to habitable -- THE CHAIR: Habitable. 

MS. POULOS: Habitable condition, yes. 

Providing one-time start-up costs associated with providing transportation to students 

....

And so this actually gives these new sub-grant recipients the opportunity to provide those transportation services, which we know is really important for equity, and then be able to access the transportation funding that's available from the State for all of our public schools. 

Also, for carrying out community engagement activities, including the cost of student and staff recruitment, which is great, because we know a lot of our new schools struggle to recruit students and staff. So this allows them the ability to do that. 

And then, finally, providing for other appropriate non-sustained costs. So pretty broad; but definitely going to be helpful to any new schools that are able to access these funds. 

So then the other piece that we are -- have built in to this grant is a couple of pieces. Technical assistance, sharing best practices, and then working with authorizers, the Commission, and district authorizers together, to try to improve authorizing practices in New Mexico. 

And I think that's really important when we think about the fact that four of our charter schools are choosing to go to a different authorizer. We want to make sure that consistently, all of our authorizers have high standards, are using clear and transparent practices. 

So this actually gives us the ability to invest some funds in working collaboratively across the state, district, and PEC, to develop principles and standards for what we think, as a group, quality authorizing is in New Mexico, being very specific to our state, and then also provide some funding to be able to give authorizers feedback. So do evaluations that are really just a formative evaluation to give feedback on room for growth, strengths, weaknesses. 

So there's a lot of exciting stuff in that. And we'll definitely be wanting to engage....
started working on kind of summarizing what are the things we have to accomplish. I'm going to do another summary, and we're really going to start executing. So we're going to see these activities really ramp up hopefully earlier than January 1st, but absolutely, by January 1st.

The last piece is -- I believe Beverly shared with the Commission. But we have finally received approval for four new positions within CSD. Those four are actually all now posted. And we are hoping -- we're trying to do outreach and make sure we get good candidates. We're also just hoping we get good candidates. And one of those positions, we think is really, really important. And that is a financial oversight position.

So we're excited about all of that and excited to see that there's a lot of work to be done; but we're staffing up to be able to do that work well.

I think that's all for my updates on that end.

THE CHAIR: Thank you.

MS. POULOS: You do have in your packet in Item No. 6 --

THE CHAIR: Oh, I'm sorry. Commissioner Toulouse, I think, has a question.

COMMISSIONER TOULOUSE: Madam Chair, I see no collaboration for us.

THE CHAIR: I was asked by the Coalition to -- to submit a letter of support. I was not asked by PED to submit a letter of support. I was asked by the Coalition to submit a letter of support, which I did last year. So it was just the same letter that I did do.

But I will reiterate -- I will also join Commissioner Toulouse in saying I would have appreciated some involvement in that. I think, as the authorizer, we have a voice in this, and we did not.

I support the concept of the grant, and

Toulouse, I think, has a question.

COMMISSIONER TOULOUSE: Madam Chair, I just want to make a comment on the record that I'm concerned about this grant, since it was for charter schools, that absolutely no input came from this Commission on what to do about it. It all came from the Charter School Division and from PED.

And as far as I'm concerned, while it's wonderful, and I think there's a lot that can be done with it, I am annoyed, to put it mildly, that we had no knowledge that -- of what was going to be in it until we were told these details now, and that my first awareness of it was when I got a copy of the award letter.

I think we have to work together. And clearly, we did not on this one.

Thank you very much.

COMMISSIONER JOHNSTON: Okay. Thank you.

And I just appreciate the work that went into the grant. I know that we've had the grant in the past, and that there were several years when we -- when we were unsuccessful; is that correct? We wrote applications, but we were unsuccessful. So there was a break in the grant.

But the first -- the first federal charter school grant that we, as a state, received -- do you know the year that was?

MS. POULOS: I believe it was 2000. -- actually, Kelly might know.

MS. CALLAHAN: -9.

MS. POULOS: --9, yeah. 2009. And then it was six years, I believe, that we had that. Maybe it was four -- it was five years that we had that grant. And then there were several years that we did not.

COMMISSIONER JOHNSTON: That we didn't.
But it's been -- it's money that has supported -- these are dollars that have supported, historically, charter school efforts in the State of New Mexico.

MS. POULOS: That's correct. Yes.

COMMISSIONER JOHNSTON: Thank you.

THE CHAIR: B?

MS. POULOS: Yes. So you do have your Ongoing Actions Tracker. There are a few updates. Specifically, we do have a new school on the list of schools that are seeking a new facility. Aldo Leopold did notify us that they are looking for a new facility; so they are on that list.

In addition, some updates on the list of governing body resignations. I think one thing that we wanted to add there is one of the pieces that we are trying to get to is a much more up-to-date restarted tracking of governing body resignations for the year.

Laurel has been working closely on that, trying to get annual reports from our charter schools on how many board members they are going to have. We have a good number of them; but we still have a good number that have not submitted, even though we did ask them to do that by September 1st.

It was September 1st; right?

And she has been working actively. We do hope that our charter schools will do that. It is a policy that the PEC passed last year, because we have concerns about not knowing who's on boards, what's happening to our boards.

We are continuing -- and you will see that in some of these materials here -- to have schools not submitting timely information about board resignations. The Commission, you may -- and I should have printed it out for you -- your policy says when they submit, they either provide, and they must submit within 30 days of either a resignation, which is a letter of resignation, or removal.

The intention of that "or" is not to play with the system and pick the later of the two, because obviously, the removal would always be the later of the two, and you could schedule that for whenever you wanted; but it is to make sure that we're getting timely notice.

And it is if somebody doesn't resign, but, instead, you have to remove them, then you would notify us within 30 days of that.

Some of our schools are not. They're saying, "Well, a resignation letter is not effective."

It's concerning to us, because then that can increase, again, the notice time: but it can also then increase the time where there's a vacancy substantially beyond the 45 days that the Commission has put in their policy, and, beyond that, the 30-day extension that the Commission has allowed.

So that is pretty concerning for us. I would encourage all Commissioners to look through the items in Part B, just so you have an understanding of which ones are. You can get that summary on the front page, which Laurel does for us.

And we do appreciate where you can see the schools that are timely reporting and those that aren't.

At this point, I would actually ask the Commission to think about whether we want to put something down that sets clear what's going to happen if you don't submit on time, whether that's something down that sets clear what's going to happen before the Commission for a discussion or something else. I just feel like at this point, we're not getting the responsiveness; we're not getting the information from everybody. And it's not being taken seriously. And I think it's a concern, because we know governance is very important to the success of our charter schools.

It's really up to the Commission. I would just say at this point, because of the frustration my staff and I are feeling about not getting this information, we don't know where to turn from here.

THE CHAIR: And it looks like, from -- because I looked at this a couple of days ago -- it looks like there's -- we have about three schools that are short of governance.

MS. POULOS: Under their governance. Yes, and that's what we know.

THE CHAIR: And another concern that -- that came up was as I was reading through this, I have a concern that schools that have more -- more than five are simply choosing to say, "Oh, we're going to eliminate that one, and we're not going to fill it; so we don't have to fill it, because we have decided we're not going to have seven or eight or nine."

MS. POULOS: And, remember, that's why --

THE CHAIR: And I know eleven is a lot. I mean, we've got some schools that have eleven, and that's just a lot to fill.

But I would hope that they chose that number because they thought that that was a -- an appropriate working number of governance, and they...
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1 were actively working.
2 So I'm -- I have a concern that they're
3 taking an easy out and saying, "Oh, we're just
4 eliminating that position; so now we don't have to
5 fill it."
6 So that I -- you know, I want the board to
7 have what they always felt was an appropriate
8 number, and I worry that they're falling short, just
9 because that's the easy out.
10 MS. POULOS: Yes, I agree. And, remember,
11 we did ask them. And that is -- it may be what
12 you're seeing, right? We did ask them to establish
13 their number, and that will be their number for a
14 year.
15 And we are seeing a lot of them. I think
16 that's fair and accurate to say, Laurel, that we're
17 seeing a lot of them saying, "We're just going to go
18 to five."
19 And it is concerning.
20 THE CHAIR: Right. Yeah. Okay. So --
21 and I know there's not much we can do about that.
22 But it is -- it's -- it piqued my concern when I saw
23 that. I think that we had at least three this time
24 around that may have simply said, "We're eliminating
25 that board position," and that presumably was a

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1 board position that was active and responsive, so
2 that it's -- I -- I worry that they're not going to
3 have the level of activity that they had. So -- but
4 I appreciate that.
5 COMMISSIONER ARMBRUSTER: Madam Chair?
6 THE CHAIR: Commissioner Armbruster?
7 COMMISSIONER ARMBRUSTER: I have a
8 clarification. And maybe you can help me, Katie, or
9 whomever. So we have five board members, and I have
10 to resign for whatever reason, health reasons. And
11 so I'm going to send in a resignation letter
12 tomorrow.
13 So this -- but the board -- the governing
14 board doesn't necessarily meet until the 11th of
15 November. So do we have any clarification? Or do
16 we need clarification? Is my letter -- do you have
17 to accept my resignation? Because, like, if I
18 resign, what are you accepting?
19 It seems like that's giving an extra
20 month -- it could be, I mean, literally, 29 days or
21 whatever -- to do something? So I'm just not sure
22 if it's clearly written, or I don't even understand
23 it.
24 MS. POULOS: Madam Chairwoman,
25 Commissioner Armbruster, absolutely. Commissioner

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1 Toulouse loves to tell me that I sometimes use too
2 many words. So I could have written more words to
3 say, "the effective the date that the resignation
4 letter is dated." But we thought we were pretty
5 clear when we said, "the date of the resignation
6 letter, or removal by the board", which is two
7 different circumstances.
8 One is somebody says, "I leave." And some
9 people actually put, in their resignation letter, a
10 date.
11 THE CHAIR: A date.
12 MS. POULOS: A date. And say I resign
13 effective after the next board meeting. Again,
14 raises some concerns, because that could continue to
15 be used to play games.
16 I would like us not to be in the situation
17 where we're talking about these games being played.
18 The reality is board governance is essential to the
19 success of a school, and we've got to say, "Look,
20 somebody is resigning. This is the date of their
21 resignation"; right? "We need to get somebody new
22 in here. We have 45 days to do it."
23 We know it's hard; but we've also been out
24 telling boards, "That's one of your essential
25 functions. It's one of your essential functions to

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1 constantly be in the recruitment process to make
2 sure that when somebody leaves, you're ready and
3 have somebody else ready to join."
4 So do we need to clarify it? If you'd
5 like me to come back with a new revision and give me
6 some guidance on what that revision would say, I'm
7 happy to do it.
8 THE CHAIR: And I think perhaps we need a
9 legal clarification as to whether the resignation is
10 not effective until the board votes -- obviously,
11 you know, the board can't say, "No, you can't
12 leave." So that we -- but just the pure fact that
13 they've voted and accepted the resignation, I guess
14 we need a legal clarification as to is it effective
15 when the Chair of the governance council is in
16 receipt of the letter? Or it's when the governance
17 council meets, and it's officially in the record
18 that that member has resigned?
19 COMMISSIONER ARMBRUSTER: And I guess what
20 I see, Madam Chair, is that that was sort of my
21 issue, is because I'm quitting tomorrow, and they're
22 not going to be meeting until a month from now,
23 literally. So that gives everybody an extra month.
24 And the governing council -- that's part of what was
25 approved in their charter.
THE CHAIR: But in reality, they wouldn't be able to fill that position in the meantime, because they haven't met; so that -- so that's -- there's this purgatory that people are existing in for a short time.

So I think we need -- I think we need a legal clarification of that.

COMMISSIONER ARMBRUSTER: So when I say that I'm leaving, for whatever reason, then the rest of the governing board, or the school, can't go looking for somebody else or get somebody else to physically say, "Oh, yeah, I'd love to do that job."

THE CHAIR: They can look.

COMMISSIONER ARMBRUSTER: But they can't take a person, right?

THE CHAIR: Well, they'd have to vote on it. The person wouldn't be an active member of that board until the board met and officially accepted that board member.

We get the minutes saying, you know, "So-and-so has -- has now joined, you know, we've accepted this resignation." And some of the schools are fortunate enough that they have a list that they go off of, you know. And it's like, "Oh, well, you're next on the list."

They -- you certainly can, any time, recruit members for your GC. But you're not a member until the board meets; so you -- so some schools -- and some schools could have an issue, then, if another board member was out of making quorum for a meeting.

Commissioner Johnston?

COMMISSIONER JOHNSTON: Thank you, Madam Chair. Because playing into that is then the required hours of training before you can vote as a board member.

THE CHAIR: Correct. Yeah.

COMMISSIONER JOHNSTON: Thank you, Madam Chair. Because playing into that is then the required hours of training before you can vote as a board member.

THE CHAIR: Correct. Yeah.

COMMISSIONER JOHNSTON: So you may -- that's just on top of --

THE CHAIR: Everything else, yeah.

COMMISSIONER JOHNSTON: And here's a clarification -- a request for a clarification. You are the Chair of the PEC. School boards have chairs. If I, as a member of the PEC, or if we were a governing board, if I resigned, I would write that letter to you.

THE CHAIR: To the governing --

COMMISSIONER JOHNSTON: I'm sorry. I'm talking school board. This is an elected board.

But I would write that letter to you.
written into the contract.

And the way that we have -- and this goes
to the discussion we've been having, right?

If you go through and look at multiple
contracts, we're not getting that detail in the
contract. So it's a very general, "We will have at
least five members," which is just a restatement of
law.

So I don't think right now our contracts
have that information in it. If we want them to,
that's something we need to think about when we're
doing negotiations of getting that detail.

THE CHAIR: And I -- I know from the
negotiations that I've done, there are some schools
that have a very specific number: "We will have
ten," you know. And so that you're absolutely
correct that if they're now making that decision to
reduce their number, they would be in violation of
their -- they would have to have an amendment;
otherwise, they're in violation.

Others, it's a range: "We're going to
have from five to eight." So if they choose not to
have eight, it's -- they're not in material
violation. But I -- and I know it's -- that's a lot
to go through.

COMMISSIONER ROBBINS: Madam Chair. And I
think the important thing here is when they
voluntarily, without notification or without a
charter amendment, reduce the number on their board,
it calls into question votes that the remaining
members make; because if they had ten, and they only
have five present, that's not technically a quorum.
And if three vote, you have three out of ten voting
to make changes to that charter.

And I think it does come down to a
governance issue to where the charter is now making
changes, or the governing board is making changes
without the authorized number of votes to make those
changes.

THE CHAIR: So I think we have to look at
two things: We need a legal clarification for when
something is active. But I think we need to -- and
I'll gladly participate in that and help -- look
through the contracts to see which contracts have a
specific number so that we know if a school has the
ability to do this or not, so that we're clear. And
I think that'll help us also as we look -- go
forward with the language issues that, at some point
in time, we'll be able to do.

MS. POULOS: Madam Chairwoman, Laurel is
going to scowl at me. But she can.

THE CHAIR: Could the record just reflect
that Commissioner Caballero is now here? Thank you.

MS. POULOS: So Laurel can do the contract
piece. Again, she's going to scowl at me across the
room, totally. But Laurel -- I do just want to say.

Laurel has kind of taken over everything,
governance, the trainings, et cetera, and she's
doing an amazing job. And so I'm sure that she can
work that in.

THE CHAIR: Sure, she can.

MS. POULOS: I'm sure she can.

THE CHAIR: Thank you, Laurel.

MS. LAUREL PIERCE: You're welcome.

THE CHAIR: And she also pitches in for
Beverly.

Thank you.

And is that all?

MS. POULOS: That is all.

THE CHAIR: Okay.

MS. POULOS: That is all.

THE CHAIR: Thank you. And before we move
on to Item No. 7, let's take a short break before
this, and then we can move on. Thank you.

(Recess taken, 9:34 a.m. to 9:48 a.m.)

COMMISSIONER ROBBINS: Madam Chairwoman, Commissioners, we did provide a summary of some of
the information we had for you regarding the
information. In addition, in your materials, you
did receive a substantial number of materials that
were provided by La Promesa.

Just a couple that I do want to -- we do
want to highlight for you. One of the concerns that
we have -- and I'm asking David Craig to come down,
because he did want to speak -- is that -- so that's
one thing. We want to make sure that David Craig
has the opportunity to speak with you.

The governing body, we do have concerns
about that. One of the items on the Corrective
Page 38

Action Plan was that the school would receive 18 --
sorry -- 16 hours of training from the PED, and all
board members would attend.

The day that we began the training, four
board members were in attendance. We were told that
one board member had a family emergency. In
addition, a non-board member attended that. I
believe it's somebody who has been designated to the
board. And yesterday, we received documentation of
that designation.

But on day two, another board member who
had been in attendance the prior day was not in
attendance. And so -- and I don't believe the
non-- the non-board member was there, if I'm
recalling correctly.

And so we certainly have a concern. It
was 16 hours of mine and Icela's time dedicated to
training this board on specifics about their school.
And so, you know, it's concerning to us. We got the
feeling, while the board members who were there took
it very seriously, not all did. And we continue to
see board turnover, which is also pretty concerning
for us.

Again, I'm going to say it. Board
governance is essential. Stable board governance is

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essential to a successful charter school; so it
definitely raises concerns for us.

In addition, this is one of the schools
that we don't feel like we've been receiving the
timely reports of resignations. And so that's
certainly concerning for us.

I think, you know, some of the other
stuff, we continue to see that there are concerns
with the final evaluation of the organizational
performance at that school. And so, you know, you
have the materials in front of you. That includes
the most recent letter grade. It does include some
information about WIDA: ACCESS and the challenges
that that school is going to have with reporting
those goals.

I say that the school has come to the
NMDASH training, I believe has submitted the NMDASH
plan. So they do appear to be, you know, making
some strides in that area. But I continue to have
what I would say are some pretty severe concerns
about stable governance.

THE CHAIR: And I guess I just need to
make things clear before we continue. I do not
believe this is something that actually is
actionable by us at this point in time. This is an

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update, my understanding, that this was a
requirement of the CAP that they come before us.
We've already adopted the CAP. So that
part of that Corrective Action Plan was that update;
so that this is not -- we're not voting. We've
already voted on the CAP. They're simply providing
us the update and whatever happens at the
culmination of this school year.

So just so that we're -- there's no
motions or anything. It's for -- for us to
communicate with the school at this time in regards
to their progress on the CAP.

So, thank you, good morning.

MR. JULIAN MUÑOZ: Good morning. My name
is Julian Muñoz. I'm the current board president of
La Promesa. Just in response to Ms. Poulos, thank
you for the training. I did enjoy it. But with
regard to the seriousness of it, we took it very
seriously. In fact, the second day, I asked them to
stay an extra half-hour, because I still had
additional questions as far as what we can do to
better the board at La Promesa.

There was a lot of discussion back and
forth. A lot of good information was presented.
And at this point, all my board members, minus the

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individual who had a medical emergency, attended
that board training.

In addition, there was a parent who at
that time was interested in joining the board who
went to those trainings, as well. And that's, to
me, the reason I wanted her on the board, is she
proved to me she wanted to be involved. She was
serious about making that school better.

So in response to Ms. Poulos' members not
taking it seriously, I disagree. We took it very
seriously. We know the stakes that are at play
right now.

So we are very grateful for the training.
Right now, we're trying to make up a training for
that individual that missed it. But, again, he does
have some very serious medical issues that we just,
unfortunately, have to work around.

THE CHAIR: So let me just interrupt so
I'm clear. There's only, at this point in time, one
board member that is short --

MR. JULIAN MUÑOZ: Eight hours.

THE CHAIR: You've got four board members
that have attended, because that one individual
is -- will soon be, or is just recently, on the
board.
MR. JULIAN MUÑOZ: Yes, ma'am.
THE CHAIR: So it's just that one board member that's short the hours.
MR. JULIAN MUÑOZ: So, yes, ma'am. He is short eight hours. We're trying to find additional training opportunities for him. But, again, he -- the medical issues that he's facing are severe.
THE CHAIR: Thank you.
MR. JULIAN MUÑOZ: As far as the turnover of our board, we -- we had had a board meeting -- we had a governing council meeting to discuss who really wanted to be involved in the board. We had to have a very frank discussion with current members, saying, "Do you want to still be participating? Are you going to be productive members of this board?"
We had to -- I had to ask those hard questions and ask them -- you know, coming to every other meeting is not acceptable. We are facing a very serious situation, and for you to be calling at the last minute saying you can't come in, well, at that point, you should -- before we do any type of removal action just for us, you should just submit your resignation. And then when we met as a governing council, we had five solid members who were committed to staying on the board and providing the necessary help that the Executive Director needs in order to fix what's going on.
MS. PATRICIA MATTHEWS: Madam Chair, members of the Commission, Patricia Matthews, for the record.
Just to be clear, there were seven members on this board. And so those he was just referring to, those were the folks that stepped off. And then the board committed to the five members. That's what you asked them to do.
So it is not a board where we have a lot of people coming and going, just to be very clear.
MR. JULIAN MUÑOZ: And I guess one other question, too, that did come up with those resignations that you were discussing earlier in the meeting today was when is the letter of resignation accepted?
We are taking it as when the board votes on it. But there's -- there's ambiguity as to when that date is. At this point, I'd find it helpful, as the board president, if the PEC -- can you decide, "Hey" -- because we will adhere to it. We just need that clarification. So that would be helpful on that -- on that part.
THE CHAIR: I guess I just have -- I'll follow up with -- and I guess maybe we can keep this topically. So one more question with governance council.
Are you putting into place anything to help recruit and hopefully populate a list of potential members?
MR. JULIAN MUÑOZ: Yes, Madam Chairman.
Actually, I have -- one of our board members is a retired Air Force General. She took it on herself -- Brigadier General --
FROM THE FLOOR: Air Force.
MR. JULIAN MUÑOZ: Air Force General. She took it upon herself, and we formed a recruiting committee. She developed policies and procedures of how we're going to go forward and recruit our new members.
We're going to look for certain industries that at this point will be very beneficial for us. But, mostly, we're looking for financial and legal members.
But at this point, we have developed and voted on, as a governing council -- which is part of the CAP, actually, that we're presenting today -- a system for us to go out and recruit potential members of the governing council. Because one of the things that I noticed when we got there, those procedures were lacking.
Ms. Judy -- Ms. Judy Griego right here took it upon herself, saying, "You know what? I've dealt with this before. She's dealt with another board, veterans' board, where she's a member, as well, that she takes care of that type of -- that type of position, as well.
So there is a procedure that we've developed. If you look at No. 5, under the General -- General Agreement, "A rigorous governance recruitment process has been created."
THE CHAIR: Right. Okay. And I apologize. I might have missed it in this plethora of --
MR. JULIAN MUÑOZ: There's a lot of information, yes.
THE CHAIR: So I apologize if I missed it. Okay. Thank you.
I see Director Craig is in the house. So maybe we want to move on to finances at this point in time. If you have nothing --
MR. JULIAN MUÑOZ: No, ma'am.
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<td>so that if Director Craig would like to speak, and</td>
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<td>then we can deal with the financial concerns.</td>
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<td>MS. PATRICIA MATTHEWS:</td>
<td>Madam Chair,</td>
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<td>members of the Commission, I just wanted to make</td>
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<td>sure -- because I'm a little nervous about things</td>
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<td>being followed through -- that you're satisfied with</td>
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<td>what's in -- been reported; because one of the items</td>
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<td>was to revise the bylaws. The school had revised</td>
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<td>their bylaws in December. And based on the way the</td>
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<td>recruitment plan was developed, we looked at the</td>
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<td>bylaws -- I'm going to say &quot;we&quot;, the governing body</td>
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<td>of the charter school -- to be clear. And those</td>
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<td>tracked what they had antic-- -- what they put in</td>
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<td>their plan, so there was no need to revise them</td>
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<td>So in your packet should be the first</td>
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<td>amended set of bylaws that show a nominating</td>
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<td>committee. So just to be clear, that that was</td>
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<td>presented, as well, at this meeting.</td>
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<td>THE CHAIR: And we do have in our packet,</td>
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<td>yes.</td>
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<td>COMMISSIONER TOULOUSE:</td>
<td>Madam Chair, just</td>
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<td>since I know that we have a new governance</td>
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<td>council -- and I just want to reiterate what I've</td>
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| For a while, the school had seven. And it's fairly |
| recent -- I don't even know what it is. |
| Is it a policy of this Commission that |
| says that the schools have to say how many members |
| that they're going to have at the beginning of the |
| year? Quite new. That is not in their contract. |
| As Mr. Muñoz said, the school's trying to |
| make some really tough decisions. These were |
| longstanding members that were on the roster. |
| But what we want are people who will show |
| up and work. What I believe the mission of the |
| Division is is to encourage councils to be strong |
| participating members. That's what you asked the |
| school to do; that's what they have done. There has |
| not been a fluctuation of membership, other than |
| bringing on a new member and the two that have been |
| on the board for a very long time -- and I will |
| leave it at that -- were asked to step off so that |
| they -- and one finally -- he lives in Taos; he |
| finally decided to step off. |
| So it is not as if this is -- believe me, |
| I have been -- I represent schools where they have a |
| revolving board, a revolving-door board. This is |
| not one of them. And since -- since we've been |
| involved so -- since last fall, this board has been |

| seen in five years -- strong schools have strong |
| governing councils. And that's what this school |
| needs to work on just as hard as the academic piece |
| and the financial piece. |
| And if you can do that and recruit the |
| right people, then you've got a head start on |
| supporting Chris and his staff to see that things |
| get done; because I haven't seen any of our schools |
| that we've voted to close, that we voted on real |
| problems at the school, where the governance council |
| wasn't just churning and churning and churning and |
| fighting among themselves or just not being there. |
| And so I would hope you're starting a good |
| direction on a new foot and that you get the people |
| committed to working; because you've got a year. |
| So thank you, Madam Chair. |
| COMMISSIONER ARMBRUSTER: Madam Chair? |
| THE CHAIR: Commissioner Armbruster? |
| COMMISSIONER ARMBRUSTER: I'm not sure |
| I'm -- would use the word "satisfied." I think |
| there's just a lot of things going on that, as |
| everyone here has said, is -- the governing council |
| is the school; that is what gives it stability. |
| So you had seven people. And then four |
| went to all of the trainings, because one -- I |
solid, and these members have been on board and participating.

So I don't know what you're -- what the confusion is; 'cause the board is solid. The members are there.

COMMISSIONER TOULOUSE: Madam Chair, I do want to give people credit, with all the publicity that's come up again in the past few weeks and everything else, you folks standing solid and dealing with it; because there's nothing worse than having to deal with things that happened well over a year ago, but that are thrown right back in your face right now.

So I do want to say I appreciate that you haven't had any defections or things like that just in the recent few weeks.

THE CHAIR: And I finally found my note on the nominating; because I did -- I went through. And your bylaws say that the nominating committee will be comprised of the -- a council member and a parent or a community member, and the director, as a nonvoting member.

So is it only a nominating committee of two, for all intents and purposes? Or is it --

MR. JULIAN MUÑOZ: Correct, yes.

THE CHAIR: Okay. Okay.

MS. POULOS: I just want to say on the record that the -- the guidance the PED gives -- and I think this is appropriate -- is a school director should not have any involvement in nominating of board members. That's because the board is the employer of that -- and so even though that individual is not acting as a voting member, I would like to express that I think that continues to concern us at the PED.

THE CHAIR: And that was actually a note that I had, that I -- I think there's a little bit of a conflict there with a director. I understand a director perhaps, you know, knowing best the school; but the director is employed by the governance council. So if they sit -- even as a nonvoting member, they have a voice. And that's a little bit of a concern.

MR. JULIAN MUÑOZ: So just for my clarification, industry standard with the PED is not to have the executive director involved in that; is that correct?

MS. POULOS: That is correct.

THE CHAIR: That would be my preference, as well. So he's kind of hiring the people who are hiring.

MR. JULIAN MUÑOZ: That's a good recommendation. We'll take that. We'll amend.

That's not a problem there.

THE CHAIR: Thank you. I appreciate that.

COMMISSIONER CABALLERO: Madam Chair. Am I to understand this is not a policy or a rule, but a suggestion by PED that that's the best course?

Or --

THE CHAIR: I'm sorry. A little clarification. That the director not be on the nominating committee?

COMMISSIONER CABALLERO: Right. Right.

THE CHAIR: Yes. It's a recommendation; it's not a policy. Yes.

COMMISSIONER CABALLERO: Okay. So there could be schools out there that --

THE CHAIR: There could be.

COMMISSIONER CABALLERO: -- that could be doing this. And they're not breaking rules and policies.

THE CHAIR: They are not. But it's -- it's -- I think it's a piece of conversation that maybe we need to look at, that it's -- until some -- oftentimes, when something like this comes up it's like, "Huh, I never thought of that."

So that this -- it is absolutely possible that there are schools out there that have nominating committees where the director does sit on it. Possibly. Anything is possible.

MS. POULOS: Madam Chairwoman, I would say there's a good number of our boards where the school leader is taking almost all responsibility for that. And we, again, are saying it every time we are in front of a board and being very clear with them about that.

I would just say again, for the record, but also for anyone who's here in the audience listening, the reality is the Legislature has had plenty of conversations about what to do about charter school governance. They are very concerned about it. I hope that charter schools will take the action to make sure that they are engaged in best practice before the Legislature has to act; because I'd rather it happen with self-governance than a new law being on the books that we have to then enforce.
THE CHAIR: I would prefer that it come from us. So I think it's a piece of conversation that we need to engage in.

Commissioner Robbins.

COMMISSIONER ROBBINS: I would agree with that. And I think, you know, that the chance of complications when an executive director is either guiding or directing the board is of concern. And I think that would represent, in my mind, lack of true governance, not a separation.

The board needs to understand -- the governing board needs to truly understand that they are not the friend and the partner of the manager; they are an overseer of that individual. They are their supervisor. And their job is not to be friends with him.

They can be friendly; but their job is to make sure that everything is being done appropriately. And when they're making -- getting -- their positions are being basically filled and supported by the executive director, it does present at least the appearance of conflict.

And I think that's what we want to avoid.

COMMISSIONER JOHNSTON: I have to make sure this is on.

Thank you, Madam Chair.

This brings my thoughts full-circle back to the governing-council-required training that currently the Charter School Division is providing, and the need, with the change in your board, to perhaps, once you get it stabilized -- and that, I understand, is your plan -- to redo that training. Because I think within the context of that training will come the answer.

Because you also are the policy-makers for the charter school, and governing council policy should be a significant part of that. And that separation of duties between your employee and your responsibilities as employer should be very well defined in your -- your charter school policy for governance.

And so I would recommend that you consider, once you stabilize, redoing that; because you had four members one day and three another. And I understand circumstances. And I applaud you for your daily activity.

But I have attended the training that Charter School Division presents, or provides, for governing council members. And it is an excellent training; it truly is. So that's on the board as a consideration.

MR. CHRIS JONES: Madam Chair, members of the Commission, my name is Chris Jones. I'm the Executive Director of La Promesa.

I do want to say for us, it's certainly a non-issue in terms of how we can revise our policies. We're very appreciative of any recommendations that you can give us.

I, for one, will tell you that I'm more than happy to alleviate myself of that sort of role, because I have enough to do. And as you know, Commissioner Johnston, running a school requires a lot of your time and energy. And so if that is one less thing for me to be involved in, I would certainly welcome that. And we will address that through our bylaws.

The other piece to this -- and as far as the training recommendation is concerned, at one point, I personally did reach out to the Charter Schools Division to see if we could coordinate a separate training, a continuation, an opportunity to make up a training session, as well as to receive additional training. Because you're right. And the probably more familiar with school boards. And school boards' job is to evaluate the superintendent. So in the same sense for this one -- and I think we've said it before -- the last Charter Coalition conference that I went to, I went to one of the sessions, and they were talking about governing councils and things. So I thought, "Oh, yeah, I'll go to that." Unfortunately I did have to identify myself.

But, anyway, Sandy Beery was talking about how many of you are evaluating your administrators. And we said, "Wow, we're supposed to be doing that?" That was a little frightening for me to hear.

But I just think, what we're saying, you know, you're not going to get slapped. We're not going to hit you or anything.

But the appearances are everything. So if I'm choosing who gets to evaluate me, it's not a really good thing. So I think that is something maybe we can put on our agenda to look at. And I agree that it would be nicer if we do it rather than the Legislature.

THE CHAIR: Correct.

Commissioner Johnston? I'm sorry.
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<td>more training that we can receive, that our board members can attend,</td>
<td>That needs to be part of trainings that are given to boards that you</td>
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<td>the stronger we will be when it comes to governance.</td>
<td>need a continuing outreach program from board members to find so that</td>
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<td>That request was actually denied by the Division because of our, quote,</td>
<td>that executive director doesn't feel like they're in a real bind and</td>
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<td>unquote lack of responsiveness.</td>
<td>ends up having to take it on so that it becomes institutionalized.</td>
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<td>So I do want to say that I welcome that, as well. And I hope to work</td>
<td>The other piece of this, I think, is the real cautionary tale, which</td>
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<td>with the Charter Schools Division, Director Poulos, to see that we can</td>
<td>is I think -- again, it's only my impression -- but it seems to me that</td>
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<td>get additional training. And we welcome any training.</td>
<td>the Southwest Learning Centers would never have gotten into the mess</td>
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<td>In the bylaws, the revision of bylaws is certainly something we will</td>
<td>they were in if their director had not been allowed to basically choose</td>
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<td>circle back and request.</td>
<td>his boards and run their meetings sequentially and be totally in</td>
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<td>THE CHAIR: And I will say in terms of the Charter School Division,</td>
<td>charge.</td>
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<td>I understand that for the individual who is missing the hours, I'm</td>
<td>And so I think right there, that should be something that's passed</td>
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<td>going to speak that the Charter School Division, I don't feel, should</td>
<td>on to every board and every new board member of what can happen to a</td>
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<td>be obligated to make a separate effort for that individual, that that</td>
<td>school.</td>
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<td>individual's got to make the effort to attend some other training</td>
<td>And, again, they're open because the FBI took every document we could</td>
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<td>that -- but I certainly -- and I don't think the Charter School</td>
<td>use to actually justify closing. It would have had to have been</td>
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<td>Division is going to deny additional training.</td>
<td>anecdotal because we still, this many years later, have no FBI</td>
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<td>MS. POULOS: No. Madam Chair, I do want to say -- I mean, there is</td>
<td>report on what went on. I would hope we would never be in a position</td>
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<td>certainly the feeling that this school does not want to cooperate with</td>
<td>that we don't have our own records before then, you know, so that we</td>
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<td>CSD. And that doesn't come just from that one-day training; it comes</td>
<td>could take our action without having to wait on some law</td>
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<td>from continued communications where there are battles about simple</td>
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<td>things that I feel like the school doesn't want to cooperate with us.</td>
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<td>And it certainly makes us less willing to go out of our way and spend</td>
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<td>extra time developing an individualized training for that school.</td>
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<td>The more cooperation we get, the more willing we are to do that. And I</td>
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<td>hope that the school will just hear that and be willing to take that</td>
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<td>feedback from us.</td>
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<td>THE CHAIR: Okay. Commissioner Toulouse has been very patient. Then</td>
<td>enforcement agency to do.</td>
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<td>Commissioner Caballero.</td>
<td>So I just wanted to say that in support of the directors getting</td>
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<td>COMMISSIONER TOULOUSE: What I wanted to say -- I have two points here:</td>
<td>themselves involved, I think it's just happened. And I do think -- we</td>
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<td>One, having done this five years now and being very familiar with</td>
<td>have to training the governing -- it's hard being on a</td>
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<td>many of the schools in Albuquerque, I think a lot of the directors</td>
<td>volunteer board. We're a volunteer board. You know, I was on the CNM</td>
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<td>being involved in choosing new members has evolved, because the boards</td>
<td>Governing Board for 12 years. The hardest thing we had to do was to</td>
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<td>have had a hard time doing it; so they're out there just trying to see</td>
<td>actually evaluate the president, who we hired and who worked for us</td>
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<td>they're in compliance and saying to different people, &quot;Do you want to</td>
<td>and who we had to work for.</td>
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<td>board?&quot; I don't think it's been anything that's really been codified;</td>
<td>That's not an easy thing to do. We were elected. This board is elected.</td>
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<td>it just happens.</td>
<td>But when you have clearly volunteer people who are mostly getting hit</td>
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<td>with a lot of stuff, it's up to us to give them the tools they need,</td>
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<td>whether it's within the governance council or coming from up here, to</td>
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<td>help give people the tools so that things don't kind of devolve onto</td>
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<td>the head of school, who's got more than enough to do complying with</td>
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<td>everything the PED wants from the school right now.</td>
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<td>I wouldn't want to be involved in teaching or administrating or any</td>
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<td>thing right now anywhere with the kinds of rules that come down from</td>
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<td>all over. It's not New Mexico; it's Washington; it's everybody who's</td>
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So I think that's one thing that if we give people the right training they'll be able to pick up and do.

Thank you very much, Madam Chair.

THE CHAIR: Commissioner Caballero?

COMMISSIONER CABALLERO: Thank you. Thank you.

I just want to say something for the record. And it bothers me that -- that we're still, not necessarily as a Commission, but the -- I can say that the Legislature has been very interested also in the relationship of the -- the Department, PED, and ourselves.

We -- it's supposed to be a Commission separate and apart from all of that. But we come under PED. They control our money. We don't control that. And it bothers me when -- when a department head announces that because of the competitive nature of whatever the school may be doing or the opinion that the board members -- the volunteer board members are not serious -- and I can tell you, organizing many organizations, coming from an Hispanic community, I can tell you that our culture is very, very different, that we interact with each other very, very different, even in business settings.

If you're trying to make business in Mexico, and you come in just wanting to do business, you're -- you're going to be asked to leave. You first sit down and do what you need to do, just like the Japanese.

And so I understand there's cultural differences. And we cannot laden ourselves with those opinions and, to top it off, say that we're not going to do our job to help out and do the job that you're supposed to do in the training that you're supposed to do, because we are getting negative vibes from this and that. That can't be.

And I want this Commission to seriously think of ways to receive complaints from our charter schools, if that is going on. We need to know that; because if the Legislature is interested in that, we need to report that.

I mean, we can stay in this relationship with the PED and the Department somewhere else for the next ten years. That can still happen. I'm not saying that we need to change anything. But the Legislature does need to -- to make changes if, in fact, that is -- that is happening. And at first, my question was, "Can a charter school ask for additional training, and does the Department have to deliver it?"

But now I understand that it's only delivered if you are behaving; not because you need it. But if you're not behaving, we're not going to give you what you need.

And when we have a charter school that's facing closure, and that closure -- I can almost see it, and what we forced them to comply with, to me, was a compliance that could not be met at the time we were doing it.

And so we should be helping the charter school, no matter what; because it's in the name of children, no matter what the attitude we perceive those adults to have. And that's our main game is the children. And I'm seeing grades, and I'm seeing some progress. And it's almost impossible.

And from those of you who have all this experience, you told me that it was going to be an impossible jump from "D" and "F" to what we required them to do.

And so to sit here and say, "Well, I'm not going to give you additional training," which has been suggested, "because I just don't like your combative nature or the attitude that I'm perceiving," no. You have a duty. You're a professional, and you have to comply.

And if that's the fact that they have to comply, then we -- we, as Commissioners, have to make sure that is done. And if they can't do it or won't -- we can't force them to do it -- then we have to find resources so that they can get the training from somewhere else.

There's a lot of training out there. I'm going to a conference. Some of you may be going to a conference. And I'm going to look for all these resources out there; because these can't be the only resources our people have. It can't be. We just have too many charter schools failing. And they shouldn't be failing.

Thank you.

THE CHAIR: Thank you.

MS. PATRICIA MATTHEWS: Madam Chair, members of the Commission, may I respond on behalf of Mr. Muñoz to what Ms. Poulos said?

Certainly, Ms. Poulos is right. There's no way that we're asking her two folks to come back down and do another two-day training. That wasn't
the ask-for. I think there was a misunderstanding.
And certainly, overall, the Charter Schools Division has trainings scheduled. I think they're pretty much the same trainings that were provided to this school that they can be made up.
And we are -- Mr. -- Mr. Jones copies me -- sometimes I wish he wouldn't -- but I get the trainings. I know when they're done. And he sends them to his board.
So the understanding is that these members -- the one member who's missing will try to make it up; but I don't know if that's acceptable.
It sounded as if it wasn't.
Is that acceptable to the Commission, that this member may come up in another Division-scheduled training?
THE CHAIR: I think that's the -- I think that's what has -- not that they will try to, but that they have to; because that's part of it.
MS. PATRICIA MATTHEWS: They will.
THE CHAIR: Absolutely, yeah.
MS. PATRICIA MATTHEWS: Absolutely.
THE CHAIR: But I will just add that as best that they can, that the training that they're going to attend is training that they missed, not training -- so that they're not attending a piece of the same training, as the eight-hour makeup that the training that they do attend fills the gap of what they didn't -- they didn't -- what they might have had from the absence.
MS. PATRICIA MATTHEWS: And maybe that was the ask-for, and it got --
THE CHAIR: Okay. And that's fine.
MS. PATRICIA MATTHEWS: -- it got communicated.
And the other thing that Mr. Muñoz asked me to respond to -- and I want to do this in a conciliatory manner; I do not want to do this in an accusatory manner with Ms. Poulos or her Division.
It's tense, very tense between this school, where it's got every aspect of its existence at stake. And there is some concern that they feel like there's -- either they're talking past each other or there's a lack of clarity or there's this "gotcha" mentality.
Whether it is or it isn't accurate or not, that's -- I wanted the Commission to hear. And I appreciate Mr. Caballero's -- Commissioner Caballero's point, that it is a two-way street.

So communication -- I think we all know communication can be better. So that's what we would ask for is some more respect and acknowledgment that the school is doing a lot of work and doing things they believe in the right way.
So I don't really want to belabor it, and neither do you want me to belabor it. I would make one more suggestion, Ms. Poulos. And this might be helpful because sometimes these things fall through the cracks.

When a charter school is approved, they're required, as part of the application process, to have bylaws. And it might be very helpful to post on the website a template of bylaws; not that they have to accept them as they are, but, certainly, with key components, like "You shall not have your head administrator on the nominating committee." I concur for many reasons why that is not a great idea.

So that was just a suggestion, since we were talking about bylaws.
MS. POULOS: Madam Chair, do you mind?
One of the things that's actually built into the grant, to bring that back up, is actually development of multiple example policies; and so another great opportunity.

But I do want to say when we do a training, individualized for a school -- and it's somewhat similar to the training we do for all board members; but it was 16 hours, and it was developed for the school -- we looked specifically at things we knew about this school, the type of program they did, and developed a different training for this school.

And when I got the request, it sounded like a request to do another specific training for this school. And, again, I will say, when I go well above and beyond what is required of my division, it is because we are both on a two-way street working together.

And I would love to do that for this school. But, again, we've got to work together. We've got to be willing to work together.
THE CHAIR: Right. And I'll just reiterate that at this point in time, the only really feasible option is for that individual to attend a training and attend a training in areas that were not covered in the time period.
But I would certainly hope that any handouts and any information that was made available
at that more specialized training be made available
1 to that individual so that they can read that, so if
2 there's something different that was covered in the
3 individualized training, that they're made aware of
4 it. I think that's fair and reasonable at this
5 point in time.
6
MR. JULIAN MUÑOZ: Madam Chair,
7 Commissioners, I do have a question here, and I do
8 hope you can answer it here, because it was
9 something that was brought up before.
10 If this board member is unable to make up
11 that training, I'm going to have to make a decision
12 to remove them at this point. So for any new member
13 that comes on, are they going to be required to take
14 that 16 hours? Or are they going to be required to
15 take the ten hours, initially, just as the amended
16 statutes state --
17
THE CHAIR: My understanding is they have
18 to have the 16 hours. That's the CAP. That's my
19 understanding.
20
MR. JULIAN MUÑOZ: But is it going to be
21 that specialized training?
22 THE CHAIR: I don't think at this point in
23 time we can expect CSD to do an individualized
24 16 hours. I think that individual will have to
25 attend other trainings provided by CSD.

and once again, whatever information on
1 paper that was made available at the individualized
2 training, that that be made available to any and all
3 members that come on board. That -- I would hope
4 that you're populating a resource kind of library.
5 I would hope all schools do that so that as
6 individuals go off to trainings, that they're
7 sharing this with the other governance council
8 members, regardless of what it is, that that's a
9 piece of your governance -- of your meetings, that
10 someone attended a training, and this is the
11 information. Do you have any questions?
12
But at this point in time, for CSD to
13 dedicate 16 hours for one individual and going
14 forward, you know, I don't -- I hope you don't have
15 other openings. But, you know, life happens. And
16 we understand that; so that I don't think, you know,
17 that should be expected.
18
But the CAP is for the 16 hours. That's
19 my understanding.
20 Commissioner Johnston?
21 COMMISSIONER JOHNSTON: Thank you,
22 Madam Chair. Clarity. And it'll be very simple,
23 I've lost track.
Mr. Rivera.

And then the two -- and I don't know whether those were removals from the board or whether they were resignations -- those two additional that are currently part of the crisis that you're facing; right? Am I correct?

MS. PATRICIA MATTHEWS: I'm sorry. I'm sorry. That is confusion. And we've -- I actually forgot.

Those -- Mr. Roybal and Mr. Trujillo and Ms. Cervantes voluntarily resigned because they weren't able to participate; Mr. Trujillo lived in Taos, et cetera. So that dropped them to four.

The -- Ms. Baca, who is the member who attended the 16-hour training, was voted onto the board last week. So that brings them back to five.

COMMISSIONER JOHNSTON: Okay.

MS. PATRICIA MATTHEWS: Does that help?

COMMISSIONER JOHNSTON: Yes, it does.

MR. CHRIS JONES: Okay. I apologize.

MR. JULIAN MUÑOZ: I apologize. That was our fault.

COMMISSIONER JOHNSTON: It just clicked.

I just got lost.

THE CHAIR: Director Craig has to leave.

He's on a time limit. So I'd like to move on so that we can hear from him and move on to the financial component.

MR. CRAIG: Madam Chair?

THE CHAIR: Director Craig kind of likes to stand there.

MR. CRAIG: It's my go-to now. I did it once; so it's part of my character.

Madam Chair Gipson and members of the Commission, it's always a pleasure to come before the PEC. I appreciate the opportunity to do so.

I got to tell you we're got to work on our communication a little bit because I was just made aware from Chris a little bit beforehand that I was going to be asked to speak and give you guys a financial improvement plan. And so we're working a little bit to make sure that CSD and I communicate a little bit better and we get that information up.

But if you guys do develop Corrective Action Plans, make sure that Katie is kept in the loop so that I can make sure I'm available when we write things like, School Budget Director will help give a financial improvement plan update."

THE CHAIR: Let me just say -- this isn't something new. This Corrective Action Plan was voted on in May. So this has been on the books for this discussion since that time.

MR. CRAIG: Sounds good. So we've got to work on it on the PED side, and it's got to be something that --

MS. POULOS: Let me be clear. The plan, as far as I understood, did not have his name in it. That's where the confusion is. We need to be clear about that.

MR. CRAIG: Thank you, Katie. If you guys write me in there, make sure I know about it, and I'll be happy to come and talk to you guys.

I had hoped to get a financial improvement plan actual document in front of you guys. As far as the things we need to work on the most, that's one of them. So I was hurrying around trying to complete one, as of even yesterday, to try and get back to these guys so they could have a guide from which I was going to be speaking from, because I was waiting until the FY '17 audit is done to try and incorporate all of our findings from that and get one good document in place.

That document is something that I have to own. The responses that I got from the school, we need to work on a little bit. It doesn't adequately reflect all the work we've done, I don't believe.

It also is very looking backward in the responses I got from the school.

And what we need to do is -- and I got to own this -- is I didn't get to give them the clear direction I normally do on a one-on-one basis in a face-to-face meeting because of rescheduling and many other things.

There -- that document really needs to be our roadmap going forward. It's not a place by which we have conversations about, "Well, look at all these bad things happened." Anybody can pick up the paper and read all the stuff we've been dealing with this school.

What we need to do is get a roadmap of how we're going to change the internal control structure of that. And that's actually the one con I have to say that we need to work on most with this school.

Working -- if I had to bottom-line where we're at with this school, work continues. It's a work in process. Every time we get something completed, we find something else new that we have to do.

We found those 1099s that the vendors had in April and May. I came and talked to you about that. That's since exploded into an alleged fraud
When we reconstructed the general ledger, we have found there's going to be a lot of issues and exposures to the operational fund that are a fallout from that. I'll let Mike talk in greater detail after I'm done. But we've done a lot of work with this school. And I've got to tell you that some of the -- I'm not -- all I can report is that Chris Jones and the school administrator and the school governance council have been very responsive to anything that I have to say on the financial improvement plan.

Mr. Muñoz serves on the audit committee. He was present at the audit intake for the FY '17 audit. I worked -- I came down personally on that, because I had heard some things from our fiscal agent, the person who's helping us in our duties as fiscal agent, the Vigil Group.

We're going to have a pretty rough FY '17 audit. I'll just get that out there right now. They were upfront about that. There is some stuff we had to do to the general ledger; it was in complete disarray. We had to reconstruct and make some assumptions about where, by fund, those cash accounts are done.

We're running negative in the operational fund, which means we're in violation of the SB-9/House Bill 33 laws in the use of those funds. We've got to do some budgeting, which means that Chris has had to make real -- real tough choices on expenditures to try and close that deficit by year end, which means his operating budget has been cut by nearly a quarter of a million dollars.

So he's going to have to cut expenditures from this year, year over year, by a negative $250,000 in order to close this year in the black and get that operational fund and get us in compliance with law.

When we reconstructed the general ledger, there were many times in which we had to make assumptions based upon what we saw in the general ledger versus bank. We had a bank-to-book variance; that all had to be corrected.

We had situations in which Chris had to sit down -- and I don't know if I've updated you on this previously in our meeting in April and May. But I had to sit down and have tough conversations with folks how they've been overpaid or underpaid because the amounts of their withholding were set up incorrectly compared to contractual amounts.

So Chris met with every single employee at that school and said, "I am sorry. You have had too much in your paycheck," or, "We've been withholding too much and you needed more." So that's all cleaned up.

But there's going to be many times in which the auditors are going to come to us with things that we didn't do, or they found things that we weren't aware of. That's going to be something that we're going to have to cross and fix going forward.

As many -- as I believe I've testified previously, one of the conditions for getting your Board of Finance back is having a clean audit with previous audit findings. It's looking like that could be tough to do this year. So that should help you get an idea of where we're at as far as timelines.

It continues to be things that we continue to uncover; I'll just put it that way. And none of it is going to be as big as the alleged fraud that was in the independent -- or in the Office of the State Auditor's special Investigation Report. But, you know, every time the auditor asks us a question and we can't support it and the people that were involved are no longer there, it's tough to say that that couldn't be an audit finding, you know.

What else?

Very happy with the Vigil Group's work. The Vigil Group's work is on point. People are no longer -- you know, we don't have issues with late payment to vendors; we don't have late payments for payroll anymore. All of those hiccups are worked out.

There's probably some fallout from some of the alleged fraud in the Office of the State Auditor's report. Those 1099s from prior years are going to have to be revised. It's a requirement under the Internal Revenue code. Some of those W-2s were probably done incorrectly, and we're probably going to have to reissue W-2s. That's going to take some conversations with the Internal Revenue service; it just will. There's probably some issues that we're going to have with the state level with tax withholding, as well.

There's certain conditions -- like I said, I need to work closer with the school in getting an actual financial improvement plan that reflects the work that we've done and gives us a roadmap on how
we're going to improve the internal controls going forward. I have to own that, because I didn't give them clear guidance on how to fill that out.

They filled it out in a vacuum without my guidance; so it's kind of tough for me to come along later and ding them and say, "You didn't fill this out, and this doesn't meet my expectations," because we didn't have a one-on-one meeting. But we're going to circle up after this meeting and get that completed.

That's about all the news that is the news. There's -- I mean, work will continue. As long as I can impress upon you that key point, is that this is going to be a long haul, you know. We just recently had the school -- I don't know if you've reported this, Chris -- the school had a break-in about the personnel documents.

THE CHAIR: Yes.

MR. CRAIG: Okay. One of the Corrective Actions is we have secure documents. Now we have to go back and figure out -- this is an example of why work continues. On the Conditions list, we have that we have to have secure documents for personnel records and vendor files that are complete.

They said, "Look, we've instituted these processes." Clearly something happened. Either somebody got a key, or they were the fault of crime. Either way, that needs to be investigated to determine what we can do differently and continue our work in progress and use that financial improvement plan to say, "Here's the additional steps we've taken to ensure the records are secure and communications and monitoring control activities by management is enough to ensure the personnel records will not be broken into again."

Those are the kind of things we have to work on, and they're very detailed, and my hope is soon we will be able to get you guys an updated document that shows you that.

I stand for questions.

THE CHAIR: Not to put you on the spot, but do you have a kind of estimate as to when that improvement plan could be complete -- could be created or finalized by?

MR. CRAIG: Sure. It's really rough right now, Commissioner Gipson. And I would really hesitate to put something in front of you that's that rough.

THE CHAIR: Okay.

MR. CRAIG: I'll give you this. It'll be at least when we get the FY '17 audit out, and we get that, I hope to have something very formal that we can just plug in the additional audit finding, so that the Corrective Plan over to the Accounting Auditing group and the Office of the State Auditor is plugged right into our financial improvement plan.

But right now, it's just a back-and-forth between entities, where I need to have more guidance to them on my expectations. We need them to get a little bit better -- another attempt to, like, say, "Okay, let me take a look at what we did," and revise it.

It's still a working draft right now, and I would feel really uncomfortable putting the school on some of those comments right now, okay?

THE CHAIR: Okay. Thank you.

Commissioners, any comments for Director Craig?

Commissioner Johnston first, and then Commissioner Caballero.

COMMISSIONER JOHNSTON: Thank you, Madam Chair.

Mine is more of a comment, Director Craig.

Thank you very much for the positive, forward-moving explanation. These -- this improvement plan is going to evolve over the time of discovery and the year. I recognize that. This is not something we can come up with right away, because you're still unfolding it. And the audit will -- will take --

what I really appreciate is that if -- I think I understood, and confirm this for me, Director Craig -- you said that the fieldwork has improved and that you are getting the reports from the school in a timely manner and as they should be.

MR. CRAIG: Madam Chair Gipson and Commissioner Johnston, I would agree. Yeah, a lot of that is multifactorial. I mean, I've worked with the Vigil Group before. They know my expectations. But a lot of it is responsiveness by administration to work with the Vigil Group to give me the information I need.

COMMISSIONER JOHNSTON: So that's part of unraveling is that responsibility.

You are -- you are definitely in a financial crisis position that takes a great deal of your time. I respect the work you're doing.

And I go back to what Commissioner Armbruster said earlier. I appreciate the conversation today, because it is still -- I don't think I understand the nuances correctly enough to
say that I am satisfied. But it's going to take us
this year to determine whether satisfaction has been
reached or not.

It's a critical year for you. And I'm
saying that; that's a rhetorical statement on my
part. But if the fieldwork is strong, we'll hear
from someone from Mr. Vigil's group, am I right? Is
that correct?

MR. CRAIG: Yeah, if Mike has anything --
COMMISSIONER JOHNSTON: The improvement
plan is being created. Then why is a draft document
submitted to you? I read your e-mail just -- on the
11th, that it was -- it needed some work and that
you were --

MR. CRAIG: Okay. So you guys saw it.
COMMISSIONER JOHNSTON: -- getting it back
to them. Yes, I saw that.

THE CHAIR: Yeah. We did see that.
COMMISSIONER JOHNSTON: And I appreciate
what the staff is -- is confronting this year with a
$250,000 deficit. And I know the work that you're
putting into creating it. So -- and I'm so glad
that the field work is coming to you, because that's
one of the things that you -- that helps you.
Thank you.

MR. CRAIG: Can I -- Madam Chair?

THE CHAIR: Sure.

MR. CRAIG: One point I want to make is
that a really good example of that is one of the
things that Chris and I and Michael faced was
actually turning off the water to the school within
the first week. And we had to do an emergency PO to
make sure those kids could have a toilet and water
fountain to drink.

And so now we've set up POs in advance,
and I believe we're probably doing same-day checks.
We've taken it from a place where we're in a crisis
mode to here. And we're just now starting to bottom
out -- I kind of look at it we had to go as bad as
you can get before you can start climbing out, and
we're just starting to climb out.

That document that you guys have in front
of you, that is something that's going to be kind of
a back-and-forth between me and the school. That's
not uncommon. Those kind of back-and-forths that
you're seeing happen in all of my Board of Finance
suspensions, including school districts. That is to
be expected.

Often, schools are, you know, "Hey, look.
I don't -- this is the bad stuff that happened.

You're taking care of it for me now."
And I have to come back and say, "Yeah,
but ideally, I'm not, at some point in time."

So how do we prove everything that what we
had happen with the alleged fraud will never happen
again and that we have instituted a strong internal
control framework, supplemented by a strong
governing council oversight, at which we can go
forth, and I no longer have to be involved in this
school.

Now, I want to add one other thing,
Commissioner Gipson, is yes, we work very closely
with the schools on a Board of Finance suspension.
And I have to act like that school is going to be in
perpetuity for ever and ever. But that does not
mean that sometimes I don't feel like sometimes I
have personal views whether or not that should do
it.

My objectivity and my position requires me
to treat all charter schools as if they are going to
be acting forever when I suspend a Board of Finance.
So I don't want you guys to think I don't have views
on that stuff. I probably do. And we have to talk
about it internally.

But I can't bring that -- can't wear that

into the office, okay?

THE CHAIR: Right. Okay. Thank you.
Commissioner Caballero?

COMMISSIONER CABALLERO: Yes, just a
question. Did you have a glimpse, when you first
started having to look into La Promesa, that it was
this bad?

MR. CRAIG: Yeah, sure. Commissioner
Gipson and Commissioner Caballero, as soon as we
found out that all of the amounts that were withheld
from the contracts, and employees were being paid
improperly, as well as the late payments on the
K-3 Plus payments, and we weren't getting payroll
out because none of the information was completed
correctly, I had a pretty clear idea I was dealing
with a huge mess, and things were going to get way
worse, okay?

THE CHAIR: Thank you. I appreciate your
time.

I want to turn it over to Mike, the fiscal
agent, if he has anything to add.

MR. MIKE VIGIL: Madam Chair, members of
the Commission, my name is Mike Vigil. That's
V-I-G-I-L. I work with the Vigil Group, and I'm
directly assigned to work with La Promesa and have
been doing so since we contracted with them in August of 2016.

I believe the takeover was in July 2016; so it was a short period that we weren't working with the school. But pretty much since that takeover, we have.

I just want to thank, first of all, Mr. Craig for acknowledging that the financial improvement plan is a work in progress and that he's going to collaborate with us and set expectations.

As of right now, what we were given was an outline, a sort of template of what we need to fill out. We submitted that, and we're awaiting on some sort of review and some sort of updating. That's what we're working on currently, my understanding is.

Mr. Craig did mention that the FY '17 audit, he's expecting it to be rough. I was part of that entrance conference, as well. And sitting down with the auditors, from what I understand from both entrance conferences that I went to, from FY '16 to '17, it is night and day. Things are -- you know, the turnover is now 100 percent being improved. And we are going to have findings that are potentially material.

But it's nothing like we were going to have it last year, as if there was a disclaimed audit, to where they couldn't determine anything about that. They couldn't tell you if it was a good audit; they couldn't tell you if it was a bad audit. The fact was they couldn't tell you anything on that.

Now, we are in the middle of this audit; so we don't know what they're going to have as an opinion. I couldn't tell you one way or another, and the auditors couldn't tell us one way or another in that entrance conference. It was the second day that they were doing their own field work. And we have since sent them some more documents; but they're in the middle of compiling their financial statements and doing whatever auditors do.

So hopefully, there's an update very soon as far as the audit goes itself; but I do believe that we will see significant improvement.

We do have about two months in which there was a separate assigned Business Manager of Fiscal Year '17 that resigned as of September 9th, that had, you know, their hands in a lot of that work. So it was an impossibility to have it 100 percent clean, at any pace.

Another thing I want to mention, as far as the near quarter-million dollars that was put aside out of the school's operating budget, that does represent about 8 percent of that operational budget. And so it is significant. It does mean that Mr. Jones is operating on a bare-bones budget.

What he's doing is, he's on target, and he's looking to actually save a little more than what was set aside at the current time.

We do have over a half a school year to go, and things happen. We're going to have needs for the school. So we'll try to stay on target.

We're not saying we're out of the muck yet. But I do want to say that we are currently on target, that is, with the operational budget.

The next issue that I do want to mention is that there are a number of funds that were special funds below the line that were also mismanaged and horribly a mess. No reimbursements were requested. And those add up to a good chunk of money, too.

With the audit, we'll know what that exact number is; but that does represent an additional amount that we need to make up.

And when I had first started in looking at it without a reconciled ledger, I was thinking it was going to be a two-year cleanup in which the school operates on bare bones before it actually gets to zero and starts establishing a fund balance to operate on.

I think that's probably still true. The only thing that could be a saving grace, which was also something very bad, as portrayed in the news, was the alleged fraud. That does come with the potential for insurance recovery, based on a claim.

The school does have insurance through the New Mexico Public Schools Insurance Authority. We have started that process as far as the claims. From my understanding, it's a very long process, because this is not as simple as someone breaks the windows in the school and they kick you back some money.

They're going through their own investigation. They have the risk review from the State Auditors' Office. What they're determining right now is to see if they need to get an outside CPA to actually review that one more time. I'm not sure what's going to come of that, if anything. But that is still in our sights as far as a possibility.

Beyond that, I think the day-to-day is
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<td>working much better. Mr. Craig is always very responsive. On a weekly</td>
<td>And that's -- it's a shame that this is the time and effort that we</td>
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<td>reports to ensure that vendors are paid, employees are paid, and that</td>
<td>came -- like you said, we're looking back, and we need to look forward.</td>
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<td>all payroll taxes are paid.</td>
<td>And it's very difficult to be able to move forward when you're just</td>
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<td>Going from that August period forward, there should be no issues. We</td>
<td>continually dealing with trying to fix what happened. So I appreciate</td>
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<td>have a fully reconciled general ledger. We know who's getting paid</td>
<td>that time.</td>
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<td>what, when, and we can report that 100 percent to anyone who has any</td>
<td>MR. CRAIG: Okay, Madam Chair Gipson. I hope you got my tender of</td>
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<td>questions about what's going on with the school.</td>
<td>hopeful pragmatism. I didn't want to paint a picture that it was all</td>
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<td>THE CHAIR: Commissioners, any questions?</td>
<td>roses. We may have other things we uncover as we go through the audit,</td>
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<td>Director Craig?</td>
<td>and we continue to have to clean stuff up. Okay.</td>
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<td>MR. CRAIG: Yeah, Madam Chair Gipson, I just want to reinforce the</td>
<td>THE CHAIR: Thank you very much. Appreciate your time.</td>
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<td>point that Mr. Vigil made about the night and day between FY '16 and</td>
<td>Commissioners, if there are no questions, can we take a quick break</td>
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<td>'17 audit. When I walked into the auditors in FY '16 -- they were at</td>
<td>before we, I guess, move into academic, if we want to look at academic?</td>
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<td>the Vigil Group -- they -- the principal came up to me and kind of</td>
<td>Okay. And I'm sorry. I need to break.</td>
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<td>went like this. (Indicates.) There was no organization of any of those</td>
<td>(Recess taken, 10:57 a.m. to 11:15 a.m.)</td>
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<td>files. They were left in disarray. It was pretty clear at that point</td>
<td>THE CHAIR: So now we're on to academic. And -- I don't know. If the</td>
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<td>in time, in my mind, with my expertise, that they were probably going</td>
<td>Director wants to add anything before they -- it's -- it's up to you.</td>
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<td>to disclaim, you know. And Mr. Vigil is 100 percent right. We can't</td>
<td>MS. POULOS: Nothing beyond what we've already said.</td>
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<td>predict what the FY '17 audit is going to say. Based upon what we did,</td>
<td>THE CHAIR: Okay. All right. Thanks.</td>
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<td>this isn't going to be pretty. We weren't living in that world that</td>
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<td>we thought everything was going to come out perfect this year. But we</td>
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<td>are looking at trying to straighten the road out. And that's -- you</td>
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<td>know, and being as clean as we possibly can. I think we anticipated</td>
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<td>that there was certainly going to be things that were -- that would</td>
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<td>be uncovered that you just -- because of how bad it was, that you just</td>
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<td>can't anticipate what bumps you might find in that road. So I</td>
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<td>appreciate the time and effort. That is certainly -- and I know that</td>
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<td>this also oftentimes must take away from the time that you can be</td>
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<td>spending on academic areas of the school. That's -- you -- I'm sure</td>
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<td>you end up with times that this becomes your consuming issue.</td>
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<td>going to say. Based upon what we did, though, and based upon what I've</td>
<td>MR. CHRIS JONES: Madam Chair, members of the Commission, hopefully, you</td>
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<td>seen in activity this year, we're not going to have a clean one, in my</td>
<td>did receive -- and I do believe you did receive all of the documentation</td>
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<td>eyes, based upon what I know. It's a huge difference between everything</td>
<td>that I submitted. And I'm certainly open to any questions that you have.</td>
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<td>in disarray in a shoebox and having vendor files and an audit. It is</td>
<td>There was a lot of documentation that was submitted regarding our</td>
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<td>night and day at this point. I just want to reinforce that, okay?</td>
<td>academics and progress that we've made thus far.</td>
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<td>THE CHAIR: We have an understanding that this isn't going to be</td>
<td>I will begin by saying last year, in spite of the difficult year that</td>
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<td>pretty. We weren't living in that world that we thought everything</td>
<td>we faced, we made some progress. And so the first item that you'll see,</td>
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<td>was going to come out perfect this year. But we're looking at trying</td>
<td>No. 2 -- actually, it does indicate -- and I'm sorry; that's No. 1 --</td>
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<td>to straighten the road out. And that's -- you know, and being as</td>
<td>that we made some progress on our school letter grade. So we did</td>
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<td>clean as we possibly can. I think we anticipated that there was</td>
<td>increase from an &quot;F&quot; to a &quot;D,&quot; which, for our school, as well, is not</td>
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<td>certainly going to be things that were -- that would be</td>
<td>acceptable, and failure is not an option for our kids.</td>
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<td>uncovered that you just -- because of how bad it was, that you just</td>
<td>We don't accept failure. We look at it very seriously, and we are</td>
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<td>can't anticipate what bumps you might find in that road. So I</td>
<td>committed to improvement, continuous improvement. So we did make some</td>
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<td>appreciate the time and effort. That is certainly -- and I know that</td>
<td>gains. Everything else that you see within the CAP, of course, I'm</td>
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<td>this also oftentimes must take away from the time that you can be</td>
<td>certainly open to answering any questions on. But I do believe that</td>
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<td>spending on academic areas of the school. That's -- you -- I'm sure</td>
<td>everything provided in the CAP and all the supporting evidence is</td>
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| you end up with times that this becomes your consuming issue.          | pretty self-explanatory. But if you do have
THE CHAIR: So I guess one question that comes to mind immediately -- and I don't know if it's to you or to the Director -- regarding WIDA?

MR. CHRIS JONES: Sure.

THE CHAIR: Because there was -- WIDA -- the growth can't be measured. Is that the nature of how the -- because it's just proficiency? And it wasn't growth?

So that there is -- we can't look at what the -- and I believe we worded it as "growth." But there was that -- and I'm trying to find it, and I can't. I'll continue to look. But there was a statement that only proficiency can -- can be measured and not growth.

And I didn't know if that was because of the information that was being provided by the school, or was that -- or was that a function of how PED does them. So I'm confused.

MS. POULOS: Madam Chairwoman, Commissioners, not how PED does anything, not how the school does anything. Actually, how the WIDA consortium, which is a national, nationwide consortium, has changed their assessment.

So the assessment changed. And we started utilizing the WIDA: ACCESS 2.0 assessment. And there was a new standard-setting process. With any new assessment, there's a standard-setting process. So with that, it did impact the -- what the exit -- well, it didn't impact the exit criteria. The rigor of the assessment got higher, which is important; because what we were actually seeing -- and I don't have this data, but Dr. Pelayo does -- what we were seeing is the -- the success on the ACCESS was actually not necessarily translating over to college-and-career readiness; meaning our rigor, if we're going to increase it in overall standards, we certainly need to increase it for our English Learners to ensure they are proficient in the language and able to operate at that higher level in a non-native language.

So what we can do, only can do with this year's data is we really only can look at proficiency and cut scores, what level are they performing at. We really cannot compare last year's data to this year's data to see growth; because, again, they may have been performing at a Level 3 last year, and a student may actually drop to a Level 1 or 2 this year, based on that increase in

That being said, for this year, we will not have that ability to look at growth. For next year, we will have the ability to look at growth, because we will have two years' worth of data under the same assessment.

THE CHAIR: I'm glad that growth in the future will be able to -- because growth is what we're looking for. Not that -- you know, certainly, we would love proficiency; but it's growth that's of critical importance, often, to us. So that I -- I appreciate the fact that going forward, we are going to be able to look at that.

So -- Commissioners, any other -- Commissioner Armbruster?

COMMISSIONER ARMBRUSTER: I had a question about the WIDA that I'm addressing to you, Katie, I guess, because I don't know.

So I understand when tests change -- you know, it's like the PARCC as compared to the SBA and all that. So at the same time, if we thought the kids were -- or were doing well from last year's -- not from the one they just took, but two years ago, and then this WIDA test comes out that's more rigorous, was really saying in a sense is they weren't doing as well as we hoped they would be doing.

Just like -- I mean, it's the same thing as we went from the SBA to the PARCC, kids who did really, really well on the PARCC probably did really, really well on the SBA. And some dropped down. So it is a measure, in a sense is, I guess, my point.

MS. POULOS: Yes. I think it goes to the idea of an honesty gap, not -- not impugning anybody. But the idea of are we being frank with ourselves about our own level of performance -- right? -- with our students?

And so there is certainly a difference, right?

Last year, the score ranges, to score a 5, which is considered proficient, were lower than what they are this year. So it was easier to score a Level 5 than it is this year. Because what we're seeing is this is actually what the appropriate standard or benchmark is.

COMMISSIONER ARMBRUSTER: So we actually know who got a "5" two years ago; they're getting a "4" this year. Is that saying that correctly?

MR. CHRIS JONES: Yes.
Madam Chair, members of the Commission,

there is a process, and there is a calculator on the
WIDA website. So Director Poulos is accurate, and
the test did change. It became a lot more rigorous.

So what we're waiting for at this point is
to see kind of a district analysis and a statewide
analysis to see how students fared.

There is a calculation, and we're working
with Dr. Patricia Latham from New Mexico Highlands
University to use the calculator to determine that
just because a kid could have dropped from, let's
say, a Proficiency Level 3 to a Proficiency Level 1
in an area, subtest area, doesn't necessarily mean
that their proficiency dropped.

So when you look -- so when you look at
the calculator scores -- and often, in most cases,
you'll see that the scale score did increase;
however, because of the rigor of the assessment, the
students aren't regressing. It's actually just the
change.

So Director Poulos' summary is accurate.

Now, we weren't able to compare -- and
just a point of reference. Director Poulos is
referring to the Spring 2016 ACCESS assessment. So
when we're comparing Spring 2016 to Spring 2017,
you're going to see a decrease in overall Level 5
scores, proficiency scores, across the entire state,
and certainly in our school, which is another point
of conversation, given that we have a
mission-specific indicator that's requiring a
certain number of students either meet the growth
target or demonstrate proficiency, a specific scale
score.

So I do appreciate Director Poulos
bringing that up. And, Madam Chair, that is
important for us to -- to know.

THE CHAIR: Thank you.

Commissioners, any other questions?

I think the final -- I'm sorry. Did you
have a --

COMMISSIONER ARMBRUSTER: Well, I just
wanted to know. It's hard to run a school with the
adequately funded New Mexico money as it is. So
with your bare-bones budget, what are you cutting
and how will you do that?

MR. CHRIS JONES: Commissioner Armbruster
and members of the Commission, I cut substantially
my administration. I had an assistant principal.

We did not replace that position.

Let me preface this by saying I started as

an educational assistant. My back story isn't
important. But I'm in it for kids. And I work long
days and long nights. I am the Title III
coordinator. I'm the Bilingual Director. I'm the
director of many things.

However, I have an understanding from my
experience -- this is my 13th year in charter
schools. So to answer your question, I ensure that
the classroom -- that's the priority when it comes
to funding. We have to be adequately funded when it
comes to the classroom.

And I will also commend the Department;
because the New Mexico DASH plan is something that's
very helpful for us. New Mexico DASH is a great
initiative. I really appreciate the work that we're
doing with them, because it does set you up for
success, and it allows you to monitor your targets.

As far as cutting resources for
classrooms, that isn't an option. We aren't cutting
any resources for students. What I am doing is I am
taking on additional responsibilities. And in
charter schools, you wear many hats as is. I can go
from mopping up throw-up to actually coaching in the
classroom and doing my walk-throughs and everything
in between, including business management, not

necessarily from me, but working with our contracted
Business Manager.

So we aren't making any cuts to students.

We're actually, through -- and this is something
that Commissioner Johnston brought up last year --
we're really using our funding wisely. So with me
developing the applications, it's easy for me to
make a decision. What are we doing for our ELLs?

What are we doing for our special education
students? What resources are we going to use to
promote success for all of our students and for our
families?

And so we've streamlined processes. And
really, it's about continuous improvement for us.

THE CHAIR: Thank you.

Oh, I'm sorry. Commissioner Toulouse?

COMMISSIONER TOULOUSE: Madam Chair, I
know I'm talking too much. But, Katie, you said I
say you use too many words. But I'm the daughter of
a lawyer. I know how many words lawyers tend to
use, and how when you put too many words in, you can
find space between them easier than when you use
only a few. And I probably do the same thing with
my talking.

But my concerns are with students, too.
And when we keep changing standards on students on what's proficient, what does it do to our students and our teachers who think they are proficient, and then we tell them, "Somebody else somewhere decided you had to know more, and so you're not proficient"? I mean, we need a way to get them to understand -- you know, my example is after last year, with Istation being introduced so quickly, my grandson in second grade, his teacher never got the training that told her that it wasn't like DIBELS, where she could see a straight upward trend, that when he got through one unit of it and mastered it, it started him over. She kept telling my daughter-in-law that, "No, you start over." He's going up every time. If he goes down, it really means he really went up." Nobody -- and that's -- nobody explained that to anybody. So here's this kid also being treated by a counselor; you have to be everything to students. And teaching is a very difficult area, as we all know. It's difficult, because you have to be the counselor; you have to be everything to students. And that's okay.

year, were told they were proficient, and somehow find out the standard is different now, and they're not there? Or what does it do to a teacher who thinks they've brought students to proficiency, and then they're told, this year, with a whole new standard they had nothing to do with, how do you handle that?

MR. CHRIS JONES: Sure. Commissioner Toulouse, that's a very valid point. What I've promoted as -- as -- throughout my time as head administrator, is growth. And many of you know, a growth mindset is all we can promote in our schools. It is about growth. And as long as we're making increases, as long as we're striving to do the best that we can for students, whether they are incremental increases or not, we have to work with our kids and our families to set growth targets. We have to over-communicate their progress toward goals.

So my students self-monitor their progress. They have data folders, and they look. And we make it almost a competitive process. And they're competing with self. Now, I will also address something else. When we're talking about a populace of students that we serve, our students aren't necessarily digital natives. Most students are.

But I will tell you this: When you put a kindergarten student, who comes from a home where computers aren't prevalent and books aren't necessarily prevalent, you'll see what I saw in the lab, which was kids crying for 45 minutes because they don't know how to use a mouse. Yet, I understand accountability. However, our students aren't necessarily in the best condition to succeed at the beginning.

So growth is what we promote. We celebrate growth. We have milestones. Through New Mexico DASH, we look to see the progress that our students have made. We post our goals. We really do that, through parent connection and parent involvement. And so that's the way to ensure that we stay on target to the best of our ability.

And the other thing that I promote with my staff is this: We can do the best that we can do. And teaching is a very difficult area, as we all know. It's difficult, because you have to be the counselor; you have to be everything to students.

But promoting the growth mindset for our students is most important. And that's what we do. If they reach their goal, we celebrate it. And if they don't reach their goal, we celebrate their accomplishment anyway.

COMMISSIONER TOULOUSE: And, Madam Chair, I'd just like to comment that I certainly applaud you for doing that; because I know it's hard. And I know the population you serve. But I also see the population over at MAS, which is a similar population. And I see how well their students do with the same approach.

The student is looking at themselves every day and seeing where they're going, and, if they backslide, saying, "I need help." Rather than waiting for a grade. Instead of "Now you've got to come in for something," they come in and say, "Can I get a little extra help?" Or, "What should I do?"

And so I can see what that approach does, because there isn't a child out there who couldn't learn. My latest soapbox. And I've had a number while I've been in here. Some of them are put back; some of them just are still kind of under here.

A child is not a data point. And when you look at data-driven instruction only, you are losing...
that whole individuality that each child has their own strengths and weaknesses. And when we don't let them develop those -- everybody's got weak points. I found out, as a manager, if I really worked with an employee -- and I was in Human Services, and they're dealing with people -- if I took somebody, and I really just pounded them on their weak points, they just got defensive. But I found when I worked on increasing their strong points, the weak ones went up with it. They always stayed the weakest, but they go up when your emphasis is on the positive. So I like what you're saying with kids; because I'm afraid too much today, we're pounding them on that piece of data that now represents them. Thank you, Madam Chair. I've had my soapbox for the day. I think.

THE CHAIR: And I just want to thank you for embracing DASH, because when we had the workshop, I thought it really looked like it could be something that could really help the schools, understanding that it was going to take a bit to go through the training and get the understanding and get everyone on board. But I really do appreciate you working on that and taking the training; because I really do think that that's going to be something that ultimately is going to help the school, and that's what we're hoping is going to happen.

Commissioner Ruiz?

COMMISSIONER RUIZ: Just a few questions. Talk to me about your enrollment numbers. And I'm also curious how many certified teachers you have on staff, versus noncertified, and what the retention rate is, please.

MR. CHRIS JONES: Sure. At this point, in terms of enrollment, Commissioner Ruiz, we have 357 students enrolled. And I will also be frank in saying that when your school is on the news constantly, it isn't a great marketing tool to use to recruit and retain the students. The same thing serves for staff. Last year, we unfortunately lost three staff members. Students, families, and staff members want stability, and we know that. We're trying to provide that stability, and we're trying to reconstitute systems and create a good environment for learning and for teaching. However, we did. We had some attrition, and we lost three teachers. So we have a teaching staff of 21. And

fortunately, we could retain 18. We did replace the three teachers.

I will also say that one of my latest challenges, to answer your question about certified teachers, we were on track to have 100 percent of our teachers certified, Highly Qualified as -- TESOL-endorsed or Highly Qualified. Recently, I did submit two waiver applications to Licensure, which were denied based on last year's summative evaluation.

So I've been researching within code to see if that, in fact, is something that is grounds for denial. And I haven't been successful in finding anything as of yet. There also is not an appeal process, apparently, because there aren't fees associated.

So I -- at this time, I do have two staff members who are not certified. They are K-8 elementary-certified, Highly Qualified with lots of experience. But because of their circumstance with their summative evaluation, their waivers were denied.

So I think that that pretty much answers the three questions, I hope, Commissioner Ruiz.

COMMISSIONER RUIZ: Thank you.

MR. CHRIS JONES: You're very welcome. May I also add -- excuse me, Commissioner Johnston -- that, you know, finding teachers in general is very difficult. It is. And finding bilingual-certified and TESOL-certified is very difficult. Believe it or not, finding bus drivers is very difficult now. There is a huge shortage of all of these people. And so it's amazing. But we're working for the good of the kids. And I will make it work. I'm one for accepting challenges, and I have. I have not run away.

So it's for the kids. Every single day I do what I do when I wake up for kids, to serve them. THE CHAIR: I'm going to tell you. Every time I go to the Farmers Market, there's a booth there in Las Cruces for bus drivers. And every time I go by, they say, "Do you want to be a bus driver?" I'd rather eat my tongue. You know, I've been on enough school buses in my career that I know enough to stay off of them now. And I appreciate every hour that bus drivers put in in that confined area with -- with -- with kids. It's -- it's a special calling for that. So I will give them every ounce of credit. It's like
middle school teachers, as far as I'm concerned.

So that being said, Commissioner Johnston?

COMMISSIONER JOHNSTON: Thank you, Madam Chair. And thank you, Commissioner Ruiz. You and I were thinking alike.

I need to add, your enrollment this year is 357. What was it last year?

MR. CHRIS JONES: We ended with 300-- excuse me -- Commissioner Johnston, we ended with 367 students, according to our 80-120-day report.

So we are down. And we're down from our projection.

So we are hoping to recover some of the students that we've lost.

So we're short; but we're certainly not out. And we have students who are enrolling on a daily basis.

I think in the charter school system what we find, especially where we serve in our local community, is that students will come after experiencing other programs, or really looking for a dual language program, perhaps their dual language program wasn't sufficient in the eyes of the parents, and so they want to come to us.

So we're very optimistic about recovering and meeting our projection for this year.

COMMISSIONER JOHNSTON: At the beginning of the year --

THE CHAIR: I'm sorry. Can I just ask for a clarification on that? Because I think I'm confused. Because you said you have 357 now. You ended the year with 300, and you're down. So --

COMMISSIONER JOHNSTON: 367.

THE CHAIR: You have 367 now? And you ended last year with 300. So how are you down? Is it just the opposite?

MR. CHRIS JONES: We ended at 367, and we're at 357.

COMMISSIONER RUIZ: You're at 357.

They're down ten from last year.

THE CHAIR: Last year.

MR. CHRIS JONES: That's correct. I apologize. I worded that incorrectly.

COMMISSIONER JOHNSTON: And then how many have you enrolled? What did you begin the year with?

MR. CHRIS JONES: We actually started our year with 363 students.

COMMISSIONER JOHNSTON: Okay. But it's understandable. This just helps me see -- and you have your full contingent of teachers. You're working with licensure. And I have faced the same difficulty that you have. All of your teachers are Highly Qualified in -- as -- in their regular licenses; but not all are Highly Qualified with TESOL or bilingual.

MR. CHRIS JONES: At this point, Commissioner Johnston, TESOL.

COMMISSIONER JOHNSTON: That's a tough one; so -- how many different federal programs do you access for support? Which ones do you do?

MR. CHRIS JONES: We, at this point, have Title I, Title II. We have IDEA-B. We have Title III. I do believe that I have just listed all of them.

Those are our federal programs that we use for support in terms of funding.

We also have USDA. I mean, we have a grant for school lunches. We have the School Lunch Program. And if anything else comes to mind -- excuse me -- I --

COMMISSIONER JOHNSTON: No. And you write all of those applications --

MR. CHRIS JONES: I do. I do.

COMMISSIONER JOHNSTON: -- at the beginning of the year, and you do justifications at the end of the year. That is an accomplishment. I laud you for that.

You -- how many students -- all right.

You started with 300 and how many? I'm sorry? 363?

MR. CHRIS JONES: Yes.

COMMISSIONER JOHNSTON: So you have actually grown since the beginning of the year.

MR. CHRIS JONES: We have.

COMMISSIONER JOHNSTON: Which is a good thing. That's a positive thing.

MR. CHRIS JONES: Excuse me. We have decreased six students.

COMMISSIONER JOHNSTON: You started --

MR. CHRIS JONES: 363, and now we're at 357.

COMMISSIONER JOHNSTON: And I don't know where I got 367. I have my numbers. I have last year written twice.

So you have decreased some. But with the critical situation at school, you have parents that -- academically, from what I read -- and children are not data points; but they're -- the academic hurdles that you face are equal to the financial hurdles. You're working diligently with those to -- to gain ground there.
I guess I don't have any more questions.
I would like to be able to -- but I thank you very much.

MR. CHRIS JONES: Thank you, Commissioner Johnston.

THE CHAIR: Commissioner Armbruster?

COMMISSIONER ARMBRUSTER: This is not even about you. But I just want to understand the statement.

So the teachers who are -- new teachers who are not TESOL or bilingual-certified cannot get a waiver because their teacher evaluations from New Mexico TEACH were less than effective? Is that correct, Commissioner Armbruster. So I'm actively working through that to understand that process.

MR. CHRIS JONES: That's correct, Commissioner Armbruster. So I'm actively working to understand that process.

COMMISSIONER ARMBRUSTER: Let me know if you get it.

MR. CHRIS JONES: Okay. I certainly will.

THE CHAIR: Commissioner Johnston?

COMMISSIONER JOHNSTON: Thank you, Madam Chair. Because that raises another question for me. You have just said you hired instructors whose evaluations showed they were less than effective. To what do you account the difficulty with those evaluations that showed you to overlook that and look at the teachers? Where do you place that?

MR. CHRIS JONES: I'm happy to answer that question, Commissioner Johnston, members of the Commission. I will speak to both teachers at this time.

One teacher did go out in the month of February on FMLA. Her mother passed away. She was the primary caretaker of the mother. And so she ended up taking a hit on her evaluation.

And that was the only resolution to the process. I worked with Mr. May from Frontline/OASYS. And that was ultimately the only thing we could have done. We could not have cut off the rest of her evaluation period.

That's the only option that I was given. So she is a great teacher. She does a great job in the classroom with students.

The other teacher is new to our school. She was a special education teacher. And she's made the transition back to fifth grade after five years.

Granted, our special education students just did not make the gains they needed to; therefore, she took the hit on her evaluation, her summative evaluation.

So those are the two that are in question when it comes to their waiver applications. We did submit a letter, a narrative from the teacher who went out on FMLA to see if the Director of Licensure would consider her circumstance. And unfortunately, it didn't quite go our way, as of yet.

I will also say something else about my teachers.

Last year, with the exception of the teacher who went out on FMLA, I had all of my teachers end up as Effective or Highly Effective -- excuse me. There were two. There were two who are not. Teachers, especially at the intermediate level, also increased. And that's because the student achievement portion of their summative evaluation scores and the number of points earned allowed them to do so.

So last year, we did make progress through the initiatives -- although, we were here. We were here, and we were resolving a lot of our issues, which are very real issues, our teachers really have remained focused on teaching and on learning. And their evaluations show.

So we -- we're making progress. And that's our goal. And our commitment is to kids, and our teachers have absolutely done their jobs in the classroom thus far.

I also want to address something else, if it's okay, in terms of what we're doing.

We had a turnaround plan that we submitted to you guys last year for the Corrective Action Plan. And it addressed three separate areas.

We have the New Mexico DASH program now. But I do want to reiterate, or iterate, that it's about adults and adult actions. What are we doing? What are we doing to improve teaching and learning in our school? What am I doing as the head administrator? And what can my staff do different in the classrooms?

So we have started this year on August 21st. We started on August 21st, because I front-loaded a full week of professional development for my staff. And we did that, because we had to make some changes. We could not expect different results doing the same things.

So Tier I instruction, new units are being completely developed. We are implementing Tier 1 intervention.

We have sacred intervention blocks built...
into the school day.

We have a 45-minute Tier 2 intervention block after school.

We've implemented many different resources and curricula to really meet the needs of our populace. Social and emotional curricula for our students is really important. We have a mandatory block of time for that, and we've purchased resources to facilitate that development, as well. So I do believe -- I hope it's in your packet. What we've done, it's just in the first week. But NMDASH and some of the initiatives that we took upon ourselves -- so we had started this process already. So we're making changes, and what we're hoping for are really positive results. So we are making a full effort, for the sake of our kids, through parent involvement and through what we do as adults and the actions that we take, to make changes for our kids.

THE CHAIR: Thank you.

MR. CHRIS JONES: Sure.

MS. POULOS: If the Commission has any questions about the licensure waiver, NMTEACH information, I did ask Deputy Secretary Montañó to join us. So he is here to answer any of those, if you have any questions.

We're very reluctant to allow for waivers when teachers do not meet effectiveness ratings, because they're already -- on Highly Qualified in English Language Arts, I'm not getting the student growth gains in English Language Arts, and now they're wanting me to teach in a different subject area where I do not meet Highly Qualified requirements; therefore, I'd be teaching out of field. So we're creating inequity for students in that manner.

So we do look at the effectiveness ratings to make sure that we're creating equitable access for students to the best teachers on the campus. So we've actually created -- it's more flexibility than less. If we had not created this flexibility, it would have been limited to actually -- because the school is less than a "C," they would not have been eligible for a waiver, period. It just has to be the right outcomes of the teacher.

COMMISSIONER CABALLERO: Question: In Texas, they had what they called "emergent certification." But that's not what we're talking about here, right?

DEP. SECRETARY MONTAÑO: That's correct.
COMMISSIONER CABALLERO: So do we need to have a program that ensures if the teacher has weaknesses, to train the teacher to strengthening those weaknesses outside of the school, so that that teacher attends the program and ensures that those weaknesses are strengthened? Do we have anything like that?

DEP. SECRETARY MONTAÑO: We actually do. And I caught the end of Mr. Jones' presentation. And to some degree, I think they've already put that in place.

We have a statutory requirement that every teacher have a Professional Development Plan within the first 40 days of the school year. Every teacher and principal has to have a Professional Development Plan. And that Professional Development Plan, based upon -- this is actually a long -- a long-standing statute.

But based upon the NMTEACH system, really, they have a lot more data that's specific to them that allows for them to build Professional Development Plans to build for their own improvement. And that's supposed to be supported by the charter, in this case, and the teacher. They would look at their summative report and be able to pull out the information that they need to be able to build on that.

Additionally, we do, at the State level, provide a number of training opportunities for teachers around the state, Webinars. If you look at our website, we have a number of opportunities for professional development, of which I think Mr. Jones has said they tapped into.

The NMDASH is probably one of the biggest areas of professional development that schools and charters and districts can put into place so that teachers understand their data and how to improve those things.

We also have -- Frontline Technologies is the observation tool. And within that tool, there are actually videos for teachers to be able to look at teaching practices specific to our evaluation system. So if I -- if I'm not doing well in a certain aspect of my evaluation, I can actually go review videos that -- that would demonstrate opportunities.

The Public Education Department has created 30 videos of the top teachers in the state, as identified within our system, to be able to -- to be able to give that to teachers through another online system that the principals have called "Observation Engine," where you have 30 videos of the best teachers that we have K-through-12, that we have videos of them practicing so we can target, like, "This is what you would do in Domain 1A," or, "This is what you would do in Domain 2C," or things like that that are specific to teachers.

I'm using language that you're not familiar with. Teachers understand this language. But those are all professional development opportunities we have. And it's ongoing; it's embedded within their system.

COMMISSIONER CABALLERO: So within -- Madam Chair?

So within the Professional Development Plan, a teacher that does not get licensure is able to go through a training and be -- get that licensure? Get the certification? Is that the possibility? Or am I thinking elsewhere.

DEP. SECRETARY MONTAÑO: I think you're embarking on a really good idea, right? So if you have a teacher that's attempting to get an endorsement -- I think you're talking about an endorsement -- maybe licensure.

But if a teacher is trying to add an additional endorsement, as part of the Professional Development Plan, they can put that in there as part of the Professional Development Plan to obtain that, and go through the process to obtain that. There are multiple ways to obtain endorsements, such as taking an assessment in that content area.

So let's say you have a teacher that has an English Language Arts endorsement. They're Elementary English Language Arts, and they're Highly Qualified English Language Arts. If they were to pass an assessment in Social Studies, they could teach Social Studies. That means that they have the content knowledge to teach in that area. Up to that point, they haven't established that.

If they're not licensed -- so let's say they come from industry, and they're alternatively licensed. There's a whole process that we provide for them to get alternative licensure, as well.

So there are different mechanisms to do that. Different mechanisms.

COMMISSIONER CABALLERO: I understand the process. But are there any programs that support the alternative licensure or the certification?

Either a university or PED?
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<td>Mr. Montaño made, for staffing. We're working on</td>
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<td>those things when it comes to professional</td>
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<td>development. But my situation now is a difficult</td>
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<td>THE CHAIR: And, you know, unfortunately,</td>
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<td>we don't get into individual personnel issues. So</td>
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<td>that there's not a whole lot we can -- we can do</td>
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<td>Commissioner Johnston?</td>
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<td>COMMISSIONER JOHNSTON: Thank you,</td>
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<td>Madam Chair. Short question.</td>
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<td>You ended last year -- your attendance</td>
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<td>rate, about 94 percent? What is it this year?</td>
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<td>MR. CHRIS JONES: Commissioner Johnston, I</td>
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<td>would honestly have to go back and look at our</td>
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<td>attendance percentage. We can get that from STARS.</td>
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<td>COMMISSIONER JOHNSTON: Can you give me a</td>
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<td>ballpark?</td>
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<td>MR. CHRIS JONES: We're at about</td>
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<td>95 percent.</td>
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<td>COMMISSIONER JOHNSTON: What do you do</td>
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<td>when you have a student who is chronically absent?</td>
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<td>What is your process?</td>
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<td>MR. CHRIS JONES: We follow the Compulsory</td>
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<td>Attendance law. We do give a warning at the</td>
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<td>three-day mark to say, &quot;Right now, we're concerned.&quot;</td>
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<td>We're concerned with your unexcused absences.&quot;</td>
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<td>So we follow the process. We have 5-, 7-,</td>
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<td>and 10-day early intervention meetings until they</td>
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<td>meet the habitual truancy point. At that point, we</td>
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<td>have to refer students -- and it's within our</td>
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<td>notification to parents -- to CYFD and to District</td>
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<td>Court to the Truancy Office.</td>
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<td>That's something that happens. First, we</td>
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<td>try to counsel them out. But proactively, we do</td>
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<td>other things.</td>
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<td>We celebrate students. We have attendance</td>
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<td>assemblies. We have them chart their own progress.</td>
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<td>We try to incentivize attendance.</td>
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<td>Last Friday, we had Crazy Mustache Day.</td>
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<td>We're trying to make it a good place to learn.</td>
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<td>THE CHAIR: Go Aggies.</td>
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<td>MR. CHRIS JONES: We want to make it an</td>
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<td>environment where students want to come to school.</td>
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<td>But we reinforce, and we follow the New Mexico</td>
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<td>Compulsory Attendance law. It's about parent</td>
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<td>communication. Our parents are fantastic. They</td>
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<td>really are.</td>
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<td>COMMISSIONER JOHNSTON: Thank you.</td>
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<td>MR. CHRIS JONES: You're welcome.</td>
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DEP. SECRETARY MONTAÑO: All of the above, there are.

COMMISSIONER CABALLERO: Okay. All right.

Thank you.

THE CHAIR: And I think it's true. I think it would be up to the individual to help to develop that professional development plan to make access to -- or they would, also, on their own, go take college courses or whatever that could -- but that, of course, would be at an expense. So it just depends. Yeah.

MR. CHRIS JONES: Madam Chair, members of the Commission -- and I thank Mr. Montaño for his explanation. He certainly has worked really hard in many regards throughout my time as an administrator. So I appreciate the work he's done.

I would say that for us, the problem lies with hiring folks under the assumption that they would be eligible for an endorsement waiver in reviewing Administrative Code -- I believe it's 6.61.9, and then having the denial.

So here, we have two individuals in place who now do not hold proper endorsements. And we have a Bilingual Education Act and funding pattern that requires they're endorsed.

And so it could just mean that we need more -- it needs to be written into code. It needs to be something that's very clear.

So for me, during my hiring practice, granted, I knew the circumstance of the teacher who went out on FMLA. I did. Special education, she made the transition. I was impressed. I went through a process to interview her, and I selected her. Had I known these two individuals were not going to receive their endorsements, I could not have hired them.

So it's put me, as the head administrator, in a situation where now, it's something else that I need to try to resolve somehow, some way. But it would be helpful.

They do have the route that Mr. Montaño mentioned. And they can go through a standard program at a community college or a university.

That's a process. They have to take coursework to satisfy the requirement. They have to pass the NMTA, the teaching assessment. You're looking at a year-and-a-half process for many of them.

So I do appreciate the explanation. And there are a lot of good resources, to the point
THE CHAIR: I think the final piece is your Professional Development Plan.

MR. CHRIS JONES: Madam Chair, members of the Commission, I did submit to you a Professional Development Plan. It's a proposal. I'll also be very honest in saying that when the idea was presented to me, I thought -- I was taken aback a bit. I really was. And I think Commissioner Caballero can attest to that.

During our small meeting, I thought, "Wow, it feels like I'm the one who is in need of all of this development," when I'm really trying to solve a problem that I inherited.

However, I've been really, really happy. And we can all grow. As leaders, when it comes to leadership and the power of influence, you can never really be at the top of your professional game, so to speak.

I've been really happy with the professional development that I have received thus far. And I certainly understand, as a younger administrator, as a new administrator, fairly new, that I could use all the development I could get.

So I did submit a proposal to you that includes different areas that will help me to develop my leadership capacity.

There are four different areas. I was expected to address an area each quarter and try to get development opportunities on a quarterly basis.

We have secured funding for these things, of course, in looking and writing the applications, working with Mr. Vigil to ensure we're not going to strain our budget because of this Corrective Action Plan requirement. I have already attended one of the professional development opportunities, which was by McREL. And I do believe I missed one of the Commission meetings, and Ms. Matthews did speak on my behalf.

But it was, "District Leadership That Works." It was for superintendents, which, as a head administrator, we're in a really unique situation, because we are principals and superintendents combined.

And so this was a fantastic experience for me, because what I got to see is a lot of what I can do to really drive the initiatives. And it talked to us about these high-yield areas, like having -- establishing non-negotiables, you know? What are the non-negotiables for your faculty? What can you do on a regular basis, and how do you oversee these processes?

So the first thing that I realized when I came back is it went really well with New Mexico DASH. One of the things I established out in Denver in going through this training and working with superintendents from Atlanta Public Schools and Denver Public Schools is that we were all really concerned about Tier 1 core intervention. You know, we really wanted to focus on, "What are we doing first, before we need to intervene?" And, "How are we addressing the needs of our kids? How are we being thoughtful about what our kids actually need?"

And New Mexico DASH happened to be one of our focus areas that we selected as a team, which was Tier 1 core instruction. A lot of what I learned in Denver aligned with what we were doing in New Mexico DASH; and for me, that was huge take-away. That training itself was fantastic. It really helped to build capacity.

I look forward to seeking out other potential McREL professional development opportunities in the future. But I do have four professional development opportunities that I've identified for this plan to ensure that I do build my own capacity internally so that we're on track to meet our goals.

THE CHAIR: Commissioners, any questions?

I guess the only -- it's not about a particular profession. I'm not sure if I saw -- is your -- and I don't know if the submission for PPE is open yet.

MS. POULOS: It is not open yet. We open, I believe, in January.

THE CHAIR: So that's -- you're still anticipating making an application --

MR. CHRIS JONES: I'd be happy to.

THE CHAIR: -- for that?

Right. I wasn't sure if that was open.

And I guess there's something that kind of follows with this, and that's the process for evaluating the -- the head administrator, okay, which maybe he's not involved in.

But just -- because we're talking about professional development, I figured I'd just tie in with that to see if that is in the works.

MS. PATRICIA MATTHEWS: I guess before we leave -- I just want to make sure, because in the plan, it says this is -- the Commission is to approve, A, what he's already done, and B, what he's doing it for. Are we getting a nod here? Can
we have that on the record?

THE CHAIR: I think we could just take a straw poll. I think it's fine.

COMMISSIONER CABALLERO: I think so.

THE CHAIR: I guess maybe -- yeah, I think we're -- I think this is a path that I'm comfortable with, with the addition that the application goes through for PPE. Yeah.

Okay.

MR. JULIAN MUÑOZ: So currently, Madam Chair, with regards to the question about head -- the head administrator evaluation, we have contacted Sherry with ADVANCE New Mexico.

MS. PATRICIA MATTHEWS: They know Shelly.

MR. JULIAN MUÑOZ: Shelly. She has given us a proposal. We had a special meeting that reviewed our proposal, her estimate. After talking with the Vigil Group, we had enough -- we have some funding available in order to do that evaluation, and in order for her to come in, not only evaluate the head administrator, but also the board as well, to provide insight, provide certain steps, policies, procedures that will help us, first, evaluate how he's doing in his job, whatever he needs to concentrate on, and also a self-evaluation.

So right now, that is in the works right now. And hopefully, we'll have something by next -- next PEC meeting with ADVANCE New Mexico.

THE CHAIR: Good. And I'm glad. Because Shelly did call me, as well. So we -- and I wasn't sure whether that contract was going forward.

But I did have a conversation with her. So I'm glad that --

MR. JULIAN MUÑOZ: That's what we were trying to make sure we had. Also, in addition, according to the CAP, it says that the -- we have to get PEC approval for our evaluator to come in. So I don't know if that's something you vote on or kind of give us an okay.

THE CHAIR: Yeah. And I -- well, and I hesitate without looking at what it is, you know. That's my -- I appreciate the work that Shelly does. But until the work product is done, I hate to say, "Yeah, that's a really good tool."

So that's my concern. I would -- I would appreciate seeing the evaluation tool that she's --

because that's my -- that's my understanding is what she's working on. And it was a kind of -- I think we were talking two different ideas at first when I was speaking with Shelly; because my understanding is that there would be a development for an evaluation tool for the head administrator. It wasn't necessarily that someone else was going to come in and do an evaluation.

That's fine, if that's what the board decides is best, and you can afford that; because I know there are schools that hire out, not necessarily every year, but every number of years, so that they are getting an outside look and maybe a deeper look at the head administrator. But that there would be a -- there would be an adequate evaluation tool that either the governance council and/or an outside individual, depending on what was decided, that that tool would be an effective tool.

That's my understanding of what we were doing there. Am I wrong?

COMMISSIONER JOHNSTON: I have question -- some questions.

THE CHAIR: That was my understanding.

And that was my conversation with Shelly. And that wasn't what she was -- so there was a -- there was a self-assessment for the board, as well.

So right now, that is in the works right now. And hopefully, we'll have something by next -- next PEC meeting with ADVANCE New Mexico.

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So that's my concern. I would -- I would appreciate seeing the evaluation tool that she's --
COMMISSIONER JOHNSTON: Is that a concern to you?

MR. JULIAN MUÑOZ: I'm new to the charter school and to education, in general. I'm an internal auditor. I was confused as to why they wouldn't want to take my money.

I don't know. I did some research. I had -- I had Mr. Jones look into the background for Ms. Shelly. And he was impressed with her. He comes from education. I was kind of asking him, like, "Would she meet the requirements that we need in order to meet the CAP?"

He felt comfortable with it, from his educator experience, to say, "Yes," and from his administrator experience, to say, "Yes, should be a good fit."

As far as is it concerning to me? Yes. Why wouldn't they want to contact us at least?

COMMISSIONER JOHNSTON: I would advise you again to remember that you're the board chair, and he is your employee. And while he does have great experience, it could mislead both of you for him to make a recommendation.

And the Coalition -- and I don't know how long you've been at this. But the Coalition could also make some recommendations, as could -- I would recommend you go back to the Charter School Division.

MR. JULIAN MUÑOZ: That's why we had a special meeting, where all the governing council members looked at it. They reviewed it. All of them had questions. They questioned the proposal. We questioned Mr. Jones. We had him there to tell us why he felt comfortable with it.

Overall, the GC board made the decision, yes, we had the funding. We could at least go forward with it to present this to the PEC.

But, again, as far as the language, the way I'm understanding that language is written, before we even go forward with a tool of evaluation, a contract has to be approved by the PEC.

COMMISSIONER JOHNSTON: Yeah. No. I'm really playing Devil's Advocate with you.

MR. JULIAN MUÑOZ: No, no. Thank you.

Yes. With the previous -- COMMISSIONER JOHNSTON: And don't hesitate to reach out in any situation. And, Mr. Jones, wouldn't it be great if I could select my own evaluator?

MR. CHRIS JONES: Absolutely -- Commissioner Johnston --

THE CHAIR: I'll also tie into that, that I -- I had the conversation with Shelly. The governance council has to be comfortable with that contract. You've already voted on it?

MR. JULIAN MUÑOZ: We voted to move forward. Yes, correct.

THE CHAIR: So this -- at this point in time, it's a done deal. But I do have a concern that Mr. Jones was part of that conversation.

MS. PATRICIA MATTHEWS: Madam Chair, members of the Commission, I made it very clear, and the board was very clear when they passed -- made the vote, was that it was conditional on the Commission's approval, because that's what you said. So if you say no, we go back to the drawing board. That's the bottom line.

THE CHAIR: I would really appreciate, going forward, that anything that involves the evaluation of Mr. Jones, that he not be a participant in the conversation of who is going to participate in that. You know, I just think it's -- you know, obviously, we have an overarching concern about --

MR. JULIAN MUÑOZ: Perception.
and that person in an awkward situation.

The other thing I'm talking about is I think we need to move forward. We have to understand the circumstances. If I were in the area, I would be very, very reluctant to get into a contract with -- with a school that's constantly in the public eye. It's very hard.

And so we -- I'm glad that they have somebody that answered, and that person is a professional; they're in the area; they're willing to do the work. The charter school is here asking, "Do we move forward?" I think we just need to let them move forward.

THE CHAIR: And I have no issue with Shelly. I've worked with Shelly. And that's not my concern.

My concern is that Mr. Jones was part of that discussion on choosing her; because that's who's going to evaluate -- I just think that's an inappropriate conversation to have.

And I understand the difficulty. But our decision, back when we talked about the CAP, was that they develop an appropriate tool. And I know that's a concern that you could end up spending money and the tool not be appropriate.

But our direction was that you -- that you come to us with -- with a tool that we would -- that was my understanding.

COMMISSIONER CABALLERO: Madam Chair, my understanding from what was said was that the president of the council said, "I'm not in the area of teaching. Does she have the credentials?"

And the answer is, "Yes."

And so -- but they had a meeting where the pros and cons was discussed. All the governing council was there. Unless we don't believe the governing council...

THE CHAIR: I am not putting in question the words of the governing council. Please understand that. I'm talking about the Corrective Action Plan and the specifics of the Corrective Action Plan that we voted on. And that's what I want to make sure that we're complying with.

And please make it clear that I am not questioning the governance council and the validity of their statements, that I am not putting that in question at all.

MS. PATRICIA MATTHEWS: Madam Chair, members of the Commission, I want to make sure we're all on the same page. That's the point here.
So there's a lot of reasons. And I'm not going to second-guess why someone chose not to -- they chose not to, you know. At this point in time, there's not much we can do about it. You reached out to CSD; CSD gave you input; you went forward. And that's what came out of it. So...

Mr. Chris Jones: Madam Chair, may I just add, what I did is I gave them a resource or an individual who could or could not be selected by the governance council. So my recommendation wasn't a recommendation at all. It was more of a -- of a giving a resource to someone, to a body of people who make decisions for the school.

Am I familiar with Shelly? I'm somewhat familiar with Shelly, because as an administrator, she actually worked for the Division at one point. And she came in, and she did our monitoring visit. And it was not a great visit. She was not very easy on me, that's for sure, as the Federal Programs Coordinator of a separate charter school.

So she certainly wasn't someone that I chose out of preference. It was just the referral. That was made. Shelly does great work; there's no doubt about that. But I just wanted to clarify that point.

Commissioner Robbins: Madam Chair, given the item 8 there, where it says that the contractor must be approved by the governing council and submitted to the PEC in time for document submittal, it looks like it's the governing council that does the approval, and they just submit it to us. Our role is to, I guess, just be heard that they've acknowledged someone that the governing council has approved this person. There's no approval on our part that's required in this.

Ms. Patricia Matthews: It says, "External contractor must be approved."

Commissioner Robbins: "External contractor must be approved by the governing council, and the credentials must be submitted to the PEC for document submittal."

The Chair: It says, "The external contractor must be approved by the PEC."

Commissioner Robbins: Oh, yes. It says it here. Right, it does say that. So I guess we need to take a vote on whether or not we -- we approve that, given that clause. And, again, that would be simple to go ahead and --

The Chair: Right, yeah, do that and then move forward. Yeah.

Mr. Julian Munoz: My apologies.

Madam Chair. Just, again, if you want, we can go into a three-bid process, where we bring three contractors to the PEC and let the PEC choose those contractors. I'm okay with that.

The Chair: I think that falls way outside of our authority to make that decision for you; so that I don't think it would be appropriate for -- and I don't want -- I don't want to get into that, you know, that -- people are saying -- let them make the decision.

So I think -- you know, we don't dig into the weeds of who you accept. It says we don't approve the contract. But I don't want to get into the vetting process of who schools hire. I think that's way outside of our purview.

Commissioner Johnston: Madam Chair, I would like to make a comment that I'm very protective of Mr. Jones. This is a time of high scrutiny for your school. Ms. Cherrin is absolutely -- I hold her in very high regard, and she is -- like you say, Mr. Jones, she is a formidable person.

I would request that the governing council take great care in removing Mr. Jones from this process at this point as you develop all of this, so that he can say truly, this was done by the governing council, and so the evaluation itself is something the governing council has to do, to protect Mr. Jones from any -- any inference or shadow of anything.

I'm protective of him. That's why I was asking.

Mr. Julian Munoz: Yes, ma'am.

The Chair: And I agree, that I think going forward, anything that deals with his individual evaluation, he should not be -- but I will entertain a motion.

Commissioner Robbins: I'll so move.

The Chair: We do have to verbalize the motion.

Commissioner Robbins: I will move for approval of Ms. Shelly as the evaluator for the head administrator for La Promesa.

Commissioner Caballero: Second.

The Chair: And her formal name is Shelly Cherrin, C-H-E-R-R-I-N. And I do believe it's ADVANCE New Mexico?

And there was a second by Commissioner Caballero.
Commissioner Armbruster, roll-call vote, please.

COMMISSIONER ARMBRUSTER: Commissioner -- wait a minute. Commissioner Crone?

COMMISSIONER CRONE: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Ruiz?

COMMISSIONER RUIZ: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Toulouse?

COMMISSIONER TOULOUSE: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Caballero?

COMMISSIONER CABALLERO: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Robbins?

COMMISSIONER ROBBINS: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Conyers?

COMMISSIONER CONYERS: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Armbruster votes "Yes."

Commissioner Peralta?

THE CHAIR: Yes.

COMMISSIONER ARMBRUSTER: Commissioner Johnston?

COMMISSIONER JOHNSTON: Yes.

COMMISSIONER ARMBRUSTER: Motion passes. COMMISSIONER ROBBINS: Madam Chair, can I add one thing to the governing council?

It may be advisable, rather than going to your head administrator for advice and everything, to either seek out other charter school head administrators or to use the Charter School Association for advice on these type of matters, just a suggestion, to keep your head administrator separate and to protect him.

THE CHAIR: Thank you. That's a good point.

COMMISSIONER TOULOUSE: Madam Chair, I would also like to suggest this process go through as quickly as you can; because it's not fair to hold Mr. Jones accountable for things he hasn't been told he's going to be accountable for. Otherwise, you get way out there in the weeds on something that -- you know, you say, "Well, you didn't tell me you were going to look at something over here."

So it needs to be -- we're well into the school year already; so it needs to get done for him, and for the governance council to know what they're -- they're looking at.

So, thank you.

THE CHAIR: Okay. Thank you. And thank you for all of this time.

MR. JULIAN MUÑOZ: Thank you. Thank you.

THE CHAIR: And we look forward to hearing from you again.

MS. PATRICIA MATTHEWS: Thank you, everyone.

THE CHAIR: The Commission is going to take five. Thank you.

(Recess taken, 12:25 p.m. to 12:39 p.m.)

THE CHAIR: Okay. We are on to Item No. 8, Discussion and Possible Action on the New Mexico STEM-Ready Science Standards.

And I think we've all been in receipt of a lot of e-mails from some concerted effort by a group -- I'm not sure exactly who that is; it doesn't really matter. But I appreciate the time and effort that whatever that group is, that they are very concerned. So we've all been sent many of those e-mails. I have responded to every one that I have received.

COMMISSIONER TOULOUSE: And I have.

THE CHAIR: And I know Commissioner Toulouse has, as well.

And as soon as this was made public, Commissioner Toulouse contacted me. I had a conversation with Commissioner Ruiz in regards to this. I have been contacted by numerous legislators, many staff on campus at NMSU. I've got neighbors that work at NASA and White Sands.

COMMISSIONER ARMBRUSTER: And I live in Los Alamos.

THE CHAIR: And they are very concerned about the potential changes to the standards.

As a history teacher teaching something that is a little more subjective, we always believed that you needed to start from a point of common knowledge. And the concern that many have expressed to me is that by these changes, we are not going to be making our students the most viable candidates for their college-and-career readiness, and that they will be substantially behind their peers as they go to college and other career opportunities.

So that I wanted to put this to the
Commission and hopefully ask for an affirmation from

the Commission that we do not endorse the

standard -- we endorse the Next Generation Science

Standards, as written, not as modified by

New Mexico.

So I will ask for -- Commissioner Crone?

COMMISSIONER CRONE: Yes. I teach

anthropology. I've taught anthropology for over

40 years. And I think this Commission would be

remiss in allowing the proposed changes to take

place.

I agree with you. I think we need to

stick with the NGSS standards.

Theodosius Dobzhansky, who was one of the

principals in what they call the "modern synthesis,"

where evolution and genetics were combined to

explain evolution, and more or less -- in a sense,

not prove, because this is science. So a lot of my

students would say, "It's just a theory."

Well, everything in science is just a

theory. That's not a legitimate criticism of

evolution.

Dobzhansky said, "Nothing in biology makes

sense, except in the light of evolution."

And so I've got an endorsement here. If

anybody wants to see this, I'll share it with you.

But it's actually an endorsement of the Theory of

Evolution from three separate Popes. And the title

of the article, "Pope: Creation vs. evolution clash,

an 'absurdity.'"

And so the -- since 1950, the official

position of the Roman Catholic Church has been in

support of evolution.

Evolution was thoroughly studied by the

Pontifical Academy of Sciences and advised those

Popes -- those three Popes -- that this was --

another biologist once made a statement that, "There

is as much evidence to support the Theory of

Evolution as there is that the Earth is round and

that gravity exists."

So, granted, it's just a theory, and being

science, it has to remain a theory; but I think

questioning the age of the Earth, there's much, much

evidence to support that, much evidence to support

evolution, much evidence to support climate change.

And so I think we should go with the --

the NGSS standards and not accept the revisions.

Thank you.

THE CHAIR: Thank you.

Commissioner Robbins.
You know, DNA has only been used since the '90s. It's made such a world of difference in science, in the history of people. I was just reading another article today that they're looking at, you know, what we got from Neanderthal intermixing, and that there's more things they're discovering as they get into it. I was disappointed when I had my DNA done and I came out with only 1.1 percent Neanderthal DNA. But what I did get was some Tibetan Plateau, that I can't figure out where that 4 percent of my DNA came from. You know, I realize some of my Celtic ancestors weren't that far, and my Viking ancestors weren't that far, so I don't know. But I do know that we can do things today that give us more information, not less. And that's the only place I see it expanding. And so I don't want to limit our science classes. Again, I don't care what you teach when you're teaching it as your other ways. But belief and science are separate. And they don't necessarily clash. You can have parallel systems, and you can be a true believer and all kinds of things.

But I honestly do not believe, for instance, that -- as Bishop Ussher counted back, the world was not founded in 4,004 B.C. on October 23rd. There's a difference in what time. I learned 9:00 a.m.; but now I read one recently that was 6:00 p.m. I know people -- my daughter-in-law, when she was being very, very fundamentalist, wouldn't let me say the world "evolution" in front of my grandchildren. So we just used to go down to the Natural History Museum a lot and look at the millions of years on the board. And she never argued that one. But I'm sure Commissioner Crone learned the same thing I did. That's why I bet he knows the 4004 B.C., just like I did. This is taught in your anthro classes. This is what the culture used to look at. I -- you know, 300 or 400 years ago, that was a logical thing for people to believe. But as geology developed and sciences developed, things changed. And yet that doesn't stop anybody from believing in a creator, if they wish, or not, as they wish. You know, there's all kinds of things you can do. And I don't want to dumb-down what our students are learning so we do stop their chances when they want to go on to other kinds of scientific things.

THE CHAIR: And I will just also add that I have not received a single piece of e-mail, phone call, letter asking me to support the changes. So that also indicates to me that there is less support for that. Commissioner Crone, did you want to -- COMMISSIONER CRONE: Yeah. I just wanted to add that all of us in this room have Neanderthal DNA. The only population on the planet that doesn't are Africans. So welcome, all you Cave People. THE CHAIR: Commissioner Caballero, are you reaching? COMMISSIONER CABALLERO: Yes. You know, I -- I don't see why we have to do a change. I mean, my ancestors are Native American from Mexico. And my tribe inhabits Popocatépetl. And their belief is that the Creator exists there. And so unless we're willing to bring in everything else -- and I hold onto that. And growing up Catholic, I asked the priests, one to the other. And he was very -- says, "Evolution, we just..."
When the proposed rule change first came to my attention, I had that knee-jerk reaction that we can't do this, because -- because of my biases, I guess.

In 2003 -- and I wish I had that memo. I wish I had that memo from the Secretary, from Veronica Garcia, that addressed the science standards and said, "You will teach evolution in science classes."

I kept it until I retired, because I believed it firmly. I am a firm believer in all of those theories that you've been talking about.

However, in my time in charter schools, I had the privilege to serve in a charter school that was really -- really ahead of its time with looking at habits of mind and Socratic theory and open-ended questions and student exploration.

And so I looked first at all of the e-mails I received. And I was disappointed that the letters in so many -- in 95 -- 98, 99 percent of the -- it was same form letter. I received many copies of that letter; but it was one letter. So I don't know how much thought went into those letters.

It could be those people were just like I was, that knee-jerk of, "We're not doing this."

Socratic seminar, Socratic discussion, and a knowledge base that -- where a student discovers for himself or herself, when the teacher presents the information in more than one way, causes, and then requires, that I explore it, I don't know whether anybody else has looked at the LESC's memo, the 93 pages, and then when it ends with them doing a comparison of the changes and the wordings, it's very interesting to me.

And I know -- I don't know what LESC, what the discussions were like. But the person who compiled this summary did a very, very in-depth, down to the word. I'm a language arts teacher. And so I read this. And as I was reading it, the words that were changed were words that opened discussion, not words that closed discussion and said -- and have you read it, Commissioner Toulouse?

COMMISSIONER TOULOUSE: Yes, ma'am, I have.

COMMISSIONER JOHNSTON: As a language arts teacher, I see it. They talked about the active words that were used. They talked about engagement.

In some cases, they clarified. They put endings. So I really -- I don't know yet; because I'm still studying it.
decision on my part. I have -- I spent a
significant amount of time at the -- the Senate Ed
Committee, when it came forward, when the bill was
proposed. I have spent literally hours with folks
that authored the bill. I have spent countless
hours with professors, individuals, as I've said,
that work in the science community in NASA and White Sands, so that this was never a knee-jerk reaction
by me.

And I have also spoken to science teachers
through LCPS, and I've spoken to charter schools in
my area in regards to this; so that -- and as a
history teacher, I firmly have always believed that
students have a right, and I have an obligation, to
provide the students with as much information as I
can.

And I -- I'm of the belief that this
limits their -- those opportunities. And I will
also say that anytime anyone votes, I may disagree,
but I respect their ability to disagree. This is
not -- I'm not putting this forward saying, "I
expect you all to go along with me."

But -- and if you don't, I'm -- I can put
my big-girl pants on and go home a loser; because I
don't consider it a loser.

But I have no -- I have no personal
animosity if you choose not -- what you choose to do
in this vote.

COMMISSIONER JOHNSTON: It's not
animosity; it's listening to one another and
hearing. That's all -- that's what I'm saying. And
I appreciate the opportunity for this forum. So...

THE CHAIR: Commissioner Ruiz.

COMMISSIONER RUIZ: Madame Commissioner, I
have to also agree with what you said. This was not
a knee-jerk reaction. And I don't think it was --
but you made the -- you know, it almost sounded like
you were saying it was for a lot of people.

For me, it was not. I'm in education,
still. I am an educator. I'm on the frontline. I
absolutely think about every decision that I feel is
going to impact our kids.

I also have to go on the record to say
that I will never hold your personal vote against
you or feel animosity. And I'm upset, kind of, that
you feel that we would on this Commission. Because
I think we're all opinionated Commissioners; but I
think that we're all on here for the same reason,
and that is to do what's best for kids.

And so I have to say that first. And then

having said that, I have to tell you that I am
absolutely against rewriting any kind of science
standards. And I have been to the LESC in Artesia.
When they were there two weeks ago, I went. I have
spoken with Senators, Representatives, students,
science teachers, principals, even clergy. And I am
absolutely against rewriting this.

I think that when you find that our
students are at the bottom of so many lists already,
and I feel like there's times that whatever the
cause -- and I think we all have different opinions
as to what that is -- but we just keep declining and
declining in national standards.

And my kids graduated in '98 and '99, and
I can tell you I think they had a fabulous
education, graduating from Hobbs High.

But I think we're doing a detriment to our
students if we decide to rewrite this. We're not
going to make our kid- -- we're not going to give
them the ability to have the capacity to be
competitive.

Los Alamos -- I mean, our state is
impacted by so many levels of science. And I feel
like some of this -- and I don't want to offend
anybody. But I do feel it comes from the
creationists' standards and philosophy.

And I think that we have to separate that.

And I am never going to support taking that away
from our kids; because if I had a student in school
today -- and many of you have grandkids and nieces
and nephews and cousins. I don't have any kids in
New Mexico; mine are all in Texas.

But I will tell you that I just can't see
that we're going to -- to use your word, "dumb-down"
the curriculum any further. We cannot and should
not do that.

And I'll respect everyone's right to vote
as they see fit. But I want it firmly noted that I
completely do not agree with rewriting the science
curriculum. And I do believe we need to support the
next -- the standards. So...

THE CHAIR: Is this for a motion or -- or
a statement?

COMMISSIONER TOULOUSE: Well, I would like
to do both. I'll make the motion. But I need some
help in how it's worded. And then I would like to
make a statement, if we get it seconded.

So how shall we word the --

THE CHAIR: I think it's just that the --
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1 a motion to support the Next Generation Science
2 Standards, as written and not modified by PED.
3
4 COMMISSIONER ARMBRUSTER: I think we need
5 the PEC is saying that.
6
7 THE CHAIR: Right. But it's -- yes, that
8 would be --
9
10 COMMISSIONER TOULOUSE: Let me take a stab
11 at this. And correct me before we get it seconded,
12 if we need to.
13
14 I move that the Public Education
15 Commission vote to support remaining with the -- or
16 to follow through with the Next Generation Science
17 Standards, as written, rather than as the proposed
18 modification that the Public Education Department
19 has put out for comment and review.
20
21 COMMISSIONER RUIZ: Second.
22
23 COMMISSIONER TOULOUSE: I want to say I
24 know this has been an issue in districts; but I have
25 not heard it cropping up except in the Legislature
26 for years. And I am rather concerned that it came
27 through at this point in time, when things are
28 difficult as they are.
29
30 And I would hope that we all look at this,
31 too, as -- I, frequently, for people who have been
32 around here longer, know that I would be maybe one
33 of two "No" votes if I choose to. And I never
34 expected anybody to be mad at me for that. Or when
35 I've lost -- once or twice, there have been a close
36 vote. And I have never felt any grudges. You don't
37 do that when you're part of a commission.
38
39 A board or a commission, we're a complete
40 whole, but we're each a part of it. But none of us
41 has any more power than our one vote, which is what
42 I like.
43
44 I was tired of being a boss telling people
45 what to do. I didn't like being told what to do. I
46 find this a very comforting environment. At this
47 point, only one-tenth of the decision is mine. I
48 feel that with all of us; because we are a very
49 diverse group from very different parts of the
50 state. I mean, it's like herding cats to get us to
51 agree on anything, anyway.
52
53 I just want to say that I think we're all
54 voting with a conscience and also with knowledge of
55 what we're looking at. And I will say we didn't
56 even discuss the climate change piece.
57
58 And I'm looking at my adopted daughter,
59 who I adopted at birth, but her birth mother is in
60 Puerto Rico -- luckily, she was one who has kept
61 cell service -- because mine were open adoptions.

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1 We've been in touch with both of my children's
2 parents all along. And it's been -- you can't tell
3 me that those hurricanes that hit were not made
4 stronger by the warmth in the ocean that's the
5 additional heat that's going into it and those
6 things, and the complete devastation that we've had
7 also in Florida and in Texas.
8
9 Those were all made worse. They probably
10 would have developed anyway, but not at the level
11 they did because of the increased warming in the
12 ocean.
13
14 So I think we have to be reasonable and
15 talk about climate change. Not global warming.
16 Climate change. Because it goes up and down. But I
17 think that needs to be -- "fluctuation" is iffy.
18
19 Climate change, it's changing; it's not fluctuating.
20 So that's the other thing I wanted to say. And now
21 I'm through talking.
22
23 COMMISSIONER CRONE: Yeah. Madam Chair, I
24 wanted to add, the last Pope that endorsed
25 evolution -- and, actually, it is Church Doctrine;
26 it's not simply their endorsement -- Pope Benedict
27 XVI did include climate change, that he directed the
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1 Pontifical Academy to take it very seriously, that
2 it was the Church's obligation to, you know, look
3 realistically at the science behind it.
4
5 I also want to add that Santa Fe Public
6 Schools, Albuquerque Public Schools, Los Alamos
7 Public Schools --
8
9 THE CHAIR: And I believe Las Cruces
10 Public Schools.
11
12 COMMISSIONER CRONE: -- have already voted
13 to stay with the National NGSS Standards.
14
15 COMMISSIONER JOHNSTON: Madam Chair, this
16 has been a very risky statement for me. I made it
17 because I have -- I have utmost respect for those
18 science standards. Absolutely. And I have no
19 problem with those science standards.
20
21 I want it -- I need to say that I respect
22 the experiences of those who disagree and feel that
23 those are as valuable as the information that I
24 carry forward.
25
26 I think -- I don't know how to say it any
27 more clearly than that. While I have no problem
28 with the science standards, my concern is that we
29 continue forward with respecting differences of
30 opinion and informing students, young people, of all
31 the options so that they can come to the same
32
conclusions we've come to as adults.

And I appreciate, and in no way mean to
denigrate -- politics is new to me. I'm still not a
very political animal. So that's enough said about
that. But I want everyone to know that I respect
all sides of this argument.

THE CHAIR: And I would just like to add
that this is, in no way, shape, or form, a political
statement on my part. This is as an educator. This
is where I'm coming from, that I have not been
influenced by any, and this is not -- this is not a
political statement on my part.

I am a career educator, and this is what I
firmly believe. This is the obligation of an
educator is to inform the students and to give them
all the information. And I firmly believe that this
limits the information that is out there. So
that's -- this is -- I want people to know that I'm
not on a political bandwagon here.

COMMISSIONER JOHNSTON: I think that's
important for all of us, for each of us.

THE CHAIR: Commissioner Armbruster?

COMMISSIONER ARMBRUSTER: Before I do add
my comments, did we have a second?

COMMISSIONER RUIZ: Yes. I seconded.

COMMISSIONER ARMBRUSTER: That's fine. I
just wanted -- I would have done that. That's fine.

And I will say that my concerns are that
the current standards seem to be agreed by most
people. And if I were going to change something, I
would want some data behind why I would change it.

I think the science part, of course, I
have been, like, inundated since I returned home a
few days ago to Los Alamos. Yes. But I don't see
any data presented for a reason to change.

At the same time, I wanted to say that
temples and synagogues and churches of various
denominations have an obligation to present their
side of their argument. I definitely believe that
that's true. At the same time, I don't believe that
they are talking about evolution, for example. Or
maybe they are talking about climate change. I
don't know.

But I think that education needs to
present their side, and churches and temples and
whatevers need to present their side, or their
"God," as Commissioner Caballero has pointed out.

There are just too many things.

The other thing is I think that that's how
that discussion will occur; because the probability

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my comments, did we have a second?

COMMISSIONER RUIZ: Yes. I seconded.
passes, eight to two.

THE CHAIR: The motion passes, eight to two. I'll remind the Commissioners, public comment is open through the 16th at 5:00 p.m. Unfortunately, a number of us will be in Phoenix for that. But you certainly can make public comment online.

COMMISSIONER CRONE: Yes. That's what I was going to add. There's a link on the PED Web page.

THE CHAIR: Correct.

COMMISSIONER TOULOUSE: Madam Chair, will you transmit this position forward as part of the Public Comment, and give the vote as eight to two; so that it's --

THE CHAIR: I have put my own personal comment in; so I will do it for the PEC.

COMMISSIONER TOULOUSE: Thank you. Since we don't have a staff that will automatically do it for us? Thank you.

THE CHAIR: Yes, I will. We are now on to No. 9, which is Discussion and Possible Action on NMPSIA Notification of Critical Hazard for Estancia Valley.

And I'll just say that I had a conversation with Sammy Quintana yesterday from NMPSIA. And he indicated to me that the letter that was sent really was not written by him; although, his name was on it. He was surprised his name was on it. Generally, it's someone from POMS whose name is on it, and his name goes on it as contact information; so that he then put me in touch with POMS so that I could have a discussion about this, because he wasn't -- Sammy was not entirely clear on what the letter exactly was.

So then I was fortunate enough to be able to make contact with Mr. Maestas yesterday from POMS. And it's an area that I'm not familiar with; so he made the generous offer to come here and talk to us about this.

So I certainly appreciate and will ask Mr. Maestas to come forward. And I know there's people from Estancia Valley here, if they wish to address. But, please, you can come sit here.

And I'll just let folks know that the Executive Committee had a concern about this, and there is an overarching concern that there were deadlines that were not met in terms -- for the school for responses, but that this is an area that there's obviously a concern about.

I know Commissioner Crone brought this up, I believe, at renewal, that this was an issue. So that this is an ongoing issue for us; so I felt that this was a good opportunity to get some additional information on this.

So welcome, then. If you could just please identify yourself for the record.

MR. TED MAESTAS: Madam Chair, first, my name is Ted Maestas. I'm the Senior Risk Manager for POMS & Associates. We are the broker of record for the New Mexico Public Schools Insurance Authority. I have with me James Vautier, who is our security expert, if you will. So that's who we are.

And we did prepare that document for Mr. Quintana, as the Authority CEO, whatever you call it. And we usually do that if we feel that strongly about that some attention is warranted outside of the normal scope.

What we were intending with that letter is that more and more schools are wanting to arm their staff. And although our board and Mr. Crone can attest to it, our board has been reluctant on some of it. But we know that it's coming. And so now the board is putting together a policy to address arming staff.

We understood that Estancia had already -- they have a sign in front of their school that says "Caution: We Are Armed," something to that effect. So we became alarmed with that, and we sent a letter to them requesting information.

Mr. Vautier has dealt with them. And so we -- we requested that they respond to certain requirements that the Authority was going to put together and has put together. And, in fact, we were in Corona last night talking to that school board about arming that staff.

And so we only want things to be done to protect the integrity of the insurance pool, the individual schools, and, of course, the excess carriers. A lawsuit of that proportion would be incredible in terms of the losses to the districts, and to all of them.

So we are -- we're about ready to propose to the board that they approve our policy. And then once that policy is out, we'll inform all of the school districts, charter schools, that this is what we would like to see.

Obviously, there are things that the Authority would do if this -- if there is no compliance, to protect the Authority. And so that
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is why we sent that letter out.

We have not gotten a written response to
our letter from Estancia. We have talked to several
representatives. And we have to have some
assurances that they're going to follow some
policies that we are requesting.

And with that, I'll open it up to
questions.

THE CHAIR: Well, I guess my first
question is when we're -- we're talking about armed
individuals on campus, we're excluding police;
because they would be a separate entity. There's
a -- there's a difference.

So we're talking about non-certified,
active police; because I know we've got many schools
that use the current police departments. They make
contracts with them. We are not talking about those
individuals; correct?

MR. TED MAESTAS: No, ma'am. We're
talking about small school districts; for example,
last night, Corona. Their best response time from
the Sheriff's Department, they told them, "We might
get to you in an hour to two hours. And then if our
officers are called away, well, then, you may not
see us at all."

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The State Police suggested they arm
themselves. And so this is the driver.

The larger districts, say, APS, they have
their own police force. Some of the schools are
contracting out. And we're going to request certain
things of contracted employees.

So I'm going to let Mr. Vautier, because
he's a former APD officer, talk to you about the
level of expertise that we want for the people that
are going to be carrying weapons. And it's pretty
involved.

COMMISSIONER ARMBRUSTER: I'm sorry.
Before -- sorry. I just want to clarify something.
And I didn't mean to interrupt you.

So we're looking at the difference
between -- let's just say a charter school -- since
that's what we were talking about -- they hire a
qualified somebody to -- who is armed to protect and
defend, whatever, as opposed to a teacher or an
employee -- you know, the principal, that type of
thing -- the staff -- thank you -- of being armed?

THE CHAIR: No, it's staff, period.

That's my -- it's staff, period.

COMMISSIONER ARMBRUSTER: What's "staff
period"?

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THE CHAIR: It's staff. It could be the
principal, yes.

MR. TED MAESTAS: If they wish to arm
staff.

THE CHAIR: It could be anyone on staff.

COMMISSIONER ARMBRUSTER: Right. But
that -- arming someone on staff is different from
hiring someone from a security firm or a former
policeman or something like that. Are those two
different things?

MR. TED MAESTAS: They are different
things. But our expectation of training would be
the same. If they hire a contractor, then we're
going to expect that contractor to have the Level 3
certification, which is equivalent to a police
officer.

If they train staff, then we're going to
require that they do the same level of training for
a -- 3? --

MR. JAMES VAUTIER: Yeah.

MR. TED MAESTAS: -- Level 3. So that's
going to be something they have to renew. They have
to undergo mental evaluation. They have to learn to
shoot. You know, it's involved. But then, again,
we're talking about live ammunition, and we're
talking about guns in schools.

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THE CHAIR: And I just want to make it
clear to everyone that we're not digging into the
roots of what all this training is. The concern was
that there was this level of concern that was raised
by POMS. We received it through NMPSIA.

There's -- and I appreciate the guidelines
that are being set. Our interests here are the fact
that a school could potential- -- you can address
what can potentially happen. But I'm assuming that
the school could potentially lose its insurance?

MR. TED MAESTAS: A lot of things could
happen.

THE CHAIR: Right.

MR. TED MAESTAS: We're required to insure
schools. That's our -- that's NMPSIA's main
purpose. And in doing so, what, as consultants, we
do, is we make recommendations to minimize losses.
We're not going to eliminate them. But we want to
minimize them to maintain the integrity of the
school, the school pool, and the insurance.

So we did send out a letter to Estancia.

And we entertained a couple of phone calls. But we
have never gotten a formal response in writing.

They did agree with Mr. Quintana that they
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<td>would withhold arming anyone; but we've not been able to verify that. We just haven't. They haven't sent us a letter to communicate that.</td>
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<td>THE CHAIR: Right. And Mr. Quintana did not communicate that agreement to me yesterday. So that's a -- that's a concern.</td>
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<td>I mean, we have an obligation to make sure that schools are complying with health and safety regulations and that schools, when requested, are complying with -- communicating when it's this level of concern.</td>
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<td>But we're not -- you know, the reality is it's -- I think we're -- we have to agree, the reality is it's coming. It's here. It's not coming; it's here. So that that's -- you know --</td>
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<td>Commissioner Johnston?</td>
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<td>because they had the guns in the back of the pickups, and I said, &quot;Sorry&quot;; and then in Estancia, where you have to have the signs that say, &quot;Gun-Free Zone,&quot; I'm very sensitive to that, and I think it's very appropriate. We need that.</td>
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<td>And there is a sign, you are correct, that is on the frontage road that says that the campus is armed. And it's very obvious.</td>
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<td>3</td>
<td>So the first thing I did was call Mr. Lawson and say I thought this had been done away with. And he confirmed at that point that this school year, there has been -- it was implied with what Mr. Quintana requested. They did fail, I think -- I know -- to file a written response.</td>
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<td>And the sign is causing, I think, some anxiety among people; because it's there, and you see the words.</td>
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<td>I think that -- and I appreciate the fact that the Chair brought this to the Commission's attention, because it is something we need to resolve with the school.</td>
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<td>I think their intentions have been above-board, honest, and forward-moving. I don't know; I've not had a conversation about the future.</td>
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<td>7</td>
<td>And that's probably something we should all have today, so that you all are back communicating with the schools, so that POMS is comfortable with what's happening in any school district.</td>
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<td>today, so that you all are back communicating with the schools, so that POMS is comfortable with what's happening in any school district.</td>
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<td>Because in Estancia, we had a contract, and we paid portions of the salary for the resource officers. And I was very grateful for them, because they were on campus.</td>
</tr>
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<td>3</td>
<td>There are no fences. Estancia is very proud of the fact that there are no fences on that campus and that it remains safe. And it is something to be -- it is an accomplishment.</td>
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<td>But at lunchtime and before school and after school, we paid to have that city police officer.</td>
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<td>In Corona, they're at the very edge of Torrance County. We're at the other edge of Torrance County. And you are correct that for Corona to try to get a response, should there be a difficulty, it's something -- it's here, like the Chair says.</td>
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<td>So I appreciate all the work that's -- that's gone into this for my district. Those schools are all in the district I serve. And I think everybody's made an effort. And now we just have to -- because I immediately talked to Mr. Lawson, and we talked about it, and I thought, okay, everything is done.</td>
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<td>7</td>
<td>But they did not respond to you in writing, and that's where the problem arose.</td>
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<td>8</td>
<td>MR. TED MAESTAS: If they don't respond to us in writing, then we have to take another step of action and go to the board and ask for a &quot;show cause&quot; hearing.</td>
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<td>Now, we do our best to work with the districts and communicate verbally and in person; but eventually, we have to move, because of the rules that the Authority has in place, to have a &quot;show cause&quot; hearing, at which time the board can determine what action it wants to take.</td>
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<td>So to date, we have not had the written response. And we have some issues. When we still see the sign, we don't know if they're carrying or not.</td>
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<td>COMMISSIONER JOHNSTON: Madam Chair, actually Corona is a point?</td>
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<td>COMMISSIONER TOULOUSE: Madam Chair, just in Lincoln County. The county line runs on the hill</td>
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info@litsupport.com  
BEAN & ASSOCIATES, INC.  
201 Third St. NW, Ste. 1630, Albuquerque NM 87102  
505-843-9494
just north of the town. When I had the welfare out there --

COMMISSIONER JOHNSTON: So the school district is in Lincoln County?

COMMISSIONER TOULOUSE: No. I'm saying -- you said they were in Torrance County

COMMISSIONER JOHNSTON: I'm talking about the school location; it was in Torrance County, I thought.

COMMISSIONER TOULOUSE: I know; it's right at the edge. Because I carried those cases, and I had to have a different case number --

COMMISSIONER JOHNSTON: Partially in Lincoln and partially in Torrance. But I thought the school was located in Torrance.

COMMISSIONER TOULOUSE: The town is --

THE CHAIR: Commissioner Peralta?

COMMISSIONER PERALTA: Thank you.

Mr. Maestas, the gentleman you brought, the expert, we'd like to hear from him.

MR. JAMES VAUTIER: Hello, sir. My name is James Vautier. I'm also employed with POMS & Associates. I'm a risk manager, as well.

So specifically, the big picture is we have a bunch of state laws concerning weapons on school grounds, and we have a bunch of exceptions to those laws. We have federal law; we have the concealed carry law. We have unlawful carrying of a deadly weapon on school grounds. That's a state law. And then we have standards for educators that also say, "No weapons by school employees." But every single one of those federal laws, state laws, have exceptions to them. And some of those exceptions create gray areas that can be interpreted to allow school employees to carry a weapon. So we're not by any means saying, "No, you can't be armed."

But when the State statute that says, "Unlawful carrying of a deadly weapon on school grounds, except for school security personnel," and there's no definition of that, that kind of creates a problem.

Ideally, we would like schools to contract with law enforcement officers, SROs, School Resource Officers. But schools -- it's a financial tough time. So some schools -- like when I was with the Albuquerque Police Department, APS had an MOU with us -- they didn't pay us any money for that. We just did it.

But some schools in rural areas, they pay part of the salary. And some schools can't afford that. So if that's not an option, then we would rather them contract with an outside security company.

And, again, it's because of liability reasons. Those insurance -- those security companies, as with the law enforcement agencies, have their own liability issue. They have -- I mean, security companies have to be licensed and bonded through the State. They have to have the Level 3 card. That's easy to verify for those security people. Again, it comes down to a financial issue.

And in the case of Corona, I don't see any security companies out there. And I don't know that many security companies would travel that distance to work that school. Tough issue. So now you're reduced to, okay, we've got to arm staff. Okay.

What staff are we going to arm? There's nothing out there.

So we're surrounded by states that have created laws allowing school personnel to be armed. So that trickles down to school boards that can create resolutions and policies that reflect right off the state laws that have been created. We don't have state laws here that say specifically, "Schools can be armed, can arm their employees."

So we're trying to go in before something horrible happens; or before we arm the wrong person, we're trying to go in and say, "If you're going to arm, let's do it the right way. Let's do it this way."

And the minimum requirements that are out there are those required by the State Licensing and Regs for Security Level 3 cards. Everything else is law enforcement and higher.

So we're not trying to -- we don't want to make it impossible for a school district to do it. And it's going to cost some money for them to do it. Or for the individual that the school says, "Okay, this teacher wants to do it," then the cost is on the teacher that the teacher wants to do it.

I'd rather it not be a teacher. I'd rather it be somebody else that does not have responsibility for kids. But there's that whole cost issue; so they've got to kind of weigh out the costs. And it's tough. It's a tough issue.

But that's the -- the very minimum training that's out there would be what's required by the State Licensing and Regs, which is Level 3
Security. And that includes background check, fingerprint cards, two years on the -- two years of having continuing training, the mental health evaluation, all that stuff. We've got to make sure the right people have the weapon.

Does that answer any question, sir?

COMMISSIONER PERALTA: Yeah. Thank you. Thank you. I think that eases a lot of Commissioners' minds about how we're going to approach this; because I don't want to get into a deep-down research about firearms on campus and what have you.

So before we armed Mr. Heckroth -- and Mr. Heckroth [ph] is a retired APD officer with full certification for concealed carry, as well as carrying his armed -- his weapon -- his service. He went back to APD and was recertified to carry and did the firearms recertification, as well. He was an EA on our staff, and we were just fortunate that we had someone of that quality and training that we could use.

And so we told POMS in the letter that we were going to do that and gave them his qualifications, and we never received an answer.

Finally, I talked to Judy Garcia in, I believe, about -- I'm not sure; but it was in the summer of 2016. She said that they were trying to get -- put together an answer that was a very difficult issue, as you can tell from Mr. Maestas' and Mr. Vautier's comments. And they were trying to it.

We're not going to mandate that this be their plan. It's going to mandate what we require, and they can design their own, as long as it coincides with ours.

THE CHAIR: I appreciate that. And I appreciate your time today. Thank you.

MR. TED MAESTAS: Thank you.

THE CHAIR: And I'll just ask if the individuals from Estancia Valley wish to come forward and speak.

MR. HARLAN LAWSON: I'm Harlan Lawson. I'm vice president of the governing council of EVCA.

MS. KIM ADAMS: Kim Adams, member of the GC at EVCA.

MR. HARLAN LAWSON: Madam Chairwoman, Commissioners, I mention just a couple of things here and then obviously be more than happy to answer any questions that you have.

We wrote our first letter to POMS in 2014 asking for guidance on how we arm the security person on campus. Our last letter to them, I believe, was in February of ’16. We don't understand some of the things in this letter that we received on August 30.

But our president, Roger Lenard, called Mr. Quintana immediately, since his name was on the letter. In fact, on 1 September, he called and assured him that we did not have an armed presence on campus this year, and that they agreed that the -- basically, there was no hazard, then, because we don't have that.

Nothing happened with that until we got this notification that we were violating some laws, possibly, which we don't believe we were. The statutes are, in fact, I think, very clear in New Mexico. It clearly says that a teacher cannot be a security officer. It says that a teacher can be a peace officer and, therefore, could carry.

Since Mr. Heckroth is not a teacher -- he's an EA; he's not a licensed teacher -- we went the security guard on campus this year; and, therefore, they agreed that there was really no critical hazard and to follow up.

Mr. Lenard sent an e-mail to Mr. Quintana
saying that was what he understood of the conversation, that there was really no critical hazard and, therefore, no response need. If that's a mistake, we'll follow up and answer in writing. But it's basically going to be kind of simple. It's going to say, "We don't have an armed security guard on campus"; so there's no critical hazard in our mind right now. And based on the 1 September conversation, we believe that -- we thought the phone call answered that, and we weren't concerned about the 10-day response time after that conversation. Apparently, it wasn't discussed in that conversation between Mr. Quintana and Mr. Lenard at all about whether we still needed to answer in writing or whether a telephone call would be acceptable. But -- but the e-mail clearly stated, back to Mr. Quintana, that that was our understanding of the conversation. So to summarize, we do not have an armed security guard. We are working on a draft policy now to answer what POMS has asked for. We feel like that the board actually made a -- passed a motion on the 16th of December, 2015, to proceed with arming Mr. Heckroth, if we could determine from POMS what  

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<td>that we're not violating federal law or state law.&quot; So we can comply with all of those, of course. But it has changed is the point I'm telling you, is that the instructions have changed, because as this problem has become more and more prevalent, POMS has gotten a whole lot more interested in making sure that this is done correctly. And we understand that. In our discussion yesterday, Mr. Maestas and I agreed that we would work together on this policy that we're doing. And we told him that we'd be happy to, also, in response, review his policy, so that we could add anything that we could from our investigation. So that's where we stand. We're prepared to do that. If we still need to respond to that letter, we'll send a written response very shortly. I apologize for misunderstanding that, however that happened. But since there is no armed security guard this year, we felt like we were not in a critical hazard situation. So did Mr. Quintana that day. So any questions? THE CHAIR: And I want to assure you that it's -- it's not our role to tell you &quot;Yes&quot; or &quot;No, you can't have that.&quot; That's not the issue --</td>
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<td>our criteria were and if we could meet the requirements of the law. So we went through that process and went ahead, and, because of his certification and meeting the requirements, and when we notified the Department of Public Safety, the State Police, both the district and local, the Moriarty Police Chief, the Edgewood Police, and the Torrance County Sheriff's Department, they all cheered us for having someone on campus, because they knew they couldn't get there in time to really make a difference in an active shooter role. We've had several active shooter trainings from POMS; they've been very good. Ever since we opened, we've had those periodic -- we've had three, if I remember right. So we do use POMS from a training standpoint. We don't really think we have an argument with POMS, other than we're a little bit confused; because in talking with Mrs. Garcia back in '16, she didn't talk about anything but a verbal notification to the police departments. Now, in this letter, it says, &quot;We need a letter from each local police department, we need a letter of endorsement from PED, and we need to get a legal opinion that says</td>
<td>THE CHAIR: -- that's before us. There are other legal issues around that. Our concern was that there was this request, and there was a timeline that was set up for a response. And I guess it's a matter of how you read something. When I read the letter, I read it as that requiring some written responses to it, not just a -- you know, a phone call. Because as Mr. Maestas has said, just because you make that phone call, they need a written record that that is what you say it is. So that that's the -- that's the level of concern that we had, that there is -- there is communication that's -- that apparently is not going on, or there is a misinterpretation of what is being required. And I just want to make sure that the school is following, as best they can, the guidelines that are being set up. And it didn't appear that the school -- from the second letter that came out, that the school was communicating adequately with either NMPSIA or POMS.</td>
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<td>that we're not violating federal law or state law.&quot; So we can comply with all of those, of course. But it has changed is the point I'm telling you, is that the instructions have changed, because as this problem has become more and more prevalent, POMS has gotten a whole lot more interested in making sure that this is done correctly. And we understand that. In our discussion yesterday, Mr. Maestas and I agreed that we would work together on this policy that we're doing. And we told him that we'd be happy to, also, in response, review his policy, so that we could add anything that we could from our investigation. So that's where we stand. We're prepared to do that. If we still need to respond to that letter, we'll send a written response very shortly. I apologize for misunderstanding that, however that happened. But since there is no armed security guard this year, we felt like we were not in a critical hazard situation. So did Mr. Quintana that day. So any questions? THE CHAIR: And I want to assure you that it's -- it's not our role to tell you &quot;Yes&quot; or &quot;No, you can't have that.&quot; That's not the issue --</td>
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<td>will send a written response to that letter. Like I said, we just thought the telephone call, since it showed no hazard, that's what Mr. Quintana also had said. And when I talked to him yesterday, he did recall the conversation and said that Mr. -- he or Mr. Maestas would probably be here today. So I think we're talking -- we talked yesterday. We have always tried to talk with POMS. We have sent -- like I said, we worked this problem from end to end, trying to get the advice we needed. And we thought we had all the guidance we needed when we armed last year. And we were very fortunate, as I said, to have an individual on staff who met all those certification requirements that they're talking about in their proposed policy. So we concur with that. We think that's a wise decision. The other thing that I believe is -- all the schools that are more than just 30 seconds, basically, from a law enforcement agency are going to have to look at this. And that's what, I think, Mr. Maestas was pointing out. It's starting to be more and more prevalent. People are talking about it. We've got to look at whether that's an option. And I was really encouraged to hear them say that they want to work with the schools also to try to bring this to a clear and final conclusion. THE CHAIR: Right. Commissioner Peralta, did you want to say something? COMMISSIONER PERALTA: Yeah. Thank you. So it seems like, Mr. Lawson, that the details really need to be worked out between you, POMS, or EVCA. I'm not really sure. Again, I'm concerned about the communication or the lack thereof and why we didn't get responses when those were requested by the agency. And so right now, you don't have anybody that's on campus; correct? MR. HARLAN LAWSON: Do not. That's correct. COMMISSIONER PERALTA: Moving forward, it seems like you're going to create the policy to get that worked out with POMS or NMPSIA to make sure that complies with what's required. That may take some time. MR. HARLAN LAWSON: It may. COMMISSIONER PERALTA: The sign is up or down? MR. HARLAN LAWSON: I think it's still up; but we will take it down until --</td>
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| COMMISSIONER PERALTA: I recommend you take it down until everything gets worked out. Again, as the Chair says, we're not here to say "Yes" or "No"; again, I think it's more about what -- how you comply with what's required by your Insurance Authority so you can ensure that we move forward on that. Thank you. MR. HARLAN LAWSON: Understand. COMMISSIONER PERALTA: Thank you, Chair. COMMISSIONER TOULOUSE: Madam Chair, I just have a quick comment. I think maybe you've learned the lesson I learned a year or so after state government. If it's not in writing, it doesn't exist. You put it down in writing; it may be superfluous. But it's always helpful to have the backups then. And, I mean, that's the lesson we all learn. And I'm assuming now your governance council knows, yeah, do everything in writing. And inundate people with paperwork. That's what bureaucrats are for, right? So, thank you. THE CHAIR: Director? MS. POULOS: Madam Chairwoman, Commissioners, I did just want to address one thing. We heard that potentially, the request is that PED will provide an endorsement. PED will not be providing endorsements for anything like this. And so that's just something I want everyone to be aware of is based on legal counsel's advice, that is not something we will be able to do. COMMISSIONER JOHNSTON: And may I ask a question? Define "endorsement." MS. POULOS: I cannot do that. I've seen the letter. THE CHAIR: It's the part of the letter. It was one of the requests in the critical -- it was my -- I think it does say -- COMMISSIONER JOHNSTON: "Endorsing"; supporting. Okay. I found it. THE CHAIR: So that's good information for POMS at this point in time; so they're not putting something in that schools are not going to be able to comply with. So thank you for that information. And thank you once again. MS. KIM ADAMS: Thank you. MR. HARLAN LAWSON: You're welcome. Thank you.
THE CHAIR: I appreciate the time.
Okay. So we're -- Report from the Chair.
And this will be quick.
And I didn't even know that the PEC
calendar -- I didn't know that was going to be on
there. So how about that? So here we are. So here
we are with the calendar.
So Commissioner Peralta will -- because
that was a surprise to me when I read the minutes,
that I'm going to assign someone to do the calendar.
So how about that?
So here we go. Commissioner Peralta did
such a good job last year; so we will move forward
on that, because that is something that we do vote
on in December.
COMMISSIONER PERALTA: Madam Chair?
So with that, Madam Chair, I just ask
Commissioners, between now and maybe the next
meeting or so, if you'd just send me some e-mails
about your calendars and holidays or anything of the
sort that may conflict that I need to pay attention
to, if you'd do so within the next 30 or 45 days or
so, I'd appreciate it.
THE CHAIR: And I'll ask Beverly to send
out a reminder so that the Commissioners are tweaked
a little bit. Because some of us are traveling and
so on, so that we do get that to Commissioner
Peralta in a timely fashion.
I had the opportunity, as Commissioner
Johnston did, as well, to attend the ACES Regional.
They had four, I believe -- three or four regional
meetings with charter schools.
I'm enlightened on custodial services for
schools. But it was -- it's always a pleasure to be
able to have good conversations with the charters.
We did have an opportunity to speak for a
little bit on the performance framework, so that --
and the Charter Coalition was also invited to attend
the regional, and both Matt and Kelly were there so
that they were -- the schools were encouraged to
please submit their input so that Public Impact will
have as much information as possible so that they
can help us in the framing of these new frameworks,
which wasn't a good use of words.
So I appreciate the work that ACES does
and the opportunity to meet with those schools.
I did not attend the LESC in Artesia. I
will leave that to the two Commissioners that did
attend. I will remind Commissioners that the LESC
has changed two of its dates. It changed the
October date to the Tuesday, Wednesday, Thursday, of
that week, not the Wednesday, Thursday, Friday. So
they've backed up one day in October. And they
changed the December. But the December falls during
our meeting; so that's -- that is what it is.
I have not seen an agenda yet for LESC for
October; so -- and there's four of us that are
leaving Sunday for -- for Phoenix, and we will be
attending the NACSA conference. So looking forward
to that.
And conversations regarding school
improvement plans, I've actually -- I've actually
started, because the letter -- so I've actually
started contacting schools. So I'll have more
information, once I get a better idea from the
schools as to when they're -- and, actually, I
had -- I had a thought -- so rare -- because the
Director and I talked a little bit about talking to
the renewal schools first.
And then I thought, "You know what? We're
going to have a pretty big conversation with them in
December."
So I really thought the renewal schools
are the schools we least need to talk to right now,
because the Charter School Division is out doing
their renewal review site visits, and we'll have
them before us. So anything that we really need to
speak with them about, we'll have that opportunity
in December. It's the schools that aren't coming
before us soon that we probably need to spend a
little more time with. So I've kind of reversed
thought on that.
So I'll have some more information, once
we -- once I hear back from the schools and be able
to set a schedule for those meets.
And that leads me to the Charter School
Coalition, who was here. I don't know what
happened. And there isn't anyone, I believe, from
the School Boards Association. We're leaving them
on the agenda. If they have something, they will
come; if they don't have something, obviously, they
won't be here.
COMMISSIONER ARMBRUSTER: I saw Kelly walk
out.
THE CHAIR: But if she comes back before
we have a Motion to Adjourn, I'll give her -- but,
otherwise, I will leave it to PEC Comments.
So, Commissioner Caballero?
COMMISSIONER CABALLERO: None at this
time, Madam Chair.
THE CHAIR: Thank you.

Commissioner Conyers?

COMMISSIONER CONYERS: Just an observation with our last discussion here on school security.

And this -- I've thought about this for many years. I started teaching in 1970. And the changes that we've seen in the schools in terms of the need for security, it's just kind of heart-breaking to me. I served a number of years as a junior high principal, where when there was an issue, I was the one who was the security, you know, who would go out and get in the middle of it. And then as school board president, we ended up hiring a -- kind of a director of security for the school district.

And even now when I go to my grandkids' schools, I can't walk in there. I have to buzz in and say who I am and what my business is. And it's -- I don't know. It's just sad.

THE CHAIR: Thank you.

COMMISSIONER TOULOUSE: Madam Chair, I attended the Thursday and Friday of the LESC meeting in Artesia. Our court reporter here was very kind to give me the ride down, because I don't drive that far.

We saw Carolyn Shearman on Wednesday night. We got in Wednesday afternoon, and we -- really, we got a tour of the Artesia High School facilities. I can tell you. And I'm very pleased that while Commissioner Shearman, who has resigned from that school board so that a relative can take a job with the school board, has made sure that there are absolutely equal female and male facilities in -- for everything at that school district.

I'm not sure that there was a whole lot that came before it that is specific to charter schools. But on the last -- on the second day, I signed up for public comment; because usually, when I go, I'm with Senator Lopez, who leaves early to go get kids from school, so this time, I could do it. And I pointed out to them, which several committee members had no idea, that we actually have liaison positions with their committee, and that I was one, which is why I was showing up regularly.

THE CHAIR: They thought you were stalking them?

COMMISSIONER TOULOUSE: Well, I think they thought I was getting my political fix, which I do. But there are other committees that are more fun.

COMMISSIONER TOULOUSE:  Well, I think they brought students from many of the small schools.

The LFC is more fun to get a political fix from. But I did talk to them about four-year-old programs, because that was part of their agenda, and that we are having more and more schools that are either coming before us or requesting pre-K that we don't oversee, or who actually have it and we aren't informed that they have it.

Some of them have it for profit because they can charge for it, and others have the State-covered ones. But we don't know about it. They -- most of them, we tend to find out when they come in front of us and make a comment.

I have concerns how that might affect their budgets when we look at them, how it would affect their cap for their students and facilities.

So I suggested that that might be a little tweak that they wanted to do, and that anybody who was receiving State funds for a pre-K program and was a charter school should come under our overview, because of the whole picture of the pre-K through whichever -- how far that school goes.

The other thing I saw, which was a very interesting program, was schools in the Southeast -- and I imagine Commissioner Ruiz may know about this -- is the rocketry program that they have. And they brought students from many of the small schools.

And it started because there were Texas schools coming in and shooting their rockets off at White Sands. And White Sands contacted some of the school districts and said, "How come Texas is coming in here, and you don't?"

So we had a presentation. And some of the very small school districts have done it. And it's a program with NASA scientists connected to it. And it costs very little to get into the program. And the only requirement, then, that you purchase from them are the actual rocket engines; so they make sure that they're appropriate.

But what I liked is the kids have to teach it to themselves. So the teachers who are supervising it also have to learn, when the kid says, "How do you do this," saying, "I can't help you figure it out."

And, for instance, they had a ninth-grade girl who turned out to be the captain of her team who was taking Algebra 1. And by the end of their year when they were launching, she figured out trigonometry as a part of the program.

They brought students from all of these
schools, the superintendents, the principals. And I
suggested to them, because they were looking at
small schools -- although they're looking to anybody
that wants to offer it, APS or anything -- that our
charter schools up and down the Rio Grande Valley
would be a perfect place, because they're smaller
schools.

What you need is an inspired teacher who
is willing to step away without supervising the
problems. The first year, they have to send a
one-pound load up 10,000 feet. The second year,
it's a five-pound, and their rocket has to go faster
than the speed of sound.

And they get grades for doing this. And
they learn as much from their failures, because they
have to analyze them as failures. And they
really -- and when they were showing pictures of
when they got together and did the shoot, the
culinary arts in some of the schools showed up and
sold --

THE CHAIR: Space food?

COMMISSIONER TOULOUSE: I don't think they
had frozen ice cream -- or the freeze-dried ice
cream. But, I mean, it just looked like it was a
real community thing.

And this year, they're going to shoot the
rockets from Jal on the 18th of April. And
everybody is kind of invited. I don't know that I
could get down there. But I'd kind of like to go
see it. But I think that is a program that should
come into our schools.

And I talked briefly with the man who's
been in charge of it and gave him my card and said
if he wants to know which schools I think that I
know might benefit, he said, "Well, we talked to one
or two of them, and they weren't interested."

Well, they don't know all of the schools.

But I think if any of us could think of our schools,
we ought to. I'm saying I think Commissioner Ruiz
probably knows a lot more about this program than I
do. And I just thought that was -- to watch these
kids, who were excited...

COMMISSIONER RUIZ: Oh, yeah.

COMMISSIONER TOULOUSE: So that's it.

Thank you.

THE CHAIR: Commissioner Peralta?

COMMISSIONER PERALTA: No, not at this
time.

THE CHAIR: I'll just affirm Commissioner
Conyers' remarks, that it's a shame that times have
changed. And I was, at one time, considered the
armed security; because back in the day, I used to
wear three-inch heels. And it was amazing what
accidently stepping on someone who's involved with
a fight with that three-inch heel, how quickly it
can stop a fight.

And those days are unfortunately gone;
so -- but we're moving forward.

COMMISSIONER ROBBINS: Nothing.

THE CHAIR: Commissioner Johnston?

COMMISSIONER JOHNSTON: I did attend the
ACES regional meeting that was in Albuquerque. And
it was most informative. I think there were
30 schools, potentially, that could have been
representative -- represented.

I was really encouraged to see the
Coalition's presentation and the collaboration that
appears to be beginning to strengthen among all of
the entities, the Coalition, the Charter School
Division, and the Commission. And that was really
evident; and particularly in the presentation --
because this one was after the awarding of the
grant.

And I'm sorry Kelly is not here;
because -- here she is. She's back.

Okay. So I don't have to cover it all.

MS. CALLAHAN: Yes.

COMMISSIONER JOHNSTON: I want to -- I
also was invited to attend the Secretary Designate's
presentation to the Classical Academy and to
Estancia Middle School. They were both "A" schools.
And so at the Classical Academy and in Estancia
Middle School, we had the Secretary Designate,
Ms. Montoya, who is an associate secretary?

Assistant secretary? What, Director Poulos?
"Deputy" is her title? Ms. Montoya? Is she a Deputy Secretary?

MS. POULOS: She's a Deputy Secretary.

COMMISSIONER JOHNSTON: And then Mark Miller.

MS. POULOS: Mike.

COMMISSIONER JOHNSTON: Mike Miller, whose parents live in Moriarty. I didn't know that. But he was there.

It was a wonderful experience for me. And I'd like to thank the Classical Academy for bringing that grade up to an "A." Very responsive. And I'd like to recognize Estancia.

And on that same security note, how many times -- and my husband -- how many times have any of us stepped out in the middle of traffic and gone like this (indicates) and expected all the cars to stop?

So it is changing. And in Estancia, particularly, great pride is taken in that there is no fence around the school, and they need the security. And we've had a long-time collaborative relationship and are fortunate to have a city police group there who provide resource officers. And the school district has been historically able to pay part of that salary.

But it guarantees that we have a presence on campus. And it has helped. It has helped maintain the integrity.

So I, too, feel that, because it's too bad. I don't think it will ever be students who are non-responsive to our requests as adults in the school asking them to do something. But you can never account for the response of someone who is not a student in that district and that response. And that's why we require security. It's from the outside in; it's not from the inside out.

So I'm pleased that students still learn to respect their school, for the most part, and support those schools.

THE CHAIR: Thank you.

Commissioner Crone?

COMMISSIONER CRONE: The man who does the rocket program is Dave Willden with the -- he's in the REC, a director in that part. And he's got a presentation that -- if the Commissioners are interested. Dave is back on the NMPSIA board; so Trish, Dave, and I are all on the NMPSIA board. So I know he'd be happy to come. He's very proud of what those kids have done.

And it -- you know, it's a perfect example of what we talked about in here in terms of education. It's hands-on. One kid went so far as calculus. And it is a group learning project; and it is, really. He's also -- Mr. Wilden is working with -- Branson?

THE CHAIR: Oh, yeah, Virgin Galactic down at the Spaceport.

COMMISSIONER CRONE: Yes. Virgin Galactic. And they want to launch a rocket real soon down there, a spaceship.

THE CHAIR: It's a good thing the Spaceport is being used for something.

COMMISSIONER CRONE: I do want to tell you. I've been on the NMPSIA Board for a number of years now. And we've been seeing an increase in problems connected to security. This -- and POMS and NMPSIA have done a really good job of controlling it to this point.

But there was one charter where the -- the person had a license to carry. But he left his pistol on the front seat of his car. And so, you know, we've heard a number of horror stories like that.

There's a school near to Mr. Conyers, a little bit south of you, that they wanted to arm the maintenance people.

So I think it's great that it's on our radar, as well.

THE CHAIR: Thank you.

Commissioner Ruiz?

COMMISSIONER RUIZ: No comment.

THE CHAIR: At the regional meeting.

MS. CALLAHAN: My apologies. I had to take that phone call.

I just have a couple of things. First, may I -- may I pass out the hot-off-the-press -- you guys got it at the -- at the --

THE CHAIR: At the regional meeting.

MS. CALLAHAN: I'm Kelly Callahan, and I'm the Director of School Quality and Support at the New Mexico Coalition for Charter Schools, for the record.

And we were commissioned to work with the U.S. Department of Education and the Colorado League of Charter Schools to do a report about facilities and the quality of facilities for charter schools.

And this is -- there's been 30 states that have been involved in this process.

Now, unfortunately -- and I'm not sure how
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to take this -- the New Mexico -- they could only
afford to do Albuquerque; so -- but I did insist, as
part of the report, that they do some extrapolating
on -- because the recommendations on this are
pretty -- it's common throughout. It's not just an
Albuquerque issue; it's a charter facility issue.
And so the data would be from Albuquerque; but
there -- but it does talk about it in terms of the
state.
And so this is going to be released next
week officially to the press and everything. But we
wanted the school leaders to have a copy of it. And
we also wanted to give you guys a copy before that
was released, and then we will be sharing with the
Legislature. We'll be sharing with the school
districts. We'll be sharing -- but we wanted to get
this.
So may I pass this out?
THE CHAIR:  Certainly.
MS. CALLAHAN:  It's some light reading.
So the ink is fresh.
So this -- this report is very
interesting. You know, I -- I'm not going to go
into it. Please read it, and we'll talk about it
more as we get closer to the session.

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But it's pretty clear that there's an
issue of charter facilities that -- and equity. And
I think it's something, Commissioner Peralta, that
the PSCOC struggles with. And so hopefully, there
will be some tangible recommendations that may
possibly be something to be discussed in this or
upcoming Legislative Sessions of how to mitigate the
issue of charter school facilities.
It is a huge challenge. Speaking as a
former charter school administrator, your facility
work does a lot and takes away a lot from time that
you could be spending with your kids.
And so we -- we tried to do this as -- as
neutrally as possible, because it's -- it covers
both PEC schools, district school, and APS. And so
we -- we feel like there's some good information on
there. But, again, we definitely will bring this up
in further discussions.
So just a couple of things.
Apologies. Matt had other meetings. I
think he e-mailed you --
THE CHAIR:  Yes, he did.
MS. CALLAHAN:  -- Madam Chair.
And so -- but we just wanted to say a
couple of things. The Coalition right now is
working on their legislative platform. And we would
welcome any kind of collaboration that we could do
with the Commission.
I'm not sure if you have a subcommittee
that is your legislative platform committee, or
however -- or working with the Exec Committee,
working with the subcommittee you design; but we
would be really interested in creating that
collaboration.
Commissioner Johnston, thank you. We are
trying to do the work, because if there's -- there's
so many people involved with charter schools. And I
think everybody really does want to do right by kids
and schools.
So working with Katie, working with the
Commission, working with the district authorizers, I
think it's really important that we all have the --
you know, at least a similar message moving forward.
So Matt and I would love to have a
conversation. I imagine that's something that, when
you all meet, will be covered as well. So thank you
for that.
And then last but not least, we are
formally announcing our conference. The annual
conference will be this year, December 8th and 9th.

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We're doing it later. And based on the last
meeting, we changed our dates, because we were going
to do it the same as the School Boards Association;
but we said we did not want to conflict with that.
So we just received final notice on a
venue. And so December 8th and 9th; that's a Friday
and a Saturday. Once again, the Commission is
invited to participate in this conference
free-of-charge. We will be sending specific
information to you all; but we just -- again, hot
off the press, we're sending out our -- putting our
notice on the website.
We have a theme about "Rising Up, Raising
Charters to New Heights." And we have a hot air
balloon as our logo. So we're excited, got some
great presentations already on the docket, working
with Public Impact. They have said that they would
come and do a session with Katie and -- about the --
THE CHAIR:  Performance frameworks?
MS. CALLAHAN:  -- performance frameworks.
So we are excited that we're going to have some
great features.
Also, I just want to put a great big
shout-out to Katie. Thank you so much. Matt and
Katie and I are going to work together to ensure
that there is a governing council strand at the conference. We're in the middle of trying to put applications together. It's a very stringent process, as it should be. And so Matt and I are working on our training plan; but there's just no way we would probably get something done by the conference.

So Katie and her team have stepped up, and so we're going to work together to put a training strand for the conference so people that are coming from out of town will have the opportunity. So we're going to be working with that over the next couple of weeks.

So, again, thank you, Katie. Really appreciate that. And we're looking forward to it.

Also -- we'll also get this out electronically on the website and look forward to some feedback and how we can work with -- with that, and then collaborating on possible legislative issues that are coming.

So if you have any questions, please feel free. Otherwise, I will shut down.

THE CHAIR: Okay. Thank you. And we look forward to December.

That being said, I'll entertain a motion to adjourn.

COMMISSIONER RUIZ: So moved.

COMMISSIONER CRONE: Second.

THE CHAIR: Motion to adjourn by Commissioner Ruiz, second by Commissioner Crone. All in favor.

(Commissioners so indicate.)

THE CHAIR: And just remind everyone that we're back here tomorrow at 1:30.

(Proceedings adjourned at 2:16 p.m.)