

1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

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10 TRANSCRIPT OF PROCEEDINGS

11 PUBLIC MEETING

12 VOLUME II

13 December 8, 2016

14 9:00 A.M.

15 Jerry Apodaca Education Building - Mabry Hall

16 300 Don Gaspar

17 Santa Fe, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

MS. PATRICIA GIPSON, Chair

MR. GILBERT PERALTA, Vice Chair

MS. KARYL ANN ARMBRUSTER, Secretary

MR. JEFF CARR, Member

MS. ELEANOR CHAVEZ, Member (Telephonically)

MS. DANIELLE JOHNSTON, Member

MS. CARMIE TOULOUSE, Member

STAFF:

MS. KATIE POULOS, Director, Charter School Division

MS. AUDREY McKEE, Assistant Attorney General
Counsel to the PEC

MS. BEVERLY FRIEDMAN, PED Custodian of Record
and Liaison to the PEC

1 SANTA FE, NEW MEXICO; DECEMBER 8, 2016

2 9:00 A.M.

3
4 PROCEEDINGS

5 COMMISSIONER GIPSON: Good morning. I am
6 reconvening this meeting of the Public Education
7 Commission. It is Thursday, December 8th.

8 COMMISSIONER CARR: Yes. The day after
9 Pearl Harbor Day.

10 COMMISSIONER GIPSON: And it is 9:00 a.m.
11 And our first order of business is
12 Southwest Aeronautics, Mathematics, and Science
13 Academy in Albuquerque.

14 Good morning. And welcome. And we will
15 hear from the charter school director first.

16 Oh, do we need a roll call? I'm sorry.
17 Okay. I thought we were just reconvening.

18 COMMISSIONER ARMBRUSTER: Hold on. I can
19 do this.

20 COMMISSIONER GIPSON: Okay.

21 COMMISSIONER ARMBRUSTER: Okay.
22 Commissioner Pogna, not here.

23 Commissioner Toulouse?

24 COMMISSIONER TOULOUSE: Present.
25 Commissioner Armbruster is here.

1 Commissioner Peralta?

2 COMMISSIONER PERALTA: Here.

3 COMMISSIONER ARMBRUSTER: Commissioner

4 Gipson?

5 COMMISSIONER GIPSON: Here.

6 COMMISSIONER ARMBRUSTER: Commissioner

7 Johnston?

8 COMMISSIONER JOHNSTON: Present.

9 Commissioner Chavez is not here; right?

10 COMMISSIONER GIPSON: Not here.

11 COMMISSIONER ARMBRUSTER: Commissioner

12 Carr?

13 COMMISSIONER CARR: Here.

14 COMMISSIONER ARMBRUSTER: We have eight --

15 no, six.

16 COMMISSIONER GIPSON: Six.

17 COMMISSIONER ARMBRUSTER: Six.

18 COMMISSIONER GIPSON: And just so that

19 everyone is aware, Miss McKee is here from the

20 Attorney General's office. So she is not a

21 commissioner, but she does offer legal advice for

22 wordings of motions, and so on. So we often do chat

23 with each other, but she does not have input on the

24 actual decisions that are made.

25 So once again, good morning, welcome. And

1 we will begin with the charter director's report.

2 MS. POULOS: Madam Chairwoman and
3 Commissioners, the Public Education Department has
4 recommended a short-term renewal of two years for
5 Southwest Aeronautics, Mathematics, and Science
6 Academy. This recommendation is based on the
7 school's disclaimed audits for 2014 and 2015, which
8 demonstrate that the school has failed to meet
9 generally accepted standards of fiscal management
10 during the term of the charter. The recommendation
11 for renewal is based on the current status of their
12 financial business.

13 The school's business operations have been
14 under the control of the Public Education Department
15 for the last, approximately two years, maybe a
16 little bit less. And during that time, the issues
17 that had been present in the prior years have been
18 mostly corrected. We will have the representatives
19 from our budget office who can address the current
20 status. And we believe that the school is, you
21 know, getting its business operations with the
22 support of the Public Education Department back into
23 appropriate working order and believe that the
24 school will be able to meet the conditions that have
25 been recommended by the Public Education Department,

1 primarily the condition that, by the end of fiscal
2 year '18, the school would receive an unmodified
3 audit opinion and demonstrate continued decreases
4 in the number and severity of audit findings.

5 In addition, you'll see in our analysis,
6 CSD did have concerns about the contractual
7 compliance of the school. It is not that we have
8 necessarily found noncompliance. It's that we still
9 have outstanding concerns about how minimum
10 instructional hours are being tracked to ensure that
11 the instructional hours that were identified in the
12 contract or in the original charter are being
13 implemented.

14 The school has had acceptable academic
15 performance based on the department's standards of
16 excellence over the last three years. The school
17 has received two single-year -- I apologize --
18 three-year average letter grades of A's for two
19 years, and the most recent year is an average letter
20 grade -- three-year average letter grade of B. And
21 then the last three years of academic performance
22 have been A, B, C.

23 We did have some concerns about the drop
24 in academic performance from that A, B, C, and so
25 did include some recommendations on conditions

1 specifically with regards to specific goals in the
2 area of graduation rate, growth of lowest performing
3 students, and school growth which were areas --
4 individual areas on the report card where the
5 performance was either at a D or an F letter grade.

6 In addition, CSD did have concerns about
7 the performance of the school in relation to the
8 standards that were established in the charter
9 contract. Again, this is one of the initial or
10 original charters which had a multitude of goals.
11 But you can see in our analysis that the school did
12 not meet all of those goals. Again, it's that
13 situation that we're left over with.

14 And then lastly, we did have concerns
15 about the compliance of all provisions of the law
16 as we have with many of our schools, including
17 licensure, background check requirements and teacher
18 mentorships, special education requirements, ELL
19 service requirements, response to intervention, and
20 governance requirements.

21 Specifically with regards to the
22 governance, I believe they are at a place now where
23 they do have full membership of their board. But
24 for a brief time, they did not, and they hadn't met
25 the requirement to fill that vacant position within

1 the 45 days. And we worked with that school to make
2 sure we got that information to the board after the
3 board's policy had begun being implemented.

4 So again, CSD is recommending the school
5 for a two-year renewal with the conditions
6 identified, specifically conditions related to a
7 shortened term of two years. The requirement that
8 the fiscal year '18 audit be unmodified and
9 demonstrate decreases in the number and severity of
10 audit findings, corrective action plans requiring
11 that the school specifically report on the
12 corrective actions they've identified in their
13 renewal response, and work with CSD to address the
14 concerns about instructional hours, ELL service, and
15 governance, and then specific goals related to
16 graduation rate, growth of lowest performing
17 students, and school growth.

18 And then lastly, the school has submitted
19 an amendment request just to clarify the school's
20 mission, make it less -- I believe the language was
21 "wordy" -- and we have recommended the approval of
22 that amendment request.

23 COMMISSIONER GIPSON: Thank you. And
24 before you start, if anyone wishes to speak during
25 the public input, if you could please come over here

1 and sign in with Beverly, there's a five-minute
2 total time for the public input. So if anyone
3 wishes to speak, please sign in with her.

4 Thank you once again. And if you could,
5 please, introduce yourself for the record.

6 MS. CARRILLO: Good morning, Madam Chair
7 Gipson and Commissioners. My name is Coreen
8 Carrillo. I'm the principal of SAMS Academy. And
9 with me is Larry Kennedy, our former -- he's a
10 former school parent and our SAMS governing board
11 president; Kirk Harton, the director, director of
12 Southwest schools; LyDawn Blount, parent and
13 governing board member; and Roland Dewing, governing
14 board member.

15 Am I right? Oh, thank you. Like this.
16 Thank you.

17 COMMISSIONER GIPSON: It's new age
18 technology.

19 MS. CARRILLO: Lorena O'Brien, SAMS
20 Special Ed coordinator; Daren Gallacher, our
21 aviation director; Ronda Joyce, our business
22 manager; Sean Fry from The Vigil Group; and
23 Dan Castille from Cuddy law firm.

24 Did I get everything?

25 COMMISSIONER GIPSON: Before you start,

1 are all of these individuals planning on speaking?

2 MS. CARRILLO: No.

3 COMMISSIONER GIPSON: Okay. Just so you
4 know, there's 15 minutes for this.

5 MS. CARRILLO: Yes.

6 COMMISSIONER GIPSON: Okay.

7 MS. CARRILLO: Thank you. Okay.

8 We are here to represent a much larger
9 group that's back at the school working hard;
10 teacher, staff, parents, and students. And I
11 definitely want to make sure that when I say, "we,"
12 I'm talking about a lot of hardworking people at
13 SAMS Academy. We are here asking for a five-year
14 renewal without conditions. This is my third year
15 as principal of SAMS Academy.

16 And within those three years, I'd like to
17 list some of the things we've added: A leadership
18 data team that digs deep into the data to direct
19 our decisions; hired two special education teachers,
20 one being our special education coordinator,
21 Miss O'Brien; identify student learning problems so
22 we can focus on how to improve student achievement;
23 started a support lab in which Miss O'Brien will
24 address, within my 15 minutes, of how we meet the
25 needs of our lowest 25 percentile. We've hired

1 three licensed math teachers, one who was fluent in
2 Spanish, and sometimes students go to him because
3 they understand it better in Spanish. Improved our
4 SAT process with Fidelity. We've hired a school
5 counselor who also acts as our junior sponsor and
6 works with the diverse needs of our students. We
7 have stipend teachers to be a senior sponsor to help
8 our seniors, and a dual-enrollment coordinator to
9 help our students understand the dual-enrollment
10 process.

11 We've received NCA, North Central
12 accreditation. We've received NCAA sports
13 accreditation. We've developed a blended learning
14 environment that is not only an online school, but
15 we have robotics, science olympiad, fine arts,
16 sports, book club, a game club. We have school
17 dances, an amazing parents night where we fed over
18 300 family members from the community.

19 We've structured PLCs and professional
20 development to support the teachers, developed a
21 culture of high expectations by implementing a
22 rigorous note-taking for our students. Our weekly
23 staff meeting allows for ample time to collaborate
24 regarding student achievement, student needs, and
25 staff development. We represented New Mexico

1 recently at an AOPA conference which stands for
2 Aircraft Owners and Pilots Association.

3 Mr. Gallacher will speak about that shortly as well.

4 Our Smart lab, which demonstrates it's
5 a -- demonstrates an exemplary STEM program and
6 utilizes technology to prepare students for higher
7 education. We have drones, printers, 3-D printers,
8 a wind tunnel, forensic lab.

9 Our conversations in our school is always
10 about student achievement. Our data has
11 demonstrated our SBA scores and our PARCC scores are
12 higher than the state average. Our ACT scores are
13 higher than the state average as well as nationally.
14 Our school report card averages a B, thus achieving
15 the Public Education Department's standards of
16 excellence.

17 Our site visit by the NCA and the CSD site
18 visit stated we have an overwhelming amount of
19 support from students, staff, and families.
20 Students reported to the CSD team we have a dynamic
21 STEM-focused curriculum, and students liked that we
22 put a lot of responsibility on them.

23 Now, Miss O'Brien would like to speak.

24 MS. O'BRIEN: Hi. My name is Lorena
25 O'Brien. I'm the charter -- the Special Ed director

1 at SAMS. Miss Carrillo brought me in last year to
2 take over Special Ed and start to get some
3 procedural implementation going on. And one thing
4 that I noticed working in the main lab was that we
5 had a large number of -- not a large number of
6 student -- but we did have a significant number of
7 students who were lacking in foundational skills;
8 basic numeracy, grammar conventions, writing across
9 all content areas.

10 So in working -- because I did work with
11 both Special Ed and General Ed students and was able
12 to start seeing, in working in the individual
13 situations with these students, where they were
14 lacking skills. So I started researching and
15 looking through testing scores and going through
16 PARCC results and progress through Edgenuity
17 curriculum, age, grade level --

18 THE REPORTER: Can you slow down for me,
19 please?

20 MS. O'BRIEN: I'm sorry?

21 THE REPORTER: Slow down just a little
22 bit, please?

23 MS. O'BRIEN: Oh, I'm sorry. I'm a little
24 nervous, and I only have four minutes.

25 So I realize that there was a need at SAMS

1 to provide some additional support to our students
2 who were struggling in order to improve our
3 graduation rate and our individual student growth
4 rate. So we -- I kind of started looking around,
5 and the first thing I did was to get some
6 intervention programs online, intervention programs
7 for math and reading. They are approved for SAT
8 purposes, and all kinds of things, but they start at
9 a foundational level and fill in the missing gaps
10 for these students.

11 Our Edgenuity curriculum does not allow
12 for reteaching or to go back and reteach those
13 schools. So they needed something to supplement the
14 Edgenuity curriculum to facilitate success and
15 forward progression through the curriculum.

16 So based on data, I was able to identify
17 a large number of students through short cycle
18 assessment, PARCC testing, progress, student-teacher
19 interactions, grades, et cetera, to identify a
20 number of students who needed this. The next
21 problem, though, was to get the computers to
22 implement the support that we needed.

23 So through Title I, I was able to get 20
24 computers, and we are now servicing the lowest
25 25 percent of our students as identified through the

1 several data measures. They receive -- we have
2 three tiers of support. Some students come just for
3 intervention when they need it in a specific content
4 or in math or reading, but in a specific section of
5 the curriculum to take a test.

6 Level 2 students come for main lab
7 sessions and only work on their math or reading with
8 a content teacher there. It's about a six-to-one
9 ratio in the support lab, so the students get more
10 immediate interaction, and they can get more
11 individualized time and attention to help support
12 their growth.

13 Level 3 students participate in the online
14 intervention program, and they also take an elective
15 class that focuses on basic literacy skills and math
16 skills. So whichever area they need is the class
17 that they're in.

18 So through that, I've actually been able
19 to see gains through data based on our short cycle
20 assessment in math and reading for these students.
21 Each time we do short cycle assessment, I review all
22 of the student's data throughout the entire school
23 and go through all of my data measures to create a
24 new list. And right now we have 51 students who are
25 qualifying for support lab. That's about 22 percent

1 of our total population which allows a little room
2 for growth as I need to add students.

3 About 33 percent of the support lab
4 students are Special Ed, so there are still a large
5 number of General Ed students there. It's not just
6 Special Ed. 67 percent is general education. Right
7 now the students are leveling up in their
8 intervention programs and, you know, I'm really
9 looking forward to seeing, in the next short cycle
10 assessment how much improvement they are making.

11 But the goal is to give them that
12 additional support so that they can make progress
13 and go ahead and graduate on time with their cohort.

14 MR. GALLACHER: My turn in the hot seat.

15 I'm Darren Gallacher. I'm the director of
16 aviation for SAMS Academy. And just some of the
17 achievements that we've been able to do with our
18 aviation program, it started as a flight club when
19 I was first brought into the school. And we had
20 changed it to the only high school program in the
21 United States that offers a true career pathway for
22 the four major industries in aviation. It is all
23 dual-enrollment now at the start of this year.

24 We partner with Eastern New Mexico
25 University out of Roswell, and they facilitate our

1 flight training for college credit and our air
2 traffic control classes for college credit. We
3 partner with CNM, and they facilitate our aviation
4 mechanics training for our students. And then we
5 partner with UNM, and our students can take
6 aerospace engineering courses through UNM.

7 We do -- when we started this program, we
8 had roughly about 20 students our first semester
9 that had enrolled in this new program. Again, when
10 I first got hired, we kind of changed focuses from
11 the after-school program to actually working this
12 into the curriculum of the school. And so we had
13 about 20 students from SAMS Academy that started
14 that first semester. By the very next semester,
15 which was spring of 2015 -- I'm sorry, fall of
16 2015 -- so the start of the new school year, we had
17 just over 100 students that had enrolled in the
18 aviation program.

19 ENMU-Roswell, when they came and took a
20 tour of our campus and our facility realized that
21 their college-level program wasn't up to par. And
22 so because of our school and because of the program
23 that we designed for the aviation students and the
24 program that we have there, ENMU-Roswell is in the
25 course of changing their flight curriculum to better

1 meet the needs of the aviation industry and also
2 facilitate our students, because we would be able to
3 do all this training for our students, and we don't
4 have anywhere in the state for them to go. They
5 would actually have to leave our state to further
6 their education.

7 So ENMU-Roswell saw that need, and as we
8 speak, they've procured a full-motion simulator.
9 They're in the process of procuring three aircraft,
10 and they're growing and expanding their program to
11 facilitate our students, essentially.

12 And so we've been able to do that. And
13 recently, we were keynote presenters for the
14 Aircraft Owner and Pilots Association in Seattle.
15 We were there by invitation. The AOPA organization
16 is the largest aviation organization in the
17 United States, and they're making a huge push to try
18 and get aviation into high schools across the
19 nation. And they had us there to present on how
20 we've been able to do this and what we have
21 accomplished as a school.

22 And so we were able to highlight our state
23 and kind of brag about our dual-enrollment programs
24 here in this state and our school and what we've
25 been able to accomplish. And like Principal

1 Carrillo said, it wouldn't have been possible
2 without the parents and the board and the facility
3 and the support that we've had from the aviation
4 community, the state, and all the students and their
5 interests, and the colleges.

6 MS. CARRILLO: So at the beginning of
7 last year, we did see a dip, and we looked at the
8 three-year trend, and we saw that we needed to build
9 a support lab, and we needed to really focus on the
10 kids that were struggling. And that's the main
11 reason we built the support lab.

12 And did you want to say something?

13 I do want to say -- before we wrap up our
14 15 minutes here, I do want to thank Miss Poulos and
15 Miss Campos for all their support during this
16 process. That's it. Thank you.

17 COMMISSIONER GIPSON: Thank you. Do we
18 have public input?

19 MS. FRIEDMAN: We have one person.

20 COMMISSIONER GIPSON: Okay. Could the one
21 person who signed up...

22 MR. GALLACHER: That's me. So I go here?

23 So I'm actually speaking here as a parent.
24 So I have two students -- neither of them in the
25 aviation program, ironically -- that go to SAMS

1 Academy. We gave them the option to try it for a
2 semester and then they could go back to Albuquerque
3 public schools or Rio Rancho where we're at. And my
4 daughter, who was a C, D average there at Cleveland
5 High School, was not getting the attention that she
6 needed. It was difficult for her to get in with her
7 teachers, to get help in math, where she really
8 needed it, and was just kinda moved along like the
9 rest of the cattle there at the school. And that's
10 honestly how I felt, because our students were just
11 pushed. You know, "Just go ahead."

12 And when we had her -- when she got into
13 SAMS Academy, the first semester -- because it's a
14 little bit -- it's more of a challenging curriculum,
15 which honestly I was extremely excited about as a
16 parent to see my kid getting challenged, getting
17 pushed, you know, "See what you can do."

18 And so it took her a semester to kinda --
19 to kinda get up to speed. And she realized that
20 she's really going to have to toe the line here.
21 But it's such an amazing community, and she was able
22 to get the one-on-one support, which doesn't exist
23 in public schools. And now she's an A-B student,
24 and she's doing fantastic. She's a junior this
25 year. She started the second semester of her

1 freshman year, and she's thriving in this
2 environment. So much, in fact, that my son, we gave
3 him the option, "What do you want to do?" And so
4 he's now at SAMS Academy, and he's absolutely
5 enthralled.

6 The Smart lab that was kind of briefly
7 mentioned with the CAD programs and the 3-D
8 printers, and all that kind of stuff. My son wants
9 to be an engineer, and we have facilities at SAMS to
10 find those avenues where those kids really can latch
11 on and get excited about education. And we can
12 nurture that and say, you know, "In English, you
13 have to develop that skill, because you're going to
14 have to write reports as an engineer. Math, if
15 you're going to build stuff, you really need a
16 strong math foundation."

17 And it helps motivate them in areas that
18 they wouldn't be motivated to grow their education.
19 And both of my kids are thriving because of SAMS
20 Academy. The public education system is failing
21 them in the mass schools. This charter school has
22 done wonders for my kids.

23 COMMISSIONER GIPSON: Thank you.

24 Commissioners, I know Mr. Craig is here,
25 so if we could hear from him first, and he can offer

1 us what he wishes to on the budget finances of the
2 school. Okay?

3 Good morning once again.

4 MR. CRAIG: Good morning, Miss Gipson and
5 members of the Commission. I'm still getting used
6 to standing up over here. That's okay. Thanks.

7 You know --

8 MS. FRIEDMAN: Mr. Craig, can you take the
9 clip off that mic so it doesn't give us feedback?

10 Thank you.

11 MR. CRAIG: I believe we're here for
12 Southwest Aeronautics Math and Science Academy.
13 I know there's four of them. I am intimately
14 involved in all four. With SAMS, you know, I don't
15 really have too much to comment except that I have
16 a really good working relationship with The Vigil
17 Group. These people, The Vigil Group, is the best
18 officer of record that has been put in place by the
19 Public Education Department, because SAMS is part of
20 our schools that are in corrective action.

21 As you're well aware, the previous head
22 administrator of all four of these schools was
23 removed, and there is a number of issues related to
24 their finances that happened before I even came into
25 the position as director. I had a robust

1 conversation with Kirk earlier this week around some
2 of the conversations of the finances. I believe
3 I actually used the words that, "We are going to
4 fight tooth and nail" on some of his tit for tat.
5 I don't want to get into that because he raises some
6 good points.

7 SAMS has come a long way in even the six
8 months that I have had them under the financial
9 control of the School Budget & Finance Analysis
10 Bureau. The procurement code violations have gone
11 way down. The communication has gone way up with
12 the budget analysts and then with myself. We have
13 some very minor issues to resolve with the SAMS
14 school. There's a number of complex issues that,
15 frankly, Kirk and the school inherited related to
16 contracting. There's a web of contracts; Southwest
17 Secondary was the contractor for a lot of these
18 schools.

19 And so trying to untangle that and make
20 each school be responsible for each of the
21 contracts, get them in a process where they are
22 actually individually contracting for agreements
23 that didn't have any in place in the beginning,
24 those are the remaining issues. We're actually
25 looking at, after the report is -- the audit report

1 is public -- having to sit down with Kirk and Sean
2 about -- talking about what sort of actions that we
3 can take to give them some financial controls back,
4 in fact. We have to look and make sure that they've
5 been and met their corrective action plan. There's
6 a number of corrective actions that they have with
7 us that we have to have feedback on, where they're
8 at with it. But we're going to have a status of
9 where they're at within the corrective action with
10 the PED following the publishing of the financial
11 audit.

12 You know, Kirk put some comments in there
13 related to contracting that said, you know, A lot of
14 the reasons we can't get contracts in place is
15 because Dave Craig's group takes too long to approve
16 them. And -- and, you know, that's fair. I think
17 that that's a fair criticism. A lot of those
18 contracts start July 1. The School Budget & Finance
19 Analysis Bureau's main mission is to approve charter
20 school and school district budgets.

21 We do that from April 15th to June 30th.
22 We work 60-hour weeks during that time. And come
23 July 1, a lot of folks take off. So we have an
24 opportunity to work with a lot of our schools that
25 are in school districts now, because I'm in Española

1 to make sure that contracting rolls over for the new
2 year seamlessly while we're also trying to approve
3 all of the 200 entity school budget contracts.

4 And so we can make that commitment to Kirk
5 and Sean that we'll try and do a better job next
6 year. I do want to say that part of that is trying
7 to identify the contracts and get them up to PED in
8 a timely fashion. That's not as big of an issue.

9 Another issue that we're working on is,
10 they've hired an outside contractor to make sure
11 that their capital asset plan is up to date. All
12 school and school districts are required, as part of
13 their financial responsibilities, to have a capital
14 asset list that lists not only the asset but the
15 estimated value. And that's part of what we turn
16 over in a financial audit.

17 In SAMS and some of the other Southwest
18 schools, we're working to get that in place. That
19 wasn't in place previously. A lot of schools are
20 also required to keep a supply assets under 5,000
21 list. That is in place in this school, and that's
22 something we've done.

23 Another issue that we identified during
24 the budget development, Sean, I believe, was trying
25 to identify -- and I don't think it impacted SAMS,

1 but it was employees across different schools being
2 coded, the FTEs coded to the right school. Again,
3 kind of that issue of untangling, you know,
4 Southwest is not one entity but individual schools.

5 So those are all -- of the three times
6 I've come up to speak in front of the Public
7 Education Commission during these days, I would say
8 that SAMS is further along than some of the other
9 people that I spoke with. I just have the benefit
10 of being much more intimately involved in their
11 finances. I want to make sure that, just because
12 I speak longer for SAMS, it's because I worked
13 closely with Kirk and Sean.

14 And so they've come a long way in the six
15 months. I know that the PEC looks back. I've
16 thought long and hard about what I would say about
17 the Southwest schools. I was there when they first
18 came into the state over at the Balloon Fiesta
19 building. I know Miss Pogna and Commissioner Carr
20 were there. And some of the other commissioners,
21 I believe, might have been in the audience.

22 You know, then I've audited them with the
23 Legislature, and now I'm in control of their
24 finances from the Public Education Department. So
25 I have the benefit of a long history with the

1 Southwest schools. But, you know, I will say that
2 they seem to have come a long way in the six months
3 I've been working -- or nine months I've been
4 working with them. That concludes my comments,
5 Miss Gipson, and I'll be happy to answer any
6 questions the Commissioners may have.

7 Thank you.

8 COMMISSIONER GIPSON: Okay. Thank you so
9 much. Commissioners, questions, comments for any
10 and all?

11 Commissioner Peralta?

12 COMMISSIONER PERALTA: Just briefly, if
13 you could speak to the concerns about your
14 instructional hours and how you are getting those
15 logged in, and so forth. How are you justifying
16 those?

17 MS. CARRILLO: Let me put this little
18 thing back on here.

19 So we are open Monday through Friday, 8:00
20 to 7:30. We offer 1700 hours a year. On Friday,
21 students can come at their will in the morning
22 session, but we have three sessions, Monday through
23 Thursday. Students are required to work at home,
24 but we accept them always as walk-ins. And we do
25 have such a unique environment with the

1 dual-enrollment, because kids could be doing a
2 dual-enrollment class at CNM, and it counts also as
3 credit for their high school.

4 And on average, the majority is meeting
5 the hourly need, and some meet more and some may
6 meet less because of our dual-enrollment program.

7 COMMISSIONER PERALTA: So Miss Poulos,
8 where is the discrepancy between your division, what
9 you found, and what they're explaining to us today?

10 MS. POULOS: Madam Chairwoman and
11 Commissioner Peralta, I think our concerns continue
12 to be, we are not sure we understand how they track
13 to ensure students meet the minimum hours. This is
14 a problem not just with this school, quite honestly,
15 but a multitude of schools, including schools
16 renewed yesterday. And so I think with all schools,
17 we do have a governing body training plan to provide
18 better guidance on the fact this is a requirement of
19 the school.

20 Even when you have dual credit, students
21 completing work at home or outside of the school
22 building or even through potentially internship, or
23 something like that, that there has to be a
24 high-quality tracking mechanism that could be
25 audited. That was the issue that we had with CEPI,

1 when that school was revoked, is that we didn't see
2 that.

3 And again, I want to be clear. This is
4 not specific to this school. This is a widespread
5 problem amongst many, if not the majority, of our
6 charter schools, is that for the majority of those
7 schools we go in, and we are unable to identify how
8 that program is being fully implemented and tracked.

9 So it's something we want the opportunity
10 to work with this school on. And if they have a
11 great model, then we want to also be able to share
12 that. I'm not saying they don't; I'm saying we
13 don't have a great grasp of it right now.

14 MS. CARRILLO: May I speak?

15 COMMISSIONER PERALTA: So roughly about
16 what percentage of students do you figure are doing
17 work outside your school, at home or what have you?

18 MS. CARRILLO: All of them. It just
19 depends on the day, because they come -- we have --
20 we take attendance. We have an attendance log. Our
21 curriculum, when they sign in, we can see when
22 they're on and we could even see when they're idle.

23 So we keep track of the hours they meet.
24 And if they're not meeting their hours, their
25 sponsor teacher, immediately on Friday, we --

1 that's -- they send them e-mails, call parents.
2 But we keep track of them weekly, sometimes daily.

3 COMMISSIONER PERALTA: Thank you.

4 COMMISSIONER GIPSON: Commissioner
5 Toulouse.

6 COMMISSIONER TOULOUSE: Madam Chair, I had
7 two questions. The first I already had prepared,
8 because I know that a number of your governance
9 council members are new. How many do you have now
10 in your governance council?

11 MS. CARRILLO: Five.

12 COMMISSIONER TOULOUSE: Five. Are you
13 making sure, with the new ones, so that when you get
14 your budget turned back, everybody has the correct
15 and additional -- I don't believe five hours of
16 financial training is enough for anybody on
17 governance council to really know what they're
18 signing off on, so I'm concerned.

19 MR. HARTON: Yes, Commissioner Toulouse.
20 So what we've done -- and we've done this with
21 SAMS -- is that we've made sure that we are members
22 of the New Mexico Coalition, which offers different
23 multiple trainings across the board each year. But
24 we also became members of the New Mexico School
25 Board's Association. And so there's multiple

1 opportunities.

2 So it's not about just getting your five
3 minimum hours. It's actually about getting as much
4 training as you can and giving our board members as
5 much opportunity there, especially in the way of
6 finance. So that's how we handle that.

7 COMMISSIONER TOULOUSE: Thank you. And
8 I have one other question.

9 COMMISSIONER GIPSON: Can I just ask a
10 follow-up on that before you --

11 COMMISSIONER TOULOUSE: I will yield for
12 that.

13 COMMISSIONER GIPSON: Thank you.

14 I'm just checking to see, do you make the
15 financial component of the school a regular piece of
16 your governance council meetings, so that they're...

17 MR. HARTON: Very -- very much so. And so
18 one of the things -- and, of course, I've been
19 around for a while in districts with charter
20 schools. So -- and every month, you know, we have
21 a very comprehensive finance meeting with The Vigil
22 Group who come in. We spend probably an hour and
23 a half before each meeting, and actually, our
24 finance meetings are with Fidelity. We have those
25 right before.

1 So, you know, when it comes to bars and
2 cash vouchers and transfers and the budget, there's
3 a lot of folks that are intimately involved in
4 knowing what it's all about and learning that. And
5 you all would know, too. I mean, school finances
6 are a little bit different than other finances.

7 So I think we've been very well educated
8 over the last year and a half and continue to be
9 educated on that. So it's a very formal, formal
10 process for us.

11 COMMISSIONER GIPSON: Okay. Thank you.

12 COMMISSIONER TOULOUSE: And my second
13 question came up during your presentation,
14 Miss Carrillo. You said you had teachers who were
15 translating for students whose language ability was
16 not as good in English as in Spanish, and yet I
17 notice on the school reports, that you have no ELL
18 students.

19 MS. CARRILLO: Right. We have one ELL
20 classified student, but we do have students that
21 don't fill in their form like they need to, but yet
22 maybe because -- I really don't know why -- but I've
23 gone out, and I've met some students that are
24 struggling in math, and I know they come from
25 Spanish-speaking homes, and I know they speak

1 English at school.

2 So I've asked them, "Would you understand
3 this better in Spanish?"

4 And they said, "Yes."

5 And I said, "Well, then, let me introduce
6 you to Mr. Garcia."

7 So it's just a side thing that we do just
8 because we care.

9 COMMISSIONER TOULOUSE: But it seems to me
10 if they're from Spanish-speaking families, even
11 though they didn't report that, you need to be
12 reporting that and considering them ELL students.

13 MS. CARRILLO: Okay.

14 MR. HARTON: And I would just follow up
15 with that, too. So when I first started, the ELL
16 program wasn't as comprehensive as probably it
17 should have been. So we definitely come in -- all
18 the students do the home language survey. So -- and
19 then, if there's an indication there that they come
20 from, you know, a home where another language is
21 spoken, then we go ahead -- well, I call it walk
22 testing. And just to make sure at what levels that
23 they are with their English proficiency.

24 So what happens at that point is, we do
25 have people that are in place. We just have done

1 this over the past year, where they can receive that
2 individual help. So folks that we have that are
3 certified in ELL, that can give them that one-on-one
4 attention. I don't think it's as comprehensive as
5 it needs to be, but we're now also going into access
6 testing this year, which will further that along.

7 So it's very -- I equate it to the same
8 kind of modifications that we would give our Special
9 Ed students, the same accommodations that they would
10 need. So they are getting support in that manner.

11 COMMISSIONER TOULOUSE: But we don't know
12 that unless you report them.

13 MR. HARTON: Right.

14 COMMISSIONER TOULOUSE: So I would hope
15 that you would be reporting that number rather than
16 what we have on the reports here, is zero.

17 MS. CARRILLO: Absolutely.

18 MS. POULOS: Madam Chair, Commissioner
19 Toulouse, I think it's really important that they
20 would not be able to simply report a student that
21 they know is a Spanish speaker. There is a required
22 identification process.

23 COMMISSIONER TOULOUSE: Director, I'm
24 aware of that, but I'm saying I'm not sure that
25 identification process has been followed.

1 MR. HARTON: Okay.

2 MS. CARRILLO: I understand.

3 MR. HARTON: Fair enough.

4 MS. CARRILLO: We will do that.

5 Absolutely. Absolutely.

6 COMMISSIONER TOULOUSE: Okay.

7 COMMISSIONER GIPSON: Commissioner
8 Johnston?

9 COMMISSIONER JOHNSTON: Thank you.

10 What software do you use in your Smart
11 lab? Is it Edgenuity?

12 MS. CARRILLO: Edgenuity is in our main
13 lab. And our software -- we've got various
14 softwares that I really don't -- I didn't bring our
15 IT, but we have multiple softwares in our Smart lab.

16 COMMISSIONER JOHNSTON: And that's why you
17 have the difficulty tracking or do you use --

18 MS. CARRILLO: No, that's for student
19 projects.

20 COMMISSIONER JOHNSTON: So Edgenuity is
21 the one for instructional.

22 MS. CARRILLO: Correct.

23 COMMISSIONER JOHNSTON: I know that
24 there's a tracking, so that there's a legitimate
25 time like were you talking about. Is Edgenuity

1 working with you to help you track this?

2 MS. CARRILLO: Absolutely, absolutely. We
3 can print reports. It prints data. It prints
4 attendance. Everything we need.

5 COMMISSIONER JOHNSTON: All right. And
6 it's just a matter of organizing that so that those
7 instructional hours can be presented to PED, to the
8 charter school division?

9 MS. CARRILLO: Yes. The -- yes.

10 COMMISSIONER JOHNSTON: And almost looking
11 at individual students, then, to make sure that --

12 MS. CARRILLO: Yes. We do track
13 individual students on a weekly basis -- a daily
14 basis for attendance. We can dig deeper into it
15 and -- which we do -- and see if there's idle time
16 or if they're working on their coursework.

17 MR. HARTON: And the parent portal is --

18 MS. CARRILLO: Oh, the parent portal,
19 right.

20 COMMISSIONER JOHNSTON: Yes.

21 MS. CARRILLO: So parents can see
22 attendance.

23 COMMISSIONER JOHNSTON: Okay. So Director
24 Poulos, there's a breakdown -- continues to be a
25 breakdown in communication that confirms for you the

1 number of instructional hours, truly?

2 MS. POULOS: I think, Madam Chairwoman and
3 Commissioner Johnston, I think my staff has received
4 the document that describes it. I think we
5 intentionally weren't able to see it necessarily on
6 the site visit. And that may be something we want
7 to be able to explore further and better understand.

8 COMMISSIONER JOHNSTON: But it is a work
9 in progress.

10 MS. POULOS: I would say that is accurate.

11 COMMISSIONER JOHNSTON: And --

12 COMMISSIONER GIPSON: Can I also
13 interrupt? Does it also include when they're out
14 at the dual credit, that the hours, I think
15 that's --

16 COMMISSIONER JOHNSTON: Yes.

17 COMMISSIONER GIPSON: Yeah, yeah.

18 COMMISSIONER JOHNSTON: And Director
19 Craig, what is your confidence level in the
20 long-term fiscal reliability for sustainability for
21 SAMS?

22 MR. CRAIG: Madam Chairwoman Gipson, thank
23 you. Commissioner Johnston, if I may, I want to
24 talk a little bit about a difference of perspective
25 from corrective action, what we see as the board of

1 finance from the School Budget & Finance Analysis
2 Bureau, and maybe the process by which the charter
3 schools division and you all make recommendations
4 for renewal.

5 From my perspective, we treat all of the
6 entities that are in corrective action as if they
7 are a going concern and they have a future. We
8 always are looking at, Okay, how can we get this
9 improved so that we can get it back to them? You
10 all kind of look at a perspective over a term of
11 five years of what the history is to inform your
12 decision. And I think that's a big difference.

13 For example, like, I recently -- the
14 Public Education Commission voted to close Creative
15 Education Preparatory Institute. The day that you
16 guys voted to close them, I was working with The
17 Vigil Group on how we could resolve their issues to
18 go forward with the IRS. So, I mean, it's important
19 that you understand that, from my perspective, we
20 never give up on anybody. We are always working
21 until the last minute to make sure that everybody's
22 done.

23 I believe that, with the systems, and as
24 long as The Vigil Group is in place, that we can
25 probably get the finances back to the school. The

1 biggest issue that we have with this school that
2 I haven't mentioned is the ongoing Federal Bureau of
3 Investigation investigation. That's going to be
4 something that, until we can get that resolved one
5 way or another, it's going to be something that
6 they're probably going to keep involved in. I don't
7 know that that's true. Maybe we can get something
8 back to them that, you know, in all other instances.

9 But I believe firmly that if we work hard
10 enough together with any of the entities, that we
11 have long-term fiscal, I will never give up on any
12 of the entities in the state of New Mexico.

13 Thank you.

14 COMMISSIONER JOHNSTON: Thank you, sir.
15 And I appreciate that. That's what I was -- that
16 was my question. That's what I needed to hear from
17 you.

18 SAMS staff, what is your long-term goal
19 with your fiscal management? Do you want -- do you
20 have thoughts about taking it over so that it
21 belongs to you?

22 MR. HARTON: We definitely do. And, you
23 know, you have documentation. I know you're seeing
24 a lot of schools the next few days. But almost
25 immediately, we started to put together, you know,

1 the -- what is going to be our finance office. What
2 does the payroll specialist look like? What does an
3 HR specialist look like?

4 And working with Mr. Craig -- and I do
5 have to publicly thank his office, along with
6 Mr. Aguilar, because they've worked with us.
7 There's a lot of cooks in the kitchen in this
8 corrective action. And to make that all work, it
9 takes several entities as well as individuals to
10 make it all work.

11 But in-house, we've already set up a
12 system, you know, to enter the purchase
13 requisitions, receive the purchase orders back. And
14 so it's taken a year. But, you know, I was very
15 proud that I was working with Mr. Craig on -- well,
16 I call it a road map. And it's a road map to
17 corrective action where, you know, we really outline
18 the steps. If any schools go into corrective
19 action, like he said, we don't give up on anyone.

20 What are the things that we do to make
21 sure that we can, you know, get them out of that and
22 to educate us all? So we've already put people in
23 place that are going to be in-house, you know, as we
24 begin to get our boards of finance back.

25 COMMISSIONER JOHNSTON: Thank you.

1 What financial information system are you
2 using internally?

3 MR. HARTON: Apta.

4 COMMISSIONER JOHNSTON: Okay. Thank you.

5 Mr. Harton, are you a member of the School
6 Business Officials organization?

7 MR. HARTON: I am not, so -- I'm an
8 educator by trade. So -- but I don't know if maybe
9 Mr. Fry could speak to that? Or no.

10 COMMISSIONER JOHNSTON: Really, my
11 question was -- I'm sure you are -- is your plan for
12 someone on staff, because you mentioned the School
13 Board's association.

14 See, there's the person. That's what I'm
15 after, because that's --

16 MR. HARTON: We do, yes.

17 COMMISSIONER JOHNSTON: You knew that.

18 MR. HARTON: Our on-site business manager.

19 COMMISSIONER JOHNSTON: Well, and you've
20 been at this long enough so that you understand
21 this.

22 MR. HARTON: Yes.

23 COMMISSIONER JOHNSTON: Okay. Thank you
24 very much.

25 MR. HARTON: Thank you, Miss Johnston.

1 COMMISSIONER GIPSON: Commissioner Carr?

2 COMMISSIONER CARR: I think I am just
3 going to -- I wanted to add a little insight into
4 their program, because it's the same one I've been
5 working with for two and a half years. And it's
6 something, generally speaking, it's hybrid situation
7 where the kids are online doing core curriculum.
8 And at school half the time and working half the
9 time on their own is very difficult to fit into our
10 system of hours of instruction.

11 And, you know, we do the same thing. You
12 need to at least put in 20 hours. Some of my
13 students can do it in five, the top. Some of them
14 take 40 per week. We're talking about per week.
15 And so in the ones that can do it in less time are
16 ready to move on. And when they're ready to move
17 on, they can move on. And that's the strength of
18 the system, is that everybody's kind of on their own
19 Individual education plan. And when it's time for
20 them to move forward, they can go to the next course
21 immediately. They don't have to wait till next
22 semester.

23 Of course, the weakness of it is, maybe
24 they're not having enough contact time. That's why
25 this type of program is not for everyone. And it

1 only goes down to sixth grade. The -- actually,
2 I think they're adding fifth grade pretty soon.

3 MS. CARRILLO: We're 7 through 12.

4 COMMISSIONER CARR: Yeah, you're 7 through
5 12, but I mean, Edgenuity goes only to that grade
6 level. And, you know, and I have issues with kids
7 on computers before that time, anyway. I think it
8 has to be, you know, a personal fit.

9 So keeping track of those are very
10 important. And also, there's an awful lot of
11 individualization you can do with that program that
12 we have done that other schools have not that have
13 improved it. And actually, they're taking on some
14 of our recommendations and adding them to the
15 program for everybody.

16 Just to add a little clarification to
17 that -- because I think it's come up quite a bit --
18 and I don't know how to tweak that out, because it's
19 going to be an ongoing issue with State law and
20 everything. I just thought this would be a good
21 time to bring that up, you know. And I'm always
22 available if you have questions about schools who
23 are on that program after this month. So you can
24 give me a call, and I'll try to help you out.

25 COMMISSIONER GIPSON: Thank you. And

1 I think a number of those programs are starting to
2 do a better job on tracking the log-in and the
3 log-off and inactivity.

4 MS. CARRILLO: Exactly.

5 COMMISSIONER CARR: Yeah.

6 COMMISSIONER GIPSON: So that I think
7 going forward, because, you know, when you're home
8 you don't want them to just log on and then go off
9 and do whatever, be able to come back. So I think
10 it's a work in progress; correct?

11 MS. CARRILLO: Correct. And we can also
12 measure their idle time by how many activities they
13 do. So activities show us what they're doing.

14 COMMISSIONER GIPSON: Right.

15 MS. CARRILLO: That's the bottom line.

16 COMMISSIONER GIPSON: Yeah. Thank you.
17 Commissioner Armbruster?

18 COMMISSIONER ARMBRUSTER: I wanted to
19 thank you for coming and thank you, Miss O'Brien,
20 for really getting together a Special Ed and ELL
21 arm, kind of my specialties, because they are the
22 students who need the most help, and they don't fit
23 into some -- any, actually -- program. You have to
24 find the right one. And you have to be able to
25 individualize for what they need. And so I'm glad

1 to see that you're doing a number of different
2 things. I still question why it's taken so long,
3 but the fact is that you have it, and that's better
4 than not.

5 I wanted to know -- I notice that the
6 enrollment continues to go down, and I always -- and
7 this is not necessarily just for your school -- but
8 it seems to me you have a really great school,
9 sounds like you do -- why doesn't the enrollment go
10 up?

11 MR. HARTON: Go ahead.

12 MS. CARRILLO: Well, we're looking at that
13 and digging deeper into the data to understand that
14 ourselves. Our location -- we're out in the middle
15 of nowhere next to an airport. Kids come on buses,
16 and it's quite a ways. Parents bring students, and
17 then students drive to our school. Sometimes I
18 wonder if it's our location; sometimes I wonder if
19 it's because we haven't met the needs of the
20 struggling students, which we are doing now.

21 So there's multiple facets to it, and
22 we're still looking at it and still trying to
23 understand, because we want students to stay. We're
24 all about the students. And this support lab has
25 been phenomenal for meeting the needs of our

1 students. And so we're still looking at that, and
2 it's a concern for us. So we're looking at
3 different areas on how to improve that. We just
4 started advertising. We hadn't advertised in years.
5 We are advertising in the "Kids" magazine,
6 "Albuquerque" magazine, and then this digital --

7 MR. HARTON: Billboards.

8 MS. CARRILLO: -- billboards.

9 And people have been commenting on it and
10 seeing it. So advertising, that's helped. So
11 there's a few things that we're looking at.

12 COMMISSIONER ARMBRUSTER: And do you --

13 COMMISSIONER GIPSON: Mr. Harton wanted to
14 respond.

15 COMMISSIONER ARMBRUSTER: Oh, I'm sorry.

16 MR. HARTON: I just wanted to add to that,
17 too, I think there's expectations sometimes, that I
18 think, you know, folks go out looking for charter
19 schools because it may not be working for them, you
20 know, at other schools. And when they get to our
21 school, you know, sometimes there's that, you know,
22 that fiction that, Oh, because we're online, this is
23 going to be easier. When they step into the school,
24 they find out those expectations are actually higher
25 and that the curriculum that we use is very

1 rigorous.

2 So Miss Carrillo's talked at length about
3 the support lab, and that's why you need it,
4 because, you know, we do get kids that are coming to
5 us that are behind, and they need that supplemental
6 help.

7 But I don't think they expect that, you
8 know, the online curriculum, with that added
9 support -- because it's not just online with us,
10 it's blended learning. The kids do get the
11 one-on-one. But I just think that they don't expect
12 the rigor. And so catching folks up to speed,
13 that's a challenge for us.

14 COMMISSIONER ARMBRUSTER: And do you have
15 an RTI? I'm sure you do have an RTI process. And
16 I know Miss O'Brien was talking about Level 1 and
17 Level 2 and Level 3, but those were not speaking
18 about RTI levels. Those are just talking about
19 levels of support.

20 MS. CARRILLO: Correct. Our SAT --
21 Miss Morgan is doing an amazing job with the SAT
22 process. We had a SAT process last year as well.
23 But Miss Morgan coming in has understood it, and she
24 even has a child going through it herself.

25 But I think we're doing a -- I just was

1 at a SAT meeting the other day. She's doing an
2 excellent job of it and meeting those levels and
3 looking at those levels and interventions.

4 COMMISSIONER ARMBRUSTER: How many
5 students are in an RTI situation right now, Tier 2?

6 MS. O'BRIEN: We have about six students
7 on 504 plans, and we have about 12 students that are
8 implemented into Tier 2 SAT process right now.

9 COMMISSIONER ARMBRUSTER: Thank you.

10 COMMISSIONER GIPSON: Commissioner
11 Johnston.

12 COMMISSIONER JOHNSTON: Thank you, Madam
13 Chair. One, to have six high school students on a
14 504 plan, I congratulate you, because there is no
15 additional funding for that. And it is a great deal
16 of extra work. And to have six, that's amazing.
17 I know you're working.

18 One of the things, as a new member of the
19 Commission, that I really look for is an intrinsic
20 respect of the charter school operators for the
21 Public Education Department in the charter school
22 division. It is very obvious to me that you respect
23 the regulations and that you hold them -- you hold
24 yourselves accountable. You are trying to unravel
25 a situation that developed over many, many years,

1 and you're trying to do it expeditiously.

2 Sometimes it's just a matter of
3 communication. Edgenuity, I'm very familiar with
4 it. And having used it and knowing that it does
5 track instructional time, but translating that
6 tracking so that the charter school division can
7 very quickly and easily see, yes, you are meeting
8 that requirement, is a complex task. I sense that
9 you are working on that, and you are collaborating.

10 School Budget Finance Division never gives
11 up on anybody. But they do hold us accountable.
12 And when people push back and get defensive with the
13 charter school division, we kind of come to a
14 stalemate. This is my, as a new commissioner, this
15 is my observation. And I am so grateful to you for
16 the respect and responsiveness that you show in
17 every situation. And to have someone already
18 planning to take over fiscal internally shows to me
19 great foresight.

20 I wish you well, and I'm very impressed
21 with what you've done.

22 MR. HARTON: Thank you.

23 MS. CARRILLO: Thank you so much.

24 COMMISSIONER GIPSON: Commissioner
25 Armbruster.

1 COMMISSIONER ARMBRUSTER: Can you explain
2 the difference -- because I'm going to ask this
3 again but for another school.

4 Can you explain the difference between
5 the Southwest Aeronautics and the Southwest
6 Secondary. I'm just trying to see why there's
7 two of you and -- why there's two of you.

8 MS. CARRILLO: We'll let Mr. Pasztor
9 answer that.

10 MR. HARTON: Mr. Pasztor is here, and he's
11 the principal of Southwest Secondary Intermediate
12 and Primary. And he has history. He's been with
13 the school for 15 years. So he could probably give
14 us the best insight.

15 MR. PASZTOR: Good morning, Madam Chair
16 and Commissioners. It's 16 years that I've been
17 with the school. I was the first teacher at
18 Southwest Secondary Learning Center and then six
19 years later became an administrator. So I actually
20 started SAMS Academy, I did the charter, all that
21 first-year process. And what we were doing was, we
22 were challenged many times. Southwest Secondary
23 performed so well, could we do this anywhere in the
24 city?

25 And at the same time, we were also driving

1 kids out to the Double Eagle Airport way out on the
2 west side of Albuquerque. And there's this building
3 that sits out there by the airport, if you've ever
4 been there. That's all that's out there, is the
5 airport and this building. And the building was
6 built for an aviation company as a training center,
7 and they used it for a couple of months, and then it
8 was vacated because they went bankrupt. That
9 portion of the company went bankrupt.

10 And so we talked for a couple of years
11 about that we could have the school right there by
12 the airport where the airplanes are, and we would
13 service the west side of the city. It's 26 miles
14 from the Southwest Secondary Learning Center in the
15 northeast of Albuquerque to the west side school at
16 SAMS Academy out there.

17 And so we opened the school out there on
18 the west side. That was our intent. It's really a
19 replica of Southwest Secondary, although I can tell
20 you the population is dramatically different. When
21 we started this school, we had 280 students at
22 Southwest Secondary, grades 7 through 12. We had
23 about 20 seventh and eighth graders.

24 And when we opened SAMS Academy, the
25 applicants -- everybody that applied got in, because

1 we had about 300 applicants. And out of that, 160
2 of them were seventh and eighth graders. So we were
3 thrown into a new spot of, How do we service all
4 these young students with this really elevated
5 self-disciplined responsible system of education?
6 And that's been probably the biggest challenge,
7 I think, for SAMS Academy.

8 But that is how the two actually came to
9 exist.

10 COMMISSIONER ARMBRUSTER: And I don't mean
11 to jump ahead, and you can stop me if you want to,
12 but I think you have an amendment that you want to
13 change to 9 to 12. And we'll talk about it again.

14 MR. PASZTOR: We do.

15 COMMISSIONER GIPSON: That is not for this
16 school.

17 COMMISSIONER ARMBRUSTER: It isn't?

18 COMMISSIONER GIPSON: No. It's not for
19 SAMS.

20 COMMISSIONER ARMBRUSTER: Oh, okay.
21 Sorry.

22 MR. PASZTOR: That's for Southwest
23 Secondary.

24 COMMISSIONER GIPSON: I do not have the
25 history that Mr. Craig has with your school. I

1 was -- but I was here two years ago, not as a
2 commissioner, but through the renewal process, I sat
3 through that long day so that I am familiar with the
4 history. I appreciate, and I see the genuine work
5 that you're doing to help those that aren't growing
6 as you would like to see, and I see that you're
7 getting it.

8 Truthfully, my biggest concern is still
9 the finances. You know, that's a cloud that hangs
10 over for me. And as optimistic as Mr. Craig can be,
11 I'm more of the glass is half empty at this point in
12 time, to be honest; that I hesitate with a full five
13 years, because I still feel like the shoe's going to
14 drop. And I don't know what's -- what it's going to
15 be.

16 That I, you know, I appreciate and I see
17 what you're doing academically, but our concerns and
18 unfortunately our history is, we've closed schools
19 for finances and not for academics, and you're
20 getting the academics. But there's so many
21 unanswered questions out there, because we don't
22 have the FBI report, that we just don't know what's
23 going to be there.

24 MR. HARTON: Right.

25 MS. CARRILLO: Thank you. My throat is

1 dry. Thank you, Madam Chair Gipson. And we feel
2 the same way. We know the shoe's going to drop.
3 And we've moved on, and we want things right and
4 clean, and we want to run a school for students. We
5 really do. We want that to be behind us, and we
6 feel that cloud, too. Unfortunately, we're not the
7 ones who created the cloud.

8 COMMISSIONER GIPSON: I know.

9 MS. CARRILLO: And we do have to deal with
10 it, and I appreciate it.

11 COMMISSIONER GIPSON: I know. And I
12 understand that. And, you know, there is that piece
13 of me that says, you know, that has sort of been
14 cleared up because they're gone.

15 MS. CARRILLO: Right.

16 COMMISSIONER GIPSON: But you just don't
17 know what's still potentially there.

18 MS. CARRILLO: And again, we're not
19 looking forward to that, whenever it drops, because
20 we don't even know how far or how deep that may be.
21 But we have moved on, and we are different. And the
22 minute that cloud left us, we've only moved forward,
23 and we've only wanted to do things right.

24 COMMISSIONER GIPSON: Right.

25 MS. CARRILLO: So thank you. Thank you.

1 COMMISSIONER GIPSON: Commissioners, I'm
2 just going to ask, I don't think we have an issue
3 with renewal. It's just a matter of the number of
4 years that we need to grapple with; correct?

5 Okay. So I'll ask for a recommendation
6 for the number of years so that we can -- I believe
7 they're in a lease-purchase; correct?

8 You're in a lease-purchase; correct?

9 MS. CARRILLO: We rent our building from
10 the City. Public facility. It's a public facility.

11 COMMISSIONER GIPSON: Okay. I saw a
12 lease-purchase somewhere.

13 COMMISSIONER TOULOUSE: Madam Chair, I'm
14 familiar with their facility because the City tried
15 very, very hard, while I was on the CNM board, to
16 get CNM to put a branch out there in that building
17 but would not agree to any of the things that CNM
18 needed as conditions for putting a branch out there,
19 because we weren't even sure where the CNM students
20 would come from. They wanted to fill up an empty
21 building.

22 So I've seen it when it was empty. And
23 I think it's a good building for the kinds of
24 programs that you have and for the number of
25 students that you plan to have in it.

1 COMMISSIONER GIPSON: They're in complete
2 compliance with their facilities, so...

3 COMMISSIONER TOULOUSE: I would like to
4 commend everybody. I mean, this school could have
5 collapsed a few years ago, all four of them, and it
6 was parents and faculty that pulled together and
7 brought it back. And I think it is very unfortunate
8 that the FBI has held on so tightly to everything as
9 they do, and it's taken as long. I've heard from
10 the grapevine that they're getting close to an
11 indictment coming down, but that's grapevine from
12 people close to the source but not right there. And
13 I would hope it happens soon for everybody.

14 I don't have a problem with three years
15 here. I would like to give them five, but again,
16 until that comes down, but knowing the FBI, it may
17 come down this month, and it may come out two years
18 from now, you know. And the FBI just won't help on
19 our side of it at all. But I do want to commend
20 everybody who's pulled together and I think done a
21 very good job of straightening things out. And The
22 Vigil Group really dug in to deal with a very messy
23 financial situation over the last several years of
24 me watching this.

25 I do appreciate all of that. And I have

1 no problem with your renewal, and I'd like to see it
2 for three.

3 MS. CARRILLO: Thank you, Commissioner
4 Toulouse.

5 COMMISSIONER JOHNSTON: Thank you.

6 Madam Chair, I'd like to ask Director
7 Poulos, the CSD is looking -- has recommended two
8 years? Can you explain the basis for the two-year
9 recommendation?

10 MS. POULOS: Madam Chairwoman,
11 Commissioner Johnston, absolutely. The
12 recommendation for a two-year renewal came out of
13 conversations with Director Craig, Deputy Secretary
14 Aguilar, Deputy Secretary Ruszkowski, and the
15 secretary. And ultimately, the school will, with a
16 two-year renewal, our belief is have two audits, one
17 that we know is coming through and then another one.
18 And it is our belief that with the other one, the
19 school will likely have most of the control for the
20 finances, at least, and so that will really be not
21 a reflection on the PED's management of their
22 finances, but the school's management of their
23 finances.

24 And so that would provide an opportunity
25 for this Commission to review them after that audit

1 comes out with an audit that reflects their
2 management of those finances and can address some of
3 the concerns that this Commission has had over the
4 term of this contract as well as the end of the last
5 one. And that is the reason for that
6 recommendation.

7 COMMISSIONER JOHNSTON: Thank you. Now to
8 the school.

9 Two years. To me that's a positive
10 recommendation in that the Public Education
11 Department sees you as viable within two years.
12 Would you be uncomfortable with a two-year?

13 MS. CARRILLO: No. We respect that, and
14 I just -- of course, we want five years -- but we
15 understand. I guess the biggest thing I want to say
16 is for everybody to know that we have moved on, and
17 we want to do it right. So I respect your input.

18 MR. FRY: Good morning, Madam
19 Commissioner, other Commissioners. I just want to
20 comment real quick on the two-year term. Due to the
21 State audit rule as you see before you, you don't
22 have any information relating to our financial
23 performance over these past two years. With another
24 two-year term, you're not going to have information
25 other than FY '16 that you'll be able to review.

1 That's going to be the only information that's going
2 to come out in that time.

3 COMMISSIONER JOHNSTON: Thank you.

4 COMMISSIONER GIPSON: That was my
5 question; that my concern was, in that two-year
6 term, how much will we be able to see that, given
7 that they will be getting partial control, gradually
8 back. In a two-year time, how much will we be able
9 to see that you can actually do it or would a
10 three-year time period give us a better capsule of,
11 Yes, you can do it?

12 COMMISSIONER JOHNSTON: Madam Chair, I was
13 going to ask Mr. Craig.

14 COMMISSIONER GIPSON: Yeah.

15 MR. CRAIG: Madam Chairwoman Gipson and
16 Commissioners, just a couple of clarifying points.
17 Sean's a hundred percent right. If you guys do a
18 two-year term, you'll only have the FY '16 audit.
19 One point I do want to clarify, though, is the way
20 that corrective action works is, we just insert
21 ourselves as a layer on top of their process.

22 So what we do is, there is an added layer
23 of approval for all contracts, for all purchases,
24 and all reqs. The audit really reflects what goes
25 on at that school or school district when they're in

1 corrective action with us, is just we're adding
2 another control on top of that process to try and
3 help them and ensure that they get better. So your
4 FY '16 audit will, yeah, will still be involved, but
5 you will have an idea from that what's been going on
6 at this school district. And it does reflect the
7 management decisions and the financial decisions of
8 the school. It's just been helped.

9 So I hope that that clarifies it. If you
10 go to three, and I decide -- I mean, again, there's
11 a lot that's in play that's unknown unknowns with
12 that. I mean, you're assuming that if -- if the
13 FY '17 audit, if you go to three years, that assumes
14 that I've given control back to them. I may or may
15 not decide to do that based upon what I see as far
16 as corrective action on where they're at with what
17 they needed to accomplish when we took them over.

18 So I want to give you the best information
19 I can, but I want to be very honest with you that,
20 you know, that's by no means a given that I would
21 give them full control back by that FY '17 audit.

22 The other thing that I want you to
23 understand is, yes, we don't give up on anybody.
24 But you know, what? There are times in which we do
25 have schools or school districts that are in

1 corrective action where the finances are so
2 problematic that I would give Commissioner Johnston
3 a much different answer when she asked me if I was
4 concerned about the long-term financial stability.
5 Some of those you've already taken action on.

6 But in this school, they have a lot of
7 cash. They don't have any issues with cash flows.
8 I don't see any barriers to them being able to -- if
9 they can correct processes and internal control
10 environments in their school -- to ensure that
11 they -- I don't see any hurdles to getting their
12 finances back. But I don't want to leave you with
13 the false impression that this school is going to
14 get their finances back, because if I see something
15 or if something comes out in the FBI investigation
16 that we have to correct, I will retain control, and
17 the secretary will probably keep their board of
18 finance in order to make sure that those are
19 implemented with Fidelity.

20 I hope that answers your question, Madam
21 Chairwoman Gipson and members.

22 COMMISSIONER GIPSON: Answers my question,
23 but it doesn't make my decision any easier.

24 COMMISSIONER TOULOUSE: Madam Chair, just
25 as a point of discussion, I'd like to point out that

1 when I was trying to get three years for another
2 school yesterday, and because of the academics, and
3 I pointed out we have had no problems closing
4 schools during a term of a charter on financial
5 things, Director Poulos immediately said, "Yes, but
6 you've never closed them on academics."

7 Well, I think that argument then applies
8 now. We may not have closed schools on academics --
9 it doesn't say we won't -- but we have, in every
10 instance since I've been on the Commission, which
11 luckily has not been very many, but every one we
12 have closed has been a financial issue, and it has
13 been during the term of their contract.

14 So to me, we don't know when the FBI
15 report's going to come down, and it seems like,
16 let's give them a chance to continue to get it
17 together for three years. We're still not doing
18 five. And we can always -- I don't -- we need to
19 look at them financially, anyway. I mean, they're
20 going to continue to be on -- the whole bunch of
21 them, all four of them -- on the schools of concern
22 to have reports. They don't have to come every
23 month, but PEC will continue to report progress.
24 And if there's a need, you'll be back in here.

25 So to me, we're on top of it, and three

1 years makes more sense since your academics seem to
2 be doing well, but I would like to see your
3 enrollment going up. And I think maybe your
4 advertising will help.

5 COMMISSIONER GIPSON: Commissioner
6 Johnston?

7 COMMISSIONER JOHNSTON: Just a brief
8 comment. Thank you, Commissioner Toulouse.

9 I just need to express my respect for the
10 informed decision that PED and charter schools
11 division made in bringing it to us, and that's why
12 I'm staying with the two-year. I still feel
13 comfortable with the information. So that's why
14 I would stay with the two-year, because of that.

15 COMMISSIONER GIPSON: Commissioners,
16 anyone else?

17 COMMISSIONER ARMBRUSTER: I would probably
18 favor the two. I'm comfortable with that. Mostly
19 on looking at the audit. We're looking at the, as
20 Commissioner Toulouse said -- of course she has a
21 good point. I just feel more comfortable with the
22 two, because these are -- this school as one of the
23 four.

24 COMMISSIONER TOULOUSE: Madam Chair, I
25 would like to put on the record that these are all

1 recommendations from PED, but PED does not make the
2 decisions for us. And it seems to me that's what's
3 been happening. We're an independent commission.
4 They are there to advise us, to provide, and they've
5 done that. And I just -- I want that on the record.

6 I will vote for two. I don't care. But
7 I just do think we need to make our decisions based
8 on our factors and not necessarily what may fit a
9 PED issue. That is not a PEC issue as such, since
10 we can look at the schools anytime we want.

11 Thank you.

12 COMMISSIONER GIPSON: Thank you.

13 Commissioners, are we ready for our
14 motion?

15 MR. DAN CASTILLE: Pardon me. My name's
16 Dan Castille.

17 COMMISSIONER GIPSON: And you are?

18 MR. DAN CASTILLE: I am the attorney for
19 the school. And I didn't know if --

20 COMMISSIONER GIPSON: You know, I'm
21 really -- I'm kind of uncomfortable with this now,
22 because they had their 15 minutes, and I'm not
23 exactly sure --

24 MR. FRY: I believe it's a clarification
25 on a proposed condition.

1 MR. DAN CASTILLE: Really, you're not
2 going to have --

3 COMMISSIONER GIPSON: There haven't been
4 any conditions set yet, so I don't know what
5 someone's commenting on.

6 MR. DAN CASTILLE: It's more of -- I'm not
7 sure that the PED understood that in the next two
8 years, the only audit you're going to get --

9 COMMISSIONER GIPSON: We've -- that's
10 already been -- Director Craig spoke to it and so
11 did The Vigil Group speak to it. So I think -- I
12 think we're clear on that information.

13 MR. DAN CASTILLE: Okay.

14 COMMISSIONER GIPSON: Thank you.

15 MS. McKEE: Director, is there any
16 amendment?

17 MS. POULOS: Madam Chairwoman,
18 Commissioners, this school has requested an
19 amendment --

20 COMMISSIONER GIPSON: I'm sorry.

21 MS. POULOS: -- to change their mission
22 statement, to clarify that mission statement.

23 COMMISSIONER GIPSON: I'm sorry.

24 MS. POULOS: I also want to say that, on
25 my recommendation, I made an error that should have

1 said the FY '17 audit is an unmodified audit,
2 because they are going to be receiving the FY '16,
3 likely this March is when it would be released. And
4 then likely the '17 audit would be released in March
5 of '18, which would be up for consideration.

6 So I apologize for my error.

7 COMMISSIONER GIPSON: And I'm sorry. I
8 was just looking at the amendment request for the
9 consolidations, and so on. So that was my error.
10 So we will look at that after.

11 (A discussion was held off the record.)

12 COMMISSIONER GIPSON: Okay. I move to
13 approve the renewal application for Southwest
14 Aeronautics Mathematics and Science Academy,
15 excluding the amendment request, for two years with
16 the following conditions: that by the end of the
17 fiscal year '17, the school must receive an
18 unmodified audit opinion and demonstrate continued
19 decreases in the number and severity of audit
20 findings and that requirements that the school
21 regularly report on the corrective actions
22 identified in the renewal response and that the
23 school affirmatively work with CSD to address the
24 concerns about minimum instructional hours, ELL
25 services, and governance.

1 COMMISSIONER PERALTA: Second.

2 COMMISSIONER GIPSON: There's a second by
3 Commissioner Peralta.

4 Commissioner Armbruster, roll call vote,
5 please.

6 COMMISSIONER ARMBRUSTER: Commissioner
7 Johnston?

8 COMMISSIONER JOHNSTON: Yes.

9 COMMISSIONER ARMBRUSTER: Commissioner
10 Carr?

11 COMMISSIONER CARR: No.

12 COMMISSIONER ARMBRUSTER: Commissioner
13 Gipson?

14 COMMISSIONER GIPSON: Yes.

15 COMMISSIONER ARMBRUSTER: Commissioner
16 Toulouse?

17 COMMISSIONER TOULOUSE: Yes.

18 COMMISSIONER ARMBRUSTER: Commissioner
19 Armbruster votes yes.

20 Commissioner Peralta?

21 COMMISSIONER PERALTA: Yes.

22 That is five votes for the two years and
23 one year -- one vote against.

24 COMMISSIONER GIPSON: The motion carries
25 by a 5-1 vote in favor of renewing.

1 MS. CARRILLO: Thank you, Madam Chair and
2 Commissioners. Thank you so much.

3 COMMISSIONER GIPSON: Now I'm trying to
4 pull up the amendment request.

5 Director Poulos, do you wish to speak to
6 the amendment request?

7 MS. POULOS: As PED indicated in its
8 recommendation at the beginning, this is an
9 amendment request simply to clarify, make it a
10 little simpler, make it a little bit shorter. And
11 so we support the recommendation.

12 COMMISSIONER GIPSON: Okay. Is there
13 anything you want to say to it?

14 MS. CARRILLO: We just wanted it shorter
15 so students could understand it.

16 COMMISSIONER GIPSON: Right. Yeah.
17 I think we're good. Okay.

18 Commissioners, do I have a motion for
19 approving the amendment?

20 COMMISSIONER TOULOUSE: Madam Chair, I so
21 move.

22 COMMISSIONER GIPSON: Motion by
23 Commissioner Toulouse. Second by Commissioner
24 Gipson.

25 Commissioner Armbruster, roll call vote.

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Toulouse.
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Chavez is not here.
6 Commissioner Carr?
7 COMMISSIONER CARR: Yes.
8 COMMISSIONER ARMBRUSTER: Commissioner
9 Peralta?
10 COMMISSIONER PERALTA: Yes.
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Armbruster votes yes.
13 Commissioner Gipson?
14 COMMISSIONER GIPSON: Yes.
15 COMMISSIONER ARMBRUSTER: Commissioner
16 Johnston?
17 COMMISSIONER JOHNSTON: Yes.
18 COMMISSIONER ARMBRUSTER: That is a quorum
19 of six votes.
20 COMMISSIONER GIPSON: That is 6-0 vote in
21 favor of the amendment.
22 MS. CARRILLO: Thank you, again, Madam
23 Chairwoman.
24 COMMISSIONER GIPSON: Congratulations.
25 MS. CARRILLO: Thank you.

1 COMMISSIONER GIPSON: Thank you so much,
2 all of you.

3 MS. CARRILLO: Thank you.

4 COMMISSIONER GIPSON: You're welcome.

5 And Commissioners, may we take a
6 ten-minute break?

7 (Recess from 10:21 a.m. to 10:39 a.m.)

8 COMMISSIONER GIPSON: Good morning once
9 again. Welcome. And we are now on to Letter G,
10 Southwest Primary Learning Center, Albuquerque.

11 MS. POULOS: Madam Chairwoman,
12 Commissioners.

13 COMMISSIONER GIPSON: Oh, I'm sorry. And
14 this is also excluding the amendment. We'll look at
15 the amendment after.

16 COMMISSIONER TOULOUSE: Speaker sign-in.

17 COMMISSIONER GIPSON: Thank you very much.

18 If there's anyone that wishes to speak in
19 the public input, if you would, please, sign in with
20 Beverly, we'd appreciate it. Thank you.

21 MS. POULOS: Madam Chairwoman,
22 Commissioners, CSD has recommended Southwest Primary
23 Learning Center for a shortened two-year renewal.
24 This recommendation is based on the school's
25 disclaimed audits for 2014 and 2015 which, while not

1 for the term of this charter, were released during
2 the term of the charter on February 20th, 2016, and
3 March 15th, 2016, respectively.

4 These audits demonstrate the school has
5 failed to meet generally accepted standards of
6 fiscal management again. That failure occurred
7 based on its evidence during the prior contract's
8 term. However, it's CSD's understanding that part
9 of the reason for that shortened contract term
10 granted previously was that there was no
11 documentation or evidence, because these audits
12 hadn't yet been released to be able to measure the
13 financial performance. And so now this is that
14 opportunity --

15 And so, in addition, when you look at
16 CSD's analysis, we did look at the school's contract
17 terms and felt that the school was meeting
18 expectations. I will say this has been much easier
19 with this group of schools than the other ones that
20 we have been dealing with this week, because this is
21 under the new contract, and the material terms are a
22 little more clear, as are the goals. And so it was
23 something that we appreciated as we were trying to
24 get all of this work done.

25 In addition, as the Commission can see,

1 the school has met the department standards of
2 excellence. Their three-year average letter grade
3 was a B-B and is a C. So that is just a small
4 concern. We would like to see that go back up to
5 the B level. And their letter grades, the
6 single-year letter grades have been C-B-C. So
7 again, we'd just like to see that higher level of
8 performance, because we know the school can do it.

9 In addition, the student performance
10 standards -- again, much easier than in the other
11 contexts -- have been met. And so the analysis was
12 much easier to handle for these. With regards to
13 generally accepted standards of fiscal management,
14 again, we've made the recommendation and based on
15 the evidence that we had at the time.

16 With compliance with all provisions of
17 laws, we have some of those same concerns that we
18 saw at Southwest. I think there's room for some
19 good opportunity to grow, and I think we've heard
20 that from the school, especially with regards to
21 identification and service of ELLs. And so we look
22 forward to the opportunity to work with the school
23 on that and making sure that they're able to meet
24 all those requirements. We don't have any concerns
25 about the instructional hours. This is a slightly

1 different program, and so we're able to more easily
2 see that. We did have just a concern about the
3 governance. I believe there was one member, maybe,
4 who did not complete their governance hours when
5 that was reported to us, although the school may
6 have some more information about that.

7 And I think this school also had some
8 challenges filling positions potentially. The
9 school has some discussion about that, too. So
10 ultimately, again, CSD is recommending this school
11 for a two-year renewal term. I want to make the
12 correction again that the fiscal year '17 audit
13 would be an unmodified audit opinion and demonstrate
14 continued decreases in the number and severity of
15 audit findings; that this school would work with the
16 PED on corrective actions, report on the ones that
17 they have identified in their responses and then
18 work with us on ELL services and governance
19 requirements, and that the school's goals include
20 goals related to current standing proficiency,
21 growth of lowest-performing students and school
22 growth, because in each of these individual areas,
23 the school received either a D or an F letter grade
24 in those individual indicators.

25 I will not address the amendment request

1 right now because you want to do that separately.

2 COMMISSIONER GIPSON: Okay. Thank you
3 very much.

4 Good morning. Welcome. Welcome back for
5 some of you. And if you would, once again, please
6 identify yourself for the record and, once again,
7 you have 15 minutes.

8 MR. PASZTOR: Good morning. Madam Chair
9 and Commissioners. Thank you for the opportunity to
10 address you concerning the renewal for the Southwest
11 Primary Learning Center. We are represented here
12 today by our --

13 COMMISSIONER GIPSON: Could you please
14 introduce yourself for the record?

15 MR. PASZTOR: Of course. My name is
16 Robert Pasztor. I'm the principal of the school.
17 And I'm here today with our board president,
18 Miss Leah Graham, our head administrator, Mr. Kirk
19 Harton, Mr. Daniel Castille, our school attorney,
20 Mr. Sean Fry, acting as our business manager, and
21 our in-house business manager in the audience,
22 Miss Ronda Joyce. And we also in the audience have
23 other -- there are teachers, parents.

24 So we are before you today requesting
25 a five-year renewal without conditions for the

1 Southwest Primary Learning Center. We were
2 originally chartered with the Albuquerque Public
3 Schools and opened our doors in August of 2005
4 serving grades four through six. It was renewed as
5 a State charter in 2010 and again in 2015. This is
6 our twelfth year in operation.

7 The mission of the school is to sustain a
8 high-performing learning community, and we believe
9 we have demonstrated our commitment to this mission
10 by setting rigorous goals in our charter contract
11 and exceeding the standard in both reading and
12 mathematics in the 2015-2016 school year. Southwest
13 Primary currently maintains a three-year average
14 letter grade of a C.

15 However, as you have seen in the CSD
16 report, our students perform well above the state
17 averages despite the fact that more than 50 percent
18 of the students are new to the school each year.

19 The school did receive a D in current
20 standing which reflects student growth, and yet it
21 has been discussed ever since the beginning of the
22 use of school grades, the challenge of growth when
23 students are already high-performing. For example,
24 last year, the fifth grade math proficiency on the
25 PARCC test was 92 percent, and the sixth grade math

1 proficiency was 93 percent. This is a challenge we
2 face each year.

3 You will have also read that our student
4 retention is very high, which means that our family
5 retention is high. We have happy students and
6 families, challenging and passionate, dedicated
7 teachers, and a supportive governing council with
8 some members that date back to the beginning of the
9 school.

10 To add in there, there's a confusion with
11 Southwest Intermediate, if you can imagine this.
12 There is the confusion with Southwest Intermediate's
13 governing council and Southwest Primary's governing
14 council. So Southwest Primary's governing council
15 doesn't have the issues that are described. Those
16 are actually Southwest Intermediate's problems, and
17 Southwest Primary has a stable five-member.

18 You will also -- let's see.

19 Our teacher retention graph shows a drop
20 in the past two years, but when you only have four
21 teachers, and one of them has twins and goes
22 part-time as a testing coordinator, and another gets
23 her administrative license and becomes the principal
24 of one of our sister schools, and yet another simply
25 takes her special education expertise to our newer

1 west side school, the shift appears as a loss when
2 we know it was a win for all of us.

3 Among our identified weaknesses was the
4 servicing of our special education at the ELL
5 populations. However, I will quote from our
6 Advanced Ed and CA exit review, as we are Advance Ed
7 and CA accredited.

8 "The school state and local data
9 demonstrated no achievement gaps in mathematics or
10 reading in all subgroups, including gender,
11 ethnicity, and poverty as defined by the free and
12 reduced lunch and ELL status. The most significant
13 finding is in the area of special education.
14 However, additionally, students with IEPs show no
15 achievement gaps. These students are identified and
16 served through modifications and targeted assistance
17 in their classroom. The school's rigorous learning
18 expectations are the same for all students while
19 individual needs are met. The school's data,
20 analysis, and most importantly, its own
21 recommendations match those of the accreditation
22 team. The school strongly believes in transparency
23 as a way to improve all aspects of its operations
24 and to grow trust among its stakeholders.

25 "For example, the team's required actions

1 mirrored those of the school. In both cases, the
2 school began working on those required actions
3 before, during, and immediately after the visit.
4 The external team and the internal stakeholders
5 worked together to sustain and improve an exemplary
6 learning community focused on the academic and
7 social needs of its students."

8 Needless to say, Southwest Primary
9 Learning Center is an exemplary school and should be
10 allowed to continue to service the students of the
11 community. Every year for 12 years we have had
12 annual visits, audits, and every five years,
13 accreditation visits. With each visit, we learn how
14 to improve our school and willingly take actions to
15 remedy our flaws. We want nothing more than to be
16 a model of compliance and achievement for the state.

17 I would like to acknowledge the
18 outstanding job our faculty -- excuse me -- staff
19 and students have done for the past years. We have
20 tried to minimize the impact of the distractions our
21 school community has faced. It's a credit to our
22 parents who overwhelmingly continue to support and
23 believe in our philosophy and methodology. Our
24 entire school community has demonstrated significant
25 stability and strength. Surviving PED's corrective

1 action and takeover has been no walk in the park,
2 and we can only hope to be better as a result.

3 We hope renewal decisions are based on our
4 academic accomplishments, community support, and
5 performance under such difficult circumstances. We
6 remain optimistic about our future and as an
7 alternative for families to seek out a great public
8 education for their children.

9 As stated in the renewal application,
10 Southwest Primary is willing to absorb the seventh
11 and eighth grade students, the programs and
12 employees and the assets, cash balances and debts of
13 the Southwest Intermediate Learning Center as
14 requested by the Commission in the 2015 renewal
15 hearings.

16 Once again, we are requesting a five-year
17 renewal of the school without conditions, including
18 the requested amendments, to accommodate the grade
19 levels served, and the program changes.

20 Thank you.

21 COMMISSIONER GIPSON: No one else is going
22 to speak?

23 MR. PASZTOR: No.

24 COMMISSIONER GIPSON: Okay. I was just
25 waiting for that pause.

1 We have two people that have signed up
2 with public input. So I'll remind the audience once
3 again that there is a five-minute total for public
4 input. And the first person is Leah Graham.

5 If you want, you can just stay right there
6 as long as you're there.

7 MS. GRAHAM: Okay. I am actually a parent
8 of five children. I have three that attend the
9 Southwest schools. Is this not on?

10 COMMISSIONER GIPSON: I think you have to
11 get a little closer to the mic.

12 MS. GRAHAM: All right. I actually have
13 three that attend the Southwest school and two that
14 attend the primary school. My youngest child, as a
15 child, I adopted from foster care. He is -- he has
16 moderate dyslexia, and at this school he has
17 received more help than he ever has before in any
18 other school, and he actually is doing really well.
19 He's really thriving here. He is an A-B student
20 where he really struggles with reading, but he got
21 one-on-one help tutoring with the Wilson reading
22 program three times a week and is doing great and
23 really improving.

24 I also have -- all of my children are --
25 they struggle. We have a rough background,

1 including some abuse in the family, which has ended
2 now. And -- but they have all struggled, and
3 most -- the one that has trouble the most is my
4 sixth grader at Southwest Learning Center. And he
5 has really struggled with, you know, keeping up with
6 the work, doing the things he's supposed to do in
7 every school he's attended. And this school has
8 been excellent for him. He has received a lot of
9 extra help, extra one-on-one, in a loving
10 atmosphere. He hasn't ever felt at this school
11 intimidated, or anything like that. He has had
12 extra help after school. They have worked with him
13 a lot.

14 Like I said, just a very loving
15 environment where he's felt very welcome and has
16 really struggled in other, you know, schools and
17 things in the past. So they've really taken a
18 strong interest in helping both of my youngest two
19 children who have struggled, who have had unusual
20 struggles in their lives. And so I'm very thankful
21 for that.

22 One thing that I really love about this
23 school is a new scholarship program that they're
24 using. We have had a recent loss in our family, and
25 I am very aware of safety all the time for my

1 children. And so the scholarship program I love.
2 Every parent has to come in and register when they
3 enter the building. No one is allowed to go in the
4 back of the building without making sure they've
5 registered, and they know who is there. So I'm very
6 impressed with the safety of the school.

7 And I will give some time to our other
8 parent.

9 COMMISSIONER GIPSON: Okay. Thank you
10 very much.

11 And the second person is Billie Jo Luna.

12 MS. LUNA: Madam Commissioner, I'm a
13 parent of a fourth grader at Southwest Primary, and
14 she comes from a private school in Albuquerque. So
15 this is our first year at the charter. And she has
16 shown marked improvement in math and reading. She
17 was an average student before, and she has just
18 improved so much just within the first trimester.
19 And she came home a few weeks ago and said, "Mommy,
20 I think I really like math and science."

21 And she is experiencing the Smart lab for
22 the first time and being introduced to some great
23 technology. And even though she has straight A's on
24 her report card, her teacher has given her ways to
25 be challenged even further. And we just appreciate

1 the individual care that has been given and goals
2 that she can reach each week and each semester. And
3 also for the first time, she has come home and said,
4 "Mommy, I really love reading. I never thought I'd
5 ever hear myself say these words."

6 And she's just really motivated to read
7 and meet her AR goals. I really attribute this to
8 Primary -- Southwest Primary school and her teachers
9 Mr. Fass and Mrs. Mora. Thank you.

10 COMMISSIONER GIPSON: Thank you.
11 Commissioners, questions? Comments? Concerns?

12 COMMISSIONER ARMBRUSTER: Yes.

13 COMMISSIONER GIPSON: Commissioner
14 Armbruster?

15 COMMISSIONER ARMBRUSTER: I really am
16 trying to keep these four schools that all start
17 with "Southwest" straight. But in the primary one,
18 wasn't your original mission from kindergarten
19 through 6th -- and am I saying this correctly --
20 that you've only done four, five, and six?

21 MR. PASZTOR: I would say the original
22 charter was actually written -- I think it was
23 written K through 12 way back when we first went
24 with APS when we first chartered. But then they
25 reduced it, and we actually have always only done 4

1 through 6 just because of space.

2 So when we negotiated last year with the
3 performance framework, we just stated what we
4 actually served.

5 COMMISSIONER ARMBRUSTER: Okay. And
6 again, these are sort of repetitive questions --

7 MR. PASZTOR: That's okay.

8 COMMISSIONER ARMBRUSTER: -- so sorry.

9 Again, I thought your cap was like 3- or
10 400, but you have 102, and I see that it's stayed.
11 So I'm asking two questions. So, No. 1, it stayed
12 pretty solid. And again, why aren't more people
13 coming? And you made a comment that 50 percent of
14 the students are new each year because you're
15 talking about the fourth graders?

16 MR. PASZTOR: So there are 24 new fourth
17 graders every year, and then we add 30 new sixth
18 graders each year. So imagine the fourth grade
19 class moves up to the fifth grade class, and the
20 fifth grade class moves up to the sixth grade, but
21 we have 56 sixth grade openings. And so we add 30
22 sixth graders, and we have 24 fourth graders.

23 So we add 54 students to the 105
24 population every year, and then anybody, like, if
25 somebody moved in the middle. So it's more than

1 50 percent are brand-new.

2 The other question, the enrollment cap?
3 The enrollment cap, we would love to have more, but
4 we actually don't have any room for more. And yet
5 there's discussion if we add portables. We've
6 always talked about could we have another fourth
7 grade class, another fifth grade class. So we've
8 always been open to that. Enrollment cap has always
9 been up -- I think it's 300.

10 COMMISSIONER ARMBRUSTER: And after I
11 heard the last school, what you were doing for
12 Special Education, I guess my question is somewhat
13 the same. And I wanted to know, I know they're
14 doing Wilson, so I assume that's a pull-out program.
15 I am familiar with that program. Otherwise, are
16 they in classrooms with inclusion or they're on
17 their own? You can modify, but that isn't really
18 going to work, usually. It depends on the child.

19 MR. PASZTOR: Right.

20 COMMISSIONER ARMBRUSTER: With the
21 spectrum disorders. So how do they receive these
22 services other than the one thing you mentioned,
23 which is Wilson?

24 MR. PASZTOR: There is a Special Education
25 teacher and a Special Education EA that worked in

1 the classrooms. It's all done in the classrooms.
2 And you're correct. It is Wilson, which is a great
3 program, and it is pull-out, but not pull-out during
4 school. They're serviced either at the end of
5 school or before school starts.

6 COMMISSIONER ARMBRUSTER: Okay. I have
7 another one, but go ahead.

8 COMMISSIONER GIPSON: Just because I'm not
9 familiar with your space, I just have a question
10 about when you absorb the seventh and eighth
11 graders, what does that do, if anything, to
12 modify -- having to modify space or -- because I
13 don't know exactly where in the building they're
14 housed.

15 MR. PASZTOR: So it actually won't change
16 at all. There's a back hallway that has six
17 classrooms that is used for intermediate seventh and
18 eighth grade and then the four, five, and six
19 grades. And the reality is, other than on paper and
20 at our level, we will see changes, but the actual
21 physical environment will look exactly the same.

22 COMMISSIONER GIPSON: Okay. Thank you.
23 Commissioner Johnston?

24 COMMISSIONER JOHNSTON: Thank you, Madam
25 Chair. I'm really confused. It's out of ignorance,

1 which is my responsibility, and I apologize for
2 this. But you have currently four schools with four
3 principals?

4 COMMISSIONER GIPSON: No?

5 MR. PASZTOR: Go ahead and ask, and I'll
6 answer, or just tell you that part.

7 COMMISSIONER JOHNSTON: And one -- again,
8 I'm going to fiscal management, because I'm trying
9 to consolidate all of Southwest in my head, because
10 Mr. Harton is still here, so he must be the head
11 administrator for all these different entities.

12 Mr. Pasztor, you must be the principal for
13 K-12 or 4-12, or whatever you have currently.

14 The support staff sitting behind you, do
15 they support all of the schools, also? The Special
16 Ed director who spoke to us about SAMS, you are
17 exclusively at SAMS? She's nodding her head at me.

18 The lady who's looking at becoming the
19 school business official, do you support all of the
20 schools? Just SAMS?

21 MS. JOYCE: I support two schools.

22 COMMISSIONER JOHNSTON: Which two?

23 MS. JOYCE: Southwest Primary and
24 Southwest Aeronautics.

25 COMMISSIONER JOHNSTON: I would ask PED --

1 and I guess that would be fiscally and
2 administratively, how do we separate all of that
3 with funding and support? And I know that I'm
4 asking rhetorical questions to everyone, with
5 exception, and I apologize for that, but I need to
6 understand.

7 COMMISSIONER GIPSON: Director Craig?

8 MR. CRAIG: Madam Chair Gipson and
9 Commissioner Johnston, I'll do my best to answer.

10 It's a challenge. When the school
11 district or when the -- I'm sorry -- the charter
12 schools became under the -- when the charter schools
13 had their Board of Finance suspended by the Public
14 Education Department, their Secretary of Education,
15 they were intermingled extensively. There was --
16 you know, we had teachers being paid by one school
17 out of another school, contracts filed for one on
18 the path of one school with another. And so
19 untangling that has been a challenge.

20 What I can tell you is -- I'll just give
21 you the facts of how it's laid out now as part of
22 fiscal. Currently Ronda is correct. She has two
23 schools. There's another individual in their
24 business office at SAMS. They're both located at
25 SAMS that handles the other two schools' finances.

1 What they do is, they separate between those two for
2 the purposes of management and internal controls.
3 The approval process for purchase requisitions and
4 purchase orders are signed off by the head
5 administrator, Kirk Harton, as well as being the
6 site administrator for the school that's
7 responsible.

8 So there are processes in place from a
9 fiscal management, but again, that has to be
10 balanced against -- you know, Kirk has a motivating
11 factor for trying to keep costs down across all four
12 schools, because he's the head administrator for all
13 four. They don't, in practice, operate as four
14 independent entities except to the extent that we
15 make them. And that's the best answer I can give
16 you to a very confusing and, you know, frankly, a
17 web of relationships that dates -- that we've worked
18 our hardest to untangle to ensure that they're in
19 compliance with state and federal law as well as the
20 purchasing requirements under NMAC.

21 So, you know, they have two business
22 officers, two for each school. The internal control
23 processes in there have been signed off by the
24 financial auditors, and I think that they're
25 probably sufficient. I can't go forward and make

1 them have a business officer for each school,
2 because that would have additional cost that I would
3 have to justify with their cash flows. They are
4 very -- you know, we have worked really closely with
5 the school, just as an aside, on trying to ensure
6 that they are very prudent in their expenditures,
7 because being four independent schools, they are
8 very cash-rich with their operations, and they have
9 some economies of scale that we see in school
10 districts that, you know, when you have shared
11 administrative expenses, you cut down on some of
12 those costs.

13 When they consolidate, I think some of the
14 ability to be able to have -- you know, some of
15 those economics of scale are going to go away. And
16 so we've been communicating that or communicated
17 that with Sean saying, "It's going to be a lot
18 tighter and a lot tougher with the fiscal situation
19 that is ongoing in the state. As well as when you
20 consolidate for schools, you're going to lose a lot
21 more money."

22 But that's the setup as it currently is.
23 I coordinate with Kirk, the head administrator for
24 all four schools, and he coordinates with The Vigil
25 Group. So technically, the business officer of

1 record is The Vigil Group for all four schools.
2 They have business officials at The Vigil Group for
3 all four of these schools. So those are the -- and
4 that's a requirement of corrective action in the PED
5 takeover. I understood from some of the comments
6 made that the school was trying to get financial
7 capacity at the school site with these other two
8 individuals that are business officials.

9 But from the PED's perspective, the actual
10 business official on site is more with The Vigil
11 Group. I should clarify that real quick. And if
12 you will remember earlier when we were talking about
13 SAMS, you asked me if I had faith and confidence in
14 their ability to continue. And as long as The Vigil
15 Group is the business official, that's fine. I
16 believe that the sheer amount of work necessary for
17 four schools is a lot to expect two individuals to
18 be able to handle, given the experience and capacity
19 level. I don't know. Ronda, are you a Level 2
20 licensed business manager or Level 1?

21 MS. JOYCE: Level 1.

22 MR. CRAIG: Level 1.

23 So that's something we generally have, as
24 a term and condition is that, in order to hand over
25 back to Board of Finance, you would have a Level 2

1 licensure. If you want, I can bring back to the
2 Commission the kind of guidelines for what it takes
3 to get a Level 2 license. But it's just many more
4 years of experience. You have much more of an
5 understanding of the intricacies of education
6 finance in our state.

7 That was a long-winded answer for what
8 should have been just a basic setup of how that is.
9 But I feel it's important in the context that, Yes,
10 you know, these guys are, from their perspective,
11 have two individuals for four schools. From our
12 perspective, we have The Vigil Group in place, and
13 those business officials are individual for each
14 school site.

15 Okay? Thank you very much.

16 COMMISSIONER GIPSON: Thank you.

17 COMMISSIONER JOHNSTON: And I appreciate
18 that, because you clarified. What we have with
19 Southwest is, we have a true charter school district
20 with an elementary school, a middle school, and a
21 high school, and a vocational school. So we have
22 a full-blown charter school district within the
23 context of New Mexico with all of the components.

24 COMMISSIONER TOULOUSE: Madam Chair, may
25 we explain to Representative Johnston why we're

1 doing away with the --

2 COMMISSIONER JOHNSTON: I understand all
3 of that.

4 COMMISSIONER TOULOUSE: Because they were
5 given instructions to do away with that, because the
6 grades overlapped in the other two schools.

7 COMMISSIONER JOHNSTON: I have the picture
8 up now. That's what we have.

9 MR. HARTON: Could I just add to that a
10 little bit?

11 Is that, you know, Mr. Craig has talked
12 about the finances and the unraveling, and that's
13 a great way to describe that. But on the school
14 level, it wasn't about just unraveling. It was
15 actually about putting policy and procedure into
16 place, and that's where the boards really have been
17 very successful is, we came back, and where there
18 were no internal controls, and all of those things,
19 is that, we've been working on that for a year and
20 a half to come back and say, "These are the things
21 that we need to do."

22 And that's where we went. So with -- you
23 know, especially what has come down from the PEC to
24 say that in New Mexico, you know, we have worked
25 very hard to say that these are four separate

1 entities. And through the consolidation, and all of
2 that, that is what's happening, is that they are
3 beginning to actually look and be that within that.
4 But a lot of that was just putting policy in place
5 that wasn't there before.

6 COMMISSIONER JOHNSTON: Thank you. And
7 one more clarifying question, then: The goal of the
8 Southwest Secondary schools is to become four
9 separate entities?

10 MR. HARTON: That is correct.

11 COMMISSIONER JOHNSTON: Thank you very
12 much.

13 COMMISSIONER GIPSON: Commissioner Carr?

14 COMMISSIONER CARR: I wasn't going to make
15 any comment, but then Commissioner Johnston's, I
16 guess, comments made me want to say some things.
17 And they will just be comments, you know, so
18 these -- I guess Commissioner Peralta and I are the
19 only two that have been dealing with Southwest
20 schools for the entire time. We had one meeting at
21 your school that I remember quite clearly when the
22 old original director was still there, who by the
23 way, made \$300,000 per year.

24 And that's part of the financial
25 difficulties, amongst other things that I don't even

1 know, I'm sure.

2 But these particular sets of schools have
3 been used as an example of schools that are taking
4 advantage of the small school funding formula.
5 Three schools in the same building, another school
6 in another building. At the very least, I think it
7 should be one school. I remember going to an LESC
8 meeting where they were talking about doing away
9 with the small school funding formula, and it's
10 probably gone. It probably will be gone this year.
11 Your schools will be cited as one of the reasons.

12 And believe me, a lot of charter schools
13 were saying, "Well, don't get rid of the funding
14 formula, just get rid of Southwest," you know, and
15 it's an issue. When we talk about approving schools
16 and putting things together, we -- you know, we here
17 at the Commission probably could have done a much
18 better job. I think I could have, too, in these
19 last eight years. We didn't do everything right,
20 either. But it's important that we take a look at
21 that. I have serious issues. I have serious issues
22 with the finances.

23 At the same time, the schools have been --
24 you know, a lot of parts of your schools have been
25 going really well, you know, academically. And you

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1 operate the same way that the school that I met, in
2 some ways. And every school in this state, you
3 know, every charter school probably could have said,
4 "Hey, we want a separate school for K through 4. We
5 want a separate school for middle school. We want
6 a separate high school. And we have this special
7 program that we want to offer. So that makes four.
8 Isn't that great?"

9 It's not -- whether or not Southwest
10 schools intended to take advantage of the small
11 school funding formula or not, it sure has the
12 appearance of it. And, you know, to me, fiscally,
13 it doesn't make any sense to do it the way you guys
14 are doing it or have been doing it. And I think
15 we're trying to make some corrections to that.

16 So, you know, I just want to make that
17 statement. And, you know, it's been a long, hard
18 process, and we've had a lot of issues like -- and
19 your schools aren't the only -- we have lots of
20 issues. And dealing with the law, this is another
21 issue where we're going to need to talk to the State
22 Legislature about reviewing and updating our charter
23 school laws.

24 I'd hate to be one of the schools that's
25 responsible or for the Legislature to look at and

1 say, "Hey, look at that school."

2 I don't know -- none of us know what the
3 FBI is going to do. We hear things. But, you know,
4 it's not good. And I -- and I would just -- you
5 know, if you guys continue, and if you guys get to
6 continue in the future, I hope you take a really
7 strong look at all of these issues, not just for
8 your own sake, but for the sake of every other
9 charter school in the state.

10 We look at the whole picture. And I'd
11 hate to be part of a school that helped bring all
12 the other charter schools down, because, believe me,
13 there's a lot of people in this state that would
14 just like to shut them all down, you know. And
15 there's a lot of really good charter schools. And
16 you guys do a lot of good things, and I recognize
17 that, despite my other reservations.

18 I've been there; I've seen it. And at the
19 same time, though, I'm disturbed about all the other
20 issues. And I'll end it with that. No question.
21 I don't need a response.

22 COMMISSIONER TOULOUSE: Madam Chair?

23 COMMISSIONER GIPSON: Commissioner
24 Toulouse?

25 COMMISSIONER TOULOUSE: I wanted to

1 correct Commissioner Johnston where she said your
2 purpose was to have four schools. The purpose at
3 the end of today is to have three schools. And I
4 think, when the final cloud is lifted, you really do
5 need to look to go into two; the aeronautics which
6 maybe ought to be a separate school and combining
7 your others.

8 I'm one who certainly insisted, because
9 the middle school grades overlapped at both ends, we
10 needed to get away with that. I'm not going to tell
11 you this time around, to combine the rest of them.
12 But I think you need to do that. I mean, this is
13 the only school in the state with this. We have
14 school after school coming to us to add grades
15 whether they were grade school and want to add
16 higher grade or higher -- upper level grades who
17 want to add lower grades because of the continuity
18 of getting kids through and seeing that you don't
19 take sixth graders.

20 You want to take them from your own fifth
21 grade class, because they're up to what you do, and
22 then they go back farther and want to say, "Well,
23 you know, we want to take them from kindergarten all
24 the way through." But I'm certainly not going to
25 ask you to do that now, and I will not be on the

1 Commission two years from now, because I don't plan
2 to run again in two years. So I have no real say
3 other than advice to do that.

4 But I have a question for your attorney.
5 Have you been involved with all of this entangling?
6 Not necessarily the financial, but the other part of
7 it for the schools?

8 MR. DAN CASTILLE: Most of it was done by
9 the time I came on, which was just in July this
10 year. But I have been witnessing the, you know,
11 segregation of them. So I think, you know, since
12 The Vigil Group and PED have been involved, that's
13 been what they fundamentally have accomplished.

14 COMMISSIONER TOULOUSE: Thank you. I just
15 wanted to see what your involvement was. But thank
16 you.

17 MR. DAN CASTILLE: Sure.

18 COMMISSIONER GIPSON: Thank you.
19 Commissioner Johnston?

20 COMMISSIONER JOHNSTON: Thank you, Madam
21 Chair. I appreciate the effort that is being made.
22 And Mr. Pasztor, I must compliment you. In 2000,
23 when you came to Southwest Secondary at the time,
24 you had established an academic program that is very
25 nontraditional but very student-centric. And you

1 have been very successful academically, and that has
2 always been recognized. The management, which is
3 outside of your purview, is something you have had
4 to deal with during this time. I just totaled up,
5 and we're looking at the academic lives of
6 approximately 647 students right now. And I don't
7 take that lightly.

8 I respect the recommendation of the Public
9 Education Department in the two years. I see that
10 that gives not only this group that has worked very
11 diligently to unravel not the academic program but
12 the management program and the fiscal stability and
13 the sometimes -- the sometimes-perception, from the
14 outside looking in, of usury of taxpayer money that
15 has nothing to do with the academics.

16 I appreciate the work that PED is doing to
17 help Southwest Secondary survive. I'll ask one more
18 time. At the end of two more years, or as soon as
19 this begins to unravel, we are looking at
20 independent schools that function as their own
21 entities. Is that what we're looking at or are we
22 looking at one school?

23 MR. HARTON: I think in the end -- I mean,
24 when I came on board a year and a half ago, and
25 spoke to yourself, Commissioner Johnston and

1 Commissioner Carr, was that perception, that outside
2 perception. And our boards took that to heart. You
3 know, this is what it looks like. And that's why we
4 went full-throttle into consolidation.

5 No. 1, we realized that the small school
6 funding will be going away, and that we also
7 realized, through the process, that we were -- that
8 the perception was out there that we may have been
9 getting more than our fair share because of the
10 setup. And that's why, I think ultimately, we
11 decided that we need to move towards consolidation.
12 And so we feel like we're halfway there.

13 But the idea is to get all of the schools
14 under one roof, under one budget, and all of that.
15 Except SAMS. It's a separate school. But that's
16 the idea. Because, you know, we want to be
17 amenable, you know, to the PEC. And we also want
18 to be amenable to our colleagues and to the other
19 charter schools that are out there. Thank you.

20 COMMISSIONER JOHNSTON: Thank you very
21 much. So the ultimate goal is two schools.

22 MR. HARTON: Yes.

23 COMMISSIONER JOHNSTON: Thank you.

24 COMMISSIONER GIPSON: I think we all see
25 that academically you're getting it, and I applaud

1 you for being able to wade through and come in every
2 day through some of these horrible days. And it's
3 very difficult to keep morale up. It's very
4 difficult on a given day to see the big picture when
5 you're dealing with all of the negativity in
6 early-on newspaper articles and what the community
7 is saying. And you've been able to be there and to
8 meet the needs of your students. And I applaud you
9 for that.

10 Unfortunately, we still have the same
11 conversation going on, and that's the cloud of the
12 budget. So I think, you know, I'll just -- I don't
13 have to say it all again. My concerns are with all
14 the schools in terms of a five-year contract.

15 MR. PASZTOR: Sure.

16 COMMISSIONER GIPSON: It's not the renewal
17 that's the issue. It's the but, the unknown that's
18 there. So that's truly the concern for me. But
19 I do congratulate you for getting through this for
20 the students.

21 Commissioner Armbruster?

22 COMMISSIONER ARMBRUSTER: I wanted to go
23 back to the teaching and my concern, as I think
24 I stopped my thought in midstream, that the SAMS
25 school had set up a program of remediation and doing

1 that, and you may have answered this, and I didn't
2 pick it up, and I apologize in advance.

3 But since you have -- in 2014, the lowest
4 quartile was an F, and then it was low, the same in
5 '15, and this year it's a D, so it's better than an
6 F -- what specifically are you doing to work with
7 those students? Because I don't believe that all
8 those students, when I tried to do the math, are all
9 Special Ed, which I understand would be in that --
10 they probably are in the bottom quartile, ELLs, most
11 of them would probably be there. But there are
12 other people who are also there, and I wanted to
13 know what steps are occurring to help them.

14 MR. PASZTOR: So there is actually, as of
15 last year for the first time, there was an actual
16 Special Education teacher in the school that works
17 in the class. She moves from classroom to
18 classroom. And this year there's a Special
19 Education teacher and a Special Education EA. And
20 there are actually two other EAs that work for the
21 teachers. And so they are in the -- that's three
22 EAs now; that there's always another adult in the
23 classroom, pretty much, that is doing whatever.

24 So the teacher identifies the student and
25 gives specific work to something like that. The

1 difference between what you heard with SAMS Academy
2 support lab is, Southwest Primary is a traditional
3 setting, so it's classrooms with teachers. There
4 are Chrome books, but the kids don't do any
5 coursework, necessarily, online. It's a regular --
6 if you look at it, it looks just like an elementary
7 school classroom. And so their support is happening
8 right there in the classroom with adults that are
9 present.

10 COMMISSIONER ARMBRUSTER: So the
11 schools -- and I thought I read it, but I don't
12 remember. So the uniqueness of the school, for
13 being a charter school as opposed to a traditional
14 public school is...

15 MR. PASZTOR: There's that technology
16 component, because the kids get to spend -- part of
17 sharing the building is, we have a very high-tech
18 STEM Smart lab. And it's used by all three schools.
19 And so Fridays are -- that's the day for the primary
20 school to spend in there. One of our goals in the
21 performance framework was that the students would
22 receive -- actually, in my opinion, isn't a good
23 goal -- because it said above 90 percent of the
24 students would receive an A in their technology
25 class, which they did, because it's a great class,

1 and they do very well.

2 But they have access to technology,
3 robotics and pneumatics and video production and
4 sound production, and all of the things that you're
5 not going to see in a traditional elementary school.

6 COMMISSIONER ARMBRUSTER: Thank you.

7 MR. PASZTOR: You're welcome.

8 COMMISSIONER GIPSON: Commissioners? Any
9 other questions, comments?

10 Do we want to have a discussion on renewal
11 terms? Are we okay with two years?

12 COMMISSIONER TOULOUSE: Madam Chair, I
13 give up on the two years, but my comments, you
14 understand, I think three years is better. But I'm
15 not going to continue to argue with people whose
16 minds are already closed. So thank you.

17 COMMISSIONER GIPSON: Thank you.

18 Commissioners, I'll entertain a motion.

19 Okay. I guess I'll do the motion myself.

20 I move to renew the charter contract for
21 Southwest Primary Learning Center in Albuquerque for
22 two years, excluding the amendment, with the
23 following conditions: By the end of the fiscal year
24 '17, the school must receive an unmodified audit
25 opinion and demonstrate continued decreases in the

1 number and severity of audit findings, and
2 requirements that the school regularly report on
3 the corrective actions identified in the renewal
4 responses and that the school affirmatively work
5 with CSD to address the concerns about ELL services
6 and governance requirements.

7 Do I have a second?

8 COMMISSIONER PERALTA: Second.

9 COMMISSIONER GIPSON: Second by
10 Commissioner Peralta.

11 Commissioner Armbruster, roll call vote,
12 please.

13 COMMISSIONER ARMBRUSTER: Commissioner
14 Peralta?

15 COMMISSIONER PERALTA: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner
17 Johnston?

18 COMMISSIONER JOHNSTON: Yes.

19 COMMISSIONER ARMBRUSTER: Commissioner
20 Carr?

21 COMMISSIONER CARR: No.

22 COMMISSIONER ARMBRUSTER: Commissioner
23 Armbruster votes yes.

24 Commissioner Toulouse?

25 COMMISSIONER TOULOUSE: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Gipson?

3 COMMISSIONER GIPSON: Yes.

4 COMMISSIONER ARMBRUSTER: We have a quorum
5 of six. We need a majority of four to pass, and we
6 have five to pass.

7 COMMISSIONER TOULOUSE: We need a simple
8 majority.

9 COMMISSIONER GIPSON: No, we just need a
10 simple majority for passing. So the motion passes.
11 Congratulations.

12 MR. PASZTOR: Thank you.

13 COMMISSIONER GIPSON: Before we start on
14 the amendment, I just need some housekeeping stuff.
15 We don't seem to have Southwest Secondary or McCurdy
16 in our packets that I can see. I've got them
17 online, but I --

18 COMMISSIONER CARR: I got mine online,
19 too.

20 COMMISSIONER GIPSON: Because I have a
21 question now that we're moving into amendments. And
22 I guess I can ask these folks as well.

23 I thought I read an amendment that
24 considered the intermediate school's money following
25 to someone. Now, it's not in the Primary's

1 amendment. Is it in the Secondary's amendment? Or
2 where is it? Or did that amendment go away?
3 Because I know I read that amendment.

4 MR. PASZTOR: That's not part of the
5 amendment. It's an addendum attached to the
6 application.

7 COMMISSIONER GIPSON: Amendment to which
8 school?

9 MR. PASZTOR: It actually sort of said it
10 in both.

11 COMMISSIONER GIPSON: Okay. I could have
12 sworn it was an amendment. I didn't realize it was
13 an addendum, because I have a question about that.
14 And that would go to Director Craig, and that's why
15 I asked him to be here, because I thought it was an
16 amendment.

17 There is an -- and apparently it's an
18 addendum -- that is speaking to the money for the
19 intermediate school. If the amendment for
20 consolidation of the primary school is accepted,
21 there was an addendum that the money from the
22 intermediate school go to --

23 MR. PASZTOR: That it follow the students.
24 So the seventh and eighth graders from Intermediate,
25 the funds would go to --

1 COMMISSIONER GIPSON: Would go to
2 Southwest Primary.

3 MR. PASZTOR: Yes.

4 COMMISSIONER GIPSON: So I have a question
5 about that, because I keep telling people I stayed
6 with Wells Fargo, so my fiscal responsibility is not
7 great. So I need someone to help me through this.

8 MR. CRAIG: Madam Chairwoman Gipson and
9 Commissioners, I'll do my best.

10 Can I ask a clarifying question? The
11 money that they receive as part of their annual
12 State Equalization guarantee distribution or the
13 money that they set on as cash balances?

14 COMMISSIONER GIPSON: It's probably
15 easier.

16 MR. CRAIG: It may be helpful if I see the
17 amendment.

18 COMMISSIONER GIPSON: Yeah, yeah, because
19 it's lengthy, so...

20 MR. CRAIG: Madam Chair Gipson, this looks
21 like it says the allowable cash balances and funds
22 that were once Southwest Intermediate's and the
23 funds should follow the students. So they're
24 talking about the cash balances for this.

25 COMMISSIONER GIPSON: Okay.

1 MR. CRAIG: I would recommend -- and I'm
2 subject as to the director's approval of the CSD --
3 but I would recommend that pending a legal review by
4 Public Education Department, that such an action is
5 allowable. I don't foresee any problems with this,
6 though.

7 COMMISSIONER GIPSON: Okay.

8 MR. CRAIG: Okay? Thank you.

9 COMMISSIONER GIPSON: Thank you for that
10 clarification. I'm sorry. Can we have that piece
11 of paper back?

12 MR. CRAIG: I forgot.

13 MS. FRIEDMAN: Madam Chair, may I ask all
14 the Commissioners to check their books?

15 COMMISSIONER GIPSON: I know Commissioner
16 Toulouse does not have Secondary or McCurdy.

17 MS. FRIEDMAN: I don't have it in mine.

18 MS. McKEE: I don't, either.

19 COMMISSIONER GIPSON: Hold on.

20 COMMISSIONER ARMBRUSTER: I have
21 Intermediate.

22 MS. FRIEDMAN: We need Secondary and
23 McCurdy.

24 COMMISSIONER GIPSON: And I honestly don't
25 need it on paper because I've got online, but I was

1 quickly looking through for something, and that's
2 when I saw that it wasn't there.

3 MS. POULOS: Madam Chairwoman, sorry. I
4 have sent down a request down to the copy room to
5 get six copies. So we'll get them up here as soon
6 as we can.

7 COMMISSIONER GIPSON: They can make five,
8 if it's easier -- four, three.

9 COMMISSIONER TOULOUSE: I want my hard
10 copy.

11 COMMISSIONER GIPSON: Thank you very much
12 for bearing with that. I just needed some
13 clarification on that, because I knew I read it
14 somewhere, and the amendments were getting
15 confusing.

16 So Director Poulos, do you have anything
17 that you wish to add about this?

18 MS. POULOS: I do not.

19 COMMISSIONER GIPSON: Okay.

20 MS. POULOS: Except to say, again, it
21 probably needs a legal review. But I don't see it
22 being an issue. And so I think we will have to make
23 sure we figure out how to do it, and I'm happy to
24 work with Mr. Castille on that. He did try to get
25 in touch with me before this meeting, and I

1 apologize, I was indisposed. But we'll figure out
2 what we can do.

3 COMMISSIONER GIPSON: Thank you.

4 So now we can move on to the amendment
5 request. Director Poulos, is there anything you
6 wish to add or say about the amendment request?

7 MS. POULOS: Madam Chairwoman and
8 Commissioners, you can see that CSD has recommended
9 this amendment request be approved. We believe that
10 the school has, as we've noted, demonstrated
11 acceptable academic achievement both in the letter
12 grade and in the performance framework goals. And
13 we also support the consolidation certainly to the
14 one school for the current two.

15 So I think, yeah, we recommend that.

16 COMMISSIONER GIPSON: Thank you. Anything
17 you wish to say to this?

18 MR. PASZTOR: No, unless you have any
19 questions.

20 COMMISSIONER GIPSON: I don't have any
21 questions.

22 Commissioners, do you have any questions
23 about this? I think it's fairly clear.

24 COMMISSIONER ARMBRUSTER: I'm just going
25 to say one comment.

1 COMMISSIONER GIPSON: Okay.

2 COMMISSIONER ARMBRUSTER: I have some
3 concerns about the intermediate school and then the
4 secondary school. And in my mind -- which is
5 relevant, by the way, to this amendment because I
6 have to figure out how to vote -- is that if you did
7 not have -- if you don't have room to expand -- your
8 cap, I think, is 500, and you didn't have the
9 intermediate school right there, and the kids went
10 4, 5, 6 and went to the secondary school, which is
11 7-12, which is a higher rating -- I mean, I guess
12 I could go to the aeronautics, but that's not in the
13 same place. Then I wouldn't vote for this
14 amendment, because it's saying it's okay to do it,
15 but I'm not sure I'm thinking that that is the way
16 it should go. So I'm not sure how to...

17 COMMISSIONER GIPSON: I honestly -- I
18 don't know what you just said. I'm sorry. I'm
19 confused by what you just said.

20 COMMISSIONER ARMBRUSTER: Okay. I'm
21 sorry.

22 COMMISSIONER GIPSON: I think they need
23 clarification on what you just said.

24 COMMISSIONER ARMBRUSTER: Okay. I'm
25 saying that we leave the school 4, 5, 6. I don't

1 think that adding the intermediate school, which is
2 the 7-8 to this school is advantageous, because they
3 already have a 7-12 secondary. I do know -- and
4 it's hard not to go ahead -- that they're asking to
5 be 9 through 12 so that they wouldn't have that.

6 But since I don't see that the 7-8
7 intermediate school is doing all that well, I don't
8 see a reason to renew that one when the 7-12 is
9 doing much, much better.

10 COMMISSIONER GIPSON: We're not --

11 MR. HARTON: We're not going to renew that
12 one.

13 COMMISSIONER GIPSON: Potentially, if the
14 amendment request goes through, we won't look at the
15 intermediate school, because they won't exist any
16 longer. They only put that application in in case
17 there was this bizarre happening, and we didn't
18 consolidate them. They would have the option for
19 the intermediate school. But as long as this
20 amendment request goes through, then my
21 understanding is, they're withdrawing the
22 Intermediate application. Correct?

23 MR. HARTON: Essentially. That is unless
24 the recommendation for the Intermediate is to
25 terminate.

1 COMMISSIONER GIPSON: Right. So this
2 accomplishes what the Commission had directed them
3 to do, and that was to consolidate. And the
4 intermediate school, the name goes away.

5 MR. PASZTOR: Basically.

6 COMMISSIONER GIPSON: Yeah, yeah.

7 COMMISSIONER ARMBRUSTER: Back to my
8 point. I mean, I understand this confusion, because
9 it's confusing for me, too. I'm not saying that
10 what exists, which is the 7-8 --

11 MR. FRY: We can address that.

12 MR. PASZTOR: I think Sean has your
13 answer. So the intermediate school is mostly
14 traditional, traditional classroom. The seventh
15 graders -- and I'm jumping, but just to explain
16 this -- the seventh graders only take one class
17 online, and the eighth graders only take two classes
18 online, and then the rest of their instruction is
19 done in a traditional setting.

20 So they're more like the primary school.
21 If the kids went from primary directly to the
22 secondary school as a seventh grader, they're
23 jumping into now an all-online coursework. And we
24 actually have very few seventh and eighth graders in
25 Southwest Secondary. There are about 15 of them out

1 of the 280 students. And so this was a huge
2 discussion over the last year of which would be the
3 better combination; to have Intermediate become part
4 of Secondary or to have Intermediate become part of
5 Primary, which was our instruction in pursuit. And
6 that's why the pursuit has gone to consolidating
7 Intermediate with Primary, because they're more
8 alike.

9 Does that help?

10 COMMISSIONER ARMBRUSTER: Yes. I think
11 the confusing part for me was to look at the report
12 card to see that the Secondary school, which
13 currently is 7 through 12, was doing significantly
14 better than the 7-8 was, but they didn't
15 disaggregate the data. So what you're saying, I
16 think, is that the seventh and eighth graders of
17 that 7-12 school were not doing so great as the --
18 so that's why you want to make it 9-12 and put the
19 7-8 back down there.

20 MR. PASZTOR: I get it. So the 7-8 they
21 do okay, but that's why there's fewer of them,
22 because it's a more difficult program for the young
23 kids. They do better in the Intermediate school.
24 And I think the Intermediate school looks bad from
25 the last report card, but the previous years of the

1 report cards were significantly better.

2 COMMISSIONER GIPSON: Commissioner
3 Johnston?

4 COMMISSIONER JOHNSTON: Thank you. I
5 appreciate that question, Commissioner, because what
6 is going to happen to those 15 seventh and eighth
7 graders who are currently being counted in the
8 Secondary school?

9 MR. PASZTOR: Good question. So we get to
10 that school, that amendment, so we currently have
11 those seventh and eighth graders, and next year
12 we're asking to be 8 through 12 so that those
13 seventh graders can move up and be an eighth grader.
14 And then the next year -- so, however many years we
15 can do -- the next year, then, we would become 9
16 through 12, from then on.

17 And so we're asking for the change. The
18 next year, the change would be cutting off one
19 grade, and then the following year, we would cut off
20 the two grades to allow students that are there
21 right now to continue through.

22 COMMISSIONER JOHNSTON: And there's the
23 conversation, then. So what you'll have is, you'll
24 have two eighth grade classes next year.

25 MR. FRY: Yes.

1 MR. PASZTOR: We will. That's correct.

2 COMMISSIONER JOHNSTON: Because this
3 year's seventh graders who are -- but you're doing
4 that for the students, not for the budgetary
5 purposes.

6 MR. PASZTOR: That's correct.

7 COMMISSIONER JOHNSTON: You need to be
8 very clear, because then you'll just have one year
9 of two eighth grade classes.

10 MR. HARTON: Correct.

11 COMMISSIONER JOHNSTON: And it will clear
12 itself up. But that is for the benefit of students.

13 MR. PASZTOR: Yes.

14 COMMISSIONER JOHNSTON: Thank you.

15 COMMISSIONER GIPSON: I believe Director
16 Craig wants to add something.

17 MR. CRAIG: Madam Chair Gipson and
18 Commissioners, I -- from your comments I gather that
19 if this amendment goes through that we won't be
20 discussing Intermediate. And there is only one
21 other thing that I would like to add to all of my
22 testimony on the Southwest schools, and that is the
23 challenges we've had with Intermediate's
24 community-based activities. Their original
25 charter -- and I don't know how many of you are

1 familiar with that -- the envisioned community-based
2 activity that was very focused on field trips to the
3 arts or, you know, learning environments. And what
4 Kirk and I saw when we took over was something that
5 was much different.

6 And so I want to give credit where credit
7 is due, that we have worked very hard to ensure that
8 the program integrity of that conforms to the
9 standards that are set up by the State of New
10 Mexico. I'm not a program-level expert, but I do
11 know that what I was seeing wasn't matching what I
12 think was envisioned in the original charter.

13 So if that program continues under
14 Primary, I wanted to make sure that you all knew
15 that we would have the commitment to ensure the
16 programmatic rigor of those activities. But it is
17 an area of concern from my financial oversight. And
18 I want you all to be aware of that.

19 Okay. Thank you.

20 COMMISSIONER GIPSON: Thank you very much.

21 Commissioners, any other questions. No?

22 COMMISSIONER ARMBRUSTER: I'm fine. I
23 thought Katie did.

24 MS. POULOS: No. That was it.

25 COMMISSIONER GIPSON: I'll entertain a

1 motion for the amendment.

2 COMMISSIONER TOULOUSE: Madam Chair, move
3 approval of the amendment.

4 MS. POULOS: Madam Chair, I believe there
5 are three separate amendments that have been
6 presented.

7 COMMISSIONER GIPSON: Well, you know,
8 I was -- yes. I have -- they are on three separate
9 papers. The first amendment is for --

10 COMMISSIONER TOULOUSE: I have one page in
11 here. It says, "Amendment Request."

12 COMMISSIONER ARMBRUSTER: Is it at the
13 bottom?

14 COMMISSIONER GIPSON: So correct me if I'm
15 wrong. The first amendment is -- reads, "Effective
16 July 1st, 2017, Southwest Primary Preparatory
17 Learning Center provides technology, elective
18 courses for 7 and 8, Smart lab that is unique to the
19 school."

20 And it also, it then goes into -- I'm
21 going to just ask.

22 MR. PASZTOR: Should have an amendment.
23 The one you're reading is for the material terms for
24 Southwest Intermediate. So you have some specific
25 material terms that we transfer over to Southwest

1 Primary Learning Center.

2 COMMISSIONER GIPSON: So the
3 first amendment that we really need to address is...

4 MS. POULOS: Madam Chairwoman, the one
5 that is on page 519, the number --

6 COMMISSIONER GIPSON: So I'm on page 540
7 on mine, so it's...

8 MS. POULOS: And I can bring them to you.
9 That's the one for addition of seventh and eighth
10 grade.

11 COMMISSIONER TOULOUSE: That's the one
12 I've got here (indicating).

13 COMMISSIONER GIPSON: Is it this one
14 (indicating)? It's this one (indicating)?

15 COMMISSIONER TOULOUSE: Madam Chair, may I
16 move --

17 COMMISSIONER GIPSON: Certainly.
18 Commissioner Toulouse.

19 COMMISSIONER TOULOUSE: Madam Chair, I
20 move that the PEC approve the Southwest Primary
21 amendment to, effective July 1st, consider the
22 addition of the seventh and eighth grades to their
23 program and no longer be just a primary school as
24 their wording is here. Thank you.

25 COMMISSIONER GIPSON: Second.

1 Motion by Commissioner Toulouse; second by
2 Commissioner Gipson. Commissioner Armbruster, roll
3 call vote.

4 COMMISSIONER ARMBRUSTER: Commissioner
5 Peralta?

6 COMMISSIONER PERALTA: Yes.

7 COMMISSIONER ARMBRUSTER: Commissioner
8 Johnston?

9 COMMISSIONER JOHNSTON: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner
11 Carr?

12 COMMISSIONER CARR: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner
14 Toulouse?

15 COMMISSIONER TOULOUSE: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner
17 Armbruster votes yes.

18 Commissioner Gipson?

19 COMMISSIONER GIPSON: Yes.

20 COMMISSIONER ARMBRUSTER: That is a quorum
21 of six, and we have six. It passes.

22 COMMISSIONER TOULOUSE: Okay. Now the
23 second one is --

24 COMMISSIONER GIPSON: The second one, yes.

25 COMMISSIONER TOULOUSE: Madam Chair, I

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

8 COMMISSIONER GIPSON: Can you read that
9 back, please, because I'm not sure if --

10 THE REPORTER: You'd like me to read it
11 back?

12 COMMISSIONER GIPSON: Yes, please.

13 COMMISSIONER TOULOUSE: Madam Chair,
14 before we -- let me change that, because I was
15 reading the current statement. It's getting
16 lunchtime.

17 I propose the amendment to effective
18 July 1st, 2017, to begin serving -- do you serve
19 grades K through 8? Because your amendment request
20 says --

21 MR. PASZTOR: Should be 4.

22 COMMISSIONER TOULOUSE: Yeah, okay.

23 MR. HARTON: Four through 8.

24 COMMISSIONER TOULOUSE: Your amendment
25 request says K through 8. What do we do in that

1 case?

2 MR. HARTON: Amend the amendment.

3 COMMISSIONER GIPSON: Just change it in
4 the record. I think we're okay with just changing
5 the record.

6 COMMISSIONER TOULOUSE: Okay. Then I will
7 change it to, Effective July 1st, 2018, they will
8 begin serving grades 4 through 8 by absorbing the
9 seventh and eighth grade students who are currently
10 at the Southwest Intermediate Learning Center.

11 COMMISSIONER GIPSON: Thank you.

12 And I will second that motion. So motion
13 by Commissioner Toulouse, Second by Commissioner
14 Gipson.

15 Commissioner Armbruster, roll call vote,
16 please.

17 COMMISSIONER ARMBRUSTER: Commissioner
18 Carr?

19 COMMISSIONER CARR: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Gipson?

22 COMMISSIONER GIPSON: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner
24 Toulouse?

25 COMMISSIONER TOULOUSE: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Johnston?

3 COMMISSIONER JOHNSTON: Yes.

4 COMMISSIONER ARMBRUSTER: Commissioner
5 Peralta?

6 COMMISSIONER PERALTA: Yes.

7 COMMISSIONER ARMBRUSTER: Commissioner
8 Armbruster votes yes.

9 That is quorum of six, and all six of us
10 are voting to pass that amendment.

11 COMMISSIONER GIPSON: So the motion passes
12 six to zero.

13 Final amendment.

14 COMMISSIONER TOULOUSE: Somebody else can
15 do that one.

16 COMMISSIONER GIPSON: So I make a motion
17 to pass the amendment for Southwest Primary to read:
18 Southwest Preparatory Learning Center provides the
19 technology elective course for seventh and eighth
20 grades, Smart lab that is unique to the school.
21 Southwest Preparatory Learning Center provides
22 pre-algebra to all seventh graders in Algebra 1 for
23 high school credit to all eighth graders.

24 Southwest Preparatory Learning Center
25 provides a community-based activity component to the

1 academic curriculum for seventh and eighth grade.
2 Southwest Preparatory Learning Center provides one
3 online course for seventh grade and two online
4 courses for eighth graders. Effective July 1st,
5 2017.

6 Do I have a second?

7 COMMISSIONER ARMBRUSTER: Second.

8 COMMISSIONER GIPSON: Second by
9 Commissioner Armbruster.

10 Commissioner Armbruster, roll call vote,
11 please.

12 COMMISSIONER ARMBRUSTER: Commissioner
13 Toulouse?

14 COMMISSIONER TOULOUSE: Yes.

15 COMMISSIONER ARMBRUSTER: Commissioner
16 Gipson?

17 COMMISSIONER GIPSON: Yes.

18 COMMISSIONER ARMBRUSTER: Commissioner
19 Peralta?

20 COMMISSIONER PERALTA: Yes.

21 COMMISSIONER ARMBRUSTER: Commissioner
22 Johnston?

23 COMMISSIONER JOHNSTON: Yes.

24 COMMISSIONER ARMBRUSTER: Commissioner
25 Carr?

1 COMMISSIONER CARR: Yes.

2 COMMISSIONER ARMBRUSTER: Commissioner
3 Armbruster votes yes.

4 That's the six votes of a quorum, and the
5 motion passes.

6 COMMISSIONER GIPSON: Thank you very much.

7 MS. POULOS: Madam Chairwoman, I believe
8 we may have missed a fourth amendment request --

9 COMMISSIONER GIPSON: We did?

10 MS. POULOS: -- which somehow might not
11 have --

12 COMMISSIONER GIPSON: Because I definitely
13 don't have that.

14 MS. POULOS: No, no, no. I think -- or it
15 may have been this one that was in front that
16 appears to be blank and for some reason was showing
17 up as a blank.

18 COMMISSIONER GIPSON: Do you have another
19 amendment?

20 MR. PASZTOR: The name change to Southwest
21 Preparatory, because it's no longer just primary
22 students.

23 COMMISSIONER GIPSON: Sure. That makes
24 sense.

25 COMMISSIONER TOULOUSE: Madam Chair, if we

1 don't have that, we can do that one in January.

2 MS. McKEE: Well, we have it.

3 COMMISSIONER TOULOUSE: Well, we don't.

4 MS. POULOS: It printed blank, for some
5 reason. So I don't know why the text disappeared
6 from that document.

7 MS. McKEE: Is that 519?

8 MS. POULOS: 515.

9 MS. McKEE: I'm looking at page 519 where
10 it says, "Current charter statement, Southwest
11 Primary Learning Center, proposed revision effective
12 July 1st, 2017, Southwest Preparatory Learning
13 Center." Page 519 of our materials.

14 COMMISSIONER GIPSON: And it is 519?

15 COMMISSIONER TOULOUSE: I did the one that
16 consolidated. I'm doing no more motions today.

17 COMMISSIONER GIPSON: Could you read the
18 record back? I believe it was the first amendment
19 request.

20 MS. McKEE: Commissioners, what we need to
21 do is see what -- exactly what we voted on and if we
22 need to --

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 know what I said. The first time I read the whole
25 thing, and I was told I was incorrect, because I

1 didn't say an actual change. But I read what the
2 current status is. So I changed that and read only
3 the request. So I think we probably need the motion
4 to change the name.

5 MS. McKEE: Let's see what the record says
6 so that it's correct.

7 COMMISSIONER TOULOUSE: I know what I
8 read.

9 MS. McKEE: I understand. I'd like to
10 hear what the record says.

11 (The record was read by the reporter.)

12 MS. McKEE: Commissioners, we need to
13 rescind that motion, because rather than stating the
14 proposed amendment, it's stated the rationale for
15 the amendment. So we voted on the rationale rather
16 than the language in the proposed amendment, which
17 is what we need to do.

18 COMMISSIONER TOULOUSE: Okay. I thought
19 it was the first one I had read the rationale.
20 Anyway, whatever we need to do.

21 COMMISSIONER GIPSON: Yeah.

22 COMMISSIONER TOULOUSE: No. But I made
23 one that we didn't vote on, that I thought.

24 MS. McKEE: Well, we got a vote on this.

25 COMMISSIONER TOULOUSE: Okay.

1 MS. McKEE: Yeah.

2 COMMISSIONER ARMBRUSTER: Roll call to
3 rescind?

4 COMMISSIONER GIPSON: Yes.

5 COMMISSIONER TOULOUSE: Madam Chair, I
6 move a motion to rescind whatever it was I said that
7 I shouldn't have said to get this to lunchtime.

8 Thank you very much.

9 COMMISSIONER GIPSON: I'll second that.

10 COMMISSIONER ARMBRUSTER: Okay. Ready?
11 Commissioner Toulouse?

12 COMMISSIONER TOULOUSE: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner
14 Armbruster votes yes.

15 Commissioner Peralta?

16 COMMISSIONER PERALTA: Yes.

17 COMMISSIONER ARMBRUSTER: Commissioner
18 Gipson?

19 COMMISSIONER GIPSON: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Johnston?

22 COMMISSIONER JOHNSTON: Yes. All right.
23 Yes.

24 COMMISSIONER ARMBRUSTER: Commissioner
25 Carr?

1 COMMISSIONER CARR: Yes.

2 MS. McKEE: I just want to be clear, what
3 we are rescinding is the motion that was stated
4 Southwest Primary Learning Center, considering the
5 addition of seventh and eighth grade to Southwest
6 Primary Learning Center, it is no longer just a
7 primary school. That is the motion that we are
8 rescinding.

9 COMMISSIONER JOHNSTON: And I have a
10 question. Is that in the record now?

11 MS. McKEE: It is. She is typing it.

12 COMMISSIONER JOHNSTON: Thank you.

13 COMMISSIONER ARMBRUSTER: So the vote
14 is -- has passed to rescind the motion that we don't
15 want anymore. And it's a unanimous vote.

16 COMMISSIONER GIPSON: So now we need a
17 motion.

18 COMMISSIONER TOULOUSE: Don't look at me.

19 COMMISSIONER GIPSON: I make a motion for
20 an amendment to the Southwest Primary Learning
21 Center charter for a name change effective July 1st,
22 2017, Southwest Primary Learning Center will be
23 known as Southwest Preparatory Learning Center.

24 COMMISSIONER ARMBRUSTER: Second.

25 COMMISSIONER GIPSON: Second by

1 Commissioner Armbruster.

2 Roll call vote, Commissioner Armbruster.

3 COMMISSIONER ARMBRUSTER: Commissioner

4 Johnston?

5 COMMISSIONER JOHNSTON: Yes.

6 COMMISSIONER ARMBRUSTER: Commissioner

7 Carr?

8 COMMISSIONER CARR: Yes.

9 COMMISSIONER ARMBRUSTER: Commissioner

10 Toulouse?

11 COMMISSIONER TOULOUSE: Yes.

12 COMMISSIONER ARMBRUSTER: Commissioner

13 Armbruster votes yes.

14 Commissioner Peralta?

15 COMMISSIONER PERALTA: Yes.

16 COMMISSIONER ARMBRUSTER: Commissioner

17 Gipson?

18 COMMISSIONER GIPSON: Yes.

19 COMMISSIONER ARMBRUSTER: A unanimous vote

20 to change the name of this school.

21 COMMISSIONER GIPSON: Thank you very much.

22 MR. PASZTOR: Thank you.

23 COMMISSIONER GIPSON: Thank you very much.

24 Commissioners, do you want lunch now?

25 Oh, I'm sorry. I guess we have to

1 formally deal with -- you have to, for the record,
2 you have to withdraw the application for Southwest
3 Intermediate, okay, before we convene.

4 MS. FRIEDMAN: Adjourn.

5 COMMISSIONER GIPSON: And for the record,
6 please once again, just introduce yourself.

7 MR. DAN CASTILLE: I'm Dan Castille, legal
8 counsel for all four schools. And I'm kind of
9 flipping through the summary to get the language
10 that we wanted to do. But the intermediate school
11 is willing to rescind its renewal application on the
12 condition that -- what I think we just did -- but
13 I would like it to be expressed that it is on the
14 condition that -- let me just read from the language
15 that we put in here.

16 That SPLC would be allowed to amend its
17 charter to absorb the seventh and eighth grade
18 students, which we did that expressly. The programs
19 and the employees that once -- the ones were SLC,
20 and I think we did that impliedly, at least.

21 A further condition was that Primary is
22 allowed to absorb the available cash balances and
23 funds that do belong to SLCs, do belong to SLCs.
24 And I know that that's pending. That will be
25 pending a legal review. But that's extremely

1 important to the rest of the schools that have these
2 cash balances. They're intending to do a
3 lease-purchase of the building, and they need the
4 down payment and the money that belongs to SLC,
5 which would lower the monthly cost for the other
6 schools in the Candelaria locations.

7 So we state that that is a condition for
8 us renewing our charter. And I guess I understand
9 it's subject to review, legal review. But I think
10 that if we're not going to be able to get that
11 condition, then I think that we would be asking to
12 continue on with the two-year charter, probably, for
13 the intermediate school.

14 COMMISSIONER GIPSON: We at this point in
15 time, I hesitate to tell you how Commissioners here
16 are going to vote.

17 MR. DAN CASTILLE: I understand.

18 COMMISSIONER GIPSON: But we -- we can
19 agree to that condition without knowing, because
20 Director Craig said he was pretty sure, but he would
21 need an opinion on that. So I'm not comfortable
22 agreeing to that condition, because we can't.

23 But if you wish to --

24 COMMISSIONER PERALTA: I think there are
25 two options here. You rescind or you go through

1 with the application.

2 COMMISSIONER GIPSON: Yeah. That's your
3 choice. At this moment in time, because we have a
4 time frame for renewals, so you've got two choices
5 at this moment in time; to rescind the application
6 or go through with the application process. But
7 there are no conditions that we can place on that
8 amendment and that consolidation at this point in
9 time.

10 MR. DAN CASTILLE: Okay. Then the
11 Intermediate school will rescind its renewal
12 application.

13 COMMISSIONER GIPSON: Thank you very much.
14 I appreciate it. Thank you.

15 Commissioners, is it your desire to
16 convene for lunch and pick up with Southwest
17 Secondary after lunch?

18 COMMISSIONER CARR: Yes.

19 COMMISSIONER TOULOUSE: Yes.

20 COMMISSIONER GIPSON: Right, because we do
21 have -- that will leave us with two this afternoon.

22 COMMISSIONER CARR: Right.

23 COMMISSIONER GIPSON: Okay. So shall we
24 say, make it 1:00? Thank you very much, and we will
25 reconvene at 1:00. Thank you.

1 (Lunch taken from 12:08 p.m. to 1:03 p.m.)
2 (Commissioner Gilbert Peralta left the
3 proceedings. Commissioner Eleanor Chavez
4 joined the proceedings by telephone.)

5 COMMISSIONER GIPSON: I am reconvening
6 this meeting of the Public Education Commission, and
7 it is 1:03 p.m. And welcome back to those familiar
8 faces. And up for consideration now --

9 MS. FRIEDMAN: Madam Chair, could I ask
10 you to recognize that Commissioner Peralta has left?

11 COMMISSIONER GIPSON: Oh, yes. If the
12 record could please indicate that Commissioner
13 Peralta has left and Commissioner Chavez is on the
14 phone.

15 And before I start, once again, if anyone
16 wishes to speak in the public input portion, please
17 sign in over here with Beverly. And once again, the
18 total time for public input is five minutes.

19 And I know it's difficult because we have
20 things to say, but if we could try to speak
21 individually so that the court reporter can keep
22 track of what everyone is saying. I'm sure it will
23 make her life a little bit easier.

24 THE REPORTER: Thank you.

25 COMMISSIONER GIPSON: And we are on to

1 letter I, which is Southwest Secondary Learning
2 Center, Albuquerque. Welcome.

3 Director?

4 MS. POULOS: Madam Chairwoman,
5 Commissioners, CSD, as with the other schools, has
6 recommended this school for a short-term renewal of
7 two years based on the schools' disclaimed audits
8 for 2014 and 2015 which were released respectively
9 on February 20th, 2016 and March 15th, 2016.

10 During the term of the current charter, it
11 demonstrates that this school has failed to meet
12 generally accepted standards of fiscal management.
13 As with the other schools, we do believe it's
14 important to note that under the assistance of the
15 PED and PED having the financial authority for this
16 school, this school has been able to improve the
17 operations in its business office. And we are
18 continuing to work forward -- work with them and
19 move forward in this process.

20 The school has met the contract material
21 terms. Again, this is one of the easier ones to do,
22 because the contract was much more clear and the
23 goals were much more clear and concise.

24 In addition, the school has met the Public
25 Education Department's standards of excellence,

1 having earned a three-year average of an A and a
2 single-year letter grade of an A in each of the last
3 three years. And so, in addition, the school has
4 met the performance standards outlined in the
5 performance framework of the contract.

6 The school has also met the facilities
7 expectations, the two areas where CSD did have
8 concerns where, of course, in the fiscal management
9 as well as in legal compliance and similar to the
10 other schools, there were just a few areas where CSD
11 had concerns with regards to licensure, Special
12 Education requirements, and ELL requirements.

13 But again, CSD has recommended a
14 short-term two-year renewal with the condition that,
15 for the fiscal year '17, the school receives an
16 unmodified audit opinion and demonstrates continued
17 decreases in the number and severity of audit
18 findings. We recommend corrective action
19 requirements that the school work with CSD to
20 address the concerns about ELL service.

21 I believe that I have left governance
22 requirements in there, and I don't believe that's
23 appropriate, so I apologize for that, as I was
24 cutting and pasting.

25 And that the school's framework include

1 specific academic goals related to proficiency,
2 current standing, lowest growth, and school growth.
3 I need to check -- I apologize if those should have
4 been removed, also.

5 Do you know? Were those areas where the
6 school received a D or F in individual indicators?
7 This school didn't.

8 MR. PASZTOR: Right.

9 MR. DAN CASTILLE: I don't see those.

10 MS. POULOS: Right. So I apologize for
11 that. I hope I'm reading the right one.

12 No, I'm reading the wrong one. That's
13 what's happening.

14 COMMISSIONER GIPSON: Welcome to our club.

15 MS. POULOS: So let me try that again.
16 Apology.

17 We have recommended a two-year renewal
18 based on the disclaimed audits by the end of fiscal
19 year '17. The school received an unmodified audit
20 opinion and demonstrates continued decreases.
21 Corrective actions that the school works with CSD to
22 address the concerns of the -- regarding ELL
23 services. And then we will address the amendment
24 request after your consideration.

25 COMMISSIONER GIPSON: Thank you.

1 Thank you. And once again, you've got 15
2 minutes.

3 MR. PASZTOR: Okay. Thank you, Madam
4 Chair and Commissioners. My name is Robert Pasztor,
5 and I'm the principal of Southwest Secondary
6 Learning Center. Again, thank you for the
7 opportunity to address you concerning the renewal
8 for Southwest Secondary Learning Center.

9 We are represented here today by our head
10 administrator, Mr. Kirk Harton; our in-house
11 business manager, Miss Ronda Joyce, who is in the
12 audience; our school attorney, Mr. Daniel Castille;
13 Mr. Sean Fry is here with The Vigil Group, and
14 additionally in the audience, we have some teachers
15 from the school.

16 We are before you today -- I'm going to
17 say this: You don't have to apologize when we get
18 to the end, and it doesn't work out like this.

19 We're here today requesting a five-year
20 renewal without conditions. The Southwest Secondary
21 Learning Center was originally chartered with the
22 Albuquerque Public Schools and opened its doors in
23 August of 2001 serving grades 7 through 12. After
24 four years, by request, it was renewed as a state
25 chartered charter school in 2010 and again in 2015.

1 This is our sixteenth year in operation.

2 The Southwest Secondary Learning Center
3 uses a highly successful educational reform model
4 that integrates technology, personal responsibility,
5 and access to dual credit coursework to motivate and
6 educate students. With the use of a computer-based
7 educational delivery system, the help and guidance
8 of highly dedicated and professional staff, students
9 at the Southwest Secondary Learning Center receive
10 an education that is focused on their individual
11 needs.

12 At Southwest Secondary, computers are used
13 as tool for instruction, expanding the classroom
14 outside the four walls confining the students.
15 Students learn to utilize technology the way the
16 rest of the world does every day. The students and
17 staff have a shared emphasis on content mastery.
18 The students, parents, and teachers work together
19 to design individual growth plans that enable an
20 individualized curriculum to be tailored for each
21 student.

22 And I must add that 16 years ago, online
23 coursework was not readily accepted by the academic
24 community, and look where that is today. How many
25 people do you know that are getting degrees online,

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1 and even the conversation we're having today is so
2 different than conversations I've seen in the last
3 16 years.

4 The mission of the school is to sustain
5 a high-performing learning community by preparing
6 computer-literate students for college or a career
7 through a blended learning model that is
8 individualized, self-directed, and flexible. We
9 believe we have demonstrated our commitment to this
10 mission by setting rigorous goals in our charter
11 contract and meeting the standard in mathematics and
12 in reading in the 2015-2016 school year.

13 Southwest Secondary currently maintains
14 a three-year average letter grade of an A. And as
15 you've seen in the CSD report, our students perform
16 well above the state averages. The school continues
17 to monitor grades that are connected to growth when
18 students are already high-performing.

19 Southwest Secondary standardized test
20 score data reveals that the longer a student attends
21 our school, the higher their proficiencies will go.
22 Eighty-five percent of full academic year students
23 in the eleventh grade tested proficient or above in
24 ELA and mathematics on the PARCC exam in 2015-2016.

25 Southwest Secondary Learning Center has

1 maintained impressive ACT achievement scores for the
2 past ten years, every year exceeding the state and
3 national averages and increasing incrementally each
4 year. The school has been recognized several times
5 in the past ten years as being one of the nation's
6 top one percent of high schools by U.S. News & World
7 Report. We were invited with SAMS Academy to the
8 Airplane [sic] Owners and Pilots Association high
9 school symposium in Seattle, Washington, to speak
10 about our aviation program that began in 2006, 11
11 years ago, to speak about the success and failures
12 in the development of what could be boasted as one
13 of the state's most outstanding achievements.

14 And as for dual credit, we have over 300
15 courses taken each semester and another 50-plus each
16 summer by 100-plus students in grades 10 through 12
17 at UNM, CNM, New Mexico Tech, and Eastern New Mexico
18 university. Each year for the past ten years, we
19 have had at least one graduate that already has an
20 associate's degree or two.

21 You will also read that our student
22 retention is very high in this school, which means
23 that our family retention is high. Southwest
24 Secondary also has happy students and families,
25 challenging, dedicated, and passionate teachers and

1 the support of governing council. Needless to say,
2 Southwest Secondary Learning Center is another
3 exemplary school with an exemplary program and
4 should be allowed to continue to service the
5 students of the community.

6 Once again, we're requesting a five-year
7 renewal of the school without conditions as stated
8 in the renewal application. Southwest Secondary is
9 asking for an amendment per the request of the
10 Commission to change the grades served from 7
11 through 12 to 8 through 12 next year, and 9 through
12 12 for the following years.

13 Thank you.

14 COMMISSIONER GIPSON: We're done?

15 MR. PASZTOR: That's it.

16 COMMISSIONER GIPSON: Beverly, did anyone
17 sign up for public input?

18 MS. FRIEDMAN: Yes. Madam Chair, there is
19 one lady by the name of Leah Graham.

20 COMMISSIONER GIPSON: I think we know her
21 already.

22 MS. GRAHAM: I'm going to talk about
23 another one of my children who attends the Secondary
24 school. My son Javin is a ninth grader there. He's
25 actually been attending since seventh grade, the

1 Secondary school. The school that he attended
2 previous to this school, he was not interested in
3 extra-curricular. His grades weren't that great.
4 He didn't have a lot of friends. He didn't feel it.

5 But when he moved to this school, he
6 really began to thrive. He's doing well with the
7 self-directed learning. He's in sports at the
8 school. He's really doing well. And I think
9 charter schools are unique in that the sports --
10 where you don't have to be the best athlete to be
11 able to make the team. So he's been doing really
12 well in that area as well.

13 I wanted to speak about the online
14 program. I love the online program. He -- you
15 know, I've got five kids, so I've experienced them,
16 you know, in different kinds of education. We've
17 done public school, we've done homeschool, and we've
18 done charter schools. And the amount of content
19 covered, I think, in an online school is amazing
20 compared to a regular public school classroom.

21 He is able, you know -- he has to get
22 through the whole curriculum in order to move on
23 to the next grade. Whereas, in a regular school
24 classroom, he would end up, you know, if a teacher
25 didn't cover it, then they just didn't cover it that

1 year. And so I really believe that they're able to
2 master a lot more content in this type of program.
3 And I really feel like he's benefited largely from
4 that.

5 As far as the extra help, the tutoring,
6 I think this is perfect for an online curriculum to
7 have it the way that Southwest has it, where they're
8 working in a room where there's teacher support all
9 around them. Anytime they need any help, they're
10 able to get that help. And it's always one-on-one
11 help, because all the students are working in a
12 different place. So when he needs to work a little
13 slower, he can. When he needs extra help, he has
14 that extra help. And when it's something that he's
15 able -- you know, he understands well and is able
16 to, you know, breeze through, then, that doesn't
17 hold him back. He's able to just breeze through it.

18 And then I wanted to talk about the
19 tracking. We've had times in our three years at
20 that school where Javin was not keeping up with his
21 work as well as he should have. And I was able to
22 get online, and like has been expressed before, I
23 can always see how much idle time; whereas, he may
24 be logged in for quite a while that day, he may have
25 hours of idle time, and I know he wasn't working

1 during that time.

2 So it is easy to track what they're doing.
3 You can also see the activities that they're doing
4 and how many hours they've been on the computer,
5 when they log on, when they log off. So it's
6 actually really trackable. I mean, you can really
7 see exactly what they're doing all the time.

8 And I just want to say again I love these
9 schools, and I'm so thankful for them in my life
10 with my children.

11 COMMISSIONER GIPSON: Thank you so much.

12 Commissioners, questions? Comments? I
13 feel like -- I apologize, but I feel like it's
14 déjà vu.

15 Commissioner Johnston?

16 COMMISSIONER JOHNSTON: Thank you, I have
17 a curricular question. Edgenuity allows you to
18 modify coursework as long as you are true to the
19 State content standards and benchmarks. Do you do
20 much modifying or do you have the students -- how do
21 you individualize?

22 MR. PASZTOR: I love the fact that you
23 know this. We do both. We do both. So our courses
24 are our courses. Edgenuity provides coursework, but
25 the courses that we have, have our name on it,

1 because the teachers came in -- we actually went to
2 the new version this summer -- and the teachers came
3 in and spent days, and they -- and they customized
4 the language arts courses, the science courses
5 according to what they felt was appropriate
6 according to the standard. And really what it was
7 doing was Edgenuity's courses by themselves are,
8 like, 150 hours. They're enormous. I even said to
9 them, "How do you think a student will ever get this
10 finished?"

11 And their intention is to just go
12 overboard, and then we can make -- can fix it.

13 And so they're very careful about what it
14 is that they put into the courses, and then there
15 are times, for example, if the student comes to us,
16 at, like right now, they'll come in -- it's kind of
17 late in the semester -- but they'll come in with a
18 transfer grade, and they only need a little portion
19 of the class. So we can customize the course to
20 their need.

21 What we don't do is, we don't customize a
22 course -- and you might wonder this in Special
23 Education -- that we're not going to give you a
24 lesser course. That is absolutely not what happens.
25 You get the same course. You get services to help

1 you do it. There's -- there's where it's read to
2 you, so text to voice and even voice to text
3 sometimes when you need that. There are specific
4 things that are built into our system and to
5 Edgenuity that allow an accommodation for a student
6 if they need it.

7 So yes, we do some of both.

8 COMMISSIONER JOHNSTON: And in addition to
9 that, there's always -- there are always teachers
10 present in the classroom?

11 MR. PASZTOR: In the classroom,
12 absolutely.

13 COMMISSIONER JOHNSTON: Thank you.

14 COMMISSIONER GIPSON: Commissioners, any
15 other questions? Comments?

16 I'll make the same comments I've made
17 every time you've been sitting up here. You know,
18 we congratulate you. You do a great job with these
19 students, but there's the but.

20 MR. PASZTOR: Yes.

21 COMMISSIONER GIPSON: So it's unfortunate,
22 but it exists. So I'm going to --

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 have one further.

25 COMMISSIONER GIPSON: Okay.

1 COMMISSIONER TOULOUSE: I think it's more
2 a comment.

3 I still notice the numbers on ELL students
4 are not there, and I'm sure you have ELL students.
5 And I would just hope that those would end up being
6 appropriately identified, helped, and reported so
7 that we know what you're doing, because that's -- in
8 New Mexico we know there's not going to be, really,
9 a school out there that doesn't have at least one
10 student who needs language helping them.

11 It isn't always Spanish language. We have
12 people coming from so many other places to here
13 anymore that we know we're going to need. So I
14 would encourage you to make sure that your reporting
15 gets caught up on that.

16 Thank you.

17 COMMISSIONER GIPSON: Thank you.

18 Commissioners, are we ready for a motion?

19 COMMISSIONER ARMBRUSTER: Can I ask just
20 one question?

21 COMMISSIONER GIPSON: No. Yes.
22 Commissioner Armbruster.

23 COMMISSIONER ARMBRUSTER: New question:
24 In your program, I know I was reading about the
25 aviation component to this. Can you tell me how

1 that works within your school and how does that get
2 linked to somebody else that we've already talked
3 about? I was reading it in there --

4 MR. PASZTOR: Do you want someone else to
5 answer that?

6 MR. GALLACHER: I'll use that one.

7 MR. PASZTOR: You can reach it.

8 MR. GALLACHER: So the aviation component,
9 we work in tandem with both SAMS and SSLC. It works
10 really well. The two schools kind of share the cost
11 of it, because aviation is a little expensive.

12 So -- but we're able to facilitate more students
13 that way. And so Southwest Secondary started the
14 aviation program, and then SAMS was created as a --
15 I guess a secondary component sister school, so to
16 speak, with a little bit more of an aviation focus.

17 And so being it's actually out at the
18 airport, but I do classes for both kids, for both
19 campuses. So Wednesdays I'm over at SSLC teaching
20 the classes, and then Monday and Tuesday and
21 Thursday and Friday, the kids from both classes, if
22 they're doing ground school or flight or SIMS, they
23 will come out to the Double Eagle facility where the
24 actual airplanes and the airport is and then do
25 their training there.

1 So we use both campuses separately, and
2 then the training is obviously done -- has to be
3 done at the airport. So it's obviously done over
4 at SAMS.

5 COMMISSIONER ARMBRUSTER: How do the
6 students get there?

7 MR. GALLACHER: Most of them at that
8 stage, they drive themselves. They have to be at
9 least 16 to start ground school and to fly. And so
10 most of them have a driver's license, and so they'll
11 drive themselves. Just like a normal student at
12 SAMS, when they turn 16, a lot of them drive
13 themselves or they'll get a ride or they carpool.

14 We have, I think, two students will get a
15 ride to the bus stop and then ride the bus that we
16 have that goes out to SAMS for one of the bus stops,
17 and they ride out there.

18 COMMISSIONER GIPSON: Thank you.
19 Commissioner Johnston?

20 COMMISSIONER JOHNSTON: Thank you.

21 This is a liability question. How do you
22 cover the liability of students of the requirement
23 that a student transport from one campus to another
24 or is it a difficulty or carpooling with other
25 student drivers? Is that a liability issue?

1 MR. HARTON: No. I mean, we've put those
2 safeguards in place. You know, the way in which
3 students go back and forth, they have all the right
4 nipsey of parental permissions put into place. The
5 parents are signing off.

6 So if I have kids that go in another
7 vehicle with another parent, they have to have that
8 sort of permission. And again, yes, there's always
9 liability to that sort of situation, but we try to
10 minimize it to make sure that all the people that
11 are going back and forth, that they're properly
12 insured. And we take as many safeguards as we can
13 to make sure that that is a good situation.

14 COMMISSIONER JOHNSTON: Well, again, you
15 said you work with New Mexico Public School's
16 Insurance Authority. So you have that covered.

17 Thank you.

18 MR. HARTON: Yeah. And in regards to the
19 flight program, yes. They cover that, too. I was
20 very surprised, but they are all on board about us
21 and the airplane program and covering us
22 liabilitywise there as well.

23 COMMISSIONER JOHNSTON: Thank you.

24 COMMISSIONER GIPSON: Commissioners, are
25 we now ready for a motion? This is on me again?

1 MS. McKEE: I guess so.

2 COMMISSIONER GIPSON: I move to approve
3 the renewal application for Southwest Secondary --
4 is it Learning Center? I want to make sure.

5 -- Learning Center, Albuquerque, for a
6 period of two years, excluding the amendment, with
7 the following conditions: By the end of fiscal year
8 '17, the school must receive an unmodified audit
9 opinion and demonstrate continued decreases in the
10 number and severity of audit findings, requirements
11 that the school regularly report on the corrective
12 actions identified in the renewal responses and that
13 the school affirmatively work with CSD to address
14 the concerns about ELL services.

15 Do I have a second?

16 COMMISSIONER ARMBRUSTER: Second.

17 COMMISSIONER GIPSON: Second by
18 Commissioner Armbruster.

19 COMMISSIONER TOULOUSE: Madam Chair, I
20 want to state for the record my ongoing comment on
21 three years rather than two. I just want that on
22 the record.

23 COMMISSIONER GIPSON: Thank you.

24 COMMISSIONER TOULOUSE: Thank you.

25 COMMISSIONER GIPSON: Commissioner

1 Armbruster, roll call vote, please.

2 COMMISSIONER ARMBRUSTER: Commissioner

3 Gipson?

4 COMMISSIONER GIPSON: Yes.

5 COMMISSIONER ARMBRUSTER: Commissioner

6 Johnston?

7 COMMISSIONER JOHNSTON: Yes.

8 COMMISSIONER ARMBRUSTER: Commissioner

9 Toulouse?

10 COMMISSIONER TOULOUSE: Yes.

11 COMMISSIONER ARMBRUSTER: Commissioner

12 Chavez?

13 COMMISSIONER CHAVEZ: Yes.

14 COMMISSIONER ARMBRUSTER: Commissioner

15 Armbruster votes yes.

16 Commissioner Carr?

17 COMMISSIONER CARR: No.

18 COMMISSIONER ARMBRUSTER: Six is a quorum,

19 and we have five votes for the passing.

20 COMMISSIONER GIPSON: It passes by a 5-1

21 vote. Thank you very much. Thank you.

22 Now on to the amendment. And we only have

23 one; correct? Director, is there anything you wish

24 to add, or we're good with this?

25 MS. POULOS: CSD's recommended and PED's

1 recommended the approval of this amendment request
2 which decreases the number of grade levels they
3 serve. And it's really kind of a phase-out.

4 So in the end, they'll be serving grades
5 9 through 12.

6 COMMISSIONER GIPSON: Correct.

7 Is there anything you need to add?

8 Commissioners, do we have any questions?

9 Then I will ask for a motion to approve
10 the amendment.

11 COMMISSIONER ARMBRUSTER: I move we
12 approve the amendment.

13 COMMISSIONER GIPSON: You have to read it.

14 COMMISSIONER ARMBRUSTER: I move to
15 approve the following amendment: Effective
16 July 1st, 2017, the authorized school grades
17 9 through 12, however, allowing eighth grade for
18 the 2017-2018 school year only.

19 COMMISSIONER GIPSON: I will second that
20 motion.

21 COMMISSIONER ARMBRUSTER: Thank you.

22 COMMISSIONER GIPSON: Commissioner
23 Armbruster, roll call vote, please.

24 COMMISSIONER ARMBRUSTER: Commissioner
25 Gipson?

1 COMMISSIONER GIPSON: Yes.
2 COMMISSIONER ARMBRUSTER: Commissioner
3 Toulouse?
4 COMMISSIONER TOULOUSE: Yes.
5 COMMISSIONER ARMBRUSTER: Commissioner
6 Carr?
7 COMMISSIONER CARR: Yes.
8 COMMISSIONER ARMBRUSTER: Commissioner
9 Chavez?
10 COMMISSIONER CHAVEZ: Yes.
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Johnston?
13 COMMISSIONER JOHNSTON: Yes.
14 COMMISSIONER ARMBRUSTER: Commissioner
15 Armbruster votes yes.
16 That is a quorum of six, and we have six
17 votes to pass that.
18 COMMISSIONER GIPSON: The motion passes
19 6-0. Congratulations. Safe travels. Thank you for
20 bearing with us now.
21 MR. DAN CASTILLE: Thank you.
22 MR. HARTON: Thank you so much.
23 COMMISSIONER GIPSON: Commissioners, can
24 we take just a short break while McCurdy gets
25 themselves settled here?

1 COMMISSIONER CARR: Sure.

2 (Recess from 1:29 p.m. to 1:39 p.m.)

3 COMMISSIONER GIPSON: Good afternoon and
4 welcome. Thank you for bearing through the morning.
5 Those of you who were here all morning, we
6 appreciate it. And it's nice to see you in a
7 setting other than a panic for building mode.

8 MS. ARCHULETA: I agree.

9 COMMISSIONER GIPSON: That's very nice.
10 There's good news with that, so we're happy all
11 around about that as well, as I'm sure you are.

12 So we are here today, our final one for
13 the day, and this is McCurdy Charter. The
14 director's going to go first. But before the
15 director goes, if there is anyone here that wishes
16 to speak in the public portion, please sign in with
17 Beverly here. And there is a total of five minutes
18 for the public portion.

19 Director?

20 MS. POULOS: Madam Chairwoman,
21 Commissioners, CSD recommends a -- did it again to
22 myself. Put the wrong one up on the screen.

23 Full renewal of this charter school, based
24 on the school's letter grade performance.
25 Specifically, the school currently maintains a

1 three-year average letter grade of C, and the
2 school's compliance with the contractual terms of
3 the charter contract as well as the school's
4 compliance with the facility's requirements laid out
5 in 22AB4.2. However, CSD does note that the school
6 has not met all the student performance standards in
7 the charter contract.

8 Again, this is one of those charters that
9 had a whole lot of goals. In fact, this school had
10 seven. The two goals that the school was not able
11 to demonstrate meant it related to the manner of
12 tracking parent involvement. So there were photos,
13 but the goal as written appeared to indicate a
14 different tracking mechanism. And also, writing
15 scores, and that, I think, was based on the fact
16 that there previously was a writing -- a separate
17 writing assessment for our State assessment that no
18 longer exists. So there's a challenge in tracking
19 that goal, also.

20 And then the school has not, throughout
21 the entire term of the contract, has not met
22 generally accepted standards of fiscal management.
23 The school did have a disclaimed audit in 2013 and
24 in 2014. However, we think it's very important to
25 note that the school has received an unmodified

1 audit opinion since that time. Their 2015 audit
2 opinion was an unmodified audit opinion, which is
3 actually the condition that you just set for all of
4 those Southwest schools. However, that audit did
5 still have one significant deficiency and one repeat
6 finding. And so certainly we would like to see
7 those cleaned up.

8 In addition with regards to fiscal
9 management, we believe it's important to note that,
10 as the Commission knows, the school had lost its
11 authority as a Board of Finance because of those
12 disclaimed audits, and the PED did take over that
13 authority for this school. They have recently
14 reobtained that designation. However, the
15 department's school Budget and Finance Bureau
16 indicates that the school continues to struggle with
17 cash flows as evidenced by the school closing fiscal
18 year '16 with an operational cash position in the
19 red.

20 The budget office indicates this is
21 primarily due to a lack of timeliness in requests
22 for reimbursements requiring the school to loan
23 funds from the operational fund to cover other fund
24 expenditures. However, it's important to note the
25 school has a positive cash balance. The school has

1 made improvements, and the requests for
2 reimbursement, and fiscal year '17 is the first year
3 the school opened without requesting an advance in
4 SAG since PED suspended the Board of Finance.

5 The school's Budget and Finance Analysis
6 Bureau director is, however, strongly concerned that
7 the Level 2 licensed business manager, the school's
8 employee may be exiting the business. And
9 employment of a Level 2 business official was a
10 condition of returning the Board of Finance.

11 So those continue to be some outstanding
12 concerns that the department has about fiscal
13 management.

14 And then with regards to legal compliance,
15 CSD, during the site visit, did have some concerns
16 about licensures, specifically assignment of
17 teachers that did not match the appropriate
18 licensure, and I believe there may have been issue
19 with the gifted licensure. In addition, there was
20 concerns about the appropriate licensure of a
21 contracted staff member. I think it's important,
22 since CSD has noted -- it's important for all of our
23 schools to hear that ultimately, whether they're
24 contracting staff members or not, that school is
25 still primarily responsible for student safety and

1 so should verify the contracted staff members
2 background checks as well as licensure. We have
3 seen that across schools, so that's not a particular
4 issue here at this school. We just want to make
5 sure all schools understand that that is ultimately
6 their responsibility.

7 And CSD did see some concerns about
8 Special Education and whether timely IEPs were being
9 done. I think there were a couple that were maybe
10 not timely as well as English language
11 identification and service. And so just a few
12 concerns. I think these are concerns we're seeing
13 across schools and working to make sure schools are
14 getting good feedback on these things, as well as
15 next step plans. I think there were some small
16 concerns there about who was signing and getting the
17 right signatures.

18 So again, ultimately, CSD does recommend
19 the renewal of this charter for a full five-year
20 term. However, CSD has made some recommendations on
21 conditions, including the condition that the school
22 regularly report on the corrective actions
23 identified in the renewal response. So the school
24 did indicate that, based on our feedback, they were
25 taking that feedback and correcting things. So we

1 appreciate the responsiveness and would like to just
2 see that continue and have the school report on
3 that.

4 And then specific goals we've recommended
5 relate to the current standing of proficiency growth
6 of the lowest-performing students, school growth and
7 graduation rate, because those are areas where the
8 school received either a D or an F in that
9 particular indicator but received an overall letter
10 grade of C.

11 COMMISSIONER GIPSON: Thank you.

12 Welcome once again. If you could please
13 identify yourself for the record. And once again,
14 you have 15 minutes for this portion.

15 MS. ARCHULETA: Thank you, Madam
16 Chairperson, members of the Commission, I am Janette
17 Archuleta. I am director of the McCurdy Charter
18 School, and I would like to introduce to you our
19 school team. We have Chelamia Quintana; she's the
20 principal of our 7 through 12 grades; Kiva
21 Duckworth-Moulton, who is the principal of our
22 kindergarten through sixth grade; Deborah
23 Bennett-Anderson, the chairperson of our governance
24 board; Deanna Gomez, our business manager.

25 Also, in the audience, we have the

1 treasurer of our governance board, who is Nancy
2 O'Brien and a member of our governance board Beulah
3 Sandoval. We also have Susan Fox, who is our legal
4 counsel.

5 So first of all, thank you to the Public
6 Education Commission for consideration of the
7 renewal of our charter and for the ongoing support
8 of our school during our first charter term; that
9 ongoing support being your provision of time
10 extensions to us as we maneuvered the very real
11 challenge of securing adequate facilities for our
12 school.

13 Thank you to the Public Education
14 Department, specifically the charter school
15 division, for their guidance during this renewal
16 application process, their responsiveness to my
17 inquiries, and for their thorough analysis of our
18 renewal application.

19 So McCurdy Charter School's mission is to
20 provide a safe learning environment for the students
21 of northern New Mexico, an environment that
22 recognizes that education is rooted in academic
23 excellence and achievement, character development,
24 and awareness and community engagement and
25 leadership.

1 So the first thing I would like to speak
2 about is the stability of our school. Because our
3 school provides a program for grades K through 12,
4 our families can depend on their child or children
5 attending McCurdy for their entire school career.
6 The families and students can feel a sense of
7 security knowing that teachers, staff members,
8 administrators, and board members know who they are.

9 The students are very comfortable on our
10 campus, and they are comfortable with the staff in
11 that the change from year to year is seamless and
12 doesn't present a high-level adjustment for our
13 students, which we know can distract them from their
14 learning. Our staff retention has steadily
15 increased each school year and this last school
16 year, having only four replacements for a staff of
17 52. Our teachers and support staff are extremely
18 committed to our students in school and very often
19 take on additional duties outside of their typical
20 roles. They have weathered the growing pains of
21 starting a large school. Our administrative team
22 made up of myself and the two outstanding principals
23 seated here have been with the school since July of
24 2012. It was our charge to unwrap the charter and
25 to give life to the vision of the governance board

1 and the founding members. Many hours and
2 discussions have gone into -- whew -- creating what
3 we believe is not only the essence of the charter
4 but also putting in place the very, very specific
5 details of the charter. Not perfection, but we are
6 well on the road.

7 Our governance board is made up of -- good
8 grief.

9 Our governance board consists of three
10 founding members and two other members who joined
11 the board during the first year of the school's
12 operation. This is a working board, and that's in
13 bold. It is not unusual to have board members
14 donate their time and resources to help the school.
15 This can be actual work at the school, delivering
16 reams of paper, service on committees, and attending
17 school functions. And, of course, as most of you
18 know, the diligent work they did in securing the
19 financing for our new school facility. This task
20 really displayed their tenacity and commitment to
21 our school.

22 So as well, I'd like to recognize that our
23 legal counsel, Susan Fox, has been with us for this
24 entire term of our charter, and Deanna Gomez, who is
25 our business manager, has been with us since

1 November of 2013. And I truly believe -- we believe
2 that the stability of our staff, administration, and
3 board allows our community to have confidence in our
4 school and to trust us with the important
5 responsibility their child's education and
6 well-being.

7 So student enrollment and achievement is
8 the next topic I'd like to speak about. First of
9 all, our students are great. They're respectful and
10 they're caring. Typical greetings are, "Hi, Miss.
11 How are you today?"

12 They hold doors open for us, and they
13 continually are ready to lend a helping hand.
14 McCurdy Charter School is the largest of all
15 New Mexico -- I'm sorry. McCurdy Charter School is
16 the fourth largest of all New Mexico charter schools
17 and the largest of all kindergarten through 12th
18 grade charter schools. Our student enrollment
19 comprises 14 percent of the school age population in
20 the Española Valley.

21 Our student retention rate, as calculated
22 by PED, is 90 percent, and our in-house calculation
23 being 92 percent. Our student enrollment for our
24 first years of operation has remained steadily
25 between 85 to 93 percent of the capacity of our

1 charter. For the last two years, we've conducted
2 a postgraduation survey, with those results showing
3 that 85 percent of our 2016 graduates and 88 percent
4 of our 2015 graduates went on to attend an institute
5 of higher education. Of the 26 graduates of 2015,
6 35 of those were first-generation college-going
7 individuals. Of the 36 graduates of 2016,
8 17 percent of those were first-generation
9 college-going individuals.

10 Moving on to academic progress, and this
11 is regarding improved student achievement. And we
12 use the measures of academic progress as our
13 assessment. For those students who have attended
14 our school for two full consecutive academic years,
15 98 percent of them demonstrated improvement in
16 mathematics, 98 percent also showed improvement in
17 reading, and 96 percent of the students showed
18 improvement in language arts.

19 In talking about levels of proficiency,
20 the average level of proficiency in mathematics for
21 our students in our first year was 26 percent, and
22 that increased to 51 percent by year four. In
23 reading, the average level of proficiency for our
24 students in Year 1 was 32 percent and increased to
25 53 percent by Year 4.

1 And finally, the average level of
2 proficiency for our students in language arts was
3 31 percent with an increase to 53 percent by year 4.

4 So besides our academics, our students are
5 very involved in the service-learning component of
6 our school. Many of these activities are
7 captured -- if you're using the electronic copies,
8 it's on pages 105 and 106. If you're using hard
9 copies, it's pages 579 and 580.

10 Our students and staff embrace the
11 community engagement and leadership component of our
12 mission. Their projects impact our school, the
13 Española Valley, and beyond. We have both
14 schoolwide and classroom projects. Many of these
15 projects have been in place for the past four years.
16 Some examples include Operation Christmas Child,
17 fundraising for Heifer International, and Glasses
18 for Health and Harmony. We are very proud of the
19 unselfish work of our students.

20 Another very important part of our charter
21 is community engagement and family involvement. And
22 it's worthy to mention that McCurdy Charter School
23 has a high level of family and community involvement
24 related to our athletic program. We have an
25 extensive 3A athletic program supported by volunteer

1 coaches. All of our coaches are volunteer. Some of
2 these individuals are parents; some are not. They
3 are individuals who see the value of our students'
4 experiencing the discipline of team sports. We also
5 have two athletic fundraising clubs who work
6 throughout the year to provide our students with
7 uniforms and funds for transportation.

8 In the past four years, the McCurdy --

9 COMMISSIONER GIPSON: Excuse me. I need
10 to stop you for a second.

11 Commissioner Chavez, are you still here?

12 COMMISSIONER CHAVEZ: I am.

13 COMMISSIONER GIPSON: Okay. We heard a
14 noise, and we weren't sure whether we lost you or
15 not. So just checking.

16 COMMISSIONER CHAVEZ: No, I'm here.

17 COMMISSIONER GIPSON: Okay. Thank you.

18 Then we would have lost quorum.

19 MS. ARCHULETA: For the past four years,
20 the McCurdy has sponsored a gala which has benefited
21 the athletic program with over \$100,000 in
22 donations. The level of participation of our
23 students in the athletic program is impressive both
24 as spectators and players, elementary to high
25 school. We estimate the attendance for our athletic

1 events by community members and parents to be close
2 to 10,000 each year. The school has other numerous
3 activities which foster family involvement. The
4 list of these activities can be found on 112 and 113
5 or, hard copy, 586, 587.

6 The estimated total attendance for Year 1
7 was 14,349 with a steady increase to Year 4 to a
8 total of 15,321. It is common for almost 200
9 parents and family members to attend our
10 Thanksgiving lunch. The week-long homecoming events
11 also draw in almost 200 families and community
12 members. And our open house nights and parent
13 conferences are well attended, showing attendance
14 up to 600 individuals.

15 In addition, parents are encouraged to
16 volunteer 20 hours per semester at school or at a
17 school community or at a school activity. It's
18 very, very common to have parents in our classrooms,
19 on campus, at activities, and on committees.

20 Now, on to our facility -- on to our
21 facility. Within your packet on pages 23 to 35 or,
22 hard copy, 497 to 509, you'll find documents that
23 reflect that our school, with its new 38,000
24 square-foot school building slated to be complete in
25 spring of 2017, meets the facility compliance

1 requirement. The governance board and
2 administration recognized how critical this
3 compliance was in regards to seeking of renewal of
4 our charter. We are extremely appreciative with the
5 Public Education Commission's willingness to provide
6 the extensions necessary. There were countless
7 hours of discussion, calculations, negotiations, and
8 research that occurred. There were many individuals
9 who gave of their resources and expertise to the
10 cause.

11 As a result, as parents drop off and pick
12 up their children daily, they can see the steady
13 progress of the new school. The new school is the
14 talk of the town. Our students and our staff are so
15 excited. The first and the second floor framing is
16 up with the roof soon to be finished.

17 Yay for everybody.

18 Fiscal management: The school's audits
19 show substantial improvement in the financial
20 systems of the school. With the 2013 audit being
21 disclaimed, the 2000 [sic] audit received a
22 designation of modified. And I understand that we
23 have a discrepancy within that, and Deanna will
24 describe that for you --

25 MS. GOMEZ: I'll show you.

1 MS. ARCHULETA: -- the 2015 audit having a
2 designation of unmodified. The 2016 audit exit
3 conference was just conducted last week. Specific
4 information about the audit cannot be shared.
5 However, I can say that the school is pleased with
6 the outcome. The Board of Finance was returned to
7 the school in February of 2016. The governance
8 board administration and staff has had and continues
9 to have extensive training in this area.

10 Additionally, the board and administration
11 understand that the current business manager,
12 Deanna Gomez, will continue to work with the school
13 as the contracted business manager. I am not aware
14 of the reason for the concern by Director Craig.
15 However, I would just like to say that indications
16 from Deanna Gomez are that she will continue to work
17 with our school.

18 I would like to now recognize the
19 conditions of the renewal as CSD has noted and just
20 that we are very committed to correcting any of
21 those items that were listed. We realize that there
22 were two IEPs that were late. Those are already
23 taken care of. We have some signatures on our next
24 step plans, and we will absolutely take care of all
25 of that. And really, just recognizing that we

1 continually focus on the academic needs of our
2 students. We realize that there are those areas
3 within the school report card that need to be
4 addressed.

5 And so finally, in concluding, I would
6 like to share with you the first conversation I had
7 with the chairperson of the board, Deborah, with
8 whom all of you know. I received a phone call from
9 Deborah, and we arranged to have coffee and talk
10 about the startup of a new school. I remember
11 vividly her telling me about the vision of the
12 founders; that it was the hope and intention that
13 McCurdy Charter School would surround its students
14 with the supports they needed to be the very best
15 students they could be.

16 I'll never forget that description,
17 "surround its students with support." As the first
18 term of the charter has unfolded, I am confident
19 that the board, the administration staff, the
20 community members, and families have worked very
21 hard to do just that. I believe our students know
22 that we care about them and that we will do our best
23 for them. I believe we work together as a school
24 community, including our parents, to surround our
25 students with the supports they need. I hope it is

1 evident that we are genuinely committed to providing
2 the quality educational experience for our students
3 and also to providing the parents of the Española
4 Valley with the choice for their child's education.
5 And with that, I would ask your consideration in
6 granting our school a five-year renewal of our
7 charter.

8 That's the end of my presentation. We do
9 have a community member.

10 COMMISSIONER GIPSON: Thank you.

11 Do we have any community member?

12 MS. ARCHULETA: Madam Chair, Miss Judy
13 De Vargas.

14 MS. DeVARGAS: Good afternoon. My name is
15 Judy De Vargas. I'm a parent representing parents
16 and staff, because I'm also an educational assistant
17 for the kindergarten class, one of our kindergarten
18 classes. And my goal for our kindergarten class is
19 to help our students feel safe in our school and to
20 prepare them for first grade. And we do that really
21 well.

22 It is hard to believe that five years
23 has -- we're in our fifth year. I'm proud to work
24 with our teaching staff who are very passionate
25 about helping our students be successful, working

1 with our support staff and administrators. We have
2 all grown and learned how to be successful by
3 working together and communicating with parents and
4 guardians. As a parent, I am very happy with the
5 stability and the teaching staff from kindergarten
6 through twelfth grade. I find it easier to build
7 relationships, communicate, and work with teachers
8 and staff who are part of my daughter's education,
9 who is a junior this year. And she has been with
10 our charter school since seventh grade.

11 My daughter does well both socially and
12 academically because of our school. I shared with
13 her that I was coming today. And I asked her,
14 "Would you like for me to say something to the
15 Commission?"

16 And she said, "Yes, Mom. Could you please
17 tell them that we have a great school?"

18 And I said, "I can do that."

19 I also have other statements from
20 students. Bear with me here. I have lots of
21 papers.

22 This gentleman is a sophomore: "McCurdy
23 has always been a place where I feel like I can
24 actually be me. It's been a school that has
25 provided me with an amazing education for the past

1 five years, and the teaching staff has made me
2 believe that I could be anything I want to be."

3 "I think the school should stay open
4 because that's one nice teachers and nice
5 principals, and the students are great, and that's
6 why the school should not close."

7 "I really love this school. I want to
8 stay at a charter school. I would be very sad if
9 this school would have stopped being a charter
10 school. What I like about this school is that they
11 try to stop bullies."

12 "McCurdy is a good school. I like McCurdy
13 because the teachers and staff are nice. It would
14 be very sad for McCurdy to close, because we would
15 all lose our friends. What I also like about
16 McCurdy is that we are all treated like family."

17 "What I like about MCS is that they stand
18 up for students when they are in rough positions.
19 If MCS closed, I would be very sad, because I would
20 lose my friends and my favorite teachers. I like
21 MCS very much." Sixth grader.

22 "McCurdy is a great school. I like how
23 they don't have that much -- many students. The
24 teachers do amazing work on trying to teach, which
25 they do. There's not that much drama here, and

1 that's a good thing."

2 Thank you.

3 COMMISSIONER GIPSON: Thank you for that.

4 MS. DeVARGAS: You're very welcome. Lots
5 of honesty.

6 COMMISSIONER GIPSON: Commissioner Carr?

7 COMMISSIONER CARR: I don't really have
8 any questions, but a comment. Don't apologize for
9 your tears in your heart. I know how that feels.
10 I know how hard you all worked. I rooted for you
11 from the beginning. I wasn't always sure, but it
12 was like, you know, I had great hopes that you would
13 figure out a way to make everything work. This
14 school is unique because it has not been a charter
15 for a hundred years, but it's been around, what, for
16 a hundred years; right? And I forgot the original
17 founding date.

18 MS. BENNETT-ANDERSON: 1912.

19 COMMISSIONER CARR: 1912, right. I should
20 have remembered the year we became a state. And so,
21 you know, that's quite a history. And for
22 Española -- all communities need good schools, of
23 course, but Española needs the kind of education
24 that you all are offering. And I'm sure you'll do
25 nothing but continue to improve and work -- work

1 hard to make sure that happens. I know your
2 dedication, and it's so very important.

3 So I guess that's all. And hopefully
4 everybody will vote to renew you.

5 COMMISSIONER GIPSON: Commissioner
6 Toulouse?

7 COMMISSIONER TOULOUSE: I have a comment.
8 Before we started, I was commenting to your
9 governance council chair, I attended a football
10 game, where I assume it was your junior varsity who
11 played Mission Achievement and Success, which those
12 kids lost all but one game and most of them ended
13 somewhere before the end on the mercy ruling. And
14 yours ended barely in the second half. But they
15 enjoyed themselves.

16 But I wanted to say two things: One,
17 everybody was so friendly to the ones of us who were
18 there visiting, because my cousin's son was on the
19 football team. The other thing is, I took the
20 opportunity to look through the fence at your new
21 building, because I wanted to see that it really was
22 there and that it was going along. And I want to
23 congratulate you for what it took to get that
24 building and to get it started. And I understand
25 you kind of had to fight to keep your football

1 field.

2 MS. ARCHULETA: Yeah. But we got it.

3 COMMISSIONER TOULOUSE: Thank you for
4 continuing to provide the sports to your kids,
5 because I know from my cousin, it's one of the
6 things that keeps, especially the young men, going
7 to school and getting the grades, because they want
8 to be part of that team. So I think that's a major
9 thing you have going for you and a way to also
10 improve grades for that bunch of kids.

11 So keep it up. And thank you for what you
12 are doing. And I too remember -- I know people who
13 went to McCurdy when it was the church school. I
14 know that somebody I worked with at CNM ended up
15 with a Master's degree from Harvard who started at
16 McCurdy because his mother didn't want him getting
17 in trouble. And she sold food around town to make
18 the money for his tuition. And he's still -- that's
19 in his heart. And I heard about it for all my years
20 on the CNM board. And to think that he went from
21 there to a Harvard Master's degree and then working,
22 you know, in higher education, I think, is also
23 positive for the history of what goes on.

24 And by the way, he has a daughter who
25 went -- who graduated from Julliard School of Music.

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1 So you're really taking your next generation up.

2 So thank you.

3 MS. ARCHULETA: Thank you.

4 COMMISSIONER GIPSON: Commissioner
5 Johnston.

6 COMMISSIONER JOHNSTON: Thank you.

7 I too commend you for what you have done
8 to continue McCurdy. I taught for many years in
9 Estancia, and so I knew McCurdy well. It's been a
10 while back.

11 Explain to me, how large with your
12 continuum, K-12, you must get most of your lottery
13 action at that kindergarten level. So how many
14 students are you able to admit each year into the
15 kindergarten class?

16 MS. ARCHULETA: Well, our kindergarten
17 class is 40, so we have two kindergarten classes.
18 Typically, it's full or very close to full each
19 year.

20 COMMISSIONER JOHNSTON: And then do you
21 have -- is there a continuum of grades where you do
22 have transition? You don't have much, but I'm
23 certain that your lottery -- do you have a large
24 waiting list?

25 MS. ARCHULETA: It really depends on the

1 grade level. So when we do our intent to return in
2 the springtime, really, we have the majority of our
3 students staying with us. Then we get the new
4 students into kindergarten. And we tend to have
5 waiting lists. We probably had waiting lists every
6 year that we've been in operation in grades seven
7 and eight.

8 COMMISSIONER JOHNSTON: So those middle
9 school grades. Well, thank you very much.

10 MS. ARCHULETA: And Kiva is letting me
11 know that both kinder and first have waiting lists
12 this year as well.

13 COMMISSIONER JOHNSTON: Thank you.

14 COMMISSIONER ARMBRUSTER: I just want to
15 make sure you have a large room with an air
16 conditioner.

17 MS. ARCHULETA: Oh, my gosh.

18 COMMISSIONER ARMBRUSTER: I can remember
19 being there this summer, and I'm thinking, "Oh,
20 good, they're building a new building."

21 We were dying in there. I forgot you were
22 taking it down.

23 MS. ARCHULETA: Yes, we will.

24 COMMISSIONER GIPSON: We appreciate the
25 hospitality, but it's burned into our memory. It

1 was an eventful meeting.

2 I just have a question about the building.

3 Are you keeping the gym portion? You're
4 still going to be using the gymnasium; correct?

5 MS. ARCHULETA: Madam Chairperson, we will
6 be using the Memorial Gymnasium, which is the newer
7 gym. If you're speaking about McCracken, which was
8 built in the 1900s, about 1920, then that is not
9 part of our campus.

10 COMMISSIONER GIPSON: Which was the gym
11 that we were originally going to meet in?

12 MS. ARCHULETA: That's Memorial Gym, the
13 gym that we are keeping. So that entire plot is
14 11 acres. So there will be the Memorial Gymnasium,
15 another building that has the cafeteria and some
16 conference rooms, the business offices. And then
17 the two-story building will have grades K through 6
18 on the bottom and 7 through 12 on the second floor.

19 COMMISSIONER GIPSON: Okay. Thank you.

20 Commissioners, are we ready for a vote?

21 COMMISSIONER CARR: I'll make the motion
22 this time.

23 COMMISSIONER GIPSON: I think before we
24 do, maybe we should have a discussion on if there's
25 going to be conditions.

1 COMMISSIONER CARR: Okay.

2 COMMISSIONER GIPSON: Only because I'm
3 going -- I'll tell you what my preference is.

4 I think what's written there is very
5 general. And I would prefer that it just be without
6 conditions.

7 COMMISSIONER CARR: Me, too.

8 COMMISSIONER GIPSON: Okay. We're good?

9 COMMISSIONER ARMBRUSTER: I think we'll
10 address some of this school growth and graduation
11 rate, and those will be part of the performance
12 framework.

13 COMMISSIONER GIPSON: Correct.

14 Commissioner Johnston?

15 COMMISSIONER JOHNSTON: And I just have a
16 question. One of the conditions is that they
17 maintain their three-year average of C. If we don't
18 put that in --

19 COMMISSIONER GIPSON: I don't see that
20 under conditions for McCurdy.

21 COMMISSIONER JOHNSTON: I'm looking at the
22 summary, at the very first line.

23 COMMISSIONER GIPSON: Oh, I gotcha.

24 COMMISSIONER JOHNSTON: I didn't know
25 whether that was necessary or not.

1 COMMISSIONER TOULOUSE: Conditions are
2 below that, not that first -- those first lines.

3 COMMISSIONER JOHNSTON: Because it says,
4 "With conditions."

5 COMMISSIONER GIPSON: "The recommended
6 conditions are below."

7 COMMISSIONER JOHNSTON: Okay. The top
8 line says, "Conditions."

9 COMMISSIONER GIPSON: Commissioner Carr?

10 COMMISSIONER CARR: I move to approve the
11 renewal application for McCurdy Charter School in
12 Española for five years.

13 COMMISSIONER TOULOUSE: Second.

14 COMMISSIONER CARR: The easiest one.

15 COMMISSIONER GIPSON: Commissioner
16 Armbruster, roll call vote, please.

17 COMMISSIONER ARMBRUSTER: Commissioner
18 Toulouse?

19 COMMISSIONER TOULOUSE: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Armbruster votes yes.

22 Commissioner Gipson?

23 COMMISSIONER GIPSON: Yes.

24 COMMISSIONER ARMBRUSTER: Commissioner
25 Carr?

1 COMMISSIONER CARR: Yes.

2 COMMISSIONER ARMBRUSTER: Commissioner
3 Johnston?

4 COMMISSIONER JOHNSTON: Yes.

5 COMMISSIONER ARMBRUSTER: Commissioner
6 Chavez?

7 COMMISSIONER CHAVEZ: Yes.

8 COMMISSIONER ARMBRUSTER: We have a quorum
9 of six, and that is six votes for yes.

10 COMMISSIONER GIPSON: It's a 6-0 vote to
11 pass.

12 Congratulations. The best of luck in the
13 new facility. I can't wait to see it.

14 COMMISSIONER TOULOUSE: And we'll see you
15 for contract negotiations.

16 MS. ARCHULETA: Yes.

17 COMMISSIONER GIPSON: Thank you.

18 MS. ARCHULETA: Thank you.

19 COMMISSIONER GIPSON: Commissioners, I am
20 convening this meeting until --

21 MS. FRIEDMAN: Recessing. "Convening"
22 means comes together.

23 COMMISSIONER GIPSON: Recessing.

24 I'm recessing this meeting until 9:00 a.m.
25 tomorrow morning.

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(Exhibit 1 marked.)

(Hearing recessed at 2:14 p.m.)

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BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

I, Angela M. Albarez, RPR, CCR #516, Certified Court Reporter in the State of New Mexico, do hereby certify that the foregoing pages constitute a true transcript of proceedings had before the said NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the State of New Mexico, County of Santa Fe, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on December 21, 2016.



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HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
Governor

VISITORS ATTENDING PUBLIC EDUCATION COMMISSION

Meeting

December 7, 8, & 9, 2016

Please Sign-in

Name (Print)	Representing
Ronda Joyce	Southwest Aeronautics, Math + Science
Christine Lutz	Southwest Secondary LC
Michael Tixier	Southwest Secondary LC
Heather Fitch	SW Secondary / Intermediate LC
Lorena Brien	SAMS Academy
Kelly Callahan	NMCCS
Mark Haxton	SW Schools
John Haxton	
John Haxton	
Sam Fry	The Vigil Group / SW Schools
Alexia Socarrasa	SW Schools
Isaac Sanchez-Roberson	SW Schools
Isaciah Sanchez	The Andy Charla
Judy Bengs	APS
Riva Duckworth-Moulton	McCurdy Charter
Cynthia Carter	San Juan Headway West
NANCY O'BRYAN	MCCURDY CHARTER
Susan Fux	Matthews P x PC
Leanna Gomez	Matthews
A. Wilkerson	Matthews
Talme Tamer	Walden
Frances Strain	Walden H.S.S
Francine Garcia	Walden High Charter
BOB H. RUEGER	WALDEN
KRISTINA ROMANOWSKI	WALDEN High Charter
Richard Salazar	
Leanna Gomez	La Tierra
Julie Ann Hill	La Tierra

December 7, 8 & 9, 2016

Name (Print)	Representing
Mary Warren Olson	WHCS
Carmen Stevens	WHCS