

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

PUBLIC MEETING

November 17, 2017

9:00 a.m.

Jerry Apodaca Education Building - Mabry Hall

300 Don Gaspar Street

Santa Fe, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219

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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 4 MR. GILBERT PERALTA, Vice Chair
 5 MS. KARYL ANN ARMBRUSTER, Secretary
 6 MR. R. CARLOS CABALLERO, Member
 7 MR. JAMES CONYERS, Member
 8 MR. TIM CRONE, Member
 9 MR. DAVID ROBBINS, Member
 10 MS. TRISH RUIZ, Member
 11 MS. CARMIE TOULOUSE, Member
 12 STAFF:
 13 MS. KATIE POULOS, Director, Charter School Division
 14 DR. ICELA PELAYO, Deputy Director,
 15 Options for Parents and Families
 16
 17 MR. DAVID STEVENS, Assistant Attorney General
 18 Counsel to the PEC
 19 MS. BEVERLY FRIEDMAN, NMPED Custodian of Records,
 20 Liaison to the PEC
 21
 22
 23
 24
 25

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1 THE CHAIR: I'm going to bring to order
 2 this meeting of the Public Education Commission. It
 3 is Friday, November 17th, and it is 9:06 a.m. So
 4 I'm going to ask -- I'm going to ask everyone -- or
 5 remind everyone -- to please mute your electronic
 6 devices during this meeting. And if you are coming
 7 up to speak, if you will please remember to identify
 8 yourself and spell your last name for the record.
 9 Thank you.
 10 So we are going to open with the Pledge of
 11 Allegiance led by Commissioner Toulouse. And I will
 12 do the New Mexico Flag salute.
 13 (Pledge of Allegiance and Salute to the
 14 New Mexico Flag conducted.)
 15 THE CHAIR: And I will ask Commissioner
 16 Armbruster to do roll call, please.
 17 COMMISSIONER ARMBRUSTER: Okay. Sorry.
 18 Commissioner Robbins.
 19 COMMISSIONER ROBBINS: Present.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Toulouse.
 22 COMMISSIONER TOULOUSE: Present.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Armbruster is here.
 25 Commissioner Conyers.

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 5 New Mexico Flag
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1 COMMISSIONER CONYERS: Present.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Peralta.
 4 COMMISSIONER PERALTA: Here.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Gipson.
 7 THE CHAIR: Here.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Johnston is not here.
 10 Commissioner Crone.
 11 COMMISSIONER CRONE: Here.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Ruiz.
 14 COMMISSIONER RUIZ: Present.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Caballero.
 17 Did I not just see him?
 18 THE CHAIR: He is -- yes, I've seen him.
 19 So we'll recognize his presence when he enters for
 20 the record.
 21 COMMISSIONER ARMBRUSTER: Okay. We have a
 22 quorum of eight today; so we are able to do
 23 business.
 24 THE CHAIR: Thank you.
 25 Next item on the agenda, No. 2, is the

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<p>1 Approval of the Agenda. 2 Do we have any changes to the agenda? 3 If we do not, I'll entertain -- oh, I'm 4 sorry. 5 MS. POULOS: Madam Chairwoman and 6 Commissioners, two of the schools have withdrawn 7 from this month. That's Dream Diné and J. Paul 8 Taylor. 9 THE CHAIR: And J. Paul Taylor; right? 10 That's No. 5C and A. 11 So I will entertain a motion to approve 12 the agenda with the modification of removing Items 13 5A and 5C. 14 COMMISSIONER CONYERS: (Indicates.) 15 THE CHAIR: There's a motion by 16 Commissioner Conyers? 17 COMMISSIONER CONYERS: Yes, I move that -- 18 COMMISSIONER RUIZ: (Indicates.) 19 THE CHAIR: And there's a second by 20 Commissioner Ruiz. 21 All in favor? 22 (Commissioners so indicate.) 23 THE CHAIR: Opposed? 24 (No response.) 25 THE CHAIR: Hearing for opposition, the</p>	<p>1 COMMISSIONER RUIZ: (Indicates.) 2 THE CHAIR: A second by Commissioner Ruiz. 3 All in favor? 4 (Commissioners so indicate.) 5 THE CHAIR: Opposed? 6 (No response.) 7 THE CHAIR: Hearing no opposition, the 8 motion passes. 9 3C, Approval of PEC DEAP Hearing, 10 Continued, the transcript for October 24th of 2017. 11 COMMISSIONER ROBBINS: So move. 12 THE CHAIR: There a motion by Commissioner 13 Robbins. 14 COMMISSIONER CONYERS: (Indicates.) 15 THE CHAIR: A second by Commissioner 16 Conyers. 17 All in favor? 18 (Commissioners so indicate.) 19 THE CHAIR: Approved unanimously. 20 Opposed? 21 (No response.) 22 THE CHAIR: Hearing no opposition, the 23 motion passes. 24 And finally, 3D, Approval of the Summary 25 Minutes for the October 12th, 2017, PEC Meeting.</p>
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<p>1 motion passes. 2 We are on to Item No. 3A, Approval of 3 Minutes and Transcript, and the PEC transcript for 4 October 12th of 2017. 5 If there are no changes, I will entertain 6 a motion for approval. 7 COMMISSIONER RUIZ: So moved. 8 THE CHAIR: There's a motion by 9 Commissioner Ruiz. 10 COMMISSIONER ARMBRUSTER: (Indicates.) 11 THE CHAIR: A second by Commissioner 12 Armbruster. 13 All in favor? 14 (Commissioners so indicate.) 15 THE CHAIR: Opposed? 16 (No response.) 17 THE CHAIR: Hearing no opposition, the 18 motion passes. 19 3B, Approval of PEC DEAP Hearing 20 Transcript for October 13th of -- and actually, that 21 should be "2017." I just noticed that. Outside of 22 the change of the date. 23 COMMISSIONER CRONE: So moved. 24 THE CHAIR: There is a motion to approve 25 by Commissioner Crone.</p>	<p>1 COMMISSIONER ROBBINS: So moved. 2 THE CHAIR: Hearing no changes, there's a 3 motion by Commissioner Robbins. 4 COMMISSIONER TOULOUSE: (Indicates.) 5 THE CHAIR: A second by Commissioner 6 Toulouse. 7 All in favor? 8 (Commissioners so indicate.) 9 THE CHAIR: Opposed? 10 (No response.) 11 THE CHAIR: Hearing no opposition, the 12 motion passes. 13 We are now on to Item No. 4, which is the 14 Open Forum. 15 MS. FRIEDMAN: No one's signed up. 16 THE CHAIR: There is no one? Thank you 17 very much. 18 So we will move on to Item No. 5. 19 Oh, I'm sorry. I didn't even see that you 20 had put the Public Comment thing here. 21 And now, the first on the agenda is B, 22 Health Leadership High School. 23 MS. POULOS: Madam Chairwoman, 24 Commissioners, Health Leadership High School -- 25 sorry, give me a minute -- has submitted an</p>

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1 anticipated request. And that request, they are
2 seeking to -- there are two amendment requests.
3 Both requests are requests to amend their
4 performance framework indicators. And they are
5 seeking to change the targets and the expectations.

6 You can see through our materials that we
7 have recommended that the Commission not approve
8 this. And our rationale for this is that this
9 school has applied for renewal with Albuquerque
10 Public Schools. They have not sought renewal with
11 the Public Education Commission. They are in their
12 final year. And I don't believe that the Commission
13 would be well-served to change their goals in their
14 final year of their contract.

15 THE CHAIR: Is there anyone from Health
16 Leadership here?

17 Okay. Come on down.

18 MS. ABBY LEWIS: Hi. Abby Lewis, attorney
19 for Health Leadership. L-E-W-I-S.

20 Thank you so much for just giving me --

21 THE CHAIR: Excuse me. Is the green
22 light -- now, it is.

23 MS. ABBY LEWIS: These are much fancier
24 than they were in my day. You used to have to hold
25 the button down with a binder clip.

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1 THE CHAIR: Well -- and the only thing
2 I'll add is if there's something about your school
3 that's coming up before us, whether you've been
4 given information yay or nay, it would behoove you
5 to be here to answer any questions that we may have
6 about the amendment request.

7 MS. ABBY LEWIS: Yes, ma'am. Madam Chair,
8 members of the Commission, then I'd like to withdraw
9 the amendment and just take it off your table, and
10 don't worry about it.

11 THE CHAIR: I'm fine with that.

12 COMMISSIONER RUIZ: Yes.

13 THE CHAIR: Anyone -- all right. Thank
14 you very much.

15 MS. ABBY LEWIS: Thank you, ma'am.

16 THE CHAIR: So we are quickly on to 5D,
17 which is Mission Achievement and Success.

18 MS. POULOS: Madam Chairwoman,
19 Commissioners, before you, you have an amendment
20 request from Mission Achievement and Success Charter
21 School to add a school site. The school is seeking
22 to operate a second school site in Albuquerque. It
23 would be under the same charter. Currently, the
24 charter doesn't operate only one school.

25 The school has provided its rationale for

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1 I just wanted to speak a little to what
2 Director Poulos said. She had actually communicated
3 something differently to my client prior to this
4 moment right here; and that is, unfortunately, why
5 my head administrator is not here with me today.

6 It was communicated to her that this would
7 be recommended for approval. It might have been one
8 of your Staff members. I don't know if you had a
9 direct conversation with her.

10 MS. POULOS: Madam Chairwoman,
11 Commissioners, that indication is, I have to say,
12 incorrect. We provided our recommendation in
13 writing. And as you will see, our recommendation is
14 that the PED cannot recommend approval of the
15 school's proposed amendments. And that information
16 was provided to the school leader. No one on our
17 staff would tell a school leader that we were going
18 to recommend something that would be contrary to
19 what we put in writing.

20 MS. ABBY LEWIS: And I would just submit
21 you've seen Blanca here at every PEC meeting. And
22 she's very good about attending. She couldn't be
23 here today. If she had gotten information that they
24 weren't going to recommend, she would have found a
25 way to be here, hell or high water.

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1 its request, which is that they are an "A"-rated
2 school for three consecutive years, and, thus, are
3 seeking to open a site based on demand, and based on
4 their belief that the school is ready to replicate
5 and expand their offering of high-quality education
6 options for families.

7 As you'll see, the school has been
8 operating since 2012. It was recently, last
9 December, granted a renewal of five years. And you
10 can see the academic achievement of the school over
11 time on Page 3, where they have achieved a letter
12 grade of an "A" over the three years.

13 In addition, on Page 2, you can see that
14 the school has experienced, since 2013, growing
15 enrollment, from 107 students in 2013 to 785
16 students in 2017.

17 In addition, we've also given you the
18 retention of the students. On the fourth page,
19 you'll see that you have comparative -- sorry --
20 over time, proficiency rates in reading and math.
21 And I apologize that these aren't in color; so you
22 don't get the full picture.

23 Reading is first; math is second in each
24 year.

25 And as you can see, the school has seen

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1 improvement in reading over time, and their math has
2 seen slight improvement from 2015 to 2017.

3 In addition, you do see the school's
4 demographics on that page, which show that the
5 school is serving a pretty comparable population to
6 that that's in the local district. They do have a
7 slightly larger percentage of Hispanic students;
8 but, otherwise, their demographics are fairly
9 similar.

10 But when you look on Page 5, you do see
11 that they do serve a population that many might call
12 "at risk"; so a population that's more economically
13 disadvantaged than the local district, a population
14 of students -- students with disabilities that is
15 slightly larger than the local population, and then,
16 certainly, a population of English Language Learners
17 that is larger than the local district.

18 In addition, you'll see our analysis on
19 Pages 5 and 6. And in that analysis, we did look at
20 the school's submissions, which are provided in your
21 materials. In those submissions, the school did
22 take a look at the Commission's draft policies
23 related to adding a school site and sought to
24 address those proactively. In that, they do let us
25 know how they are planning on serving those

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1 process may happen between -- if there is a decision
2 to approve this and the opening of a school site.

3 Currently, our new schools that recently
4 received approval are all going through a planning
5 year process, or what we're calling the
6 "Implementation Year." I would recommend that we
7 could do that in an abbreviated form with this
8 school to make sure they meet those targets and are
9 prepared and ready to receive students on day one.

10 And I think we could pretty easily adapt
11 that. There's a lot that, as a already operating
12 entity, they wouldn't need to redo. And so we could
13 pretty quickly adapt that to make sure that they are
14 ready to receive those kiddos on day one.

15 You do have, in your materials, in
16 addition to everything I just shared with you, their
17 school report cards for the last three years, as
18 well as the request itself and the information that
19 the school provided, the narratives that the school
20 provided behind that, and a lot of other information
21 that the school did provide to support their
22 request.

23 THE CHAIR: Thank you.

24 COMMISSIONER TOULOUSE: Madam Chair, I
25 believe this school has not been renewed. They're

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1 students.

2 They've done a market study that shows the
3 demand and a market analysis. They've also provided
4 a pretty robust description of how they're going to
5 meet their enrollment targets and the actions that
6 they take to do that every year at their current
7 site. They've also provided information about wait
8 lists from 2016, '17, and '18.

9 And you will see that we have recommended
10 approval of this addition of a school site. The
11 school has been renewed at least once. They've
12 earned no grade lower than a "B" within the last
13 three years and nothing lower than a "C" on any
14 indicator on their report card.

15 They have received unmodified audit
16 opinions in each of the last three years. Their
17 2016 audit did include two compliance findings; but
18 neither of those were a repeat. They were not
19 significant, and there were no major weaknesses.
20 They are not on monthly reporting and have student
21 retention of 86.4 percent during the school year and
22 over 80 between the school years.

23 And as a result, we are excited to
24 recommend approval. I do think one of the things
25 that the Commission may want to consider is what

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1 still in their first charter, first --

2 THE CHAIR: No, we renewed. I was sitting
3 on the Commission when we -- we renewed two years --
4 MS. JoANN MITCHELL: Last year.

5 MS. POULOS: They are in the very first
6 year of their second charter. That began on
7 July 1st, 2017, this year.

8 COMMISSIONER TOULOUSE: 'Cause we --
9 sorry -- because we didn't do the contract
10 negotiation. That's why. Okay.

11 THE CHAIR: Right. Yeah. But, no, I
12 remember the renewal.

13 COMMISSIONER TOULOUSE: Yeah. Okay.
14 Excuse me. I'm used to tying them up with doing the
15 contract negotiation.

16 THE CHAIR: Good morning.

17 MS. JoANN MITCHELL: Good morning. Want
18 us to start?

19 THE CHAIR: Whenever you're ready?

20 MS. JoANN MITCHELL: Good morning. Thank
21 you. I'm JoAnn Mitchell. I'm principal and founder
22 of MAS Charter School.

23 MR. BRUCE LANGSTON: Hi. I'm Bruce
24 Langston. I'm the board chairman at Mission
25 Achievement and Success Charter School.

1 MS. JoANN MITCHELL: We had parent
2 conferences last night; so we're tired. Got home at
3 maybe 10:00; seven conferences at 8:40.

4 So thank you for the introduction and for
5 the description. We appreciate you all listening
6 and hearing us this morning. And as Ms. Poulos
7 said, we are here to request to duplicate, replicate
8 our site and to open a second school.

9 I think what's probably unique with what
10 we're doing is that we're not looking just to expand
11 grades into -- you know, open a second site with a
12 different set of grades; but we're looking to open a
13 second site with a full span of grades. Obviously,
14 we wouldn't open -- in our proposal, we look to open
15 with just -- starting with K and 1 and then build
16 up.

17 But we do feel like there's a huge need.
18 We brought signatures from over 600 families that we
19 currently have to demonstrate that while their kids
20 wouldn't change schools and go to a new site, that
21 we do feel like there's a strong need in the State
22 of New Mexico and the City of Albuquerque.

23 And as Ms. Poulos said, we provided all
24 types of demographic information to demonstrate the
25 need. We feel like our school has proven our

1 that -- because I think that there's a lot of
2 questions that need to be answered. And I'm not
3 sure at this point in time if I'm ready to go
4 forward with this for August.

5 I think we, as a Commission, have to have
6 the process in place, not as a draft, but as a
7 known, what we are going to do to help support.

8 (Commissioner Caballero enters meeting.)

9 THE CHAIR: I'm sure you have spent hours
10 in looking into this to get yourself ready. We need
11 to do the same thing, so that we know that we're
12 ready so that we can best support you and make sure
13 that you're as successful as you can be because we
14 have the pieces in place.

15 And we didn't know this was happening
16 until Monday. So we haven't had a chance to really
17 take a look; because we started to look at the
18 process, and then we enveloped ourself in the
19 performance framework project, not really with any
20 indication that there was a -- there was any school
21 coming forward soon; so that maybe this is something
22 that we need to expedite the conversation on. So
23 that I'm not comfortable in making a decision today
24 because we don't have the processes in place. And
25 that's where I'm coming from.

1 results. And we recognize, and we strive to
2 continue to do better than what we're doing now; but
3 at the same time, we know we're providing a very
4 high-quality option for kids.

5 And part of our overarching vision is to
6 be able to offer this and expand this opportunity to
7 others.

8 MR. BRUCE LANGSTON: Very well said.

9 THE CHAIR: Okay. I'll start. I want you
10 to know I wholeheartedly support this; but I'm going
11 to counsel with my "however" now.

12 MS. JoANN MITCHELL: Oh, yes. Of course.

13 THE CHAIR: I believe you're a model that
14 many schools should look at, not just as an exact
15 model, but for many -- you can serve as an example
16 in many areas for what a school does right.

17 What we had was, as was mentioned, a
18 draft, a very, very rough draft of what would --
19 what would potentially happen if we were going to
20 open another school site. And it was a fairly brief
21 conversation; so that we don't have a full process
22 in place for this.

23 I think if we had known that this was
24 coming before us, we might have been able to squeeze
25 in, at a work session, a full conversation, so

1 I have no issue with voting "yes" on a new
2 location; but I am uncomfortable with it not being
3 in place right now to make sure that everyone is
4 going to have a positive experience out of this. So
5 that's where I stand at this moment in time.

6 Commissioner Toulouse?

7 COMMISSIONER TOULOUSE: Madam Chair, I
8 think all of you at MAS know how strongly I have
9 supported you. This hit me as a surprise, too. You
10 know, you've talked about other changes with me
11 beforehand. I wish one of you, Mr. Langston or
12 Ms. Mitchell, had talked to me about this earlier;
13 because I could have escalated this through also. I
14 didn't know until I'm sending our chair a text,
15 because Senator Lopez sent me an e-mail saying,
16 "What's this going on," when she was contacted to
17 see if she could be here today. That was the first
18 I knew about it.

19 I'm not ready, either, to go ahead. But I
20 have some other concerns. One, I want to make sure
21 you have your K through 12 all in place, all
22 working. Because I know you can do high school.
23 I'm not sure yet -- I'm sure you can. But I don't
24 personally know how well you can do grade school yet
25 and how well it transitions.

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1 My other concern is, JoAnn, you're the
2 heart of that school. And that is your energy that
3 does -- you have a fantastic staff where I know you
4 do a fantastic job. You have other people. But
5 when it comes to then starting a new location, is
6 this school ready for your energy to go to a new
7 location, and this other continue through?

8 I want to see your first class graduate.
9 I hope I get invited to your graduation. I do get
10 invited to several, and I do try to go. I'm looking
11 forward to your first graduation class. I'm looking
12 forward to having all -- because I also don't want
13 you to bite off more than you can chew and mess it
14 up; because you're doing too good a job, and I brag
15 on your school all the time.

16 But I'm like Chair Gipson. We don't have
17 the procedures yet to give you the help, too, or
18 give us the idea of what you're doing, when to do
19 it. And I really do wish I had known, because we
20 could have talked and maybe gotten something
21 underway quicker, if you had just given me a call,
22 as you do on so many other things.

23 So I'm going to have to say right now, I
24 want to table this until we have those procedures
25 down. But I absolutely agree. You have a perfect

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1 THE CHAIR: Okay. Thank you.
2 Will the record please note that
3 Commissioner Caballero is present? Thank you.
4 Commissioner Peralta?

5 COMMISSIONER PERALTA: Thank you,
6 Madam Chair.

7 I totally agree with what's been said by
8 Commissioner -- or Chair Gipson and Commissioner
9 Toulouse. It's evident your school is doing a great
10 job. Your success, you know, should be commended,
11 and I see no reason why we shouldn't, you know,
12 expand on a similar model, or the model that you've
13 put forth.

14 Do you have an idea where this site may
15 be? A location? A building? Anything of the sort?

16 MR. BRUCE LANGSTON: We've been doing a
17 lot of research. And we have about ten sites that
18 we're primarily looking at in the southwest of
19 Albuquerque. Obviously, we haven't committed to
20 anything in anticipation of arriving here. But we
21 are researching the best site available. And right
22 now, it appears it's going to be somewhere in the
23 southwest of Albuquerque.

24 COMMISSIONER PERALTA: And
25 approximately -- the furthest site might be from the

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1 model to move somewhere else. But I also want to
2 know then how you're going to take your energy and
3 put it in both places, or what's your succession
4 plan so you don't lose that energy.

5 This whole school can't always continue to
6 be you. And you're not the only one I'm saying this
7 to; I've said this to a couple of other people, too.
8 We need to make sure. And I don't want you
9 splitting yourself, and then neither group doing as
10 well.

11 I am so excited about your school as it
12 is. I just -- you know, I couldn't be happier with
13 my cousin, who's there, and how well he has done and
14 the different young man he is now. And I want other
15 kids to have that opportunity.

16 So I want you to have your other facility.
17 So, I mean, I -- because I have family there, I
18 can't vote. And I'm discussing this only because of
19 the procedural piece of this, that I think we're not
20 ready procedurally to do.

21 But I can't vote one way or the other
22 because of the family connection there. But I
23 just -- I wanted you to understand that we need our
24 procedure in place; because that's for your benefit,
25 too.

Page 25

1 current school location?

2 MR. BRUCE LANGSTON: I'm sorry, sir.

3 COMMISSIONER PERALTA: About approximately
4 how many miles from that furthest site that you --

5 MR. BRUCE LANGSTON: I'd be guessing --
6 just from living in Albuquerque, I'm guessing about
7 seven-and-a-half to eight, nine miles is the
8 furthest site, with the other one being just
9 underneath that, at about six miles, heading
10 directly west from the location that we're at now,
11 sir.

12 COMMISSIONER PERALTA: Yeah. And, you
13 know, the model that you have at your school,
14 academically, and the process that you have there
15 and the operation that's going on at your school
16 currently, that all seems to be fine and in order.
17 To me, it seems like, and from my perspective from
18 where I sit on in coordination with PSFA, that the
19 site location and the building that you plan on
20 occupying is -- is going to be important. That's
21 something that I will, you know, keep an eye on.

22 But, again, I think definitely, it
23 should -- we should have a plan and a process in
24 place before making such a quick leap to August. So
25 I really look forward to working with the school and

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1 the Commission as a whole to try to get this thing
2 in a good place, but in a proper timeline.

3 Thank you, Madam Chair.

4 THE CHAIR: Thank you.

5 Commissioner Armbruster?

6 COMMISSIONER ARMBRUSTER: Thank you,
7 Madam Chair. I -- I actually see clearly what my
8 three other Commissioners are saying in terms of
9 procedure.

10 However, my -- I do know a little bit
11 about the school. I was invited out one time, and I
12 attended. And in my estimation, which is a pretty
13 unbelievable statement coming from me -- I could not
14 think of a single other thing that I could offer
15 your school that maybe if you just did this, it
16 would make a huge difference. And because I'm so
17 impressed with what you did and all this research,
18 when I had nothing to do but read, I would vote to
19 allow you to do this.

20 I think that your program is in place. I
21 think that Ms. Mitchell is obsessive-compulsive and
22 has energy that she should be selling on the open
23 market. And so I believe that she can do that.

24 The other reason I truly believe it is
25 because I've seen other people -- Jenn, for one --

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1 children. I believe that, since you are not
2 changing the curriculum, you are not changing
3 anything other than getting new teachers to start
4 the new school, that I believe that you can be
5 successful, because nothing is really changing.

6 And I think I checked before to see how
7 your -- I guess they must be K-1-2s now? -- were
8 doing relative to others. I don't know if I read
9 this or I'm dreaming it at this point in my life.

10 But because of all that Katie has just
11 said, and because of my experience being at the
12 school, because of my -- you know, I -- just having
13 been a teacher for a long time, I'm always looking
14 to see what else I can add to what someone else is
15 saying. And I can't. So I think that for us to
16 deny a very successful school the ability to
17 replicate that in another place would be not doing
18 our duty.

19 I totally understand what they are saying.
20 But my point on this is I cannot think of another
21 possible thing that we would require, except
22 maybe -- I don't know -- if you had brown hair or
23 something -- that we could even add that would make
24 me change my mind for your school.

25 I will -- I'm not so sure on other

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1 and a couple other names -- who can work at that
2 school and can take over.

3 I will agree with the concern, and will
4 always agree with the concern that when someone
5 opens a school, it's like your child. Can someone
6 take over for that child?

7 And we have seen on the Commission just in
8 the short time that I've been here that oftentimes
9 schools who lose a leader lose the school. And that
10 may happen. I mean, I can't predict that at all;
11 although I think there's enough leaders in
12 contention, so to speak, who would be able to take
13 over.

14 In addition, if that occurred, then it
15 occurs. And I can't predict the future. But what I
16 can see from my feeling right now is that the school
17 has operated in a way that we would hope all schools
18 could operate. They -- you do have a "C" in the
19 first little thing on the report cards, because that
20 represents proficiency as well as growth. But in
21 all the other areas -- and you know how I am; I'm
22 this little, like, lowest quartile person over here.
23 You have a "B" and have consistently had a "B," as
24 well as an "A" in the highest quartile.

25 So to me, you are serving all of the

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1 schools, because I haven't seen that quality. I
2 haven't seen that degree of success that your school
3 has had, and your governing council going out, the
4 students being very well behaved there.

5 So my vote would be to do that. And I'd
6 like to move to approve if it doesn't close down
7 discussion.

8 THE CHAIR: I don't know.

9 COMMISSIONER ARMBRUSTER: Can I make the
10 motion now?

11 THE CHAIR: If that's what you want.

12 COMMISSIONER ARMBRUSTER: Okay. Well, I
13 would do that.

14 MS. JoANN MITCHELL: Could we make comment
15 before you guys do this, just because I'd like to
16 respond to the things? I don't know if the order --
17 if we're out of order here.

18 COMMISSIONER PERALTA: My question was
19 answered.

20 THE CHAIR: Commissioner Peralta's
21 question at this point was answered; so at this
22 point, no.

23 MS. JoANN MITCHELL: Okay. Okay.

24 COMMISSIONER ARMBRUSTER: So I'd like to
25 move the request of Mission Achievement and Success

<p style="text-align: right;">Page 30</p> <p>1 Charter School to operate a second school site to 2 serve Grades K through 12, where it will replicate 3 its current program, because the school has 4 demonstrated the success of its academic program 5 through the A-through-F letter grading system, 6 community demand and satisfaction, acceptable 7 financial and organizational performance, and a 8 well-developed and rigorous plan to support the 9 success of this expansion. 10 THE CHAIR: Do I have a second? 11 COMMISSIONER CRONE: Second. 12 THE CHAIR: Second by Commissioner Crone. 13 Motion by Commissioner Armbruster. 14 Discussion? 15 Commissioner Robbins. 16 COMMISSIONER ROBBINS: You talked about a 17 long waiting list. What is the waiting list at your 18 current site? 19 MS. JoANN MITCHELL: Well, flipping 20 through the 120-page document, we have about -- from 21 elementary through eighth grade, we have, on 22 average, about 50 kids per grade level. It may not 23 sound excessive high. We take 60 per grade level in 24 elementary. We take 120 per grade level in grades 25 six through eight.</p>	<p style="text-align: right;">Page 32</p> <p>1 THE CHAIR: I just want to make myself 2 clear; because I'm concerned that maybe I was 3 misunderstood. If I vote "No," it's not for you not 4 to be able to expand. My "no" -- because I fully 5 support that. My "no" vote is because I think, as a 6 Commission, we have an obligation to have our 7 policies and practices in place before we go 8 forward; because if we do this with one school, we 9 can't do something else with other schools. That 10 would be inappropriate for us. 11 So that's why -- that's my concern. I 12 have no issue with voting "yes" for an expansion. 13 And I don't want to be misconstrued with that. 14 MS. JoANN MITCHELL: Can I comment on a 15 couple -- is this the appropriate time? 16 THE CHAIR: No. 17 MS. JoANN MITCHELL: No? Okay. I'll stop 18 talking. 19 THE CHAIR: Commissioner Conyers? 20 COMMISSIONER CONYERS: My comments are 21 kind of thinking out loud more than anything. But 22 as I try to visualize how this would work, you know, 23 the nuts and bolts of it, I'm not so clear. 24 And I know you're -- you're replicating; 25 you're going to have a different school, a different</p>
<p style="text-align: right;">Page 31</p> <p>1 So relatively speaking, we have a fair 2 number. We don't anticipate, though, the kids 3 necessarily coming from -- we don't anticipate we're 4 going to be drawing from the exact same area. In 5 fact, we're not trying to compete with ourselves. 6 We're trying to provide this opportunity far enough 7 away where it's maybe closer for some kids that come 8 to the site; but it may be able to pull from another 9 area that it's difficult to pull from. Because 10 while we do pull from all parts of Albuquerque, part 11 of the reason when we do lose students, it tends to 12 be the transportation issue; that despite busing, 13 it's still a long commute for kids or a long day for 14 parents to pick them up, even in the after-school 15 program and things of that nature. 16 COMMISSIONER ROBBINS: So you're saying 17 roughly 50 students per class grade? 18 MS. JoANN MITCHELL: Correct. 19 COMMISSIONER ROBBINS: On a waiting list 20 right now? 21 MS. JoANN MITCHELL: Correct. 22 COMMISSIONER ROBBINS: So you have 23 400 students on a waiting list right now? 24 MS. JoANN MITCHELL: Correct. 25 COMMISSIONER ROBBINS: Thank you.</p>	<p style="text-align: right;">Page 33</p> <p>1 site. 2 Will it have its own identity? I mean, 3 it's -- I'm just kind of fuzzy on how I would see 4 that, how that works, you know. 5 MS. JoANN MITCHELL: So great questions. 6 I believe that it will -- it will have its own 7 identity, in that it's its own school. But it's the 8 same. Really, we intend -- that's where we feel 9 with the start-up stuff -- and Ms. Poulos kind of 10 addressed this when she commented about most schools 11 have a year of planning. 12 Our school is planned. We're not planning 13 on making the school different in that we're going 14 to have a different culture, a different feel. It 15 will just be more available to serve more kids. 16 That's how we see it. 17 It'll have the same feel, the same 18 culture. It's just now, you'll have over time, 19 1,000 more kids that are not being served that are 20 being served someplace else now. 21 So that's really how we see it. It'll 22 have the exact same feel. I'm sure it'll have some 23 of its own personality; but our intention as far as 24 curriculum and how we structure our day and our 25 procedures and rules, what we do works right now.</p>

<p style="text-align: right;">Page 34</p> <p>1 And we're always looking at this continuous 2 improvement cycle of how do we find out one little 3 thing to do better. So that will certainly evolve 4 over time at both locations. 5 Our intention is that structurally, like, 6 it's going to be -- it'll be the same, like, because 7 we really feel like the model we have right now 8 works. 9 And I do. I recognize that -- I 10 appreciate the concerns; because we've had many 11 dialogues. And I'm sorry we didn't come sooner to 12 say that we are talking about this. But we've had, 13 with our board and our leadership, many dialogues 14 about what does this look like? Is it too soon? 15 Will we be different one year from now if we wait? 16 We don't feel like we will be. We feel 17 like one year won't make us any different of a 18 school. Sure, we'll learn year's worth more of 19 lessons. But we feel like the longer we we wait, 20 it's one more year kids are underserved; because we 21 feel we have an opportunity to do this. 22 We recognize we're the trailblazers here 23 if we do something like this. And we're okay with 24 that; because we're ready to do it. 25 This wasn't a decision we made overnight.</p>	<p style="text-align: right;">Page 36</p> <p>1 council and same business management and everything? 2 You're just doing the same thing at a different 3 place, basically? 4 MS. JoANN MITCHELL: Correct. And our 5 understanding -- maybe Ms. Poulos, you want to 6 address this -- our understanding is it would be the 7 same board, that it is the exact same board. And 8 then as far as, like, vendors, whether it's our 9 business manager, our food services company, our, 10 you know, copier company, I can tell you guys from 11 being at the school, from the ground up, thinking of 12 this idea and being the one who wrote the 13 application, is that that is some of the hardest 14 stuff is trying to figure out all these things and 15 get relationships with your vendors and things. 16 We have all those, like, operational type 17 things in place. So to me, a lot of that legwork 18 that actually you wouldn't think is the consumption 19 of a leader's time is in the start-up year. It's 20 the hard stuff of trying to figure out, you know, 21 when you don't have a company to come clean the 22 building, you're, like, "Who's taking the trash out 23 today?" 24 I mean, those truly become issues that you 25 grapple with instead of thinking of the instruction</p>
<p style="text-align: right;">Page 35</p> <p>1 I regret it's coming as a surprise and stuff. It's 2 something we didn't make overnight. We had many 3 conversations. 4 Are we ready? Are we ready to do this? 5 Do we feel like we can do this? 6 I appreciate the comment about me. We've 7 had conversation about the leadership. The second 8 site won't be JoAnn. The school really isn't me. I 9 appreciate that; but it -- we have an amazing team. 10 I think that I'm a huge part, not, you know, trying 11 to sound modest. I'm a huge part of what brought 12 that team. But the energy and the synergy we have 13 in our building, it's not just me. That exists. 14 That's why I'm able to come up here with a team of 15 seven of our staff members and take 40 kids out of 16 the school; because the school will run without me 17 inside the school. 18 And so I do recognize that we're 19 trailblazers, the first doing something like this, 20 if approved. And we wouldn't come before you if we 21 didn't feel we were ready, because we wouldn't set 22 ourselves up, or the kids that we serve, for any 23 type of failure. 24 COMMISSIONER CONYERS: And just a little 25 follow-up. You would have the same governing</p>	<p style="text-align: right;">Page 37</p> <p>1 that's happening in the classroom. So, yes. Long 2 answer to your question, yes, we would use the same 3 people. I don't know if Patty or Katie, you guys 4 have anything to add about the board part. 5 MS. PATTY MATTHEWS: And you can chime in, 6 Ms. Poulos. Sorry. I'm just -- I think, 7 Mr. Conyers -- and Patricia Matthews for Mission 8 Achievement. 9 I think that -- I think you're asking 10 essentially, legally, how does this thing look? Is 11 that perhaps what you're asking? 12 COMMISSIONER CONYERS: Maybe. 13 MS. PATTY MATTHEWS: Because charter 14 schools are their own separate legal public schools; 15 right? They all are identified as a unit, with a 16 number from the Department. That's the structure 17 here that would continue to be School 745. And the 18 governing -- I don't know which one it is. The 19 governing council would remain the same. They would 20 remain -- they'd have a budget that would include 21 both sites. 22 So that's how it would function. It's 23 just -- it's just another site. And there are a 24 couple of schools that operate on two different 25 sites. Some of them have grade-level splits. But</p>

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1 this one would be essentially -- it's not
 2 essentially -- it is replicating itself at another
 3 site. And, Ms. Poulos, is that how you see it?
 4 MS. POULOS: (Indicates.)
 5 MS. MATTHEWS: By law, they can do that
 6 within the same geographic boundaries of the
 7 district. So I hope that helps.
 8 COMMISSIONER CONYERS: Yes. And that
 9 other question maybe for the Chair or someone, it's
 10 been said that this opens up things -- so I'm not
 11 sure what the implications of that are. What does
 12 that mean, that if someone else comes, we can't deny
 13 them, or what?
 14 THE CHAIR: What I am saying is that
 15 our -- we should have the correct practices and
 16 policies in place so that what we do with this
 17 school, we continue with every other school.
 18 Right now, we don't have any policies in
 19 place in terms of do we vote in June for
 20 commencement of operation, like we do with a new
 21 school? We've got issues with the fact that they
 22 don't have a building in place.
 23 I think there's -- there had been
 24 conversation about, early on, whether or not, if a
 25 school does want to move to a new location, should

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1 they have a public input hearing, a community input
 2 hearing, to see if the -- if the area that they're
 3 moving to -- so they've designated an area; there's
 4 many questions that are unanswered at this point in
 5 time.
 6 And I think it would be -- you know,
 7 personally, I think we have to have those practices
 8 and policies in place so that we have a consistency
 9 and that we're doing it in a thoughtful manner for
 10 all schools.
 11 COMMISSIONER CONYERS: Okay. Do you have
 12 any sense of a timeline for that?
 13 THE CHAIR: I would -- I would -- I would
 14 see that we could potentially, in January and
 15 February, do work sessions on -- on this. I -- you
 16 know, in my own mind, I think -- as I've stated, I
 17 think August of 2018 is too soon; but August of
 18 2019, I don't see a problem with at all. I think we
 19 could easily -- and I think that would give them
 20 time to have a location, so that they could come to
 21 us, and we would be able to then have the -- if we
 22 chose to have a community meeting to get the sense
 23 of that area, I think it's in the best interests
 24 also to be able to get input from APS on it. It's
 25 within -- as we do with a new school.

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1 COMMISSIONER CONYERS: Okay. Yeah. Well,
 2 this discussion is like often, I feel strongly both
 3 ways on this, you know, so -- anyway, thank you.
 4 THE CHAIR: Commissioner Armbruster?
 5 COMMISSIONER ARMBRUSTER: This is a
 6 difficult decision, because being first is always
 7 that way. I maintain a couple of thoughts.
 8 One is I think people would be crazy to
 9 say, "Oh, wait. I'm going to a 'C' school, and look
 10 at this school. They've become an 'A' school for
 11 three or four years, whatever it is, and, even in
 12 the smaller indicators, have shown that they can
 13 work with their students who are struggling the most
 14 and the kids who are struggling the least."
 15 And that's what, to me, is always
 16 important, is always my platform.
 17 I don't think that we can ask kids to wait
 18 another year. Basically, I would like to know why
 19 other schools, charter and traditional schools, are
 20 not looking at this model to say, "Why are they
 21 successful? How is it -- what are they doing?"
 22 Because we're not looking at the
 23 super-rich children of multi-billionaires who are
 24 all going to this school. Nor am I one of those, by
 25 the way.

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1 So we're looking at regular folk, just
 2 like we have all over New Mexico. And we see a
 3 school who's done an extraordinary job at educating,
 4 at maintaining their numbers, at getting more people
 5 to come; I mean, we have 400 on a waiting list.
 6 So I believe that this school -- if I even
 7 were to look into the future, and we had a community
 8 meeting, why would anybody in the community say,
 9 "Oh, no, no, no. We don't want this good school in
 10 our community." I don't believe that will happen.
 11 In addition, although I -- I'm not against
 12 what my fellow Commissioners have said regarding
 13 policy, we have also done other policies. We're
 14 always changing and updating and making policy more
 15 rigorous. It's part of what we should be doing.
 16 It's -- something that worked 20 years ago, it
 17 doesn't mean that it would be the same now.
 18 So we've changed the renewal requirements.
 19 We've changed information if your finances are -- a
 20 school's finances are not okay.
 21 So I don't think that we cannot -- I don't
 22 think that we shouldn't go ahead and look at a
 23 fuller policy. But with this school, I cannot
 24 imagine, unless suddenly kids just don't come to
 25 school next year, why you would be any different.

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1 You've shown consistency. And for me, that is what
 2 it's about.
 3 And for that reason, I still maintain that
 4 we can try and change our policy. But you're the
 5 first. Well, then, the second one might have a
 6 harder time. And, by the way, I don't think we have
 7 a lot of schools with your grades.
 8 THE CHAIR: I just want to remind the
 9 Commissioners that we do not have a policy in place.
 10 We're not changing the policy. There is no policy
 11 in place for this.
 12 COMMISSIONER ARMBRUSTER: Then create it.
 13 THE CHAIR: Commissioner Caballero?
 14 COMMISSIONER CABALLERO: Yes. I don't see
 15 the problem going forward approving the school or
 16 approving it, going forward. Yes, there's no
 17 building. Yes, there's stuff to be done. You
 18 probably have to come back with that for final
 19 approval of building and occupation and so forth.
 20 I just hate that the good school's not
 21 being helped at all. And if the school is
 22 succeeding, as Commissioners, we should do whatever
 23 it needs to be done. Okay. So the ones that are
 24 not doing -- the people that are not up to par, it's
 25 over here on this side. "We don't have this. We

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1 don't have that."
 2 But I think that we should go forward,
 3 because all the schools that we have are not
 4 stopping from teaching and progress because we don't
 5 have stuff ready. They're doing what they need to
 6 do under old regs or no policy. They keep on trying
 7 to succeed.
 8 And so I'm one to support success and face
 9 the challenges, as a Commission, with what we don't
 10 have and work with that.
 11 So I'm with Commissioner Armbruster, that,
 12 to me, it's a go. And the other stuff, yes, it's
 13 concerning. But I think we -- we, as Commission --
 14 we, as the State, need to face that challenge and
 15 deal with it.
 16 THE CHAIR: Commissioner Toulouse?
 17 COMMISSIONER TOULOUSE: Madam Chair, I
 18 have a couple of questions of Director Poulos.
 19 You know, when we start doing this,
 20 there's going to be a much larger fiscal impact.
 21 Has anybody looked at how it's going to impact a
 22 budget for a school to have a whole second facility,
 23 all of those things, to -- you know, where is the
 24 money going to come from with the tight budget years
 25 that there are? Have we looked at those things?

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1 Because once the word is out there, other
 2 people are going to come. Do we have other people
 3 looking at this? Are we opening the floodgates
 4 without any procedures that then leave us for
 5 people? But I -- right now, I'm looking at the
 6 financial piece of this. Where is the money going
 7 to come from?
 8 MS. POULOS: So, Madam Chairwoman,
 9 Commissioner Toulouse, my understanding is the
 10 school has done this work. And then the other thing
 11 that I will add, any school that was coming in front
 12 of you would need to have done that work.
 13 But I do know one of the other things --
 14 and there is no guarantee -- is that there is a
 15 federal grant now in this state. And there is the
 16 availability to support growth of schools, both by
 17 adding sites, but also by adding grade levels. And
 18 that federal fund -- that federal grant fund is
 19 intended to support the challenges that are faced
 20 by -- by starting a new building.
 21 And I don't think this school would be
 22 coming forward if they didn't have a plan and know
 23 that if they didn't get the funds they needed, they
 24 can't do this. And I think they would say the same
 25 to you. And you can ask them that question, if you

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1 would like.
 2 COMMISSIONER TOULOUSE: I'm trying, after
 3 having had my one say that was more procedural --
 4 because I really have to recuse myself from this
 5 situation -- is I was trying to get at would this
 6 come out of that grant? And then, would it be
 7 continuing after the grant was over?
 8 Plus, I don't understand how the grant is
 9 being administered, how you apply to it, any of that
 10 stuff, because we weren't a part of when you did it.
 11 We just got notified when you got it.
 12 So are the procedures in place for that?
 13 And then, again, with continuing expenses, would
 14 they come out of it?
 15 MS. POULOS: Madam Chairwoman,
 16 Commissioner Toulouse, continuing expenses -- again,
 17 when you start up a new site, when you have a new
 18 site, yeah, the beginning years, probably the
 19 toughest, because you've got to do all the start-up.
 20 And you don't have your SEGs, and you don't have the
 21 clarity on where that's coming from.
 22 All continuing expenses are operating out
 23 like a regular school. That school generates their
 24 SEG funds. That school is able to get growth units
 25 as they are growing and predicting growth. And so

1 all of that would come out of that.

2 As far as the federal grant funds, again,
3 there's no guarantee on that end. I think -- this
4 school, I'm sure, has its plans. The federal
5 government has all our documentation. And that
6 includes all of our policies and procedures. And
7 they're finalizing it and deciding whether they're
8 going to approve it or send it back for more work.

9 That work mostly is done at 2:00 or 3:00
10 in the morning. There's not a lot of people here to
11 do that work; but we're getting it done.

12 So, again, I think we shouldn't be looking
13 forward and saying, "Is this going to have to be
14 funded differently than any other school?" This
15 would be like any other school.

16 And I know that this school has done the
17 work to understand the financial impact and how that
18 looks going forward.

19 COMMISSIONER TOULOUSE: So you don't have
20 any arrangements, then, in place, for applying for
21 that grant money yet?

22 MS. POULOS: I am not allowed to until the
23 federal government gives me a green light on the
24 document.

25 COMMISSIONER TOULOUSE: Madam Chair -- to

1 Madam Chair.

2 THE CHAIR: Commissioner Robbins?

3 COMMISSIONER ROBBINS: Just a couple of
4 more thoughts, because I share the thoughts of
5 Chairman -- not "Chairman" -- but Commissioner
6 Armbruster and Conyers and --

7 COMMISSIONER CRONE: Crone.

8 COMMISSIONER ROBBINS: -- Crone -- excuse
9 me -- in that I think this is a very positive
10 charter school. It has demonstrated performance
11 exceeding that of other public schools in its
12 service area, in the Southeast, and probably also in
13 the Southwest portion of Albuquerque. And for that
14 reason, I'm strongly favoring this.

15 I have a couple of questions: One, you
16 talk about the number of sites that you're
17 potentially looking at. If the Commission were to
18 vote not to proceed at this time and do a work
19 session later on, and that were to delay the
20 approval of this from the '18-'19 school year until
21 the '19-'20 school year, how will that affect the
22 siting? Because if there are vacant sites now, they
23 may not be available 18 months from now.

24 That's going to be a big issue, that if
25 you're on a time schedule working with these

1 me, I think we've got everything the cart before the
2 horse before this stuff comes in here. And I am
3 just really concerned that we're opening floodgates.

4 MS. POULOS: Madam Chair, Commissioner
5 Toulouse, the documents, the procedures are ready.
6 They have to be approved. So we cannot put them up
7 on a web site until the federal government says,
8 "Okay." They are ready to go.

9 I don't know that this school is even
10 relying on that. I don't think that they are. I
11 think that they probably have that in their sights
12 as a potential source of funding; but I think you
13 may want to let them have the opportunity to share
14 that work with you.

15 COMMISSIONER TOULOUSE: And, Madam Chair
16 and Director, why weren't those procedures shared
17 with us before you sent them to the feds, since it
18 is Charter Schools?

19 MS. POULOS: Madam Chair, Commissioner
20 Toulouse, the federal government is administering an
21 SEA grant with the State Education Agency. We
22 submitted those as soon as possible to get them in.
23 They were part of the application. They are
24 publicly available to everyone.

25 COMMISSIONER TOULOUSE: Thank you,

1 potential sites, if you could maybe elaborate a
2 little bit about that, how the -- and I don't need
3 to know individuals, obviously, or the specifics.

4 But how are the negotiations going? Is it
5 pending an approval here so you can move forward
6 with consummating a site location?

7 MR. BRUCE LANGSTON: Madam, Commissioner,
8 yes and no. The -- the fear that we have as a board
9 is, is that, you know, you know, real estate is real
10 estate. We have a site that we like. There are
11 several sites that we're still looking at. We want
12 to make sure that we give them the best geographical
13 location in Albuquerque to serve the most kids.

14 Will it be available in 2018? I don't
15 know. So it would mean going back and going through
16 this process again to see what's still available,
17 under what price. It has a tendency to fluctuate,
18 and sometimes you get some really good properties at
19 a very reasonable value. Sometimes they skyrocket,
20 you can't figure out why, and then a mall pops up
21 somewhere.

22 So it would have an impact. We would have
23 to go back to the drawing board and look again to
24 make sure that nothing significant has changed or
25 nothing prohibitive has popped up with the sites

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1 that we are zeroing in on now.
 2 COMMISSIONER ROBBINS: Thank you.
 3 THE CHAIR: Commissioner Conyers?
 4 COMMISSIONER CONYERS: Just questions for
 5 the Director.
 6 And -- and I know I do value, you know,
 7 the Department's recommendation, even though I don't
 8 always follow it.
 9 But having heard the discussion so far,
 10 has that given you any other thoughts or concerns or
 11 issues? Or are you still totally behind the
 12 replication?
 13 MS. POULOS: Commissioner --
 14 Madam Chairwoman, Commissioner Conyers, we are still
 15 behind this. I do think it's essential that this
 16 Commission have policies in place. I don't think
 17 that we can allow students to wait another year
 18 because we don't have those in place. And I think
 19 this just shows the urgency. We have a lot of work
 20 to do. And it is hard. But we have to work,
 21 because there is so much to do for the kids of this
 22 state.
 23 COMMISSIONER CONYERS: Okay. Thank you.
 24 THE CHAIR: Commissioner Peralta?
 25 COMMISSIONER PERALTA: Thank you,

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1 Madam Chair.
 2 One last thing. And, again, going back
 3 to, you know, the -- I guess coming to the
 4 Commission on such short notice and kind of catching
 5 us by somewhat of surprise. But you had mentioned
 6 that you and your governing council and
 7 administration and everyone involved, all
 8 stakeholders involved, have put a long and thorough
 9 process and thought to this potential move.
 10 And, again, I want to just remind my
 11 fellow Commissioners about how the -- had you
 12 already had a facility identified and written on
 13 here, I might be able to support and expedite this
 14 whole process. But because of the fact that you
 15 don't have a place, you've got ten places you think
 16 might. I just want to caution the Commissioners
 17 again about facilities and the process that -- and
 18 the time that it takes. And, of course, you're
 19 dealing with different landlords and a school and
 20 funding and whatever.
 21 In your current school, are you on a lease
 22 assistance funding program.
 23 MS. JoANN MITCHELL: We are.
 24 COMMISSIONER PERALTA: I might add and
 25 remind you that come January, that's going to be --

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1 there's going to be a big shift and change in that.
 2 MS. JoANN MITCHELL: Right. We
 3 understand.
 4 COMMISSIONER PERALTA: You might be in a
 5 much more difficult process through the Council to
 6 try and get that. And I'm assuming you're going to
 7 want to fund your second facility in that similar
 8 manner.
 9 So -- and, again, if -- you know, if you
 10 come with me and say, "You know what? We've got a
 11 place already locked in. We just need to get the
 12 PSFA and get everything all solidified," you might
 13 have me more to saying yes than where I'm at
 14 currently. That's all I've got to say. Thank you.
 15 MS. JoANN MITCHELL: And I understand the
 16 concern about facilities.
 17 COMMISSIONER PERALTA: No, thank you.
 18 MS. JoANN MITCHELL: Oh, I can't? Sorry.
 19 They need to ask me questions.
 20 THE CHAIR: Any further comments?
 21 COMMISSIONER ARMBRUSTER: (Indicates.)
 22 THE CHAIR: Commissioner Armbruster?
 23 COMMISSIONER ARMBRUSTER: I just need to
 24 get some things straight. And may need help from
 25 some other people out here.

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1 So when we have new schools that we
 2 approve, they don't necessarily -- I meant a brand
 3 new application, not like you are -- they don't
 4 necessarily have a facility right there. And
 5 certainly, their opening would depend on the fact
 6 that they actually had a place and that it met
 7 E-Occupancy. But we've approved them anyway to open
 8 a school; is that much correct?
 9 THE CHAIR: They do that during an entire
 10 planning year, or getting-ready year, which this
 11 isn't a -- and then we do a Commencement of
 12 Operation vote in June, for them.
 13 COMMISSIONER ARMBRUSTER: Right. But --
 14 and I guess I'm asking you, MAS, if you had a -- the
 15 greatest plans, and you're ready to go, and this
 16 school location that you're looking at, whichever
 17 one, fell through, then you would just not do it? I
 18 mean, isn't that what would happen?
 19 MS. JoANN MITCHELL: Correct. Our plan
 20 was that if -- assuming we were approved, if we
 21 couldn't secure a building by March -- like, that,
 22 to us, was the latest date, like, literally
 23 secure -- we weren't comfortable with moving
 24 forward. But we can't secure a building. We can't
 25 enter any type of negotiation, we can't start

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1 talking anything till we know we have approval to
 2 open.
 3 So I completely understand the concerns
 4 that are being brought forward. They're our
 5 concerns, too, because we can't do much, because as
 6 we talk and we have conversations, we can't commit
 7 to anything with anybody we're talking to because
 8 we're not even approved to move forward yet.
 9 As far as this opportunity for funding,
 10 I'd like to add to this opportunity for funding,
 11 we're looking at a number of different funding
 12 sources, because 100 percent correct. Those
 13 starting years are hard for any school, any school
 14 at all. That's why some schools you'll find will
 15 try to do super-high enrollments, which is a
 16 mistake, I'll tell you, I think, because you can't
 17 open a school with 500, 600 kids and set culture and
 18 do what you need to do. So you have to have a good
 19 fiscal plan.
 20 We made it through our first years.
 21 They'll tell you, if you look at the research on
 22 charters -- nationwide research -- they'll tell you
 23 if you don't start off strong, you're not going to
 24 finish strong. You have to start off strong.
 25 We knew that, and I think that we made it.

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1 We proved ourselves through those first few years
 2 and stuff when it's the hardest. We're in a great
 3 position right now; because, yes, we do intend to
 4 apply for the federal grant.
 5 But we actually are very fortunate. We
 6 have been working with a group, Charter School
 7 Growth Fund, out of Denver, Colorado. We stand to
 8 receive a half-a-million dollars in funding right
 9 now, if we're approved. We're a couple of weeks
 10 away from official notification on that. We can't
 11 guarantee it. We will be the first school in the
 12 State of New Mexico that has been funded by this
 13 group.
 14 We wouldn't have to have that money. We
 15 did it before with no money. We did it before with
 16 just the operating dollars that we had, grants that
 17 we wrote and things like that.
 18 We're prepared to do it that way. But
 19 we'd sure like to do it the other way. But I feel,
 20 as we've gotten past those hurdles that exist in the
 21 opening years of knowing how do you juggle all that,
 22 we did that. Like, that -- I think that those are
 23 challenges for new schools.
 24 So back to your question about the
 25 facility? Absolutely. We really can't lock into

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1 anything. It's really hard to walk in here and say
 2 to you, "Here's the facility." We wanted to walk in
 3 with some information for you; but we can't come in
 4 with a commitment to a facility when we don't have a
 5 commitment that we have a school that's going to
 6 produce funding eventually that's going to be able
 7 to pay for that facility.
 8 So just to kind of -- you know, I
 9 completely get the concern; but I want to add the
 10 other end of it, as well.
 11 COMMISSIONER ARMBRUSTER: So it sounds
 12 like, if I can -- I think I can summarize all that
 13 that you just said -- you're looking for a school.
 14 You have several places as possibilities. And you
 15 understand all the PSFA --
 16 MS. JoANN MITCHELL: Correct.
 17 COMMISSIONER ARMBRUSTER: -- E-Occupancy
 18 and all of that. And you have possible funding.
 19 But someone's not going to give you funding if you
 20 don't have approval to -- it's like, "Stop the
 21 world, I want to get off."
 22 If we don't approve that you can do this,
 23 then you're not going to get the funding; but if we
 24 approve it, you might get the funding, as well as
 25 our federal grant that Katie wrote, to do that.

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1 And if all that is in place, and you are
 2 approved, and you don't get a -- an adequate
 3 location, then you will put this on hold for another
 4 year.
 5 MS. JoANN MITCHELL: That's correct.
 6 Because we will not possibly be able to serve
 7 children probably if we didn't have -- we wouldn't
 8 do recruitment, hire people, only to say, "Sorry,
 9 it's not really going to happen." We would never do
 10 that.
 11 COMMISSIONER ARMBRUSTER: And March is
 12 kind of your --
 13 MS. JoANN MITCHELL: Our drop-dead. We
 14 feel like with recruitment and things like that that
 15 if we don't have this solidified by that date, we
 16 can't probably recruit, staff, have the building
 17 ready and prepared.
 18 We've been doing this -- not forever, but
 19 for six years now. So we feel like we have great
 20 solid plans on how to do it. But we also know our
 21 drop-dead date of when this is not going to be
 22 practical and we are no longer going to be serving
 23 properly, because we're going to be doing
 24 back-up/catch-up work for too long. So we'd come
 25 back and say, "Can we please put this on hold for a

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1 bit?"

2 COMMISSIONER ARMBRUSTER: Thank you.

3 THE CHAIR: Commissioner Armbruster, roll

4 call vote, please.

5 COMMISSIONER TOULOUSE: Madam Chair, I

6 abstain.

7 THE CHAIR: Remember abstentions.

8 COMMISSIONER ARMBRUSTER: My understanding

9 is we have one abstention from Commissioner

10 Toulouse.

11 Is there another abstention?

12 Hearing none, Commissioner Peralta?

13 COMMISSIONER PERALTA: No.

14 COMMISSIONER ARMBRUSTER: Commissioner

15 Armbruster votes "Yes."

16 Commissioner Robbins?

17 COMMISSIONER ROBBINS: Yes.

18 COMMISSIONER ARMBRUSTER: Commissioner

19 Gipson?

20 THE CHAIR: No.

21 COMMISSIONER ARMBRUSTER: Commissioner

22 Crone?

23 COMMISSIONER CRONE: Yes.

24 COMMISSIONER ARMBRUSTER: Commissioner

25 Ruiz?

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1 COMMISSIONER RUIZ: No.

2 COMMISSIONER ARMBRUSTER: Commissioner

3 Caballero?

4 COMMISSIONER CABALLERO: Yes.

5 COMMISSIONER ARMBRUSTER: Who did I

6 forget?

7 THE CHAIR: Commissioner Conyers?

8 COMMISSIONER ARMBRUSTER: Oh, sorry.

9 Sorry. I'm sorry.

10 Commissioner Conyers?

11 COMMISSIONER CONYERS: Very tense right

12 now.

13 Yes.

14 COMMISSIONER ARMBRUSTER: Then this will

15 pass with a five-to-three vote.

16 THE CHAIR: The motion passes

17 five-to-three with one abstention.

18 Thank you very much.

19 MS. JoANN MITCHELL: Thank you so much.

20 THE CHAIR: Good luck.

21 Commissioners, can we take a ten-minute

22 break?

23 COMMISSIONERS: Yes.

24 (Recess taken, 11:10 a.m. to 11:30 a.m.)

25 THE CHAIR: I apologize for -- we don't

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1 have a whole lot more to do -- the delay. And I'll

2 publicly remind everyone that this is Aggies-Lobo

3 basketball game tonight; so I'm hoping to be there.

4 So -- and I'll say, "Go Aggies."

5 So we are now on to Item No. 6, which is

6 Report from Options for Parents and Discussion on

7 Possible Actions on governance changes. And I

8 guess -- governance changes would be all we would be

9 taking action on.

10 MS. POULOS: No action, Madam Chairwoman,

11 Commissioners. Just on our update.

12 I did want to introduce one of our new

13 team members. Ken Ukadike joined us on Monday. He

14 will be doing site visits and evaluations. So we're

15 excited to have him.

16 On Monday, we will have another new

17 employee -- these are my new positions that I've

18 been advocating for for some time, and we are

19 excited to have the opportunity to fill them.

20 Another new employee that will be

21 supporting the support side of our work, the

22 technical assistance and support side of our work,

23 LaKiesha Cotton, will be starting on Monday.

24 And then the following Monday after the

25 holidays, Karen Boulanger will be joining us, also,

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1 not on the support side, but on the evaluation side

2 of our work: Site visits, evaluations, monitoring.

3 And then a fourth person will be joining

4 our team in December, on December 18th. Her name is

5 Megan Shannon, two first names. And so we're really

6 excited for that.

7 We have one remaining -- and actually,

8 Dolores, Dolores Archuleta, joined us October 30th.

9 She is filling the admin role that we lost -- well,

10 that Linda retired back in July.

11 So a lot of new faces; but we're really

12 excited to be filling out the team with people who

13 are excited about this work.

14 Our last position is the financial

15 position. And we are still screening candidates and

16 working hard to find somebody who can really support

17 that work and add value to the team. So my hope is

18 by next month, we'll have another update on

19 staffing, to be able to share with you that we have

20 a full team. So fingers crossed on that.

21 The other thing that I did want to give

22 you an update on is that the team has been

23 continuing our renewal visits. And we are

24 finalizing with those. We have sent out reports to

25 all of our schools based on the site visit

<p style="text-align: right;">Page 62</p> <p>1 evaluation, as well as all information that we have, 2 and we are preparing recommendations which will be 3 shared with everyone. 4 We are waiting -- sorry -- for the 5 schools' responses to that evaluation. And then 6 we'll be preparing final recommendations that will 7 be available on December 4th, at the latest; 8 hopefully earlier, but that is on the schedule as 9 December 4th. 10 And we are also doing -- Baylor has been 11 out on the road visiting our governing boards; so 12 just going in and observing and giving them 13 feedback, really. It's just a matter of informative 14 feedback; although, sometimes we discover that 15 people aren't posting notice or things like that, 16 and so we do consider that evaluative feedback on 17 the governance side. 18 Also, on the governance side, you'll 19 recall you passed a policy early in the year that 20 required schools to notify us of how many board 21 members they're going to have beginning at the 22 beginning of -- the first meeting of each fiscal 23 year. We are still working to get those reports. 24 We did ask for them by September 1st, of, the 56 25 state charter schools -- we have 62, but I think</p>	<p style="text-align: right;">Page 64</p> <p>1 think with the new reports, and I think Laurel has 2 been working hard to get to a place where she can 3 give you, monthly, a very clear report of any 4 schools that we have concerns about. So starting 5 either in December or January, we may be identifying 6 for you specific schools that are not complying and 7 really getting much more crisp about that. 8 So Matt is in the room. I hope he's 9 listening to that and will communicate that with his 10 constituents. But this is really serious. Having 11 correct information about how many board members 12 that are going to be on each of those boards, who 13 those members are, and when they lose those members 14 is really important. Good charter school governance 15 is essential to quality charter schools. Where we 16 see our schools struggling, we see a lot of board 17 turnover, we see a lot of board members not getting 18 their training, and other things like that. 19 So we really do want our boards to 20 understand their extreme responsibility as they 21 manage multimillion-dollar school districts for the 22 benefit of the students and the state. 23 So that, I believe, is all I have on my 24 report, generally. 25 THE CHAIR: Okay. And I just -- because</p>
<p style="text-align: right;">Page 63</p> <p>1 there are some that we're letting go slow. 2 Thirty-three have accurately submitted 3 their annual reports. So that's more than half; 4 we're pretty excited about that. We know how many 5 board members they're supposed to have, and we're 6 going to be able to give you a clearer report to 7 that. But we do have 11 schools that have still not 8 given us the correct information, and 12 schools, 9 21 percent of our schools, that haven't submitted at 10 all. 11 So we do have that list. I think 12 potentially, December, if we don't have responses 13 from those schools, we may want to ask you to talk 14 to those schools directly at a PEC meeting about the 15 importance of the reporting that we have requested 16 from them. 17 All of these schools have received several 18 communications from Laurel, our governance 19 specialist, trying to get the correct information. 20 Laurel is also the one that does all of the 21 governance changes updates. So you, again, should 22 look through those. 23 I do want to kind of just make it clear 24 that we've been reporting it more as a notice item 25 and getting schools comfortable with that. I do</p>	<p style="text-align: right;">Page 65</p> <p>1 the word "renewal" came up, I just want to remind 2 Commissioners that we are in the renewal season, so 3 that there may be communications by lobbyists. And 4 please be wary of conversations, that decisions that 5 are made by the Commission are made by the 6 information that is available to all Commissioners, 7 so that they should not be entertaining 8 conversations and -- about specifics about a renewal 9 with a particular school, because this could be 10 information that the rest of us does not -- do not 11 have when we're making that decision. 12 So, you know, it is certainly possible 13 that there will be reach-out by lobbyists for 14 certain schools. So that's just a cautionary tale 15 for you for the season as we approach it. 16 COMMISSIONER ARMBRUSTER: Madam Chair? 17 THE CHAIR: Commissioner Armbruster? 18 COMMISSIONER ARMBRUSTER: I just want to 19 make one comment about something that Katie said a 20 second ago about schools. I think it was 21 who 21 have not told us about their governing councils. 22 Although I understand the reams of reports -- I do 23 understand all that -- this seems like a relatively 24 simple thing to say, "Hello, I'm Karyl Ann's school. 25 We have seven governing council people as per our</p>

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1 contract," end of conversation; because it seems to
2 me that it's kind of ignoring it. And we all think
3 it's important. I think I can say that for all of
4 us.

5 So it just bothers me. So I think that
6 you give them one more chance, and then we move on
7 to say, "What's your issue here?" Because I'm
8 afraid for them that if it's part of it, there's
9 more.

10 That's my comment.

11 THE CHAIR: Commissioner Caballero?

12 COMMISSIONER CABALLERO: Yes. Can we have
13 a list of those schools that are potentially up for
14 renewal?

15 THE CHAIR: You have the renewal
16 applications. You were -- so they're on that disk
17 and e-mail.

18 COMMISSIONER CABALLERO: Are those it?

19 THE CHAIR: That's it? Yeah. So there's
20 only -- you're not adding another one?

21 MS. POULOS: No, Madam Chairwoman and
22 Commissioners. That is also available on our
23 website. So we try to make as much of this
24 available to you electronically as possible at all
25 times. And if you go on the PEC's website to the

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1 that would have been in our folders, anyway. And I
2 still also have the CD. But I don't know where
3 those are. Laurel?

4 MS. LAUREL PIERCE: Beverly has them.

5 Beverly has all the remaining copies that I was not
6 able to hand out at the last meeting.

7 COMMISSIONER CABALLERO: I'll check.

8 Thank you.

9 COMMISSIONER ARMBRUSTER: It's not all of
10 it. It's just a portion of it.

11 THE CHAIR: Okay. All right.

12 So we are now on to Item No. 7, Schools
13 Required to Provide Monthly Financial Reporting.

14 And this was something that I guess at the
15 last -- last meeting, it was decided that we did
16 want to see this.

17 MS. POULOS: Madam Chairwoman, yes. And
18 we are trying to find David Craig to be available.

19 But I've communicated; so I'm not sure we will have
20 him. But do you have his communications in the
21 materials?

22 THE CHAIR: Do you want to move to Item
23 No. 8?

24 MS. POULOS: No.

25 THE CHAIR: -- to give --

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1 "Archives," you can see the renewal applications and
2 everything that's been submitted or communicated
3 thus far.

4 THE CHAIR: Right.

5 MS. POULOS: So it's really important that
6 the Commission continue to use those. In addition,
7 all materials, before you get here, are sent to you,
8 but are also on that public website prior to
9 meetings.

10 THE CHAIR: So, hopefully, all
11 Commissioners -- we were mailed the CD, I believe.

12 COMMISSIONER ARMBRUSTER: What I was
13 referring to is I wanted to make sure you got the
14 five hard copies, because I don't know. I think
15 Laurel was passing them out, remember, a meeting or
16 so ago? So did you get those?

17 COMMISSIONER CABALLERO: I got one.

18 THE CHAIR: I didn't get copies. I didn't
19 get hard copies, no. I have the CD; but --

20 COMMISSIONER TOULOUSE: I have hard
21 copies.

22 THE CHAIR: But I'm fine with not having
23 the hard copies. But I don't have hard copies.

24 COMMISSIONER ARMBRUSTER: Because I had
25 asked for the hard copies in advance of the meeting

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1 MS. POULOS: Yeah, we can do that.

2 THE CHAIR: That's fine. I think we
3 could -- if you want to give him a little more time,
4 I'm fine with moving on to No. 8.

5 MS. POULOS: Awesome. Okay.

6 So Item No. 8 in front of you is the
7 Notice of Intent for new charter schools for 2018.
8 This is an updated version of the form -- oh, still
9 have one change to make. It's hard to make sure we
10 get all of them.

11 It should say, "2018 Notice of Intent,"
12 not "2017." But we got, I think, all the other
13 "2017s."

14 There have been no other changes to the
15 form other than formatting, trying to make sure it's
16 formatted correctly and in a workable document.

17 This is the submission that we post
18 annually for anyone who is choosing to or thinking
19 about submitting a new application to submit by the
20 second Tuesday in January, to give both PEC and
21 their local superintendent notice of their intent to
22 submit an application.

23 It does have some -- some maybe specific
24 information that they probably haven't fleshed out
25 fully yet at the January point in time. But it's

<p>Page 70</p> <p>1 really intended to give -- make sure they've been 2 thinking, give you an idea of what they are thinking 3 about and give the local superintendent an idea of 4 what they are thinking about. 5 But it won't be until June 1st that they 6 submit a comprehensive, fleshed-out application. We 7 do work with schools after they've submitted this to 8 support them through that application process. 9 THE CHAIR: Commissioner Armbruster? 10 COMMISSIONER ARMBRUSTER: Three quick 11 questions: So when they fill out this application, 12 is the information supposed to fit in those little 13 boxes and not be pages long; you know, like these 14 little boxes that are here? Or are those just 15 indicators? 16 MS. POULOS: We hope so. But I believe 17 we -- that's part of the formatting is we've tried 18 make them expandable. 19 COMMISSIONER ARMBRUSTER: Okay. But it 20 would be fine if they just fit the box. 21 MS. POULOS: Correct. 22 COMMISSIONER ARMBRUSTER: And my second 23 question is, on -- on Page 2 of this, it says, 24 "Grade levels to be offered," under No. 1. And 25 then, "Projected Total Enrollment." Is that talking</p>	<p>Page 72</p> <p>1 COMMISSIONER TOULOUSE: We need to approve 2 it. 3 THE CHAIR: Yeah. Are there any other 4 questions or comments? Because I think we fleshed 5 this out quite a bit before. I think this was just 6 really change dates and a few odd things like that, 7 so that it's appropriate for the upcoming year. 8 So if there's no other questions or 9 comments, I'll entertain a motion to approve this 10 Notice of Intent. 11 COMMISSIONER RUIZ: (Indicates.) 12 THE CHAIR: Commissioner Ruiz? 13 COMMISSIONER ROBBINS: I'll second. 14 THE CHAIR: There's a motion to approve 15 the 2018 Notice of Intent to Submit a Charter 16 Application by Commissioner Ruiz, who has 17 laryngitis; and there's a second by Commissioner 18 Robbins. 19 Commissioner Armbruster? 20 COMMISSIONER ARMBRUSTER: Yes, I'm ready. 21 Commissioner Caballero? 22 COMMISSIONER CABALLERO: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Ruiz, if you would just nod or something? 25 COMMISSIONER RUIZ: (Indicates.)</p>
<p>Page 71</p> <p>1 about projected -- projected total enrollment for 2 the school or for their first year? Or is that 3 their cap? Or what is that number? 4 MS. POULOS: It should be what they're 5 planning on as their cap. 6 COMMISSIONER ARMBRUSTER: Oh. This should 7 be a cap number, then. 8 MS. POULOS: Yeah. 9 COMMISSIONER ARMBRUSTER: Okay. And the 10 third thing, is there a schedule yet for the 11 workshops? 12 MS. POULOS: We're waiting for LaKiesha 13 next week to get at that. 14 COMMISSIONER ARMBRUSTER: And that will 15 probably be available about -- right before the end 16 of the year, maybe? 17 MS. POULOS: My hope is by December 1st to 18 have a schedule up. 19 COMMISSIONER ARMBRUSTER: Okay. Thank 20 you. 21 THE CHAIR: So do we vote to approve this? 22 Or do we -- is this something we have to vote on? 23 MS. POULOS: Madam Chair and 24 Commissioners, have you in the past? 25 THE CHAIR: We have in the past, yes.</p>	<p>Page 73</p> <p>1 COMMISSIONER ARMBRUSTER: Yes? Okay. 2 Commissioner Crone? 3 COMMISSIONER CRONE: Yes. 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Toulouse? 6 COMMISSIONER TOULOUSE: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Robbins? 9 COMMISSIONER ROBBINS: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Conyers? 12 COMMISSIONER CONYERS: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Armbruster votes "Yes." 15 Commissioner Peralta? 16 COMMISSIONER PERALTA: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Gipson? 19 THE CHAIR: Yes. 20 COMMISSIONER ARMBRUSTER: That's a 21 nine-to-zero. Motion passes. 22 THE CHAIR: Motion passes nine-zero. 23 Do you want me to move on to 9? 24 MS. POULOS: Radio silence. We can just 25 go ahead.</p>

<p style="text-align: right;">Page 74</p> <p>1 THE CHAIR: So now we go back to Item 2 No. 7, which is Discussion and Possible Action with 3 Schools Required to Provide Monthly Reporting. 4 MS. POULOS: Madam Chairwoman 5 Commissioners, one of the procedures that occurs in 6 the School Budget and Financial Analysis Bureau -- 7 or Finance Analysis Bureau -- is that they receive 8 quarterly reports from all schools as a matter of a 9 legal requirement. And those reports contain a lot 10 of information about their finances. 11 And one of the primary things that the 12 Budget and Finance Office looks for, or looks to 13 ensure, is that all of our schools end the year at a 14 healthy financial position. And if they grow 15 concerned that that is not going to happen or if 16 they grow concerned that there are some other 17 problems potentially occurring with the finances of 18 the school, they may put that school on monthly 19 reporting; so rather than submitting their financial 20 documents on a quarterly basis, they end up 21 submitting those on a monthly basis and having a 22 review and dialogue. 23 There is not necessarily, as part of that 24 process, a Corrective Action Plan required; in fact, 25 there's not. The Budget and Finance Office trusts</p>	<p style="text-align: right;">Page 76</p> <p>1 they've been offering their program, as well as 2 school demographics. 3 So I hope that you spend time reading 4 these reports. And it gives you a check-in point 5 with schools anytime we come in front of you to 6 understand all of that. 7 But what's most relevant to this is our 8 information, on Page 4, financial performance 9 evaluation, and then on Page 6, the document which 10 was sent to the school, the -- from the School 11 Budget and Finance Analysis Bureau, placing the 12 school on monthly reporting and explaining the 13 reasons why. 14 So the first school that we have in front 15 of you is Sandoval Academy of Bilingual Education. 16 And the letter from Sandoval -- or from School 17 Budget to Sandoval Academy of Bilingual Education 18 indicates that -- and this was issued July 24th; so 19 we're kind of late, but we are bringing it to you at 20 this point trying to improve the process -- that 21 during the fiscal year 2018 budget development 22 process, it was shown that SABE was estimating a 23 cash position of zero dollars at the end of the 24 year; no reserves, nothing in the bank. 25 And the Budget Analysis Office indicated</p>
<p style="text-align: right;">Page 75</p> <p>1 that the school will fix the problems that have 2 resulted in monthly reporting being required; and 3 then when -- if they fix them at some point, they 4 come off of monthly reporting. 5 So we do think it's important, and we're 6 still trying to figure this out. I think this is a 7 conversation that we need some focused time with: 8 What does the Commission want to see with regards to 9 finances? When? How often? How much detail? What 10 action are you going to want to take? When are you 11 going to want to require corrective action? 12 So, you know, we're trying to start. And 13 this may not be the place you want to start; it may 14 be. But what we are bringing forward to you is 15 the -- there are four schools that you authorize 16 that are currently under monthly reporting. One of 17 them, you dealt with in a revocation hearing last 18 month. These are the other three. 19 And what you have in front of you -- and 20 we just think it's important for you to see this at 21 all times -- is their history, and then an analysis 22 of their performance, including enrollment; if we 23 are able to show you retention, if they've been 24 operating long enough, that information; and then 25 academic performance for the amount of time that</p>	<p style="text-align: right;">Page 77</p> <p>1 that this was the result of the fact that PED 2 still -- or sorry -- that the school still owes PED 3 payback from overpayment that's related to projected 4 growth that did not materialize; so, 5 over-projections of their student population. 6 The school again did project growth, and 7 the School Budget Bureau has some concerns about 8 that, because it's putting the school in a negative 9 cash position, or a zero cash position. 10 So the school is required to do monthly 11 reporting. 12 We have put forward to you some potential 13 recommendations for a Corrective Action Plan that 14 you may want to consider. These could be things 15 like reporting to the Commission; it could be things 16 like creating a plan for the school's governing body 17 to be able to more effectively oversee the school's 18 finances. It could be things like requiring the 19 school's governing council to have more training on 20 financial oversight. 21 So there's a couple of actions that are 22 proposed in there for you if you would like to think 23 about imposing some corrective action, because the 24 school's financial position has put them in a place 25 where they are being required to do that monthly</p>

<p style="text-align: right;">Page 78</p> <p>1 reporting, because our School Budget and Finance 2 Analysis Bureau does have concerns. 3 David Craig has joined us, and I do know 4 the school also has representation here. 5 THE CHAIR: Okay. Director Craig, is 6 there anything you wish to -- 7 MR. CRAIG: Madam Chair, members of the 8 Commission, those monthly reporting letters, I feel 9 like are pretty self-explanatory. If you guys have 10 any specific questions about why we place somebody 11 on monthly, I'll be happy to talk about it. 12 Is there a specific school that we're 13 discussing currently? 14 THE CHAIR: We're currently referencing 15 SABE, Sandoval -- 16 MR. CRAIG: Okay. Yes. 17 THE CHAIR: So there was an 18 over-projection of growth. 19 MR. CRAIG: That's correct. And that's 20 not uncommon. A lot of our charter schools are very 21 aggressive in projecting growth because it allows 22 them to get money before the first-period reporting. 23 We are very aggressive in urging people not to do 24 so, because that results in a situation in which, if 25 those kids don't show up, then they have to pay us</p>	<p style="text-align: right;">Page 80</p> <p>1 And to my knowledge, they have done so. They've 2 started making payment plans. They've continued to 3 pay this down. 4 After it's all done and said, we'll 5 probably clear them from monthly reporting, okay? 6 And it's important to understand that the 7 amount of which they owe back is not just an 8 arbitrary number made up by me. This is all 9 calculated by the Public School Finance Act and the 10 State Equalization Guarantee, which is in statute. 11 If they get money ahead of time, and then the actual 12 amount that they're -- basically, if they get 13 fronted money through an enrollment growth 14 projection that doesn't materialize, they've been 15 awarded revenues, and I'm required by law to ask for 16 that money back. So this isn't something that's 17 arbitrarily decided by this position. It's in State 18 law. 19 THE CHAIR: I just want to be clear that 20 the only -- there's no other -- I'm not making light 21 of the -- the financial issue. But there's no other 22 audit issues outside of the overpayment. 23 MR. CRAIG: Madam Chair Gipson. I don't 24 know that that's the case. I'd hate to give even a 25 guidance that they have a clean audit or they don't.</p>
<p style="text-align: right;">Page 79</p> <p>1 back money. 2 Because SABE had to pay us back money, we 3 moved into monthly to make sure that they have the 4 money to pay us back, okay? Okay. 5 COMMISSIONER CABALLERO: Question. 6 Question. Yes, sir. 7 MR. CRAIG: Sorry. Madam Chair and Member 8 Caballero, I thought I was out of here. I 9 apologize. 10 COMMISSIONER CABALLERO: How much is the 11 school required to pay back monthly? Or do they pay 12 back? Or do they pay back only when they can? 13 MR. CRAIG: Madam Chair and Member 14 Caballero, we've left that to the school to 15 determine when they'll be able to pay it, because 16 they know their finances best on how it's going to 17 impact their cash flows. I'd hate to put somebody 18 on a monthly payment plan when it may impact the 19 classroom. 20 Vice versa, if I make them pay it all at 21 once, that could set up a situation in which it 22 would impact their cash flows and their instruction. 23 We leave it up to the school. They 24 understand, and SABE has been very good in 25 understanding that they have to pay back this money.</p>	<p style="text-align: right;">Page 81</p> <p>1 They may very well have other issues. This is the 2 reason why this bureau put them on monthly 3 reporting. 4 THE CHAIR: Okay. All right. Thank you. 5 And there is someone from SABE here? 6 COMMISSIONER ROBBINS: Commissioner? 7 THE CHAIR: I'm sorry. 8 COMMISSIONER CABALLERO: Commissioner 9 Caballero asked them the amount that they had been 10 overpaid. And I don't think that was addressed. 11 MR. CRAIG: Madam Chair and Member 12 Caballero and Member Robbins, I'd be happy to go 13 upstairs and get that. I don't have it in front of 14 me. We certainly have the amount that they have, 15 the amount that they've paid, and we can get you the 16 outstanding to date. I don't have it in front of 17 me. 18 COMMISSIONER ROBBINS: Thank you. 19 MS. POULOS: Madam Chairwoman, I do have 20 their audit open, if that is information you would 21 like me to share. 22 THE CHAIR: Okay. At some point, it may 23 be, yes. 24 MS. JACKIE RODRIGUEZ: Good morning. 25 THE CHAIR: Good morning. I'll remind you</p>

1 to identify yourself for the record.

2 MS. JACKIE RODRIGUEZ: My name is Jackie
3 Rodriguez. I'm the Director of SABE, Sandoval
4 Academy.

5 THE CHAIR: Could you just check and make
6 sure that the green light is on?

7 MS. JACKIE RODRIGUEZ: And Mr. Vigil is
8 our business manager with the Vigil Group.

9 THE CHAIR: I guess maybe a simple
10 question is the dollar amount isn't available at
11 this moment. But do you have -- how many students
12 did you over-project?

13 MS. JACKIE RODRIGUEZ: I think they had
14 over-projected at 120. And what were they were --

15 THE CHAIR: You over-projected
16 120 students.

17 MS. JACKIE RODRIGUEZ: Do you recall the
18 exact number?

19 MR. MICHAEL VIGIL: No, I do not.

20 MS. JACKIE RODRIGUEZ: I do not recall the
21 exact number. I came on July 1. I'm the new
22 director. I don't have the projections from the
23 last year with me.

24 From what I understand, the amount that is
25 still due back is \$40,000 that I have been working

1 with the school. I supervise the business manager
2 that works directly with the school. She had a
3 conflict in scheduling, which is why I'm
4 representing the school for her.

5 THE CHAIR: Okay. Is that -- is that
6 something that you can access, what -- how many
7 students they over-projected? Is that -- is there
8 any way you can get that information? I'm just --

9 MS. POULOS: Madam Chairwoman, I am not
10 able to.

11 THE CHAIR: Okay.

12 MS. POULOS: I would say that the school
13 should absolutely know that information, and so
14 should the business manager.

15 THE CHAIR: Right. Right. I know.

16 COMMISSIONER ARMBRUSTER: Madam Chair?

17 THE CHAIR: Commissioner Armbruster?

18 COMMISSIONER ARMBRUSTER: So I get the
19 picture. You know, you thought you were having
20 100 kids; you have 80 or whatever. So does that
21 mean you hired an extra teacher to accommodate the
22 growth in what you hoped would be the growth for
23 that? Does that sound right?

24 MR. MICHAEL VIGIL: No. That would -- the
25 hiring process and the growth projection are done at

1 with the Vigil Group on a payment plan. They
2 actually have a set-aside of our \$40,000 of our SEG.
3 That is projected to be paid back by the end of the
4 year.

5 THE CHAIR: The \$40,000 is what is still
6 owed. You've been paying this back since August?
7 Or no?

8 MR. MICHAEL VIGIL: Madam Chair, members
9 of the Commission, it's my understanding that we
10 have not made any payments back as of yet, the
11 reason being that the 40th day had just passed
12 mid-October.

13 THE CHAIR: Okay.

14 MR. MICHAEL VIGIL: With that, that
15 realizes our growth for the current year. That puts
16 us in the position to understand the cash flow that
17 would allow us to either make payments or do a lump
18 sum at some point in the near future.

19 We're in a tight cash flow situation as it
20 is. We did not want to make a payment prior to
21 knowing what that 40-day would come up with.

22 THE CHAIR: You don't have an idea of what
23 the over-projection was.

24 MR. MICHAEL VIGIL: That, I do not know.
25 I'll be honest with you. I do not work directly

1 entirely different times. When you build a budget
2 in March and April, you're saying you'll have
3 100 students are going to come in. July and August
4 come around, and you have enrollment figures at that
5 time, you're saying, "We don't have the amount of
6 students who need another teacher."

7 So you would not make that hiring
8 decision. The payback of the growth would have been
9 simply a matter of the funding, the way it's done.
10 So the school received more money than it would have
11 needed. It did not have the means to pay it all
12 back; because within that growth is not only just
13 the teacher, but it's supposed to support the rest
14 of the program, all the needs of whatever that
15 additional growth would have intended.

16 COMMISSIONER ARMBRUSTER: Thank you.

17 THE CHAIR: Commissioners, any other
18 questions? I -- you know. Or do Commissioners have
19 any sense of -- Commissioner Robbins?

20 COMMISSIONER ROBBINS: Well, I would
21 like -- on future reporting of this nature, I would
22 like CSD and David Craig to provide us that
23 information at the time that this information is
24 coming to the -- to the PEC. I think it's very
25 important to have that information, have the

<p style="text-align: right;">Page 86</p> <p>1 detailed information.</p> <p>2 I respectfully disagree with your response</p> <p>3 that if you give more money than you had projected</p> <p>4 was needed based upon enrollment, procedures should</p> <p>5 be in place to set that money aside or take</p> <p>6 immediate steps to start repaying that money, rather</p> <p>7 than spending and finding yourself in a position</p> <p>8 where you cannot spend it.</p> <p>9 Thank you.</p> <p>10 THE CHAIR: And I concur, that that -- I</p> <p>11 would appreciate that information. But I'll also</p> <p>12 reiterate the Director's response to that, that</p> <p>13 knowing that you were coming here, as well, that</p> <p>14 should be information that you should know, but</p> <p>15 certainly should have had when you came here,</p> <p>16 understanding the conversation that was going to</p> <p>17 take place. Because I -- you know.</p> <p>18 MS. JACKIE RODRIGUEZ: Madam Chair, if</p> <p>19 I --</p> <p>20 THE CHAIR: What we do to try to figure</p> <p>21 out a response and a Corrective Action Plan revolves</p> <p>22 a lot around how -- how egregious that</p> <p>23 over-projection was. And I don't know if Director</p> <p>24 Craig has any information to enlighten us on that.</p> <p>25 MR. CRAIG: Sure. We've asked for the</p>	<p style="text-align: right;">Page 88</p> <p>1 instructions of how to budget in order to be able to</p> <p>2 do so.</p> <p>3 So is it severe? Yes.</p> <p>4 Is it going to result in a situation in</p> <p>5 which they can just not pay us for years? No.</p> <p>6 Okay?</p> <p>7 THE CHAIR: Okay. Thank you. So I guess</p> <p>8 one of my questions is, did you lose students?</p> <p>9 Students didn't return? Was that part of the -- the</p> <p>10 problem? And/or is there something you should have</p> <p>11 done to -- in a recruitment process? Because</p> <p>12 obviously, you thought -- and this is why trying to</p> <p>13 figure out how many additional students we're</p> <p>14 actually talking about makes it a -- the</p> <p>15 conversation a whole lot easier to figure out how</p> <p>16 egregious this -- this issue is.</p> <p>17 MS. JACKIE RODRIGUEZ: Right.</p> <p>18 Madam Chair and Commissioners, we are</p> <p>19 starting year three; so we've only been in existence</p> <p>20 for two years. From the information that was</p> <p>21 provided me by teachers and the previous director,</p> <p>22 the projection was made based on the cap and the</p> <p>23 contract.</p> <p>24 I believe the projections -- and I did</p> <p>25 want to speak to the numbers -- but I think the</p>
<p style="text-align: right;">Page 87</p> <p>1 numbers to get brought down by my staff. We'll have</p> <p>2 them for you guys. As soon as I do, I'll raise my</p> <p>3 hand to you, Member --</p> <p>4 THE CHAIR: I appreciate that.</p> <p>5 MR. CRAIG: When this happens, we set up a</p> <p>6 situation. And I believe we did so in this case,</p> <p>7 and I'll defer to Michael. But we set up a</p> <p>8 situation in which, in the operating budget</p> <p>9 development, or if it happens after that, to set</p> <p>10 aside money into the emergency reserve, which means</p> <p>11 there's a section in the budget by which they</p> <p>12 cannot -- it's expenditures they can't touch without</p> <p>13 written approval from the Secretary. If they do,</p> <p>14 there's consequences for that, too.</p> <p>15 But they're guaranteed to close this year</p> <p>16 without -- that's where I was going to go, Chairman</p> <p>17 Gipson and Member Robbins, to go look at -- they're</p> <p>18 guaranteed to close by the amount that they owe us.</p> <p>19 They're going to have that in a cash balance; so</p> <p>20 when they close FY18, they cut a check to us.</p> <p>21 Again, that is over and above what we</p> <p>22 should be having to do for a school district or</p> <p>23 charter school that's operating as an LEA. They</p> <p>24 should be accurately projecting their membership.</p> <p>25 We shouldn't have to resort to the issue of</p>	<p style="text-align: right;">Page 89</p> <p>1 projection was 120, and only 80 students showed up.</p> <p>2 I could be wrong on the numbers; but it's about</p> <p>3 40 students.</p> <p>4 From year one to year two, I think, again,</p> <p>5 it's a starting, brand new, different population,</p> <p>6 new school to Rio Rancho. I think those were some</p> <p>7 of the factors they didn't anticipate with student</p> <p>8 growth. So it was an elastic growth. I can't speak</p> <p>9 to if we lost students from year one to year two;</p> <p>10 but we didn't gain what was expected.</p> <p>11 THE CHAIR: I guess my concern is, yes, in</p> <p>12 the application, we do projected growth. This is</p> <p>13 what we would like to do. But it's also incumbent</p> <p>14 on the school to create that plan so that they</p> <p>15 can -- so that they can meet that growth, so that</p> <p>16 that's the big question, what was or wasn't done, or</p> <p>17 was anything done to reach out to the community;</p> <p>18 because if you do sit in that community and you</p> <p>19 understand that there is a shiny new school that's</p> <p>20 available out there, that's something that you need</p> <p>21 to put in place in your marketing plan to -- to</p> <p>22 address that, so that even with the -- the lottery</p> <p>23 or whatever enrollment process took place, that had</p> <p>24 to have taken place before July 1, before your</p> <p>25 budget went in.</p>

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1 MS. JACKIE RODRIGUEZ: Right. Just to add
 2 a little to that. Coming in in July, that was one
 3 of the reasons why the governing council -- I was
 4 hired at July 1 is to really do the recruitment
 5 efforts that may have not been done in the past.
 6 So I can't speak to the efforts that were
 7 made from year one to year two; but -- or year two
 8 to three. However, moving forward, I do have a
 9 marketing plan. We do have recruiting efforts in
 10 place to make sure we are being really aggressive in
 11 our community and letting people know of our school.
 12 So like Mr. Craig mentioned that we need
 13 to be mindful of our projections, I will be working
 14 with the Vigil Group to be very aware of what our
 15 reality is and making sure that we're projecting
 16 accurately.
 17 THE CHAIR: Well -- and my concern is that
 18 obviously, you didn't -- it doesn't appear that you
 19 had the projected growth from two to three. And the
 20 governance council apparently knew that there was an
 21 issue. There was a change in administration. They
 22 knew that there was an issue, but that was still
 23 before that budget was submitted. But yet they
 24 still put in that projected growth.
 25 That's where I've got the -- that's where

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1 I've got the problem, that they understood there was
 2 that problem. And I think, deep-down, they knew
 3 that there wasn't going to be that growth; but yet
 4 they still put in -- and I've got a real --
 5 COMMISSIONER CABALLERO: Madam Chair?
 6 THE CHAIR: Commissioner Caballero.
 7 COMMISSIONER CABALLERO: I don't think we
 8 have any information to deduct what you just
 9 deducted, that they willingly did this and willingly
 10 did that. We can only say, "Okay. So things didn't
 11 pan out. Where do we go from here?"
 12 I'm not willing to put intent where
 13 there's nothing in front of me. And I haven't heard
 14 anything about a -- hold on -- about a governance
 15 council, what they intended or didn't intend.
 16 And so that's a little -- we've --
 17 overreaching. I think that if we feel that
 18 governance council -- and I'm already there -- that
 19 I'm willing to -- I think they're in the right
 20 track, working with paying back, having their
 21 finances in order.
 22 But I think it won't hurt to ask the
 23 governing council and our Department to continue
 24 training, if -- because it never hurts to get
 25 additional training, even if it's just the same

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1 governing council. Other things come up. They
 2 figure out a way. They're able to pose a question,
 3 "How do we do this? We haven't done that." And
 4 ideas flow, and they're able to market the school.
 5 But -- from what I see and what I've heard
 6 so far, they're on the right track financially.
 7 They're going to pay it back. They need to get back
 8 on track on their enrollment. And that's all I can
 9 say, and that's all I can propose, because nothing
 10 else is in front of me.
 11 Thank you, Madam Chair.
 12 THE CHAIR: And, also, I don't think
 13 they're on the track financially, because they're in
 14 a hole. And they'll -- you know, they will pay this
 15 back. But that's not going to put them in -- I
 16 don't think -- and I'm not the financial guy -- but
 17 I don't think it's going to put them in a good
 18 financial position by the end of the year if they
 19 are having to pay back \$40,000.
 20 So that's a concern. And -- Director
 21 Craig?
 22 MR. CRAIG: Sure. Just so we're clear,
 23 this resulting overpayment, the \$40,000 that they
 24 owe us, is from the '16-'17 school year. They
 25 repaid close to \$125,000 so far resulting from that

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1 over-projection. They still owe us \$40,000. We
 2 haven't received a payment since December of 2016.
 3 They projected 120 in '16-'17; that didn't
 4 materialize. That's the reason that they owe us
 5 money.
 6 When they came in for the FY18 budget,
 7 they projected 120 again. And I said, "There's no
 8 way I'm going to approve an operating budget with a
 9 membership projection of 120," which means that the
 10 governing council did submit and sign off on a
 11 budget that had a membership projection that they've
 12 already missed.
 13 There is a pattern of behavior with SABE,
 14 and there's a reason why I didn't sign off on a
 15 budget with a 120-student membership projection for
 16 enrollment growth by '18. And so they were
 17 instructed no. They'll likely receive growth. They
 18 are now at 94 students is what I'm seeing. They had
 19 80 at the 80th and 120th day. So they will receive
 20 some growth.
 21 You have to have a pattern and practice of
 22 being able to accurately membership-project. The
 23 Public School Accounting and Budget Manual indicates
 24 that your projections for membership projections are
 25 supposed to be data-driven and supported by

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1 documentation by which you can support membership
 2 projections, that you can prove that you believe
 3 kids will come in the door.
 4 When we don't have that, then I push back
 5 on people and say, "I need to see your methodology.
 6 Give me any data to support the idea that you'll
 7 have 120 kids come in the door."
 8 Sometimes people can do that; sometimes
 9 people can't. When people can't do that, I instruct
 10 them I'm not going to allow them to budget
 11 enrollment growth units. And if it shows up, they
 12 can have a nice little budget come enrollment day.
 13 THE CHAIR: Thank you. I appreciate that.
 14 Commissioner Toulouse?
 15 COMMISSIONER TOULOUSE: Madam Chair, I
 16 remember, too, when we did the public hearing on
 17 this school. We had a large community outpouring.
 18 And it doesn't look like the students came from the
 19 people who said they were going to do it.
 20 But we also -- one of the few times I've
 21 seen a public school district support it. And my
 22 feeling was Rio Rancho was saying, "Yeah. Open this
 23 school, so we don't have to teach these kids."
 24 So are you going through Rio Rancho to get
 25 referrals, then, for the kids that clearly, they

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1 weren't that interested in teaching and were very
 2 interested in having this school take on?
 3 MS. JACKIE RODRIGUEZ: Madam Chair,
 4 Commissioner Toulouse. We are. I've reached out to
 5 both districts of Bernalillo Public Schools and
 6 Rio Rancho Public Schools, also doing marketing
 7 efforts in the surrounding communities, Placitas,
 8 Corrales -- well, Bernalillo and that outlying area.
 9 We do have some challenges with our
 10 recruitment, and I'm looking at those kind of
 11 factors that are impacting us and have impacted us
 12 in the past and trying to reach out.
 13 I was a member of the Rio Rancho Public
 14 Schools for many years. Also, looking at my
 15 personal outreach and sphere of influence to try and
 16 build that membership; and especially our 94 parents
 17 that are with us, we did see an increase.
 18 Like Mr. Craig said, they projected us at
 19 80; we have 94 students still come. I think one of
 20 our challenges is our location as far as being
 21 marketable to -- we're not visible. We're in an
 22 area that's not as visible as I'd like it to be; so
 23 trying to make our visibility is one of our -- and
 24 our name to be out there is one of our huge efforts
 25 for marketing.

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1 So, you know, with a limited budget, we've
 2 had limited funds to put towards a marketing plan.
 3 However, I've seeked [verbatim] out other means with
 4 public radio, our Chamber of Commerce and different
 5 organizations that are able to support SABE in
 6 getting our name out there, because that's the
 7 biggest issue.
 8 COMMISSIONER TOULOUSE: Because that's
 9 such -- I know there was such a community outpouring
 10 of need that it bothers me that you weren't able to
 11 get the enrollment from all of those people who were
 12 there, saying, "This is the kind of school we want
 13 our kids in. This is where we want to be."
 14 I know that some of these kids are older,
 15 and you're starting younger. But I would hope
 16 they're still there, and there's a way to reach
 17 them. And I assume you're doing Spanish-language
 18 radio and all that, too; so --
 19 MS. JACKIE RODRIGUEZ: Yes.
 20 COMMISSIONER TOULOUSE: -- thank you.
 21 THE CHAIR: Commissioner Peralta.
 22 COMMISSIONER PERALTA: Thank you,
 23 Madam Chair. I'd like to go ahead and go forward
 24 with the motion.
 25 I move the Public Education Commission

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1 require the Sandoval Academy of Bilingual Education
 2 to take action to remedy the financial problems
 3 identified by the PED School Budget and Finance
 4 Analysis Bureau; specifically, the school must one,
 5 create a plan to improve the governing body's
 6 ability to monitor and oversee the school's monthly
 7 fiscal reports, which should include specific
 8 training on public school finances, financial
 9 requirements, and financial reports, specific
 10 actions by the finance committee and the old board
 11 and specific targets for financial service;
 12 Two, develop a plan to better estimate
 13 school enrollment using best practices from other
 14 schools, which should include revising the school's
 15 enrollment processes, communications, and
 16 recruitment strategies;
 17 And, finally, submit monthly reporting to
 18 the PEC, including monthly reports on student
 19 enrollment, including updates on the number of
 20 withdrawals and enrollments, actions taken to
 21 improve financial management, budget adjustments
 22 required to adjust for growth that has not
 23 materialized, or repayments for prior-year
 24 repayments and updated year-end position forecasts.
 25 THE CHAIR: I'll second.

<p>Page 98</p> <p>1 There's a motion by Commissioner Peralta, 2 a second by Commissioner Gipson. 3 Commissioner Armbruster? 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Toulouse? 6 COMMISSIONER TOULOUSE: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Conyers? 9 COMMISSIONER CONYERS: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Caballero? 12 COMMISSIONER CABALLERO: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Gipson? 15 THE CHAIR: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Crone? 18 COMMISSIONER CRONE: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Ruiz? 21 COMMISSIONER RUIZ: Yes. 22 COMMISSIONER ARMBRUSTER: Okay. Sorry. 23 You can nod your head. 24 Commissioner Peralta? 25 COMMISSIONER PERALTA: Yes.</p>	<p>Page 100</p> <p>1 Fiscal Year '17 with only \$500 in cash, as opposed 2 to the zero dollars. This was a result of not 3 right-sizing expenditures due to an increase in 4 available funding. 5 One of the specific items that is causing 6 this decrease in available funding is the school is 7 not receiving Bilingual Multicultural Education 8 Program funds, because they were receiving those 9 funds, but not providing a compliant program. And 10 so after multiple notifications of that, that 11 program was terminated, and those program funds were 12 removed. 13 I believe -- and Dr. Pelayo can probably 14 clarify -- but I do believe that was based on a 15 problem with licensure, site visits not seeing the 16 instruction that was required. 17 And so, again, this school continues to 18 present concerns to the School Budget Bureau 19 regarding their ability to manage their own 20 finances, right-size their expenditures, and close 21 with an appropriate reserve. 22 And we have made the same recommendation 23 for this school. 24 Dr. -- Director Craig is here, and I do 25 believe the school's leader and potentially board</p>
<p>Page 99</p> <p>1 COMMISSIONER ARMBRUSTER: And Commissioner 2 Armbruster votes "Yes." 3 Commissioner Robbins? 4 COMMISSIONER ROBBINS: Yes. 5 COMMISSIONER ARMBRUSTER: That is a 6 nine-to-zero vote. 7 THE CHAIR: The motion passes 8 nine-to-zero. Thank you very much. 9 Next on the agenda is Roots and Wings 10 Community School. 11 MS. POULOS: Madam Chairwoman, 12 Commissioners. 13 With Roots and Wings Community School, I'm 14 not going to take you through the report. But you 15 do have the same report. The only difference is 16 because this school has been in operation longer, 17 you have -- instead of enrollment numbers, you have 18 retention on Page 1. I do think that's important 19 for you to take a look at. Students retained 20 between years is actually pretty low. It's been 21 increasing; but it definitely should be a concern to 22 the school, as well as to the Commission. 23 And for this school, again, the reasons 24 are pretty similar. They were put on monthly 25 reporting because they were projecting to close</p>	<p>Page 101</p> <p>1 member are both here, as well. 2 THE CHAIR: And folks from the school can 3 come down if they wish. 4 Director Craig, is there anything you wish 5 to add? 6 MR. CRAIG: We had -- again, I think that 7 Katie did a very good job of summarizing that. But 8 I do want you to know that we do have concerns about 9 this school. They're going to have to make some -- 10 when we say "failure to right-size," that means with 11 all the cuts, they just continued spending. 12 We had a lot of -- all of schools had to 13 have a cut relating to the 1.5 percent reduction in 14 the cash balance credit. They had cash at the 15 beginning of the year, and they continued to expend 16 at the same level without, you know, scaling back. 17 There's nothing that prevents that. 18 That's fine; you're allowed to do that, legally. 19 But the problem is, is that now, this year, going 20 into this operating budget for FY18, they lost all 21 sorts of units related to their Bilingual 22 Multicultural Education Program, and they don't have 23 any cash balance to absorb the blow of that loss. 24 I've got real concerns that if they don't 25 draw their expenditures down, that they're not going</p>

<p style="text-align: right;">Page 102</p> <p>1 to be in a situation where they'll be able to close 2 the operational fund in the black. 3 That's some wonky talk; but it basically 4 means that they don't have as much money coming in, 5 and they don't have money in the bank account to 6 help them out, cushion that blow. 7 I talked to the previous head 8 administrator at our Technical Operating Budget 9 Review process. She indicated that she was aware. 10 I believe that Licensed School Business Officials 11 should be aware of this, as well. I can't remember 12 if we've had turnover in that area, too. 13 I've been trying to get up to a governing 14 council meeting. And I have to apologize this is 15 the venue by which we had to have that conversation. 16 It has not worked out to be able to get up there and 17 address them about these concerns, as well. 18 Yeah. They've lost -- and it's a pretty 19 hefty percentage amount of this small school's 20 budget when they lost that bilingual program. So 21 that's my concern. 22 THE CHAIR: Thank you. 23 Good morning. And once again, I'll ask 24 you to identify yourself for the record. 25 MR. RANDY GREEN: Okay. Madam</p>	<p style="text-align: right;">Page 104</p> <p>1 THE CHAIR: You've got a whopping \$500. 2 MR. RANDY GREEN: Our business manager 3 unfortunately thought we wouldn't be up till about 4 1:00; so she's the one that could certainly explain 5 this better than me. I came on board about five 6 days before school started; so... 7 THE CHAIR: Let me just ask. You ended 8 the school year with 104. What's your current 9 enrollment? 10 MR. RANDY GREEN: We're at 50. 11 MR. STEPHEN ABT: We're only chartered for 12 50. 13 THE CHAIR: At the end of school's report, 14 the school had 100 -- I'm sorry, that's my fault. I 15 turned the wrong page. I'm looking at the -- 16 MR. STEPHEN ABT: We would not be having 17 this meeting if that were the case. 18 THE CHAIR: Where is Roots and Wings? And 19 it says the school is authorized -- the 20 end-of-the-year S.T.A.R.S. report, the school had 21 104 students enrolled. 22 COMMISSIONER ROBBINS: Unh-unh. Unh-unh. 23 COMMISSIONER CRONE: It says 50. 24 COMMISSIONER ROBBINS: You have to go back 25 about five pages.</p>
<p style="text-align: right;">Page 103</p> <p>1 Commissioner, my name is Randy Green, and I'm the 2 Director at Roots and Wings. I would like to point 3 out that we are an "A-rated" school. So we are 4 doing some things right there. 5 MR. STEPHEN ABT: My name is Stephen Abt, 6 and I'm a member of the governing council. 7 MR. RANDY GREEN: I do believe we have 8 reduced expenditures. Last year, as I understand 9 it, a number of aides were being paid out of the 10 Reads to Lead grant. And this year, we do have a 11 primary aide, but she's paid by a Taos Community 12 Foundation grant, a local donor-funded grant. 13 We still have 3.3 teachers full-time and 14 one teacher that's on a three-quarter's equivalent. 15 So I think there's a difference between 16 projected balance and the actual balance in the 17 account. And we just had a meeting with the 18 auditor. And I'm not sure if I'm allowed to talk 19 about that at this point, because it is not 20 complete. But the indications are that there -- the 21 negative balance that was shown was not necessarily 22 negative, according to this -- this auditor; so... 23 MS. POULOS: We didn't show negative. We 24 showed \$500. 25 MR. RANDY GREEN: All right. Okay. Yeah.</p>	<p style="text-align: right;">Page 105</p> <p>1 THE CHAIR: Oh, got you. I'm sorry. 2 That's my fault. I keep looking at -- all right. 3 So you had -- what's your current 4 enrollment? 5 MR. RANDY GREEN: Our current enrollment 6 right now is 48; we were at 50 on the 80th day. 7 THE CHAIR: At the end of last year. 8 MR. RANDY GREEN: Last year, I'm not sure 9 what the enrollment was. 10 THE CHAIR: It says in your S.T.A.R.S. 11 report, you had 50 at the end of '17. 12 MR. RANDY GREEN: Yeah. 13 THE CHAIR: Do you know what you 14 projected? Does anyone know what you projected? 15 MR. RANDY GREEN: We're capped at 50, and 16 so we projected 50, I'm sure. 17 THE CHAIR: Well, if you projected 50, 18 there shouldn't be that loss -- I understand the 19 bilingual; but there's a double -- there's a double 20 loss, is there not? Wasn't there a growth 21 projection loss, as well? Am I wrong? 22 MR. RANDY GREEN: I don't think there was. 23 We did -- we are struggling to get our lease 24 reimbursement back up to where it was. And 25 supposedly, everybody's getting the same amount as</p>

1 last year; but for some reason, we're getting, I
2 think, somewhat less than that.

3 THE CHAIR: It says that there's a loss of
4 funding because of projected growth.

5 MS. POULOS: You may be on the wrong one.
6 Sorry. They're all put together.

7 THE CHAIR: Yeah. You're right; because
8 Roots and Wings is on the back end of the other
9 letter. So that's where I'm getting confused. So
10 that letter is not Roots and Wings.

11 I'm looking at -- because Roots and Wings
12 is on the back side of Sandoval -- of SABE's. So
13 that's where I'm flipping because of that.

14 COMMISSIONER ARMBRUSTER: And I would like
15 to say that I am equally confused -- I'm just
16 confused -- to -- Mr. Craig. Maybe you can explain
17 this better. So they projected 50; but they
18 didn't -- and they got 48. And so they --

19 MR. RANDY GREEN: No, we had 50.

20 THE CHAIR: No. They didn't lose funding
21 because of a growth over-projection. Their funding
22 loss is because of the loss of the funding from the
23 bilingual program.

24 COMMISSIONER ARMBRUSTER: Got it. Okay.

25 THE CHAIR: And I apologize for the

1 consistent knowledge so that they were aware and can
2 explain to us why this didn't happen. And I guess
3 that's my frustration.

4 COMMISSIONER ARMBRUSTER: And I would
5 agree with you, Madam Chair. I don't know how this
6 works. Usually, people know months in advance that
7 they're going to retire or move or whatever.
8 Clearly, there are exceptions. And so it's, like,
9 Here's what it was doing. Bang. Now we're
10 starting -- it's like we're starting a new school.
11 And I find that distressing for me.

12 And I have one question about this, too,
13 which is -- because I know this is a very expensive
14 endeavor, that it's an Expeditionary
15 Learning-inspired. So are you paying those
16 Expeditionary people for your thing? I mean, that's
17 your mission? Because I know that you provide
18 Project-Based Learning -- I'm reading this --
19 "learning that is connected to real-life problems
20 with real-life solutions."

21 But is -- Expeditionary Learning is
22 different than Project-Based Learning.

23 MR. STEPHEN ABT: That's correct.

24 Expeditionary Learning is a trademark. And we say
25 Expeditionary Learning-inspired, because as their

1 confusion.

2 COMMISSIONER ARMBRUSTER: I got confused.

3 THE CHAIR: Okay. Well -- and I don't
4 know whether this is the place for that
5 conversation. But I guess my -- my overarching
6 question is how come you were anticipating this
7 funding because of that program, and you aren't
8 carrying out the program? I guess that's my big
9 question, is what happened?

10 MR. RANDY GREEN: I -- all my knowledge is
11 secondhand here, okay? But as I understand it, the
12 WIDA screening was not done correctly last year.
13 And I think that had something to do with the loss
14 of the bilingual funding.

15 THE CHAIR: And I guess my -- you know --
16 and this is -- I'm sure it's equally the Director's
17 frustration -- that we -- we are, too often,
18 coming -- having schools come before us -- and it's
19 not your fault -- with new head administrators.

20 And the -- the mantra is, "It wasn't on my
21 watch. I don't know."

22 And that's where I have difficulty, that
23 there should be, at least through the governance
24 council -- if the head administrator is leaving, the
25 governance council should be able to have that

1 fees have gone up, we've had to separate from that
2 program. At its inception, it was an Expeditionary
3 Learning school. We're now following those
4 principles, but doing it without that support.

5 THE CHAIR: You have had someone -- and I
6 can't remember her name; and she may have served on
7 your board, perhaps -- that was licensed as an
8 Expeditionary Learning. Because I remember her
9 coming when we did contract negotiations. This is a
10 question. Is she still involved in the school? And
11 I can't identify who she is; so it's --

12 MR. STEPHEN ABT: Yes. I'm just not sure
13 who you are referring to. It might either have been
14 Stephanie Owens or Margaret Bartlett. They're both
15 still involved. Margaret Bartlett is one of the
16 school founders. Stephanie Owens is a consultant,
17 consults to a number of other charter schools in the
18 state.

19 To speak something to continuity here as a
20 relatively new board member, I hope to provide that.
21 I was a board member a number of years ago for the
22 school as a parent in that school. I then separated
23 out when my kids graduated and moved on to other
24 schools, and I put my focus on where they were
25 getting their education. I'm now back to provide

<p style="text-align: right;">Page 110</p> <p>1 public service and expect to be on the board for a 2 good long time. 3 As a junior board member during the course 4 of this year, it was a very difficult decision for 5 us to elect to replace our head of school. In a 6 small school environment, that is a highly 7 disruptive thing to do to a school culture. And our 8 concern was looking at growth, looking at financial 9 constraints, and the reality of what we see on a 10 budgetary basis, that this was going to be 11 problematic, and that her skill set as building 12 school culture, team building, had fulfilled its 13 mission very well. 14 But we did not see certain technical 15 requirements in terms of professional development 16 for our staff, being that we did not see the 17 requirements that we needed for reporting. And it 18 came as quite a surprise to us that we lost this 19 program, you know, not being involved in the 20 day-to-day operations of the school. 21 As board members, and taking seriously the 22 requirement that we allow our managers of the school 23 to lead and not micromanage them, I guess we should 24 have had our finger a little bit more closely on the 25 pulse than what we saw.</p>	<p style="text-align: right;">Page 112</p> <p>1 endorsement. So we're trying to figure out how to 2 get him involved in that part of the program. 3 COMMISSIONER CABALLERO: Would that have 4 an impact on the -- those type of students coming 5 into the school? 6 MR. RANDY GREEN: Oh, definitely. But we 7 just don't have it set up yet. And it's hard to set 8 up without the funding. But we definitely need -- 9 have a need for it, as well, along with some other 10 things. 11 THE CHAIR: Commissioners, are we ready 12 for a motion? 13 And I'll do it, just -- all right. 14 I move to require the Roots and Wings 15 Community School to take action to remedy the 16 financial problems identified by the PED School 17 Budget and Finance Analysis Bureau. 18 Specifically, the school must create a 19 plan to improve the governing body's ability to 20 monitor and oversee the school's monthly fiscal 21 reports, which should include specific training on 22 public school finances, financial requirements, and 23 financial reports, specific actions by the finance 24 committee and the whole board, and specific targets 25 for financial reserves, and submit monthly reporting</p>
<p style="text-align: right;">Page 111</p> <p>1 We did take action with this gentleman 2 sitting next to me on this. So -- and we have 3 reduced staff to reflect the fact that we no longer 4 have this program available, which I do hope we 5 reinstate. I hope that when we meet the technical 6 requirements of this program -- there's clearly a 7 need for it among our students. So we'll be looking 8 at pushing to recover this in the appropriate time 9 frame. 10 THE CHAIR: Okay. And I guess I just have 11 one quick question; because I don't have the 12 contract in front of me. I'm assuming that this 13 program was not -- so that that's not an issue. 14 So -- okay. But, yes, since there is a need, I 15 would certainly hope that you can fix this for the 16 sake of the students and be able to bring this 17 program back. 18 Commissioner Caballero? 19 COMMISSIONER CABALLERO: Question. You 20 lost your bilingual education program. And I see 21 that the enrollment is very low with Hispanic 22 students. Do you intend to bring back the bilingual 23 program or -- at some time in the future? 24 MR. RANDY GREEN: Yes, we do. We do have 25 one teacher on campus that is TESOL -- has TESOL</p>	<p style="text-align: right;">Page 113</p> <p>1 to the PEC, including monthly reports on actions 2 taken to improve financial management, budget 3 adjustments required to adjust for decreased 4 availability of funds, and updated year and position 5 forecasts. 6 COMMISSIONER PERALTA: Second. 7 THE CHAIR: There's a second by 8 Commissioner Peralta. 9 Commissioner Armbruster? 10 COMMISSIONER ARMBRUSTER: Are there any 11 abstentions before we vote? 12 Seeing none, Commissioner Peralta? 13 COMMISSIONER PERALTA: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Toulouse? 16 COMMISSIONER TOULOUSE: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Robbins? 19 COMMISSIONER ROBBINS: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Crone? 22 COMMISSIONER CRONE: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Armbruster votes "Yes." 25 Commissioner Conyers.</p>

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1 COMMISSIONER CONYERS: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Caballero?
 4 COMMISSIONER CABALLERO: Yes.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Ruiz?
 7 COMMISSIONER RUIZ: Yes.
 8 COMMISSIONER ARMBRUSTER: Yes?
 9 COMMISSIONER RUIZ: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Gipson?
 12 THE CHAIR: Yes.
 13 COMMISSIONER ARMBRUSTER: That's a
 14 nine-zero vote, and the motion passes.
 15 THE CHAIR: That's nine-zero. Thank you
 16 very much for your time.
 17 And, finally, Cariños do Los Niños.
 18 MS. POULOS: Madam Chairwoman and
 19 Commissioners, we have Cariños De Los Niños that was
 20 put on monthly reporting. On Page 1, you see
 21 student retention. It is very low between the years
 22 of 2014 and '15. From the prior year, only
 23 53 percent of the students were retained. '16-'17,
 24 only 57 percent of the students were retained.
 25 We were unable to provide you information

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1 for this year, because the school has not submitted
 2 all of its 40th-day reporting requirement, which is
 3 a concern to us. That information is not explicitly
 4 included in here, because we're trying to get more
 5 clarity on what is missing; but they have not
 6 completed the required 40th-day reporting. And so
 7 we were not able to get that information.
 8 You will see in their letter that they
 9 were placed on monthly reporting in March last year,
 10 and they remain on monthly reporting. And the
 11 reason that they were placed on that was they were
 12 actually looking at coming in with a negative
 13 balance. And this was as a result of membership
 14 projections not materializing.
 15 My understanding is that they are again
 16 facing that exact same circumstance this year, with
 17 projections not materializing and cash flows being
 18 impacted. And so I believe that's why they continue
 19 to be on monthly reporting.
 20 I did also include for you their agenda
 21 from their meeting yesterday. That was input for
 22 you to show that the board was meeting on a couple
 23 of items of an approval of a budget reduction plan
 24 due to limited funds caused by projections of
 25 students not materializing, reorganization due to

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1 limited funds caused by projection of students not
 2 materializing, if needed; RIF policy, if needed.
 3 So I think there are certainly still these
 4 outstanding concerns, and I did want you to be aware
 5 of that.
 6 THE CHAIR: Can I just get a
 7 clarification? Did you say Day 40 is not in yet?
 8 MS. POULOS: That's correct. And just to
 9 be clear, when we say that, the submissions are
 10 required toward the beginning of October. There is
 11 a verification process that takes some time. So
 12 that's why, at this point, we're saying the Day 40
 13 data has not been reported, because we're at the end
 14 of that verification process. The windows have been
 15 closed, and this school still has outstanding data
 16 submission requirements.
 17 THE CHAIR: I just needed a clarification
 18 on that.
 19 Director Craig?
 20 MR. CRAIG: Cariños De Los Niños is
 21 probably, of the three -- and we don't have
 22 Chancellor Jaramillo -- Chancellor Jaramillo is
 23 here. I'll give him an opportunity to speak. They
 24 had a lot of troubles, and we discussed it during
 25 the FY18 budget regarding the same situation, in

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1 which expenditures were not decreased as part of the
 2 projection.
 3 Now remember, when I say that,
 4 expenditures, remember last year in FY17, we had a
 5 1.5 percent reduction in the cash balance credit.
 6 Most of my school districts and school districts
 7 submitted decreased BARs related to that, and they
 8 did not continue to spend at the same level. Those
 9 that didn't are in a little bit of a problem right
 10 now. Cariños De Los Niños continued to spend.
 11 It's important to understand that 80 or
 12 90 percent of a school district's expenditures are
 13 related to faculty.
 14 When you have reductions, particularly
 15 some small districts or small entities, we're
 16 talking about people. It doesn't surprise me to see
 17 on their agenda that they're talking about Reduction
 18 In Force, if necessary. When we have reductions,
 19 we're talking about people's salaries or people's
 20 ability to be able to continue teaching in a school.
 21 Be it that being said, they were
 22 projecting, at the time that we developed our FY
 23 operating budget, negative cash balances. You're
 24 not allowed to do that. You're not allowed to just
 25 defer the tough decisions. So at that point in

1 time, we placed them on monthly reporting to ensure
2 that didn't continue.

3 We -- a lot of that is because people
4 again -- all of these are kind of intertwined;
5 right? You have the membership projections that
6 gives you all of the money upfront. And then you
7 encumber that in faculty.

8 And then when that's compounded by
9 solvency reductions midyear, and you have to claw
10 back money you don't have, it creates a financial
11 situation that is compounding in its "negativeness,"
12 if that's a word.

13 So we had to set up a situation in which
14 we could monitor them on a more timely basis than
15 quarterly, which is monthly reporting, so that we
16 can determine how that school's finances are going.

17 Chancellor Jaramillo and I have had many
18 communications about their finances. He's well
19 aware that I'm very concerned about this school.

20 Thank you. And I stand for questions.

21 THE CHAIR: Thank you. And I know we have
22 people here from Cariños; so you may come down, if
23 you wish to speak.

24 MR. VERNON JARAMILLO: Thank you.

25 COMMISSIONER ARMBRUSTER: You're certainly

1 their 80th day last year.

2 So we went ahead, and they chose to base
3 their staffing patterns on 112 students, assuming
4 that at least it would be that many by the 40th day.
5 It turned out there was a decrease in students. The
6 students went from 112 down to 90- -- no -- to 103,
7 and which is equivalent to approximately \$72,000 in
8 reduction of what we were hoping for, of additional
9 revenue.

10 So what -- that has brought us to having
11 to do this reduction in staffing. There has been
12 natural attrition in staffing from the beginning of
13 the year; so right now, where it stands is if there
14 was any way to make this happen -- which I don't see
15 if that's going to be possible. But if there was,
16 there would have to be another teacher added and a
17 food service coordinator added.

18 THE CHAIR: Would have to be added if you
19 did end up going to the 112?

20 MS. CORINNE TELLER: Yes. I'm sorry.

21 From now, if the school continues through the end of
22 the year.

23 THE CHAIR: Oh. You will have to add,
24 regardless.

25 MS. CORINNE TELLER: Yes, to accommodate

1 welcome to pull additional chairs over there, if you
2 wish, from the table here.

3 MR. VERNON JARAMILLO: Good morning,
4 Madam Chair, and members of the Commission.

5 THE CHAIR: Good morning.

6 MR. VERNON JARAMILLO: We're here to
7 answer any questions that the Commission might have
8 related to our finances.

9 Mr. David Craig is being very supportive
10 and very honest with us, as well. It's a sad day
11 for us, as well, because we wanted to do better, and
12 we're struggling.

13 But our presentation is as follows: I'll
14 have our new Business Manager -- I'll defer to her
15 to do the presentation, for clarity.

16 THE CHAIR: Okay. Thank you. And I'll
17 remind you to please identify yourself for the
18 record.

19 FROM THE FLOOR: Okay. Corinne Teller.
20 I'm the Business Manager as of June. Nice to meet
21 you, Madam Chair and Commissioners.

22 So when I came on board, the school was
23 projecting to have at least 112 students as of the
24 first day of school. The budget was made with
25 assuming 103 students, based on their 120th and

1 the number of students in the classes.

2 THE CHAIR: The current number.

3 MS. CORINNE TELLER: Yes.

4 THE CHAIR: Okay. I think I'm confused.
5 So you're currently short a faculty member and a
6 food service person.

7 MS. CORINNE TELLER: Yes.

8 THE CHAIR: Which, from what I'm
9 gathering, there's no money in the budget for that.

10 MS. CORINNE TELLER: Right. That's why
11 I'm saying I think -- I don't see how that can
12 happen. That's where the school stands, if they
13 were able to move forward.

14 The reason why there's some --

15 THE CHAIR: Well, I'm confused by the
16 phrase, "if they were to move forward." You know,
17 I'm -- I'm confused by that phrase being used;
18 because it -- so my question is if you can't make
19 that -- if you can't make that staffing happen, what
20 are you saying you think is going to happen?

21 Because I'm getting -- I'm -- I apologize
22 if I'm confused, but I'm confused by this
23 conversation at this moment in time.

24 MS. CORINNE TELLER: Well, if I may, this
25 conversation about the staffing reduction patterns

<p style="text-align: right;">Page 122</p> <p>1 just started, like you saw, on the board minutes 2 from yesterday. So we've been having conversation 3 with finance committee members, Mr. Jaramillo, on 4 potential ways to be able to make up that deficit. 5 As it stands right now, I don't see how 6 it's going to happen. But I -- since the decision 7 has not been made official by the board, I didn't 8 want -- I'm hesitant to say the school is closing, 9 because it hasn't been voted on. 10 There's another thing that -- 11 THE CHAIR: Okay. I don't know whether we 12 want to proceed with this conversation. I'm not -- 13 you know. I think we're entering an area that maybe 14 we don't want to have this conversation right now. 15 COMMISSIONER CABALLERO: Madam Chair? 16 The -- what's before us is the finance portion of 17 it. I think we need to proceed on the finance 18 portion. I see the proposed motion, which is a very 19 rigorous type, forcing the issue and the planning. 20 I think we need to move forward. 21 So once they get into what we propose, 22 they'll probably have to -- they will be enlightened 23 on how -- whether they can continue or not continue. 24 THE CHAIR: Right. My caution was for the 25 school --</p>	<p style="text-align: right;">Page 124</p> <p>1 COMMISSIONER CABALLERO: Yes. I will make 2 the motion moving to require that Cariños De Los 3 Niños take action to remedy the financial problems 4 identified by PED's School Budget and Finance 5 Analysis Bureau. 6 Specifically, the school must create a 7 plan to improve the governing body's ability to 8 monitor and oversee the school's monthly fiscal 9 reporting, which should include specific training on 10 public school finances, financial requirements and 11 financial reports, specific actions by the financial 12 committee and the whole board, and specific targets 13 for financial reserves; also, develop a plan to 14 better estimate school enrollment using best 15 practices from other schools, which should include 16 visiting the schools' enrollment processes, 17 communications and recruitment strategies, and 18 submit monthly reporting to PEC, including monthly 19 reports on student enrollment, including updates on 20 the number of withdrawals, enrollments, action taken 21 to improving financial management, budget 22 adjustments required to adjust for growth that has 23 not materialized, or repayments for prior year 24 repayments, and updated year-end position forecasts. 25 THE CHAIR: I'll second.</p>
<p style="text-align: right;">Page 123</p> <p>1 COMMISSIONER CABALLERO: Yes, I know. 2 THE CHAIR: -- to have this conversation 3 at this moment in time. I know where we need to go; 4 but I really didn't want -- I don't think the school 5 wants to have that conversation with us right now, I 6 think. 7 MR. VERNON JARAMILLO: You're right. 8 THE CHAIR: I think you should have legal 9 counsel with you here if you're going to engage in 10 this conversation with us. I would -- and I'm not 11 giving you legal advice; but that would be -- I 12 would just caution you on that. 13 But I think we'll just -- for us, we're 14 going to moving forward on the motion. And we'll 15 leave it at that at this moment in time. And you 16 can continue whatever legal conversations you have 17 to have and any conversations you have to have with 18 Director Craig -- 19 MR. VERNON JARAMILLO: Okay. 20 THE CHAIR: -- around that. 21 MS. CORINNE TELLER: Thank you. 22 MR. VERNON JARAMILLO: Madam Chair, I'm 23 remiss in introducing Dr. Cata, our Board president, 24 and Bernice Life. 25 THE CHAIR: Are we ready for a motion?</p>	<p style="text-align: right;">Page 125</p> <p>1 There's a motion by 2 Commissioner Caballero, second by Commissioner 3 Gipson. 4 Commissioner -- is there any discussion? 5 COMMISSIONER ARMBRUSTER: I just -- I can 6 support this motion. But I have a concern because 7 the other two schools with the same general concern 8 were at -- they were an "A" school and a "B" school. 9 And this is a school that has an "F" on their report 10 card for the last two years. And I'm just thinking 11 maybe we need to look at that later. But we can go 12 on with this one. 13 THE CHAIR: That has nothing to do the 14 financial reporting. 15 COMMISSIONER ARMBRUSTER: I know it 16 doesn't. Just to talk about the schools. 17 Okay. Are there any abstentions? 18 No? 19 Commissioner Ruiz? 20 COMMISSIONER RUIZ: Yes. 21 COMMISSIONER ARMBRUSTER: That's a "Yes" 22 vote. 23 Commissioner Conyers? 24 COMMISSIONER CONYERS: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>

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1 Toulouse?
 2 COMMISSIONER TOULOUSE: Yes.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Crone?
 5 COMMISSIONER CRONE: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Caballero?
 8 COMMISSIONER CABALLERO: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Peralta?
 11 COMMISSIONER PERALTA: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Armbruster votes "Yes."
 14 Commissioner Robbins?
 15 COMMISSIONER ROBBINS: Yes.
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Gipson?
 18 THE CHAIR: Yes.
 19 COMMISSIONER ARMBRUSTER: That was a
 20 nine-to-zero vote. It passes.
 21 THE CHAIR: The motion passes nine-zero.
 22 Thank you very much for your time.
 23 Commissioners, can we take a short break?
 24 (Recess taken, 11:45 a.m. to 12:00 p.m.)
 25 THE CHAIR: Okay. We are moving on. And

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1 schools are bringing to us.
 2 So I think we will have a very good idea
 3 of what the performance framework will look like for
 4 the December Charter Coalition Conference.
 5 We worked on numbers yesterday; so that's
 6 fairly well worked out. And that's the proposal
 7 that will be available to the schools at that
 8 December conference.
 9 And there will be feedback from the
 10 schools during that time period. That feedback will
 11 be taken into consideration, and any possible
 12 adjustments that need to be made, hopefully, we can
 13 make in January in a briefer work session dealing
 14 with the performance framework.
 15 Public Impact won't be coming back in with
 16 us. They will be available for phone calls and
 17 phone conferencing, if need be, if there seems to
 18 be, after the December conference, that there's some
 19 significant change. But I really don't anticipate
 20 that, because the preliminary feedback has been
 21 reasonably positive.
 22 I think the -- most of the concerns that
 23 were out there were out there not about the
 24 specifics in terms of the numbers, were out there
 25 about the rollout more than anything else. So I

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1 we are on Item No. 9, which is discussion and
 2 possible action on the rollout of the performance
 3 framework.
 4 So those that were at the work session
 5 yesterday, I thank you and appreciate all the time
 6 and the hard work and the -- the numbers work that
 7 we had to do. And we learned that we don't add,
 8 most of us, quickly, on our feet, and that many of
 9 us talk at one time at a work session. So we were
 10 chastised.
 11 COMMISSIONER CABALLERO: Repeatedly.
 12 COMMISSIONER ARMBRUSTER: But she was a
 13 really, really nice person, and we thank you. And
 14 we said that.
 15 THE CHAIR: But we -- yes, we tried her
 16 patience yesterday; so that's -- and that's what
 17 happens, unfortunately, when we don't follow Cindy's
 18 direction and sit up here, and we sit down there,
 19 you know. It's a little too casual for us.
 20 So we're looking at some of the
 21 possibilities with a timeline for rolling out the
 22 performance framework. But I'd also like to
 23 interject into the conversation some possible ways
 24 that the performance framework might be used going
 25 forward when we're looking at some proposals that

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1 think we can address those, so that I'm hoping that
 2 there doesn't have to be any real dig-in, additional
 3 conversation about the frameworks, that we've got
 4 the body of it, outside of the financial and the
 5 operational; but the academic should be fairly well
 6 completed. And I think we're -- we're -- I know
 7 we're in a really good place with that.
 8 So that I'm hoping that in, ideally,
 9 January, but if not, February, that we would be able
 10 to vote on it. But if it appears that there doesn't
 11 have to be a lot of tweaking to it, we should be
 12 able to, like I said, do it quickly in a January
 13 work session and have it on the agenda for that
 14 January meeting so that we can vote on it so that
 15 the schools that we renew in December and the
 16 schools that we've already renewed, we can then move
 17 forward in the spring with negotiations with those
 18 new performance frameworks. Everyone has seen them,
 19 and it's not a surprise to them.
 20 So that's my hope -- all right -- with
 21 that.
 22 In addition, I'd like to put out there for
 23 consideration some other possibilities for that
 24 performance framework. I would like to put out
 25 there that if a school is asking for an amendment

<p style="text-align: right;">Page 130</p> <p>1 request to add grades or to expand, that one of the 2 conditions for that approval would be that they 3 would go on the new performance framework. I think 4 that would be in their best interests and our best 5 interests, and that that's one idea that -- that I'd 6 like to put out there. 7 There are some amendment requests that, 8 you know, I don't think would necessarily fit into 9 making that requirement of them; but I think adding 10 grades, perhaps even, you know, a significant cap 11 adjustment, would be areas where that would be 12 appropriate. 13 COMMISSIONER CABALLERO: Madam Chair? 14 THE CHAIR: Commissioner Caballero. 15 COMMISSIONER CABALLERO: I guess the 16 wording will be very important in what you're trying 17 to do to encompass all those possibilities. 18 THE CHAIR: Right. 19 COMMISSIONER CABALLERO: The question that 20 I have for Madam Chairman is would this condition 21 work even if we don't roll it out in January and 22 it's more like several months later? I mean, I 23 would think -- 24 THE CHAIR: It would be conditioned on 25 whenever we approved it, yes. Yes. So if there was</p>	<p style="text-align: right;">Page 132</p> <p>1 If you have not, I would ask you to give it some 2 thought to see if you've got any other suggestions 3 as to what we might do with this. 4 I'm -- I know we have spoken about, and I 5 anticipate that part of that new contract will be an 6 expedited renewal; so that I don't -- I would like 7 to be able to explore how schools could adopt the 8 new framework and be able to get in the queue for 9 that expedited renewal. As they're coming forward, 10 that may be a way of getting some additional 11 schools, and it would also help that school with an 12 expedited renewal. 13 So I think we need to look at language 14 that would allow schools to -- because we've never 15 done something like this before. But I think 16 it's -- I think it would be beneficial for us to be 17 able to get that clearer information about the 18 schools through the new performance framework, and 19 it would certainly help the schools to be able to -- 20 if they could -- expedite that. 21 So it's to everyone's benefit to also get 22 this adopted quickly, so that renewal schools are 23 aware that this is a possibility. So that's another 24 suggestion that I am going to put forward. I know 25 it says, "Possible Action" today; but it's not</p>
<p style="text-align: right;">Page 131</p> <p>1 an amendment request in December, obviously, that -- 2 or whenever, if the amendment request came prior to 3 our formally adopting the -- the new performance 4 frameworks, it would not -- it could not go into 5 effect, I don't believe. 6 So -- and you're right. We're going to 7 have to be careful and thoughtful with crafting that 8 language. This is an idea, and we're going to have 9 to decide whether -- it may appear in several 10 places. It may be part of the body of that 11 amendment request process, so that schools are aware 12 that if they're making this amendment request, that 13 this is -- and it is -- it is approved, that this 14 will be a condition of that approval. 15 So that we want to make sure that schools 16 are aware -- and we would certainly appreciate the 17 communications through the Coalition and the Charter 18 School Division sending out to schools so that 19 everyone knows what -- you know, what we're planning 20 on doing when we do it so that it's not something 21 that blindsides a school when they come up and say, 22 "Well, we didn't know we were going to have to 23 do that." 24 So that's one of my considerations. I 25 don't know if anyone else has given it any thought.</p>	<p style="text-align: right;">Page 133</p> <p>1 something that we need to take action on today, 2 because I think we need to clear up the language and 3 look at it. 4 But I'd like Commissioners to think about 5 it, and if you've got any other suggestions, we can 6 put it on the agenda in January, and we can look at 7 it with the work session that we're briefly going to 8 use for the performance framework, and then 9 hopefully, we'll have formal language for the 10 January meeting. 11 Commissioner Armbruster? 12 COMMISSIONER ARMBRUSTER: And that will 13 probably be slightly easier to do when the minutes 14 come out from yesterday's, if she could possibly 15 even do that, get the minutes out, because some 16 people were unable to come and probably are not 17 totally following what you said, I mean, or they 18 don't have the specifics. Maybe I should say it 19 that way. But they will, when those work minutes -- 20 THE CHAIR: But I haven't referenced any 21 of the specific work we did yesterday. I'm 22 referencing just the performance framework as a 23 whole; so that the consideration is not the 24 specifics of the performance framework, but how 25 we're going to roll out the performance framework</p>

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1 and how it's going to be used, regardless of the
2 numbers that are in there. But it's the rollout of
3 that performance framework.

4 Okay? No further discussion on that.

5 We are now on to Item No. 10, which is the
6 PEC Meeting Calendar.

7 COMMISSIONER PERALTA: Thank you,
8 Madam Chair. And, Commissioners, Item 10 is a
9 draft. I believe a lot of dates that you see are
10 somewhat correlated to what we had in this year's
11 calendar. There have been some adjustments made
12 from comments from fellow Commissioners that have
13 e-mailed me.

14 I've communicated with Director Poulos
15 about looking at what I had in an initial draft and
16 took some of her recommendations into account. And
17 I've asked Beverly to -- submitted the dates to
18 Beverly. I know Ms. Danielle Johnston had some
19 concerns; but I think we kind of got that ironed
20 out. Right, Beverly?

21 So if there's anything you want to add,
22 Beverly, about what we have before us -- there is
23 going to be one date that I will speak to here in
24 just a minute after Beverly has anything to clear up
25 regarding the calendar.

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1 that I would recommend, at least at this point in
2 time, for it to be a Thursday, because we don't know
3 how many new applications we will have. So if we
4 needed two days, we can do Thursday-Friday.

5 If, later on, we don't have that many
6 applications and we want to move it to a Friday,
7 that's okay. But at least putting it on Thursday to
8 begin with gives us that cushion, in case we need
9 two days for -- yes?

10 MS. POULOS: I'm looking at an electronic
11 calendar. And it's not matching up. August 24th is
12 a Friday.

13 MS. FRIEDMAN: For 2018?

14 COMMISSIONER PERALTA: So maybe this is
15 what Danielle was --

16 THE CHAIR: What happened was Commissioner
17 Johnston -- and it sometimes happens if you look at
18 it on a mobile device. They get all jumbled, and
19 you can't figure out what date.

20 She was looking at a mobile device, and
21 she couldn't figure out what dates, because they
22 were -- it was a mess. That's all I can say.

23 COMMISSIONER PERALTA: Is that the only
24 month that doesn't match up? Because I see April.
25 April looks good.

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1 MS. FRIEDMAN: Madam Chair, Commissioner
2 Peralta, I have no other comments.

3 COMMISSIONER PERALTA: Okay. So I think
4 everything with -- I think there was a few
5 Commissioners that responded to the calendar and
6 shared some of the concerns. But I believe there's
7 going to be one date -- and I think if we look at
8 August 24th, which is a Wednesday, that was just
9 based on the recommendation to make sure that we had
10 a meeting so that we should be able to flesh out the
11 September 1st deadline for the new applications;
12 right? The new applications.

13 And so I know that that would be a
14 conflict for Commissioner Conyers, since he does
15 teach his classes at the college on Wednesdays. So
16 if anybody objects to either the 25th or the 26th,
17 we can move that to either Thursday or Friday.

18 COMMISSIONER CABALLERO: Which date again,
19 sir?

20 COMMISSIONER PERALTA: August 24th. Take
21 that Wednesday out, and either bring it on a
22 Thursday or Friday. And if you want to keep with
23 the Friday traditional time, I'm good with that, if
24 there's anybody that objects to that.

25 THE CHAIR: Well, my only comment would be

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1 MS. POULOS: It goes 19-20. And then it
2 jumps from the 20th to the 23rd; so we miss the 21st
3 and 22nd, and repeats the --

4 COMMISSIONER PERALTA: So the 24th is
5 good, because it is Friday. But we may want to move
6 it to the 23rd, based on Commissioner's --

7 THE CHAIR: So we want to make that August
8 23rd and possibly 24th.

9 COMMISSIONER ARMBRUSTER: And that's a
10 Thursday-Friday, now?

11 COMMISSIONER RUIZ: Correct.

12 COMMISSIONER ARMBRUSTER: Okay.

13 COMMISSIONER PERALTA: The 23rd being the
14 official date on the calendar; and the 24th would be
15 optional.

16 THE CHAIR: As needs be.

17 COMMISSIONER ROBBINS: If I could just
18 add, the years on the blackboard up above are off.

19 THE CHAIR: Are '17.

20 COMMISSIONER ROBBINS: Looks like the
21 dates are right, except for August. But it looks
22 like the years need to be corrected before we send
23 that out.

24 THE CHAIR: I got confused when I was
25 first looking at that; because it looked like this

1 year's in comparison. And then I figured it wasn't.
 2 We blame everything on electronic glitches.
 3 COMMISSIONER PERALTA: Okay. So we could
 4 flesh out another draft electronically sometime in
 5 the next week or two.
 6 MS. FRIEDMAN: Exactly.
 7 COMMISSIONER PERALTA: And then I would
 8 encourage all Commissioners to look very closely and
 9 give me a yay-nay. And then that way, December when
 10 we come back, we have it for --
 11 THE CHAIR: For vote.
 12 COMMISSIONER PERALTA: -- for vote.
 13 THE CHAIR: Yes. Just letting
 14 Commissioners know that March-April, we'll do
 15 negotiations with the schools. But those dates are
 16 figured out with the schedule of the schools and
 17 things like that, so that they're never hard-copied
 18 into this. Because they -- and they often change as
 19 we get closer, because someone's not available and
 20 things like that. So that's always there.
 21 And I'll also add that, if possible --
 22 because October always seems to be this month where
 23 we're traveling a lot. There's usually -- and the
 24 NACSA conference is actually in Orlando next year.
 25 So that could be a good thing or a bad thing.

1 COMMISSIONER ARMBRUSTER: If they're not
 2 in a hurricane.
 3 THE CHAIR: It's a day's travel out there,
 4 you know. And that's always in October. So that
 5 traditionally, we missed it this year, because we
 6 had the hearing, as well. We have often just not
 7 had a meeting in October. So that's just -- but
 8 we'll leave it there.
 9 How many schools do we have up for renewal
 10 for next year?
 11 MS. POULOS: I can probably pretty quickly
 12 check that out. Give me one second. It is a large
 13 number.
 14 THE CHAIR: And that's why I was looking
 15 at that December date.
 16 MS. POULOS: So next year is 2018; right?
 17 Well, actually -- let me do one thing. Let me
 18 remove any that are not PEC; although, do know that
 19 schools could choose to -- but just PEC, there are
 20 15.
 21 COMMISSIONER TOULOUSE: We've had that
 22 many before.
 23 THE CHAIR: We have. We have. But in two
 24 days, that's a hefty --
 25 COMMISSIONER TOULOUSE: We've still --

1 THE CHAIR: We've done it in three, yeah.
 2 Just be aware that as we get closer to that December
 3 date, there is a possibility we may have to add
 4 Wednesday to that, as we find out whether schools
 5 are staying with us or not; because we want to give
 6 the schools their -- you know, a fair hearing here,
 7 so that we don't want to feel like we're rushed at
 8 the 12th hour on Friday because we haven't been able
 9 to get everyone in.
 10 So that's -- we'll leave that there. But
 11 that's certainly subject to change.
 12 MS. POULOS: And, Madam Chairwoman, last
 13 year we did have 15. And we did --
 14 THE CHAIR: Three days.
 15 MS. POULOS: I think we did all five days,
 16 didn't we?
 17 THE CHAIR: Yeah. We did three days.
 18 Yeah, we did.
 19 MS. FRIEDMAN: Madam Chair, would you like
 20 me to always do one day previous to the meeting
 21 so -- for a work session --
 22 THE CHAIR: For a work session.
 23 MS. FRIEDMAN: -- to preserve the room?
 24 THE CHAIR: If we do have time in
 25 December; because we have, once again, the renewals.

1 But if we have time in December, I would like to set
 2 a preliminary work session schedule so that we have
 3 an idea of what we're doing and -- you know, there
 4 may be times when we won't need it. But at least if
 5 we've got it set, we can always cancel it.
 6 But I'd like to kind of get -- we started
 7 that last year, actually, with all good intentions.
 8 And the performance framework kind of just set us
 9 completely off-track with that. But I'd really like
 10 to get on a better track with setting up, so that we
 11 can be a little better prepared for the work
 12 sessions.
 13 COMMISSIONER ARMBRUSTER: Madam Chair?
 14 Just my feeling, just, in general, for my
 15 life, I would prefer that we sort of think about the
 16 12th. And if we don't need it, that's fine. I can
 17 do something else with my life.
 18 THE CHAIR: I'm sorry. The 12th?
 19 COMMISSIONER ARMBRUSTER: I'm sorry.
 20 December, in anticipation. We may not need it. I
 21 get that. We may only have six, and then we only
 22 need two days. But I like seeing the possibility,
 23 rather than adding it on later when we get it, as
 24 well as I like your idea of -- I think to plan a
 25 work session. If we don't have one, oh, well.

<p style="text-align: right;">Page 142</p> <p>1 So I like seeing it, because then I sort 2 of say, "Well, I don't know about May. I probably 3 can't do something on the 10th, because we probably 4 will have a work session." Because this is just a 5 working calendar, and it can change. But I like the 6 fact that it's there, and I'm planning around it. 7 That's my opinion. 8 THE CHAIR: Okay. All right. 9 Okay? So Beverly will get out to us a new 10 draft, and we can vote on it in December. 11 All right. Thank you. 12 We are now on to Item No. 11, which is 13 Report from the Chair. I'm trying to think. 14 I attended the LESC meeting last month. 15 Unfortunately, I was unable to attend this month, 16 because it occurred simultaneous, still going on. 17 So Commissioner Toulouse was also at the -- what 18 month was that? -- October. So that was -- it was a 19 lively discussion. 20 And I was disappointed that some of the 21 LESC's discussion of this last month -- this 22 month -- did have to deal with charter and possible 23 legislation. So I was extremely disappointed that 24 that ended up on the agenda when we were not able to 25 be present to be part of, or at least hear that</p>	<p style="text-align: right;">Page 144</p> <p>1 (Show of hands.) 2 THE CHAIR: Commissioner Toulouse, 3 Commissioner Armbruster, Commissioner Ruiz, 4 Commissioner Robbins. 5 COMMISSIONER CONYERS: Do you know 6 where -- 7 THE CHAIR: It's at the Albuquerque -- 8 MR. MATT PAHL: It's at the Rankin 9 Building, which is a new building that APS just 10 renovated. It's right off of Comanche and I-25. 11 But I'll send the information to Katie and the Chair 12 and to Bev, so that all the information will be 13 there, and you can register, as well, which we'll 14 just need for head-count purposes. 15 THE CHAIR: Right. Right. Because we did 16 have that discussion yesterday. And it's at 17 720 Rankin, R-A-N-K-I-N, Road, Northeast. And I 18 know, for those of you that attended the PED charter 19 conference at the Crowne Plaza, that the Crowne 20 Plaza -- for those of you that have to stay, the 21 Crown Plaza is close to that Rankin Building. It's 22 one of the closest that's there. 23 COMMISSIONER ARMBRUSTER: And there's a 24 Fairfield Inn right next to the Crown Plaza. 25 THE CHAIR: So that's an option for those</p>
<p style="text-align: right;">Page 143</p> <p>1 conversation. So that was somewhat disappointing. 2 We -- just to let you know, there are 3 back-to-back work sessions set at the Charter 4 Coalition's conference with Public Impact. Tim 5 Field will be coming in from Public Impact to 6 participate in that. 7 So that my intention today was to first 8 find out how many of the Commissioners intended on 9 attending, for two reasons: One, because I'm going 10 to ask for some help from you. And we also need to 11 know if we are going to notice it, that there will 12 be a quorum there. 13 So how many Commissioners plan on 14 attending? Just so you're aware, they are starting 15 bright and early Friday, December 7th. 16 MR. MATT PAHL: 8th. 17 THE CHAIR: I'm probably looking at the 18 wrong calendar. Friday, December 8th, and then 19 going through to the Saturday -- mid-afternoon? 20 MR. MATT PAHL: Through, actually, 5:00. 21 THE CHAIR: Oh, thank you so much. So all 22 day Friday and all day Saturday is -- for those 23 dates. 24 So how many Commissioners plan on 25 attending?</p>	<p style="text-align: right;">Page 145</p> <p>1 who are traveling. 2 COMMISSIONER ARMBRUSTER: I just had a 3 question. Yes, I plan to go, and I imagine 4 Commissioner Johnston will also. 5 THE CHAIR: She did. I asked her. She's 6 already responded to me. 7 COMMISSIONER ARMBRUSTER: So clearly, 8 we're going to have a quorum. 9 Matt, maybe you can answer this. So is 10 the Public Impact going to meet with us in the 11 morning of -- or do we know when is that occurring? 12 THE CHAIR: I know -- they're doing two 13 work sessions. They're not meeting with us. 14 They're doing two work sessions with the Charter 15 School Division, myself, Tim Field, to do the -- to 16 go through the performance framework. 17 What I am asking Commissioners -- and 18 they're doing back-to-back, because after discussion 19 with Lyria and Tim, we wanted to make sure that as 20 many schools as possible could hear it. So that a 21 single session -- there's too much conflict with, "I 22 really wanted to go hear this, but I really need to 23 hear this," and also being mindful of their travel, 24 to do the back-to-back on Friday morning works best 25 for Public Impact.</p>

<p style="text-align: right;">Page 146</p> <p>1 So that what -- what we're hoping is going 2 to happen is after a brief overview of the 3 performance framework, that there will be table work 4 done with the charter schools. And we're asking 5 Commissioners to sit at a table -- okay? -- so that 6 you can facilitate a conversation and take notes, so 7 that when there is, you know, questions, concerns, 8 they can then be brought forward so that we -- you 9 know, we have a really good feedback from the 10 schools. 11 And, you know, a school may not want to 12 say something to a larger group; but with the 13 Commissioners sitting there, it hopefully is a 14 little less formal, so that we can get some good 15 feedback there, okay? 16 So that -- and then after that, you can go 17 off and be merry with whatever other workshops that 18 you wish to attend. But I'm going to ask if you -- 19 you know, if there's something there, and you don't 20 want to do the back-to-back sessions, okay. But 21 we're asking that you do at least one of the 22 sessions. 23 COMMISSIONER ARMBRUSTER: That's fine. I 24 just wanted to get a -- 25 THE CHAIR: Right. Right.</p>	<p style="text-align: right;">Page 148</p> <p>1 on the action regarding MAS today. One is the 2 processes that need to be figured out. Just know 3 that the Coalition is willing to help out with that, 4 whether it's bringing schools together to get 5 feedback from them on how this might look, the 6 schools that are starting to think about that second 7 school site, we're happy to help in that way and 8 just be another critical thought partner in how 9 these processes are set up from the -- from the 10 Commission; so just there to offer our help in any 11 way I can. 12 The second thing I just want to note is 13 that, you know, I know there was a split vote on 14 that today. But I did hear from other 15 Commissioner -- well, most Commissioners who were 16 able to speak and who spoke -- that they were in 17 favor of more students having the opportunity to 18 attend that school. 19 And I just want to note. I get to go to a 20 lot of elected bodies' meetings. By providing that 21 opportunity for hundreds of more kids, you've done 22 more for kids in Albuquerque than most elected 23 bodies have done in many years of service. So thank 24 you for that. I know there are some things to 25 figure out. And the concerns were real ones. But</p>
<p style="text-align: right;">Page 147</p> <p>1 COMMISSIONER TOULOUSE: I usually have 2 people coming to me, and I never get to a session. 3 THE CHAIR: I know. And sometimes you end 4 up going to a session, and you coopt that session, 5 because people feel that, "Oh, they're here, so we 6 can ask them this." And it kind of goes off on a 7 tangent. So that's kind of what we're around for. 8 So I didn't want to take Matt's thunder 9 away about that; but I had -- I thought I had that 10 information. And he may not have that. So with 11 that being said, I'll turn it over to the Coalition 12 for... 13 MR. MATT PAHL: Thank you, Madam Chair, 14 members of the Commission. 15 As the Chair mentioned, the conference is 16 on December 8th and 9th. We really look forward -- 17 I saw a number of hands go up; so I really look 18 forward to having you all there. 19 When you register -- again, you'll get the 20 link from me. We're very school-centric, so it asks 21 you for a PO number. You can type whatever you want 22 there; that should be your only hurdle. So it is, 23 of course, free for you to attend. So thanks for 24 your interest, and we hope to see you all there. 25 I also wanted to make a couple of comments</p>	<p style="text-align: right;">Page 149</p> <p>1 we want to be helpful in that. But I do want to 2 recognize the impact that the PEC had today in this 3 meeting. It's huge. 4 A couple of more things that I wanted to 5 add onto the conference agenda. We will be sharing 6 our draft legislative platform at that time with an 7 eye for finalization. We've been having meetings 8 with our members to have that out there. We'd like 9 feedback from you all, as well. So you'll see that 10 there, and I'll have a copy; I'll be able to hand it 11 off to you. It's not really ready for full 12 dissemination, but we would be happy to chat about 13 our legislative platform at the conference, and, of 14 course, any point after that, as well. 15 Next, we will also do a presentation about 16 a survey we did from our members. We asked them 17 things about their facilities, about some of the 18 trainings that they'd like to see from us in the 19 future. And I think that could be valuable for our 20 authorizers to see where charters, when they look in 21 the mirror, say, "Here's where we think we need help 22 right now." 23 In addition to that, we did ask for what 24 kind of flexibilities would you like to see. And 25 just as a preview, one of those flexibilities was</p>

<p style="text-align: right;">Page 150</p> <p>1 expedited renewal. So we love that the PEC is 2 thinking that way. And we want other authorizers to 3 be thinking that way, as well, for those 4 high-performing schools. 5 Lastly, I know that we previewed the 6 Facilities Report with the Commission. And I hope 7 you got a copy of that report. We'd love to spend a 8 little more time going over that Facilities Report. 9 Making sure our authorizers know what the reality is 10 behind facilities for charters is really crucial, 11 just to know what they're facing from day to day. 12 That report really gets in deep there. 13 So I'm putting that out there as a request 14 to -- to set aside some time on an agenda for us. I 15 know renewals are coming up. You have a lot of 16 things. But sooner would be better, just so the 17 information is there. But we'd love it if we could 18 have a half-an-hour on an agenda to really dive into 19 the report and maybe have some schools share their 20 experiences. 21 It's a request that you guys can mull that 22 over with Katie. But we'd love to really dive into 23 that meaty report with you at another time. 24 With that, I think that's it for a report 25 from the Coalition. I stand for questions, if you</p>	<p style="text-align: right;">Page 152</p> <p>1 that invitation to her to come in. 2 THE CHAIR: That's a really good idea, to 3 have a broad, really good discussion about it. 4 Yeah. Good idea. 5 Okay. All right? I think we're good. 6 We'll see you soon. 7 MR. MATT PAHL: Sounds good. Thanks, 8 everyone. 9 THE CHAIR: Thank you. 10 All right. Item No. 12, PEC Comments. 11 Commissioner Caballero? 12 COMMISSIONER CABALLERO: No comments, 13 Madam Chair. 14 THE CHAIR: Commissioner Conyers? 15 COMMISSIONER CONYERS: Just a short 16 comment. I did have the opportunity to visit 17 Dream Diné this week on Tuesday and felt very good. 18 It's a very busy school. Kind of reminded me that I 19 miss being in schools more; so... 20 THE CHAIR: I know. Especially when 21 they're the little -- the younger ones. They're -- 22 thank you. 23 COMMISSIONER CONYERS: But it was -- 24 THE CHAIR: Were you able to go to their 25 feast?</p>
<p style="text-align: right;">Page 151</p> <p>1 have any, Madam Chair, and Commission members. 2 THE CHAIR: No. I think maybe the 3 facilities issue might be best served at a work 4 session. 5 MR. MATT PAHL: Oh, sure, uh-huh. 6 THE CHAIR: Because I think that can open 7 up a little bit untranscribed, easier dialogue. So 8 I think that -- that's certainly something that I'll 9 keep in mind when we're looking at it. If not, we 10 can look at it; because you know we get packed at 11 these regular meetings. 12 So sometimes you feel like you're trying 13 to hurry along in discussion; whereas, the work 14 session, if we've -- you know, if we've allotted 15 that half-a-day, then we've got that half-a-day. 16 MR. MATT PAHL: We consider those 17 equivalent. Either one would be fine. Thank you. 18 THE CHAIR: Of course, we want 19 Commissioner Peralta there. 20 COMMISSIONER PERALTA: Not to step on your 21 toes in that regard; but if it's a work session, I'm 22 sure Martica would -- 23 MR. MATT PAHL: We'd love to invite PSFA 24 staff, as well. 25 COMMISSIONER PERALTA: Maybe I can extend</p>	<p style="text-align: right;">Page 153</p> <p>1 COMMISSIONER CONYERS: No. 2 THE CHAIR: Because they mentioned to me 3 that they were -- they had done the slaughter, so 4 that they were getting ready for the feast. So I 5 didn't know if you were able to be there for that. 6 COMMISSIONER CONYERS: No, I didn't get 7 that one. 8 THE CHAIR: Okay. Commissioner Toulouse? 9 COMMISSIONER TOULOUSE: Madam Chair, I 10 want to apologize for not being here yesterday, but 11 my asthma has kicked up again, and I was afraid to 12 do two days at altitude. Because I think some of 13 you who were here last winter remember what happened 14 when I tried to do several days up here. So I 15 figured today was more important. 16 I really do want us to start working on 17 the expansion; because I just really feel like we 18 were blindsided today. And it's not the school's 19 fault. But I think we need to see that. 20 The other thing I'll just say, that Coral 21 Community School has reached out to me again for the 22 second year to come talk to their Girls Academy and 23 their Boys Academy. So after Thanksgiving, I'm 24 going to go speak to each. 25 And last time when I spoke, I kind of gave</p>

1 them what my background is, so that I became what I
2 am.

3 Well, the little boys were very interested
4 in hearing about what I did as an archeologist and
5 "Did you dig up bones" and all of that. What really
6 got me and why I know that school is doing a good
7 job is because the little girls all wanted to know
8 how you get elected to office.

9 And so something was working right with
10 that.

11 So they've invited me back again; so I'll
12 be out there the week after Thanksgiving talking to
13 those kids.

14 THE CHAIR: And I'll add that I don't have
15 a date yet; but I'll be there as well. So I'm
16 looking forward to that.

17 Commissioner Peralta?

18 COMMISSIONER PERALTA: I'm good,
19 Madam Chair.

20 THE CHAIR: I said my piece.

21 Commissioner Armbruster?

22 COMMISSIONER ARMBRUSTER: This has
23 actually nothing to do with the PEC. But I happened
24 to be at Turquoise Trail last night. Oh, my gosh.
25 That's a huge -- like a real school, you know. I

1 are willing to -- not me, personally; I didn't vote
2 for that -- but that we are willing to bypass
3 policies that should be established.

4 And so I'm just going to go on the record
5 and say that we need to -- excuse me -- we need to
6 actually make time. And if it requires a
7 subcommittee, or whatever it requires, we have got
8 to ensure, as a Commission, that in order to satisfy
9 what we're supposed to be doing in representing our
10 constituents, that we have those policies and
11 procedures in effect so we won't be faced with
12 another situation like today.

13 I, 100 percent, agree with the comments
14 that the other Commissioners made. I think they are
15 an outstanding charter school, and I would have
16 supported them under different circumstances. I
17 think it's highly unfair to the Commission that they
18 present something within a week's time, and we're
19 supposed to -- to vote in support of that without
20 having everything in place.

21 We don't have a site for the school. I
22 have an issue with that, personally, because I don't
23 know if they're going to purchase a school within a
24 mile of another APS school that possibly offers the
25 same exact services that they do. And I would not

1 mean, not like some portables that people had to put
2 together. It's amazing. So I just wanted to say
3 that I also got lost getting there.

4 Thank you.

5 THE CHAIR: Thank you. Commissioner
6 Robbins?

7 COMMISSIONER ROBBINS: I just want to also
8 mention that Coral invited me to come and talk about
9 my experience and everything. And although I wasn't
10 elected and everything, I could talk about the
11 process of being appointed. I was elected to the
12 school board some years ago. So I would be happy to
13 come and talk to them and share about whatever
14 experiences in life may contribute to their
15 students.

16 THE CHAIR: Thank you.

17 COMMISSIONER RUIZ: I do have a comment.
18 And I apologize if I start coughing. I just wanted
19 to reiterate that today earlier, supporting MAS was
20 not the question for me. The issue that I had was
21 that it was not done in a procedural manner. And I
22 think it's important that we have those policies and
23 procedures in place.

24 I think that we possibly set ourselves up
25 as a Commission and set a precedent today that we

1 be in favor of that.

2 So I'm recommending to the Commission that
3 we set aside time for that. And if we have need to
4 set a subcommittee for that, I'm willing to serve on
5 that. But I really think that we need to work on
6 getting our policies down so we won't experience
7 again what we did today.

8 THE CHAIR: Thank you.

9 We are now on to Item No. 13, which is
10 Executive Session, Discussion on Pending Litigation
11 in which the PEC is a Participant, Pursuant to NMSA
12 1978, Section 10-15-1(H)(7).

13 So the only thing that will be discussed
14 during this time is that pending litigation. No
15 votes will be taken while we are in closed session,
16 executive session, and we will come back out to
17 adjourn. So I will ask that the room be cleared at
18 this point in time.

19 THE CHAIR: Commissioner Crone had to
20 leave.

21 (Executive Session off the record.)

22 THE CHAIR: Okay. We're now going to take
23 a vote to go into Executive Session so we can then
24 come out of Executive Session. So I make a motion
25 to go into Executive Session.

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1 COMMISSIONER ARMBRUSTER: Second.
 2 THE CHAIR: Second by Commissioner
 3 Armbruster. Roll-call vote, please.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Robbins?
 6 COMMISSIONER ROBBINS: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Toulouse?
 9 COMMISSIONER TOULOUSE: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Armbruster votes "Yes."
 12 Commissioner Conyers?
 13 COMMISSIONER CONYERS: Yes.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Peralta?
 16 COMMISSIONER PERALTA: Yes.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Gipson?
 19 THE CHAIR: Yes.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Ruiz?
 22 COMMISSIONER RUIZ: Yes.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Caballero?
 25 COMMISSIONER CABALLERO: Yes.

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1 Armbruster votes "Yes."
 2 Commissioner Toulouse?
 3 COMMISSIONER TOULOUSE: Yes.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Robbins?
 6 COMMISSIONER ROBBINS: Yes.
 7 COMMISSIONER ARMBRUSTER: That's an
 8 eight-to-zero vote to come out of Executive Session.
 9 THE CHAIR: We are out of Executive
 10 Session.
 11 The only item that was discussed was the
 12 item on the agenda. No votes were taken.
 13 I now entertain a motion to adjourn.
 14 COMMISSIONER PERALTA: So move.
 15 THE CHAIR: A motion to adjourn. All in
 16 favor?
 17 (Commissioners so indicate.)
 18 THE CHAIR: Opposed?
 19 (No response.)
 20 THE CHAIR: Hearing no opposition, have a
 21 happy Thanksgiving, everyone, and safe travels.
 22 (Proceedings adjourned at 1:08 p.m.)
 23
 24
 25

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1 COMMISSIONER ARMBRUSTER: And we had eight
 2 votes; so it passes.
 3 THE CHAIR: Yes. the motion passed
 4 eight-zero.
 5 I now make a motion to come out of
 6 Executive Session.
 7 COMMISSIONER RUIZ: (Indicates.)
 8 THE CHAIR: Seconded by Commissioner Ruiz.
 9 Commissioner Armbruster?
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Caballero?
 12 COMMISSIONER CABALLERO: Yes.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Ruiz?
 15 COMMISSIONER RUIZ: Yes.
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Gipson?
 18 THE CHAIR: Yes.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Peralta?
 21 COMMISSIONER PERALTA: Yes.
 22 COMMISSIONER ARMBRUSTER: Commissioner
 23 Conyers?
 24 COMMISSIONER CONYERS: Yes.
 25 COMMISSIONER ARMBRUSTER: Commissioner

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1 BEFORE THE PUBLIC EDUCATION COMMISSION
 2 STATE OF NEW MEXICO
 3
 4
 5 REPORTER'S CERTIFICATE
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 7 Court Reporter in the State of New Mexico, do hereby
 8 certify that the foregoing pages constitute a true
 9 transcript of proceedings had before the said NEW
 10 MEXICO PUBLIC EDUCATION COMMISSION, held in the State
 11 of New Mexico, County of Santa Fe, in the matter
 12 therein stated.
 13 In testimony whereof, I have hereunto set my
 14 hand on November 30, 2017.
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