Public Education Commission Meeting

December 7-9, 2016

Mabry Hall, Jerry Apodaca Education Building 300 Don Gaspar, Santa Fe, NM 87501

Summary Minutes

Members Present-	Members Absent-
Patricia Gipson, Chair	James Conyers
Gilbert Peralta, Vice-Chair	Carolyn Shearman
Karyl Ann Armbruster, Secretary	Millie Pogna (absent 12/8)
Jeff Carr	Eleanor Chavez (absent 12/9)
Eleanor Chavez (telephonically 12/7, 12/8)	
Danielle Johnston	
Millie Pogna (present on 12/7, 12/9)	
Carmie Toulouse	
Meeting began at 9:04 a.m.	
Agenda Item 1. CALLTO ORDER, ROLL CALL,	Karyl Ann Armbruster, Secretary called the roll and confirmed a
PLEDGE OF ALLEGIANCE & SALUTE TO NEW	quorum.
MEXICO FLAG	
Agenda Item 2. APPROVAL OF AGENDA	MOTION
	Jeff Carr made a motion to approve the agenda removing Items
	7B and 7C.
	Karyl Ann Armbruster seconded the motion.
	Motion passed unanimously
Agenda Item 3. APPROVAL OF MINUTES AND TRANSCRIPT	
A. Approval of PEC Work Session Minutes	MOTION
for November 14, 2016	Carmie Toulouse made a motion to approve the work session
	minutes for November 14, 2016.
	Millie Pogna seconded the motion.
	Motion passed unanimously
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B. Approval of PEC Meeting	MOTION
Transcript/Minutes For November 15,	MOTION Karyl Ann Armbruster made the following motion:
2016	I move we approve the minutes transcript from November 15th.
	Gilbert Peralta seconded the motion.
	Motion passed unanimously
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C. Approval of PEC Summary Minutes For	MOTION
November 15, 2016	Gilbert Peralta made a motion to approve the summary minutes
	for November 15, 2016.
	Jeff Carr seconded the motion.
	Motion passed unanimously
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Agenda Item 4. RECOGNITION OF OUTGOING PEC COMMISSIONERS	Recorded comments are available in full transcript.
Agenda Item 5. DISCUSSION AND POSSIBLE ACTION ON NACSA CONTRACT FOR RENEWAL PROJECT	MOTION Jeff Carr made the following motion: I move we accept the NACSA contract for renewal project and enter into an MOU. Millie Pogna seconded the motion. Motion passed by majority vote (7-1; Toulouse voted no)
Agenda Item 6. DISCUSSION AND ACTION ON RENEWAL APPLICATIONS	
A. MAS Academy, Albuquerque	MOTION Gilbert Peralta made the following motion: I would move to approve the renewal application for five years for Mission Achievement and Success Charter School, with the condition that they report on the implementation of the Correction Plan, as presented by CSD. Jeff Carr seconded the motion. Motion passed by a majority vote (6-1; Gibson voted No; Toulouse abstained)
B. Coral Community Charter School,	MOTION
Albuquerque	Carmie Toulouse made the following motion: I move to approve the renewal application for Coral Community Charter School in Albuquerque for three years, with the
1. Renewal Consideration	conditions that they continue to adequately provide responses on a timely basis on their financial Corrective Action Plan, that they submit an acceptable academic improvement plan and complete regular reporting requirements. This motion is excluding the amendment request which we will handle separately. Millie Pogna seconded the motion. Motion did not pass (3-5; Peralta, Carr, Chavez, Johnston, and Armbruster voted No)
	MOTION Gilbert Peralta made the following motion:
	I move that the charter for Coral Community Charter School be renewed for two years to improve performance in the letter grade and improve performance in school and mission-specific goals, with the conditions that there is submission of an acceptable academic improvement plan, along with regular reporting on that plan and its effectiveness, that the school performance frameworks include academic goals related to the

growth of the lowest performing students, Q1, and the school's performance framework include organizational goals related to audit findings and responsiveness and financial performance and reporting; this, with the idea that we are excluding the amendment request.

Karyl Ann Armbruster seconded the motion.

Motion did not pass (3-5; Carr, Toulouse, Gipson, Chavez, and Pogna voted No)

MOTION

Carmie Toulouse made the following motion:

I move that we approve Coral Community Charter School for two years, with the conditions of a submission of an acceptable academic improvement plan, along with regular reporting on that plan and its effectiveness, and that they follow through with their financial Corrective Action Plan, on a timely basis, and that we exclude the request for a change to the mission statement, which we will take up at a separate point. Danielle Johnston seconded the motion.

Motion passed by a majority vote (5-3; Chavez, Peralta, and Carr voted No)

Eleanor Chavez disconnected from the meeting.

Consideration of Amendment Included in Renewal Application

MOTION

Carmie Toulouse made the following motion:
I move that we approve the change of mission statement for
Coral Community School from using the words "through seventh
grade," to using "through eighth grade" and "pre-K".
Millie Pogna seconded the motion.

Motion passed unanimously

Eleanor Chavez reconnected to the meeting.

C. Sage Montessori Charter School, Albuquerque

MOTION

Gilbert Peralta made the following motion:

I move to deny the renewal application for the Sage Montessori Charter School in Albuquerque for the following reasons: The school committed a material violation of the conditions, standards, or procedures set forth in the charter contract, due to, one, the school failed to meet or make progress toward a majority of the goals in the charter contract, and, two, the school has failed to meet several elements of the material terms of the contract. Also, the school has experienced a high teacher,

student, and governing body turnover. They have also failed to protect the student safety by failing to develop and obtain approval on a student wellness and safety plan. There have been additional concerns regarding legal compliance. Also, the school failed to meet or make substantial progress toward achievement of the Department's standards of excellence, or student performance standards identified in the charter contract, because the school currently maintains a three-year average grade of D and has earned a D or F grade in each of the last three years.

Karyl Ann Armbruster seconded the motion.

Motion passed unanimously

D. New America School, Las Cruces

MOTION

Gilbert Peralta made the following motion:

I move to approve the renewal application for five years for the New America School in Las Cruces with the following conditions: That the corrective action requirements include that the school work with the appropriate PED bureaus to improve operations in the following areas: ELL students, Next Step Plans, instructional hours, special education, and RTI; and that they also continue to ensure continued performance in the letter grade and improved performance in the school and mission-specific goals. Jeff Carr seconded the motion.

Motion passed unanimously

Eleanor Chavez disconnected from the meeting.

E. Estancia Valley Classical Academy, Moriarty

MOTION

Patricia Gipson made the following motion:

I move to deny the renewal application of Estancia Valley Classical Academy for the following reasons: The school committed a material violation of the conditions, standards, or procedures set forth in the charter school contract because the school's policies are in direct violation of federal law, and the school violated any provisions of law from which the charter school was not specifically exempted, because, once again, they are in violation of federal law.

Jeff Carr seconded the motion.

Motion passed by a majority vote (6-1; Pogna voted No)

Millie Pogna was not present for this meeting.

- F. SW Aeronautics, Mathematics, and Science Academy, Albuquerque
 - 1. Renewal Application

Amendment Included in

Renewal Application

2. Consideration of

G. Southwest Primary Learning Center, Albuquerque

1. Renewal Application

Consideration of Amendment Included in Renewal Application

MOTION

Patricia Gipson made the following motion:

I move to approve the renewal application for Southwest Aeronautics Mathematics and Science Academy, excluding the amendment request, for two years with the following conditions: that by the end of the fiscal year '17, the school must receive an unmodified audit opinion and demonstrate continued decreases in the number and severity of audit findings and that requirements that the school regularly report on the corrective actions identified in the renewal response and that the school affirmatively work with CSD to address the concerns about minimum instructional hours, ELL services, and governance. Gilbert Peralta seconded the motion.

Motion passed by a majority vote (5-1; Carr voted No)

MOTION

Carmie Toulouse made a motion to approve the amendment. Patricia Gipson seconded the motion.

Motion passed unanimously

MOTION

Patricia Gipson made the following motion:

I move to renew the charter contract for Southwest Primary Learning Center in Albuquerque for two years, excluding the amendment, with the following conditions: By the end of the fiscal year '17, the school must receive an unmodified audit opinion and demonstrate continued decreases in the number and severity of audit findings, and requirements that the school regularly report on the corrective actions identified in the renewal responses and that the school affirmatively work with CSD to address the concerns about ELL services and governance requirements.

Gilbert Peralta seconded the motion.

Motion passed by a majority vote (5-1; Carr voted No)

MOTION

Carmie Toulouse made the following motion: Madam Chair, move approval of the amendment.

Motion was not seconded. No vote was taken.

MOTION

Carmie Toulouse made the following motion:

I move that the PEC approve the Southwest Primary amendment to, effective July 1st, consider the addition of the seventh and eighth grades to their program and no longer be just a primary school as their wording is here.

Patricia Gipson seconded the motion.

Motion passed unanimously

MOTION

Carmie Toulouse made the following motion:

Madam Chair, I move a motion to rescind whatever it was I said that I shouldn't have said to get this to lunchtime. Thank you very much.

Patricia Gipson: I'll second that.

Motion passed unanimously MOTION

Carmie Toulouse made the following motion:

Madam Chair, I will entertain the second motion that the PEC approve the Southwest Primary's amendment to effective July 1st, 2017, to begin serving K-8 presently offering 4, 5, 6, 7, and 8 -- that's what's worded here -- and absorbing seventh and eighth grade students from what was the Southwest Intermediate Learning Center. I read it.

Motion was not seconded. No vote was taken

MOTION

Carmie Toulouse made the following motion: Effective July 1st, 2018, they will begin serving grades 4 through 8 by absorbing the seventh and eighth grade students who are currently at the Southwest Intermediate Learning Center.

Motion passed unanimously

3. Consideration of Amendment Included in Renewal Application

MOTION

Patricia Gipson made the following motion:

Patricia Gipson seconded the motion.

I make a motion to pass the amendment for Southwest Primary to read: Southwest Preparatory Learning Center provides the technology elective course for seventh and eighth grades, Smart lab that is unique to the school. Southwest Preparatory Learning Center provides pre-algebra to all seventh graders in Algebra 1 for high school credit to all eighth graders. Southwest Preparatory Learning Center provides a community-based activity component to the academic curriculum for seventh and eighth grade. Southwest Preparatory Learning Center provides one online course for seventh grade and two online courses for eighth graders. Effective July 1st, 2017. Karyl Ann Armbruster seconded the motion.

Motion passed unanimously

4. Consideration of Amendment Included in Renewal Application

MOTION

Patricia Gipson made the following motion:
I make a motion for an amendment to the Southwest Primary Learning Center charter for a name change effective July 1st, 2017, Southwest Primary Learning Center will be known as Southwest Preparatory Learning Center.
Karyl Ann Armbruster seconded the motion.

Motion passed unanimously

H. Southwest Intermediate Learning Center, Albuquerque

Renewal application rescinded. Recorded comments are available in full transcript.

Gilbert Peralta left the meeting.

Eleanor Chavez joined the meeting telephonically.

- Southwest Secondary Learning Center, Albuquerque
 - 1. Renewal Application

MOTION

Patricia Gipson made the following motion:
I move to approve the renewal application for Southwest
Secondary -- is it Learning Center? I want to make sure.
-- Learning Center, Albuquerque, for a period of two years,
excluding the amendment, with the following conditions: By the
end of fiscal year '17, the school must receive an unmodified
audit opinion and demonstrate continued decreases in the
number and severity of audit findings, requirements that the
school regularly report on the corrective actions identified in
the renewal responses and that the school affirmatively work
with CSD to address the concerns about ELL services.
Karyl Ann Armbruster seconded the motion.

Motion passed by a majority vote (5-1; Carr voted No)

Consideration of Amendment Included in Renewal Application

MOTION

Karyl Ann Armbruster made the following motion: I move to approve the following amendment: Effective July 1st, 2017, the authorized school grades are 9 through 12, however, allowing eighth grade for the 2017-2018 school year only. Patricia Gipson seconded the motion.

Motion passed unanimously

J. McCurdy Charter School, Espanola

MOTION

Jeff Carr made the following motion:

I move to approve the renewal application for McCurdy Charter School in Española for five years.

Carmie Toulouse seconded the motion.

Motion passed unanimously

K. La Tierra Montessori Charter School, Ohkay Owingeh, Espanola

MOTION

Jeff Carr made the following motion:
I move to approve the renewal application for La Tierra Montessori Charter School for five years.
Carmie Toulouse seconded the motion.

Motion passed unanimously

L. Uplift Community School, Gallup

MOTION

Gilbert Peralta made the following motion:

I move to deny to renew the application for Uplift Community School for the following reasons: One, the school committed a material violation of the conditions, standards, or procedures set forth in the charter contract because they are not fulfilling the mission of the school. It has failed to meet nearly all the major elements of the material terms of the contract. Secondly, the school failed to meet or make substantial progress towards achievement of the Department's standards of excellence or student performance standards identified in the charter contract because the school currently maintains a threeyear average letter grade of F and it has earned a D or F letter grade in each of the last three years. The school has failed to meet or make progress toward each of the goals in the charter contract, and the school failed to complete and submit statutorily required state PARCC assessments in one year. The school's short-cycle assessment data demonstrates declining proficiencies at almost every grade level in almost every year. Thirdly, the school failed to meet generally accepted standards of fiscal management because multi-year report audit findings, single-year report audit findings, and significant deficiencies identified by the audit.

And, finally, the school violated any provision of law from which the charter school was not specifically exempted because the school has failed to comply with provisions of law from which the school has not been specifically exempted and the following: They failed to develop and obtain approval on a student wellness and safety plan. They failed to conduct legally required safety drills, and violated transportation requirements.

Also, the school failed to complete summative teacher evaluations as required by New Mexico Teach for two years.

And, finally, the school failed to complete and submit statutorily required state PARCC assessments in one year.

Carmie Toulouse seconded the motion.

Motion passed unanimously

M. Walatowa Charter School, Jemez Pueblo	Patricia Gipson made the following motion: I move that the Public Education Commission approve the renewal application for Walatowa Charter School Jemez Pueblo for a period of five years with the following conditions: Report on implementation of Corrective Action Plan for audits and develop a Corrective Action Plan to ensure timely STARS data reporting. Third condition: The school will work directly with CSD to create a Corrective Action Plan to ensure all governing board members complete the required annual training. Carmie Toulouse seconded the motion. Motion passed unanimously
Agenda Item 7. REPORT FROM OPTIONS FOR PARENTS & THE CHARTER SCHOOL DIVISIONDISCUSSION AND POSSIBLE ACTIONS A. Charter School Division Update	Recorded comments are available in full transcript.
B.—Six Directions Indigenous School Budget Reporting Concerns	
C. Dził Ditł'ooí School of Empowerment Action and Perseverance (DEAP) Budget Reporting Concerns	
Agenda Item 8. DISCUSSION AND POSSIBLE ACTION ON NEW APPLICATION REVIEW	Recorded comments are available in full transcript
Agenda Item 9. REPORT FROM THE CHAIR A. Update from New Mexico Charter Coalition	Recorded comments are available in full transcript
Agenda Item 10. PEC COMMENTS	Recorded comments are available in full transcript.
Agenda Item 11. OPEN FORUM	No comments.
Agenda Item 12. ADJOURN	Motion Jeff Carr moved to adjourn the meeting. Karyl Ann Armbruster seconded the motion. Motion passed unanimously