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BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

PUBLIC MEETING

VOLUME III

December 9, 2016

9:01 a.m.

Jerry Apodaca Education Building - Mabry Hall

300 Don Gaspar

Santa Fe, New Mexico

REPORTED BY: Stephanie Slone, RPR, CSR, CCR No. 505
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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. DANIELLE JOHNSTON, Member
MS. MILLIE POGNA, Member
MS. CARMIE TOULOUSE, Member

STAFF:

MS. KATIE POULOS, Director, Charter School Division
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1 SANTA FE, NEW MEXICO; FRIDAY, DECEMBER 9, 2016

2 9:01 A.M.

3 COMMISSIONER GIPSON: Good morning. I am
4 reconvening this meeting of the Public Education
5 Commission, and I will ask Commissioner Armbruster
6 to do a roll call, please.

7 COMMISSIONER ARMBRUSTER: Of course.
8 Freezing to death.

9 Commissioner Pogna.

10 COMMISSIONER POGNA: Here.

11 COMMISSIONER ARMBRUSTER: Commissioner
12 Toulouse.

13 COMMISSIONER TOULOUSE: Present.

14 COMMISSIONER ARMBRUSTER: Commissioner
15 Armbruster is here.

16 Commissioner Conyers is not here.

17 Commissioner Peralta.

18 COMMISSIONER PERALTA: Here.

19 COMMISSIONER ARMBRUSTER: Commissioner
20 Gipson.

21 COMMISSIONER GIPSON: Here.

22 COMMISSIONER ARMBRUSTER: Commissioner
23 Johnston.

24 COMMISSIONER JOHNSTON: Present.

25 COMMISSIONER ARMBRUSTER: Commissioner

1 Sherman is not here.

2 Commissioner Chavez is not here.

3 COMMISSIONER GIPSON: No.

4 COMMISSIONER ARMBRUSTER: Is she here?

5 COMMISSIONER GIPSON: No, she's not here
6 today.

7 COMMISSIONER ARMBRUSTER: And Commissioner
8 Carr.

9 COMMISSIONER CARR: Here.

10 COMMISSIONER ARMBRUSTER: There are seven.
11 Is that right? We have seven?

12 COMMISSIONER GIPSON: We have seven here,
13 correct, which is a quorum.

14 Welcome everyone. And I just want to also
15 let everyone know that also up here with us is an
16 attorney from the Attorney General's Office for our
17 OMA compliance, Audrey McKee, so that we do often
18 talk. We're not making decisions, but she does help
19 us with wording of resolutions and so on. So please
20 don't think we're conspiring against you as we're
21 chatting back here.

22 There will be five minutes for public
23 input. If anyone is interested in speaking in the
24 public input portion, there will be someone soon
25 sitting here at the corner, and you can sign in with

1 her. So thank you very much.

2 And, yes, also, please for the court
3 reporter, if you would speak individually and not
4 talk with each other so that she has a better chance
5 of capturing everything. Thank you.

6 And we are here first for letter K, which
7 is La Tierra Montessori School.

8 Welcome. Good morning.

9 Director.

10 MS. POULOS: Madam Chairwoman,
11 Commissioners, for La Tierra Montessori Charter
12 School, CSD has recommended the renewal of this
13 charter. However, CSD has recommended a shortened
14 term renewal, and we will explain that in a moment.

15 We do want to first commend this school.
16 As you will see in their academic summary, three
17 years ago the school had a three-year average of a
18 an F and had a single-year letter grade of a D.
19 Great commendations to the hard work that this team
20 has been doing. They have raised that three-year
21 average letter grade to a C, and they have raised
22 their single-year letter grade in the last two years
23 to Bs. So we certainly want to recognize that.

24 We had a discussion earlier this week
25 where I was able to explain to the school why we're

1 recommending the short-term renewal, which is
2 because of three years ago where they were, and we
3 want to see the stability and see that school
4 continue the excellent performance they have shown
5 over the last two years.

6 When we did our analysis, we did see a few
7 concerns about whether the school was fully
8 implementing the material terms of the contract.
9 Specifically, I think the concerns were that the
10 school has not developed a heritage language program
11 to serve English language learners at La Tierra.
12 And as a result it was unclear as to whether this
13 school was meeting the contractual terms regarding
14 providing daily instruction to address language
15 proficiency needs, which includes one hour of
16 English language development with a TESOL-endorsed
17 teacher and one hour of Spanish language instruction
18 with a bilingual-endorsed teacher.

19 In addition, there seems to be a small
20 differentiation between the number of instructional
21 hours the school indicated it would provide in the
22 contract, 1,106.5 hours, compared to the 1,092 hours
23 scheduled for all students. Again, that's not a
24 concern with regards to legal compliance because
25 they are meeting the minimum instructional hours.

1 It's just a question of whether they're meeting
2 their material terms of their contract.

3 Again, on the academic piece we do commend
4 them for the great progress that is made. This is a
5 case where we truly see -- while they don't meet the
6 standards, the standards of excellence, which would
7 be those three years of a C or better, we do see
8 that the school has made incredible progress and
9 certainly the substantial progress that is
10 envisioned by the statute.

11 In addition, the school has not met all of
12 the performance framework goals. And so you can see
13 that analysis on pages 13 through 15 in the charts
14 where they have met -- and I can count them up --
15 one, two, three -- four of the goals, but then there
16 are still -- one, two -- three that they do not meet
17 and so certainly another reason for that shorter
18 term renewal.

19 I do want to commend the school also for
20 meeting all generally accepted standards of fiscal
21 management. This is today, I believe, the only
22 school that we will see in this entire group of
23 renewals that received no findings in their audit
24 and no deficiencies and so another area to really
25 commend the work that they've done.

1 And then, lastly, the school has met --
2 I'm sorry. Not lastly. The school has met the
3 facilities requirements. We did have just a few
4 concerns about provisions of law from which the
5 school is not specifically exempted, including some
6 minimal findings with regards to English language
7 learners, special education requirements, and
8 licensure and background check requirements.

9 But, ultimately, again, CSD is
10 recommending the renewal of this charter school for
11 a three-year term. That is to ensure continued
12 improvement and performance in the letter grade and
13 improved performance in the school- and
14 mission-specific goals, especially as the school
15 transitions over to new leadership.

16 They've had a new leader start this year,
17 and so we would love to see, on that new leadership,
18 the academic achievement continue and then some
19 corrective action requirements that the school
20 report on the corrective actions identified in their
21 response to the compliance concerns. They were very
22 responsive in their response to CSD's report and
23 indicated what actions they were planning on or
24 already taking to address the concerns that were
25 identified.

1 And then, lastly, CSD has recommended a
2 specific goal related to the growth of the lowest
3 performing students, which is an area on the letter
4 grade where they still have received either a D or
5 an F in that specific indicator. So that's why we
6 have recommended that goal.

7 COMMISSIONER GIPSON: Thank you.

8 Good morning once again. And if you
9 would, please introduce yourself for the
10 stenographer. And I'll remind you that you have
11 15 minutes for this section. Thank you.

12 MS. BERG: Do I push the button down the
13 whole time?

14 COMMISSIONER GIPSON: Yes. There should
15 be a clip right there where you can keep it down.

16 MS. BERG: Thank you.

17 Good morning, Commissioners. I'm Christie
18 Berg. I'm the head learner of La Tierra Montessori
19 School of the Arts and Sciences. I was hired in
20 August, and I inherited a lot of wonderful resources
21 where I am and also a lot of hard work that the
22 staff was all on board with me, and I've had great
23 support, and we've really come a long way even just
24 since August.

25 So first of all, the site visit, I

1 thought, went very well. They were very thorough,
2 and they saw things that needed to be improved; but
3 they also saw things that -- they reported on things
4 that were already in process but it wasn't clear to
5 them. So that is why I wrote a response as well and
6 that I handed to all of you. And I'd like to go
7 through that to clear up some things.

8 One of the things that came up was about
9 instructional hours. So we do exceed the law as far
10 as instructional hours, and we have well over the
11 amount for all the grades, kindergarten through
12 eighth grade. But the contract in -- or the charter
13 contract does stipulate 1,106 1/2 hours. So we're
14 about 14 1/2 hours short in this year's schedule.
15 So when I do create the new calendar, it will
16 include all of that for sure.

17 But what I'm asking is if we can go
18 forward with that amount of hours or I can go back
19 to PED and revise our calendar that was submitted
20 last year and ask for two more days on this school
21 year perhaps into summer -- something like that --
22 to make up the hours. So I'm very willing to make
23 sure we do comply with what was written in the
24 charter.

25 For the language program -- that's a very

1 main component of our charter contract and, when I
2 was hired, immediately we began posting for a
3 bilingual teacher.

4 Three of my teachers are bilingual TESOL.
5 So those classes are covered, and I'm very secure
6 with that; but the rest of the classes, correct, we
7 needed someone. About three or four weeks ago, I
8 was able to hire someone who is a wonderful asset to
9 our school. She's there now. She has the program.
10 She services all the students' heritage language,
11 bilingual, ESL -- everything that's needed. She's
12 with all of those students in the classrooms. We
13 would prefer to do that rather than pull-out. It's
14 less disruptive, and she's able to support the
15 students in what's actually going on in the classes.
16 That's what's established now. So we are complying
17 with the heritage language and bilingual concern.

18 Another component that was brought to our
19 attention during the site visit was the Integrated
20 Arts program. We have a contract with Moving Arts
21 of Espanola. They have been in our classroom since
22 September. Each student gets two hours a week of
23 music and art. Art isn't necessarily something
24 that's been created and posted on the walls. We
25 have drama that's coming about, dance movement, and

1 visual arts. And we will have our Fall Family Night
2 in -- it's either next week or the next, where all
3 of the families are invited to come in the morning
4 and be able to see what our students have been
5 producing in a vocal and dance area, and that is
6 part of our charter with which we are complying at
7 this time as well.

8 We also have a Spring Festival scheduled
9 for the late spring. I believe it's in March. And
10 it has a circus theme. We work hand in hand with
11 our moving arts people, and every morning -- or
12 every Thursday morning we also have a community sing
13 where we invite the parents to come in and sing with
14 our students 15 minutes a day. So it totals to
15 about two and a half hours a week of our music and
16 arts component.

17 In our Montessori we are stronger in the
18 lower grades than in the upper grades. I am going
19 to a professional development in February to learn
20 about administrating in a Montessori school, and I
21 also have arranged for professional development
22 beginning in the spring to continue to support our
23 teachers. Many of them already have that. All of
24 our EAs are Montessori trained, and they have come
25 from Montessori schools. Two of them I just hired

1 this year. They came from a Montessori preschool --
2 very familiar with that. So we are also complying
3 with that component of our contract. So I have with
4 me the schedule of the arts, and I don't think we
5 need to do that, but I do have that.

6 Another area that came up was Safe Schools
7 Plan, and that was created partially. It was
8 wonderfully created for me to be able to finish it
9 up, and I did finish it up, worked with different
10 agencies to make sure it was submitted, and I did
11 so. And then it came back to me and said, "Well,
12 actually, we're changing the Safe Schools Plan now.
13 So please hold on to it until the next submission."
14 Our school is to submit it in February. So that
15 also came up during the site visit, but we did
16 comply with that this year.

17 And then, as well, the performance
18 indicators, which, of course, are very important to
19 us. We are using the Istation now instead of DIBELS
20 for our K through 3 because that was mandated for us
21 to do so. Therefore, the ratings have been changed
22 because there wasn't anything that was put forth for
23 us. But now that we have two testing sections of
24 data -- we have both a beginning of school and
25 November -- our -- we're very excited about the

1 movement from Tier 3, which is the lower performing
2 and moving up. So the greatest movement was from
3 Tier 3 to Tier 2. The percentage of students went
4 from 32 percent to 20 percent in Tier 3. So we're
5 seeing great movement there.

6 We have a reading interventionist and
7 reading coach. She works with our students every
8 day -- the ones who have been identified to be
9 worked with. As well, we're using Istation for math
10 as well to be able to create interventions for those
11 students. We have our STEM club in the after
12 school -- as an after-school program, which also
13 helps to support them using math and science in an
14 integrated approach for exciting experiments and
15 projects.

16 And our teachers, of course, are using --
17 it's called Eureka Math. It's a very rigorous
18 program. We just adopted it this year, and it is K
19 through 8. And we're getting -- there's homework
20 that the parents need to help out with. So we want
21 to have community school support to help our
22 students know that math isn't just at school and
23 then you forget about it. So this has been a
24 transition time for us with this Eureka Math, but
25 it's also coming along nicely. In math 36 percent

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1 scored at the benchmark level in spring of 2016.
2 50 percent scored at benchmark in December of 2016.
3 So we are seeing movement.

4 I mean, I know that we're on a great,
5 positive, upward trajectory in the areas of concern,
6 and I very much appreciate the recommendation from
7 the Charter Schools Division of renewal, but I'm
8 looking for five-year, and there are many good
9 reasons why. We're on a great trajectory. We've
10 had Bs the last two years. We're even exceeding
11 what we have been doing the last two years. But I'd
12 like you to consider a five-year renewal.

13 We feel a need in the northern New Mexico
14 area for a small school approach. That's a big
15 reason why parents have chosen us. We also offer
16 academic and bilingual. We serve the communities of
17 Espanola, Embudo, Dixon, Ojo Caliente, and many
18 others.

19 We also have -- because of our location
20 being north of Espanola and because of our
21 Montessori expectations, we have difficulty
22 attracting adult learners, our teachers. And with
23 knowing that it would be a three-year renewal, our
24 staff have already mentioned to me they don't know
25 if the school is going to be able to be around. If

1 they had more of a secure feeling with a five-year
2 renewal, they are much more willing to stay. I'm
3 not saying they threatened me or anything like that.
4 I'm just saying that, for them to know the school is
5 going to be here for five more years, they are much
6 more willing to put their stock into it.

7 This is a rigorous academic program that
8 we have going. It is the Montessori training that
9 we have going. That's another aspect. If they feel
10 like the school's not even going to be here in three
11 years or, you know, some kind of an attitude like
12 that -- Montessori is a great commitment. It is a
13 commitment financially as well as emotionally, and
14 it takes a lot of time to be really good at it. But
15 if you don't think that you're going to be at that
16 school, you're not going to be as likely to put
17 forth that effort. So I really push for the
18 five-year in that respect as well.

19 And the same holds true with attracting
20 bilingual teachers. It's really tough to get a
21 bilingual endorsement. We have teachers and EAs who
22 speak Spanish and speak Spanish fluently. But to
23 actually go through, you know, again, financially
24 and with the time to earn that bilingual endorsement
25 and the TESOL endorsement, which is what I am

1 expecting as the head learner, as the principal,
2 that takes, again, time and money. And if they
3 don't know that we're going to be there in three
4 years, they are less likely to do that. And they
5 have actually come and spoken to me about it. So I
6 wanted you to know that, to consider that.

7 And the families want to know that we're
8 going to be there. They love that we're there.
9 They love the small school. They love the
10 Montessori. They love the bilingual. They love a
11 lot of what is going on. And for them to have to
12 pull their kids out or even think, "Oh, they might
13 not be here. We've got to find another school" --
14 we need to attract students, and we are. We're
15 doing a great job. We're absolutely meeting our
16 goals and actually exceeding. But to have that
17 security of knowing the school will still be there
18 would be a big help in attracting more. So I would
19 like you to please consider that.

20 And would you like to say something,
21 Julie?

22 This is our Governing Council President,
23 Julie Ann Hill-Clapp. Thank you for your time.

24 MS. HILL-CLAPP: Hi. I'm Julie Ann
25 Hill-Clapp. I'm the board president. I've been the

1 board president now for a year. In October was my
2 year. I've been with this board for five years, and
3 the reason I started on this board was because I was
4 committed to --

5 COMMISSIONER GIPSON: Could you hold on
6 just one second?

7 Can Millie hear her?

8 COMMISSIONER POGNA: Pardon?

9 COMMISSIONER GIPSON: Can you hear her?

10 COMMISSIONER POGNA: Yes.

11 MS. HILL-CLAPP: Sorry about that.

12 I was committed to the Montessori, to the
13 principles at the school, and the idea that the
14 school was going to provide that bilingual, the arts
15 and sciences to our community. I am from the
16 Espanola community. I grew up in Espanola, and I am
17 committed to this.

18 Saying that, our board is a wonderful
19 board. We have all been together now over five
20 years. We work together. We work well together.
21 We've got two excellent educational -- I mean, they
22 work in the educational field. I have been a school
23 nurse. I now look at their policies, having that
24 background because of what I do. We've got a STEM
25 person on there. We have a teacher. So our board

1 is a wonderful board, and they're committed to the
2 school and making the school a success.

3 The other things that we bring to the
4 table is, you know, we developed a strategic plan,
5 and we worked on it diligently this summer so that
6 we could demonstrate that we were wanting the school
7 to succeed. We've evaluated ourselves, and, you
8 know, so we're looking at ourselves as a board.
9 We're looking at the school. We've started
10 incorporating a nonvoting teacher member to our
11 board so that we get the feedback, we know what is
12 the climate of the school and what we're looking at.

13 We know that our school, because of the
14 newness of our site, that we don't have a
15 playground -- we're addressing that as we speak.
16 You know, we are really working to get those issues
17 that were identified. And I know -- I think one of
18 the issues that you-all, CSD, identified was that we
19 didn't seem to be meeting the same level of kids
20 that Espanola attracts. So we are even looking at
21 trying to implement a school lunch program so that
22 maybe we -- we're looking at all aspects to try and
23 figure out how we can attract that broader
24 community.

25 So in that sense, I would like to

1 recommend us, as our head learner, Christine,
2 mentioned, a five-year renewal so that we can
3 continue to work in our community and provide a
4 service that we don't have in my community.

5 Thank you.

6 MS. BERG: Thank you.

7 COMMISSIONER GIPSON: Are you --

8 MS. FRIEDMAN: Your time is up.

9 COMMISSIONER CARR: Perfect.

10 COMMISSIONER GIPSON: That was fortuitous.

11 We have one person who has signed up for
12 public input, and that is Sandy Davis.

13 You can hold it.

14 MS. DAVIS: Okay. Good morning,
15 Commissioners. I am happy to be here to speak in
16 favor of the renewal for La Tierra Montessori. I am
17 a veteran school administrator, over 25 years as a
18 school principal and 12 years at Turquoise Trail
19 Charter School. And since then I've had the
20 opportunity to work with charter schools around the
21 state, mostly with La Tierra.

22 And over four years of their five-year
23 charter, I've had some involvement with the school
24 either as interim head learner, when needed, or as a
25 consultant to their council or support for the head

1 administrator.

2 So I've seen a lot of growth in this
3 school and am very pleased to say that. I've seen
4 growth both academically and programmatically. I've
5 heard parents talk about the school and how they
6 feel that their children are learning, that they're
7 safe, and they want their students to continue at
8 the school. I see the individual attention the
9 teachers give our students, and we have some
10 students with terrific needs academically and
11 emotionally. And the teachers are doing a fabulous
12 job with that.

13 The Governance Council expertise is
14 amazing. In my experience in working with charter
15 schools, that's not always the case in a brand new
16 charter school. But with the professional educators
17 on this Council, they have tremendous strength and
18 have shown guidance to the school.

19 The community commitment through Moving
20 Arts of Espanola has been a great partnership for
21 the school for the arts and sciences, and their
22 student enrollment is stable. So La Tierra has
23 demonstrated a trajectory of positive academic
24 growth and is serving the students and families
25 well. The school was established with strong

1 community support, and that includes active
2 participation of educational leaders and community
3 activists committed to the success of the school.

4 So it is certainly my opinion as an
5 experienced school administrator that the school is
6 doing an excellent job. I concur both with Ms. Berg
7 and Ms. Hill-Clapp. We would love to see a
8 five-year commitment to give the school a chance to
9 thrive and not always be focused on renewal. So it
10 is -- I have participated in recruitment of teachers
11 for the school. It's not an easy job in that area
12 to get the teachers that are needed, and it would be
13 great for them to know that they can count on the
14 school being there for five years.

15 And one other point -- I wanted to clarify
16 regarding the heritage language program. The school
17 has had an operational heritage language program.
18 This year the teacher in the spring, the bilingual
19 teacher, retired; and so then we had a hard time
20 recruiting a new teacher to begin this year. So
21 there was not a program ongoing during the site
22 visit, but the school has been funded and has had a
23 heritage language program for the years that it's
24 been in existence except for the first year. They
25 did not have a program the first year of the

1 charter.

2 Thank you. I appreciate your commitment
3 to the charter school movement, and thank you for
4 all your hard work.

5 COMMISSIONER GIPSON: Thank you.

6 Commissioners, questions? Comments?

7 I think one of my questions, I think, was
8 answered based on what you said with your latest
9 Istation math because, if we look at that based on
10 the December results, you would have met performance
11 standards correct.

12 MS. BERG: Yes.

13 COMMISSIONER GIPSON: If I'm not --

14 MS. BERG: For December -- I'll just read
15 it one more time. So in spring it was 36 percent at
16 benchmark level, but in December 50 percent scored
17 benchmark level. That's a huge increase.

18 COMMISSIONER GIPSON: Absolutely.

19 Absolutely. And I commend you for that.

20 Commissioner Carr.

21 COMMISSIONER CARR: I'd just like to
22 reiterate, I guess, what I said before, again, about
23 the time period. If they're not good for five,
24 they're not good. And three, you know -- and I
25 don't want the school to close. So I think they

1 are. I think they are good for five, keeping in
2 mind there's no guarantees with a charter school.

3 You know, we've never -- I guess we've
4 never closed a school down for academic reasons.
5 That doesn't mean we won't.

6 I think things are changing. Your
7 finances are outstanding, which proves that finances
8 can be outstanding. Good job, you know. Most
9 charter schools do a great job with their finances.
10 They do. And everybody usually has findings, and if
11 you don't have any findings at all, that's amazing
12 really. So I would like to see us give them five
13 years.

14 COMMISSIONER GIPSON: Thank you.

15 And I thought of a question, and then I
16 lost it. So I'll come back to it.

17 But I will concur with you.

18 COMMISSIONER CARR: Okay.

19 COMMISSIONER GIPSON: I think the growth
20 that you've made -- and I will remind Commissioners
21 that we don't make a decision solely based on a
22 school grade. There are so many other components
23 that should go into our decision that I am very
24 comfortable with a five-year.

25 Commissioner Johnston.

1 COMMISSIONER JOHNSTON: Thank you,
2 Madam Chair. Thank you, Madam Chair.

3 I have some questions. First, a
4 commendation. You truly have done an excellent job.
5 Your students are very fortunate with the focus that
6 you have, and your willingness to identify and
7 accept students who have a heritage language other
8 than English and who also learn differently or have
9 challenges in the learning area, and that jumped
10 right out at me -- your statistics as opposed to
11 those of the state and then as opposed to those of
12 the school district within which you reside.

13 I respect greatly the recommendations that
14 the Charter School Division brings to us because
15 they've spent lots of time looking at these things.
16 And I fully understand their three-year
17 recommendation, but I also, coming from a rural part
18 of the state, sympathize with your ability to
19 recruit teachers who are highly qualified in all of
20 these areas, finding a teacher who is endorsed to
21 teach students who are identified as gifted. I
22 mean, sometimes you can try and try and try and try,
23 and it just doesn't happen. So you're looking for
24 students with very specific endorsements, and I
25 commend you in your ability to find those.

1 My first question is a personal one.
2 Because you are a kindergarten-8 school, do you
3 participate in any way in any sort of a child-find
4 program for your entering kindergartners?

5 MS. HILL-CLAPP: In the past we have. We
6 actually have gone out.

7 COMMISSIONER ARMBRUSTER: You have to --

8 MS. HILL-CLAPP: I'm sorry. In the past
9 we have gone out and recruited at the Head Starts,
10 the different preschools that are in our area, and
11 that has been a great resource for us. However,
12 having said that, they don't come in with the
13 Montessori background. So it's a new experience for
14 them, and we're very grateful that at lower grades,
15 as was indicated, we do have a strong Montessori
16 program. So as the kids have progressed over the
17 last five years, they are accomplished in that
18 Montessori.

19 So yes, we have done it. I don't believe
20 that we did it this last year because we lost our
21 head learner and were in the process of hiring a
22 head learner.

23 COMMISSIONER JOHNSTON: Thank you. That
24 was just a curiosity on my part, a lack of
25 understanding.

1 The next thing is how do you hire your
2 related services staff? Do you use an educational
3 cooperative.

4 MS. BERG: Uh-huh. Right. We use CES for
5 our ancillary services, and we've been very pleased
6 with that.

7 COMMISSIONER JOHNSTON: And you're able to
8 draw?

9 MS. BERG: We're able to draw. And when
10 we've had to do diagnosticians or any kind of
11 special circumstances for our special education
12 teachers, we have people we can call upon who we
13 know are reliable and terrific.

14 COMMISSIONER JOHNSTON: Thank you.
15 Trauma informed education is a pet of
16 mine. I just -- I read it, and I thought "Yes."
17 How long have you been participating, and do you
18 have trainings in this? How do you integrate that?

19 MS. BERG: This came to my attention when
20 I was first hired that this was a need. So we have
21 professional development once a month for a whole
22 day. One of those professional developments -- and
23 I believe it was September -- I put forth an overall
24 understanding and idea. It's called "Brains in pain
25 cannot learn."

1 COMMISSIONER JOHNSTON: Yes.

2 MS. BERG: And we're having on January 13
3 through our ancillary services -- one of the
4 therapists there has her own business, and I've
5 contracted with her for two hours for the same kind
6 of thing -- traumatic experiences and emotional
7 experiences for our students, how it affects them,
8 and how we can accommodate them so that they are
9 ready to learn because when they -- as you know,
10 when they come to school and they've got all these
11 other things jumbled in their minds, it doesn't
12 matter what great lesson plan you have. It's not
13 going to happen. So that's very strong. Our
14 teachers are very strongly supportive of that. So
15 that's how we're going forth with that.

16 COMMISSIONER JOHNSTON: Thank you. And
17 your movement program plays into that also --

18 MS. BERG: Absolutely. Absolutely.

19 COMMISSIONER JOHNSTON: -- and your drama.

20 MS. BERG: Right.

21 COMMISSIONER JOHNSTON: As far as your
22 lottery goes, do you draw mostly at that
23 kindergarten level and the students stay with you,
24 or what grades do you have high --

25 MS. BERG: I wasn't there for the lottery

1 last year, but we do have a waiting list for
2 kindergarten, and then it peters out, as far as
3 waiting lists, as we go up the scale K through 8.
4 But like Ms. Hill-Clapp was saying, the wonderful
5 thing is that they start at kinder and they get that
6 Montessori experience. So we retain our students
7 very well. When someone comes in to our school --
8 sixth grade, fifth grade -- and it's suddenly a
9 Montessori experience, it's a big change. So there
10 is that transition time. But, yes, it's heavy in
11 kinder and one.

12 COMMISSIONER JOHNSTON: Thank you.

13 How large are your kindergarten classes
14 and your first grade class.

15 MS. BERG: We have a K-1 combo. That's
16 part of Montessori. They double -- or combination
17 grade levels. So we have a K-1, and I would say
18 probably 15 kinder and 4 first grade in that one.
19 Then our next level is one-two, first grade-second
20 grade, and we have probably about 6 or 7 first grade
21 and the rest second grade. And then we have a
22 two-three. So it adds up that way.

23 COMMISSIONER JOHNSTON: Thank you.

24 Are you committed to working towards that
25 cap of 180? Is that still...

1 MS. BERG: We are committed to that. It's
2 going to be a slow growth for us for one thing
3 because of our facilities. We have another building
4 that we can be transforming, and that will take
5 money and planning and all of that. Right now we're
6 good where we are with our facilities and with our
7 population, but we are ready to tackle that and move
8 forward.

9 COMMISSIONER JOHNSTON: One last question,
10 and it's very important to me because I have great
11 respect for the recommendations of the Commissioners
12 and of the Charter School Division.

13 For you to ask for five years and for it
14 to be considered, Ms. Berg, are you willing to
15 commit to five years?

16 MS. BERG: That has come to my mind many
17 times. I love working there. I live in Santa Fe.
18 So I commute every day. And I have great support
19 from the Governing Council, which is a big -- I come
20 from charter school also. That's my administration
21 experience. This is a fantastic Governing Council.

22 My teachers are very supportive of keeping
23 this school here -- or in Espanola to serve these
24 particular students. Many of them are from
25 Espanola. They want to see this kind of an option.

1 So it's very exciting to work with them. And then
2 the students and the parents are just so grateful
3 that we are there.

4 I'm very committed to being here. I've
5 bought a house, if that helps. Not renting.
6 Absolutely plan to be here, yes.

7 COMMISSIONER JOHNSTON: Okay. That was my
8 last one, but then I forgot.

9 Please explain to me your Student
10 Assistance Team. Who guides it, and how is it
11 implemented? Because that's important to know.

12 MS. BERG: Okay. Thank you. So I have
13 contracted with a special education consultant from
14 Santa Fe, who I knew when I was here, to help us
15 with that. So we have changed the name from
16 "Student Assistance Team," SAT, to "Instructional
17 Support Team" because when we are identifying
18 students as having difficulties academically or
19 otherwise, frequently parents shy away when they
20 hear, "We would like to suggest that you go through
21 the SAT process." That is a negative to them. So
22 just a matter of semantics. I changed it to
23 "Instructional Support Team." That's helping.

24 So the way that we handle it is I have a
25 packet of questions of what have teachers noticed in

1 the classrooms, and then what interventions have
2 they already tried --

3 COMMISSIONER JOHNSTON: And then --

4 MS. BERG: -- and then how has it worked
5 and how hasn't it worked. We convene together.

6 COMMISSIONER JOHNSTON: That's where I'm
7 going. How often do you convene?

8 MS. BERG: Absolutely.

9 COMMISSIONER JOHNSTON: Does the process
10 move quickly? Is it strong -- the process?

11 MS. BERG: It is getting stronger. I will
12 put it that way. When I came to the school, it was
13 kind of loose, but I want it to be a strong
14 structure so that our parents know where we're going
15 and so that our teachers know.

16 So at this point we've still identified --
17 we've identified about three students so far
18 strongly. So I'm going through that, speaking with
19 the teacher -- what are the interventions? Then we
20 have already met with three of the -- not with them
21 but about three of the students to identify where do
22 we go from here and who needs actually diagnostic
23 services, who needs counts, and that kind of thing
24 just as we go.

25 So it's a slow process. We've met

1 about -- speaking of three of the students, I have
2 about three or four more packets. So we're moving
3 that way.

4 COMMISSIONER JOHNSTON: Thank you very
5 much.

6 MS. BERG: Thank you.

7 COMMISSIONER GIPSON: I just have one
8 quick question. Where do your staff get their
9 Montessori training?

10 MS. HILL-CLAPP: In the -- well, we --
11 this is -- for us it's a goldmine because we
12 actually have a Montessori teacher who had her own
13 school, and she sits on our board. So she provides
14 some of the training. She also has contacts around
15 the state so that our staff are paired with
16 different schools that are Montessori. They've gone
17 and observed. They've received professional
18 development. And so that's really where we're
19 drawing on our Montessori.

20 COMMISSIONER GIPSON: Is she -- I'm sorry.
21 Is that staff person -- is that Governance Council
22 person able to provide training so that they can
23 become Montessori licensed, if that's the correct
24 term?

25 MS. BERG: What we're doing now is we have

1 applied for the McCune Grant and received that, and
2 all of the monies are going towards Montessori
3 training.

4 COMMISSIONER GIPSON: Okay.

5 MS. BERG: So part of that grant I'm using
6 for my February administrator training, and I'm
7 bringing in Montessori trainers, again, starting in
8 the spring for professional development for our
9 teachers. And we need to know -- I do need to know
10 who is interested in going further. As I said, our
11 EAs are trained in that, and we do have teachers who
12 are --

13 MS. HILL-CLAPP: "Certified."

14 MS. BERG: -- certified, and we want it to
15 go further. Ideally I would like everyone to be
16 certified in Montessori because, once it gets to the
17 middle schools, then it changes a bit.

18 COMMISSIONER GIPSON: Okay. Thank you.

19 MS. BERG: So yes, we are doing
20 professional development and such.

21 COMMISSIONER GIPSON: Thank you.

22 MS. DAVIS: I do have some additional
23 information, if you want that, from my experience.

24 THE REPORTER: I'm sorry. Would you state
25 your name, please.

1 MS. DAVIS: Sure. Sandy Davis.

2 Over the years we have -- the school has
3 contracted with Montessori trainers from Colorado
4 and then recently a woman from Los Lunas. And then
5 we have one teacher who went through an entire year
6 online of a Montessori training program.

7 COMMISSIONER GIPSON: Okay. Thank you.

8 Commissioners, any other -- Commissioner
9 Armbruster.

10 COMMISSIONER ARMBRUSTER: Yes.

11 So how long was the former head
12 administrator -- I'm not sure I have the right
13 language, but whatever you are.

14 MS. BERG: Head learner.

15 COMMISSIONER ARMBRUSTER: Yeah, head
16 learner. How long was she there? One year or two?

17 MS. BERG: Two years.

18 COMMISSIONER ARMBRUSTER: Two years.

19 Okay. So I happen to know her quite well
20 and, in fact, was talking with her last night -- by
21 accident, not on purpose. So I know that this
22 school had a great deal of difficulty being
23 successful with their students prior to her arrival.
24 This is Suzanne Lynne. And Suzanne is a pretty
25 amazing teacher in terms of knowledge, not

1 necessarily Montessori background but just in
2 general. And so I'm really pleased from things I
3 had heard from people who were going to send their
4 kids and, in fact, did send their students there
5 three or four years ago and said it was a horrible
6 school. It was just terrible. They took them right
7 out.

8 So I know now that their reputation has
9 much improved from what it was and deservedly. I
10 want to say that. I would personally expect it to
11 continue because, Christie, you know what it takes.
12 You've done this already. Been there; done that.
13 So I'm pretty confident that you will continue doing
14 that.

15 In addition, since I just e-mailed my
16 daughter, who is 39 -- but we sent her to a
17 Montessori school in California -- not a charter
18 school -- from the time she was four until she went
19 into sixth grade. This particular Montessori went
20 through sixth grade, but we also had a great middle
21 school. So we just took her out after fifth.

22 But I asked her what was different, and,
23 of course, I'm only -- so I'm going to read that
24 just because I think it's interesting for maybe all
25 of us to know. She said, "Montessori is much more

1 individualized than public school was." I asked her
2 to compare that to sixth grade at the junior high
3 school. Okay.

4 "We had groups for every subject that were
5 based on levels, not age. So for example, they had
6 reading groups called 'red,' 'orange,' 'yellow,' and
7 'green,' et cetera, that went up in skill set. You
8 could be in third grade and be in a color group with
9 second, fourth, or fifth graders, but everyone was
10 on the same level in that group. So you could be
11 above grade level in reading but on or below grade
12 level in math or spelling or whatever. I don't
13 remember spending much time sitting in a room while
14 the teacher lectured to the entire room.

15 "For math outside of group instruction,
16 there was a folder full of math work that you went
17 on to and grabbed the next worksheet you had not
18 done and did it on your own. There was a lot of
19 honor system about going through the sheets.

20 "In regular middle school each class is
21 instructed together without breakout groups for kids
22 of individual learning levels. It's assumed that
23 everyone in either remedial, regular, or GATE is on
24 the same instructional level for that subject."

25 I will say that school was not difficult

1 for my child either, but I think what we're
2 hearing -- and I'm always asking -- so how is this
3 different from regular traditional schools? I think
4 it is that the Montessori kind of thing -- and she
5 started at four. I'm going to say, yeah, I totally
6 support that.

7 In addition -- and I'm glad that you have
8 not said this, by the way -- some people are saying,
9 "Well, Montessori method can't mesh with taking the
10 PARCC test," and I don't think that's necessarily
11 true to the extent that some people believe because
12 even 30 years ago, 35 years ago, according to a
13 test, which were not that -- PARCC -- I don't know
14 some other letters -- ITBS, CTBS -- I don't know --
15 one of those kinds of things. And that was not
16 difficult. And, in fact, the school spent time with
17 each parent explaining the positives and negatives
18 and the growth and the not growth and all that.
19 And, clearly, that's not an issue for you.

20 So my confidence level is high that you
21 are, in fact, doing that, and I will say in
22 conclusion that not only do I know Suzanne Lynne. I
23 know you too. It's a small world in New Mexico
24 here. I want to concur with my fellow PEC
25 Commissioners who believe that you can continue

1 doing that. I think you understand that it's not
2 about you. It's about kind of the law and this
3 C-level business. And I think we just had this
4 issue before on another school because they're in
5 much the same condition that you're in.

6 But we don't generally, as Commissioner
7 Carr just said, take away nonrenewal for doing
8 poorly academically. Clearly, at the end of the
9 year, if we saw you were an F school, there needs to
10 be some discussion there and do that. And that may
11 be the message that you need to give to them. I
12 totally understand. I wouldn't want to do that
13 either. Well, I may only be here two more years. I
14 understand that, but I think knowing why that could
15 be is important for them --

16 MS. BERG: Thank you.

17 COMMISSIONER ARMBRUSTER: -- if that makes
18 sense.

19 Thank you for all you're doing.

20 MS. BERG: Thank you.

21 COMMISSIONER GIPSON: Commissioner
22 Toulouse.

23 COMMISSIONER TOULOUSE: I see no reason
24 not to do five years. In the past we have never
25 shortened renewal periods for schools that have

1 shown this much improvement consistently over a
2 couple of years. I know this is the first year I
3 can remember being given actual time renewal
4 recommendations from the Charter School Division.

5 In the past -- this is my fourth year
6 doing this -- we have been given all of the material
7 we need and some indication whether the school maybe
8 shouldn't be renewed, but it's been completely up to
9 this Commission to come up with those, you know,
10 three-, four-, five-year renewals, but I think this
11 school needs -- especially in a rural area -- that
12 sense of continuity because I know it's hard. I
13 mean, I worked in state government in rural
14 offices -- not anywhere in education -- but I know
15 how hard it was to get qualified people and then
16 keep them because you have to look outside your
17 community and then you have to make a commitment
18 that either "I will be here" or "This office will be
19 here" because if the words out, "Oh, well, it's a
20 small office. They're going to close it," well,
21 then you don't get the good people, or they start to
22 leave you.

23 It just seems to me this school has shown
24 enough good faith. They need five years. Finances
25 are fine. Students are doing well. I absolutely

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1 trust their head learner. I take her word that her
2 Governance Council is good. We certainly haven't
3 heard any problems of turnover, fighting -- any of
4 that. In fact, the finances are in good shape is an
5 indication of that. I think we all know that when a
6 school gets in trouble, it often gets in trouble
7 first with the Governance Council and it turning
8 over and then financial problems and then fussing
9 among the staff and those things. And I see
10 absolutely no indication here this has happened or
11 is going to happen, and it seems to me that that's a
12 five-year renewal. Thank you.

13 COMMISSIONER GIPSON: Thank you.

14 Commissioners, are we ready?

15 Commissioner Johnston.

16 COMMISSIONER JOHNSTON: Thank you. A
17 comment.

18 I thank Commissioner Armbruster for
19 bringing to my attention and reminding me of our
20 legal responsibility. And while I fully can support
21 the three years, I think that there must be very --
22 the conditions that are recommended -- I think it's
23 imperative in my mind that, for me to vote for a
24 five-year, that the conditions that Public Education
25 Department has listed here in our summary, that we

1 address those in the renewal. And what I would
2 request that you advise your staff is that the
3 conditions -- oh, all right.

4 You have questions with my -- I'm looking
5 at the summary sheet, and I'm looking at the school
6 regularly report, which you will do, but I really
7 think to have them in writing and as a part of the
8 renewal since we're looking at something we need to
9 justify --

10 COMMISSIONER GIPSON: There's -- I'm
11 sorry. If we're going to talk about conditions --
12 because I didn't know that's where we were going at
13 this point in time -- I don't see any specific
14 conditions. Regularly reporting doesn't specify
15 anything.

16 COMMISSIONER JOHNSTON: The corrective
17 actions identified. I guess I would defer to
18 Director Poulos.

19 Do I need to be more specific when I'm
20 looking at conditions?

21 MS. POULOS: Madam Chairwoman,
22 Commissioner, I believe that this Commission
23 yesterday and in the prior day voted on conditions
24 that were written just like this. So ultimately
25 it's going to be up to the Commission on how they

1 want to decide that.

2 COMMISSIONER GIPSON: Actually, we didn't.
3 The conditions that we voted on with those other
4 schools specified ELL reporting, financial
5 reporting, special ed. reporting. It was not -- we
6 didn't make any conditions that were general to
7 this.

8 COMMISSIONER JOHNSTON: Okay. And one
9 more question, then, Madam Chair.

10 If I look above the line where it says
11 "Recommended Conditions," and CSD's recommendation,
12 "Substantial progress towards school-specific goals
13 and legal and contractual compliance" -- those
14 don't -- we don't put any of those in? I'm just
15 asking for clarification.

16 COMMISSIONER GIPSON: Well, for me, just
17 to say "legal and contractual compliance" to me is
18 too general to put that in as a specific condition.
19 But that's my opinion to make a general statement,
20 you know, legal -- because that's such a broad
21 statement. I have difficulty with that. I think
22 that could become a "gotcha" moment at any time
23 without some specificity to it.

24 Commissioner Toulouse.

25 COMMISSIONER TOULOUSE: Madam Chair.

1 Remember this school is not on a contract
2 yet. A lot of things change with that contract in
3 the specific pieces.

4 COMMISSIONER GIPSON: Commissioner
5 Toulouse, actually, they are because they asked for
6 early --

7 COMMISSIONER TOULOUSE: Oh, okay. So
8 then --

9 COMMISSIONER GIPSON: Their last --

10 COMMISSIONER TOULOUSE: -- this would
11 still come into the contract of what we do.

12 So I think those kinds of things really do
13 come under the contract they're going to sign, we're
14 going to sign, and we're going to negotiate. I
15 think also that as far as Corrective Action Plans
16 go, I thought all schools with an average C have to
17 do a Corrective Action Plan anyway, and that's
18 monitored and -- didn't we say?

19 MS. POULOS: No. It's lower than a C.

20 COMMISSIONER TOULOUSE: I thought we were
21 having C schools do them.

22 COMMISSIONER GIPSON: No.

23 COMMISSIONER TOULOUSE: Okay.

24 COMMISSIONER GIPSON: D and F.

25 COMMISSIONER TOULOUSE: Then there's no

1 Corrective Action Plan and there's no need for one.
2 So I don't see any indication to -- see, I get
3 behind the times, too, because at one point -- maybe
4 it was a couple years ago -- we were doing C. And
5 it just seems to me that when an -- and we can put
6 Corrective Action Plans in at any time that there is
7 an issue that comes up, whether it's financial or
8 academic, we can do. So...

9 COMMISSIONER GIPSON: Let me just clarify.
10 We did change it in the contracts that it's D and F,
11 but if they do not meet standard on any of their --

12 COMMISSIONER TOULOUSE: Right.

13 COMMISSIONER GIPSON: -- goals,
14 performance goals, then they do have to provide an
15 improvement plan. So there is that additional
16 safeguard that's put into the contract for that.

17 Commissioner Armbruster.

18 COMMISSIONER ARMBRUSTER: This is just a
19 general comment: As we look at students as
20 individuals and not as a group, in a sense we can
21 legally look at schools also individually. And I
22 believe that Suzanne started you on the upward
23 trajectory, and I believe that you will continue it.
24 I think the teachers know where they're going, and
25 they know how to go there. If you don't have that

1 leadership, sometimes you flounder. So I am
2 comfortable with the five years. I have a little
3 hesitation, but I think I can get over it.

4 But I also think it's important to know --
5 and I'll just say it to you because you're the
6 school here -- that the PEC is looking at a higher
7 bar for charters, and we will call you back in if
8 those grades go to a D and say, "Hey, what's going
9 on?" or what's happening with their lowest
10 performing students. And you do have a performance
11 contract and will get another one.

12 And I think those things and some of the
13 things that you were addressing, Commissioner, will
14 be contained in that because we want charter schools
15 to be the best. They're being attacked, and you can
16 understand why. If you don't have high performing
17 charter schools then they're taking money -- you
18 know, dividing the pie into more pieces. That's why
19 we want to make sure that you're successful.

20 So having said that, I think, you know, if
21 we give you five years and we see that you're not
22 doing well academically, which in the end is the
23 most important thing in a sense and you're following
24 your mission, we'll call you back in. So that
25 knowledge is always there. But it will be enforced.

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1 COMMISSIONER TOULOUSE: Madam Chair, I had
2 one more point.

3 COMMISSIONER GIPSON: Commissioner
4 Armbruster -- Commissioner Toulouse. Sorry.

5 COMMISSIONER TOULOUSE: I'm on this side.
6 Yeah, I'm on this side.

7 I had one little concern. Based on where
8 you're located, I'm surprised that your number of
9 native students is as small as it is because it
10 seems to me, from what I know of pueblo culture,
11 that it would -- certainly the Montessori approach
12 would work so well for a child who has trouble
13 culturally with the competition that's forced in the
14 regular public school setting.

15 So I would hope, going forward, you would
16 also find ways to reach out more to those families
17 to bring those kids in because I can see them
18 thriving. And I just don't see that you have as
19 many of them as I would think with this particular
20 area that you serve right there at Ohkay Owingeh but
21 with, you know, Santa Clara -- you know, all of
22 those so close to you that I would hope that you
23 would be able to draw more students. That's just a
24 recommendation for going forward because I like what
25 you're doing.

1 And the fact you are so far above the
2 standard for the Espanola Valley Schools is a very
3 positive to look forward to because I also will add
4 to what Commissioner Armbruster said. Just reading
5 the Albuquerque Journal this morning, you know,
6 they're going to recommend a moratorium on charter
7 schools. Their small school adjustment is probably
8 going to be cut, if not going away, and they're
9 going to be forcing us to work harder. But I think
10 you're in a good position, if you continue the
11 direction you're going with this current
12 administration, that you won't be cut. So to me
13 that's where I would go for students. Thank you.

14 MS. BERG: Thank you.

15 MS. HILL-CLAPP: Thank you.

16 COMMISSIONER GIPSON: Thank you.

17 Commissioners, are we ready now?

18 Is it me, or does someone else want to do
19 it?

20 COMMISSIONER CARR: I will.

21 COMMISSIONER GIPSON: Okay.

22 COMMISSIONER CARR: Fine. I don't know if
23 I need --

24 COMMISSIONER GIPSON: Just in case.

25 COMMISSIONER CARR: Since you did it...

1 MS. McKEE: I'll bring it up here,
2 depending on what you want.

3 COMMISSIONER CARR: Okay. Okay.

4 COMMISSIONER GIPSON: Pretty simple.

5 MS. McKEE: Yeah, if that's what you want.

6 COMMISSIONER CARR: Okay. I got it. I
7 got it. That's fine.

8 I move to approve the renewal application
9 for La Tierra Montessori Charter School for five
10 years.

11 I didn't -- do I need to make --

12 COMMISSIONER GIPSON: I don't know.

13 COMMISSIONER CARR: We never did before.

14 COMMISSIONER TOULOUSE: Madam Chair, I
15 second.

16 MS. McKEE: Yeah. I took that from how it
17 was written on the agenda.

18 COMMISSIONER CARR: Oh, okay.

19 COMMISSIONER GIPSON: The motion is by
20 Commissioner Carr, second by Commissioner Toulouse.

21 Commissioner Armbruster, roll call vote,
22 please.

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 Carr.
9 COMMISSIONER CARR: Yes.
10 COMMISSIONER ARMBRUSTER: Commissioner
11 Armbruster votes yes.
12 Commissioner Pogna.
13 COMMISSIONER POGNA: Yes.
14 COMMISSIONER ARMBRUSTER: Commissioner
15 Gipson.
16 COMMISSIONER GIPSON: Yes.
17 COMMISSIONER ARMBRUSTER: Today we have a
18 quorum of seven, and we have seven votes for a
19 five-year contract.
20 COMMISSIONER GIPSON: That is a seven-zero
21 vote in favor of renewing La Tierra Montessori.
22 Congratulations, once again. Thank you.
23 MS. BERG: Thank you so much. My staff is
24 going to be thrilled. What a great Christmas we'll
25 have. Thank you.

1 COMMISSIONER GIPSON: Happy holidays.

2 And, Commissioners, if we could take a
3 ten-minute break, I would appreciate it.

4 (Recess, 10:00 a.m. to 10:13 a.m.)

5 COMMISSIONER GIPSON: Stop having so much
6 fun.

7 We are now on to letter L, which is Uplift
8 Academy -- is it "Academy" --

9 UNIDENTIFIED SPEAKER: "Community School."

10 COMMISSIONER GIPSON: Community School.
11 Sorry. I apologize. I thought I opened it, and I
12 did not. Uplift Community School.

13 So, once again, if there is anyone that
14 wishes to participate in the public input portion,
15 please sign in with Beverly over here, and there is
16 a total of five minutes that is allotted for that.

17 Director.

18 MS. POULOS: Madam Chairwoman,
19 Commissioners, CSD recommends nonrenewal of this
20 charter based on the school's failure to meet the
21 contract material terms, the Department's standard
22 of excellence, the student performance standards in
23 the charter contract, generally acceptable standards
24 of fiscal management, and all provisions of law from
25 which the school has not been specifically exempted.

1 The school has, however, met the facility ownership
2 and leasing requirements established in 22-8B-4.2.

3 This school currently maintains a
4 three-year average letter grade of F and has earned
5 a D or F letter grade in each of the last three
6 years. Additionally, the school failed to meet or
7 make progress toward each of the goals listed in the
8 charter contract. The school was unable to report
9 on goals based on Expeditionary Learning standards
10 because of the school's break with that
11 organization. The school was also unable to provide
12 attendance logs to show -- to demonstrate parent
13 involvement in school activities.

14 CSD's analysis of the school's short-cycle
15 assessment data shows that, both when comparing the
16 same grade level over time and the same cohort of
17 students over time, proficiencies have continued to
18 drop at almost every grade level in almost every
19 year. CSD's analysis of that data is available on
20 pages 18 and 19 of your report.

21 Additional data from the school appears to
22 demonstrate that families that enroll in this school
23 also have concerns about the school's academic
24 performance. Annually, the school experiences a
25 substantial amount of student turnover. The

1 school's student retention rate is much lower than
2 expected and has steadily declined from 91 percent
3 in the first year to approximately 65 percent in the
4 third and fourth years.

5 In addition, teacher turnover has been
6 very high over the entire term of the contract. The
7 school has retained fewer than 50 percent of the
8 teachers in each year except between the second and
9 third years in which the school retained 63 percent
10 of the teachers.

11 In addition, the school has failed to meet
12 nearly all major elements of the material terms.
13 The school has not implemented the Expeditionary
14 Learning program through all years of the charter.
15 In addition, the school states that it is
16 implementing a hands-on experiential project-based
17 learning program. However, CSD's classroom
18 observations did not identify the implementation of
19 such a program. Instead the lower grades appear to
20 be implementing thematic units, a common element of
21 elementary grade education. In the upper grades CSD
22 was unable to observe either thematic or
23 project-based education.

24 The school is also not implementing the
25 calendar terms identified in the charter contract.

1 The school's charter indicated students would
2 receive 1,245 instructional hours annually. The
3 school's calendar submitted to the Budget Office
4 indicates students are receiving only 1,176
5 instructional hours, 69 hours fewer than the number
6 of hours indicated in the charter.

7 However, CSD's observations during the
8 site visit indicate the school is not implementing
9 the calendar submitted to the PED. Thus, the
10 students are receiving less than 1,176 instructional
11 hours. In fact, CSD's calculations find that
12 kindergarten students received fewer than the
13 required annual hours, receiving only 981.73 hours.
14 In grades 1 through 5, students are receiving
15 1,060.5 hours. And in grades 6 through 8, the
16 students are receiving 1,165.92 hours.

17 CSD also has concerns about the school's
18 ability to meet all generally accepted standards of
19 fiscal management. In the school's 2015 audit, the
20 school received one multi-year repeat finding, three
21 repeat findings, and two significant deficiencies.

22 Further, the school has failed to comply
23 with all provisions of law from which the school has
24 not been specifically exempted. Specifically, the
25 school failed to protect student safety by failing

1 to develop and obtain approval on a student wellness
2 and safety plan by failing to conduct legally
3 required safety drills and by violating
4 transportation requirements.

5 Additionally, the school failed to
6 complete summative teacher evaluations as required
7 by NM Teach for two years. Finally, the school
8 failed to complete and submit statutorily required
9 State PARCC assessments in one year.

10 CSD additionally has concerns that the
11 school is not fully implementing compulsory
12 attendance laws. The school had a habitual truancy
13 rate of 15.48 percent last year and was unable to
14 demonstrate evidence of the attendance follow-up and
15 improvement process.

16 The school's application includes an
17 amendment request to amend the school's mission.
18 Again, CSD is recommending nonrenewal of this
19 charter.

20 COMMISSIONER GIPSON: Thank you.

21 Good morning. And if you could please
22 introduce yourself for the record. And, once again,
23 you have 15 minutes for this portion.

24 MS. DOUCETTE: Yes. I'm Ann Doucette,
25 Chair of the GC.

1 MS. MIKESIC: Cathy Mikesic, member of the
2 GC.

3 MR. FELDMAN: Wally Feldman. I'm interim
4 director at this present time.

5 And I would like to thank you for allowing
6 us to make our presentation. It's time to begin.

7 COMMISSIONER GIPSON: Are you starting
8 this now?

9 MR. FELDMAN: Yes, ma'am.

10 COMMISSIONER GIPSON: Okay.

11 MR. FELDMAN: Sorry. It's my own
12 computer.

13 Public Education Commission, Chairperson,
14 and Charter School Division, I'd like to thank
15 everyone for the time it takes to look at schools
16 and make very difficult decisions. I would like PEC
17 to look carefully at Uplift Community School and the
18 community it serves. We are part of the greater
19 Gallup community. Gallup is a diverse, rural, low
20 economic status community, and Uplift is a valuable
21 part of the community it serves.

22 As you can see, we do do a hands-on
23 approach in the project-based education. And I feel
24 bad that CSD did not see that because they picked a
25 half day to come and see us and most of the classes

1 were in their SFA, which is our student Success for
2 All literacy classes. But, again, I apologize for
3 that.

4 We've had technical difficulties a little
5 bit. It worked perfect all day yesterday.

6 Much has been made of our mission
7 statement and the changes that we brought before the
8 Public Education Commission. I apologize for the
9 change that caused all the problems. We are sorry.
10 It should have been approved by the Commission
11 first. And I apologize. The error in the original
12 mission statement talks about the exploratory,
13 expeditionary, project-based model. And we will
14 continue to do our best to incorporate the mission
15 and not stray from the concept.

16 Just give me a second. I'm going to see
17 if I can back it off. This computer has never
18 locked up in my life, and I'm not sure why it had to
19 do it today.

20 MS. MIKESIC: So -- Cathy Mikesic -- I'm
21 going to go ahead with my small presentation while
22 Wally is trying to get the computer working back
23 again.

24 I would just like to say that in McKinley
25 County the only choices for school are the

1 Gallup-McKinley County School public schools or
2 parochial schools. If Uplift Community School is
3 not rechartered, then the only choice our students
4 have are to go to a lower performing school or go to
5 a parochial school and pay the high tuition rates
6 for the private schools.

7 In a county where the poverty rate is
8 extremely high, this is not a viable option for most
9 of our families. Uplift Community School staff,
10 students, and families are dedicated to the school
11 and even reported to the CSD auditors that they
12 would choose home schooling and other private or
13 other professional options were the school to close.

14 The school has gone out of its way to meet
15 the challenges of our area and exposing our students
16 to unfamiliar tools, materials, and ways of
17 exploring their curriculum. Uplift Community School
18 has a wonderful diversity of students and staff that
19 reflect the diversity of our unique community. No
20 other schools in the area allow students from across
21 the vastness of McKinley County to be educated
22 together. One of the challenges that we've had to
23 do is to provide transportation and lunch for the
24 majority of our students. And if we were not doing
25 that, if we didn't provide that, they would be

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1 unable to attend.

2 Please believe that everyone involved in
3 the school is striving to overcome the challenges
4 that we have encountered, and realize that this
5 school year we feel that we are on a trajectory to
6 substantially move the school forward. Please
7 consider the full picture carefully before making
8 your decision and allow us the opportunity to
9 continue providing a unique and comprehensive
10 education for the children of Gallup and McKinley
11 County.

12 MR. FELDMAN: Okay. This is the original
13 mission statement for the school, and it does
14 provide the EL as a big thing. And, again, I
15 apologize that changes were made to the mission
16 statement. It should have been approved by the
17 Commission first, and the original mission statement
18 talks about the exploratory, experiential,
19 project-based model, and we will continue, to the
20 best of our ability, to incorporate the mission.

21 As you can see, much of the school is
22 involved in project-based education. Students enjoy
23 the hands-on approach. The integrity and rigor
24 continues to guide our students' education
25 intellectually and emotionally.

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1 As you can see, when we go to the report
2 card, you'll find out that we did improve up to a D
3 this past year. And that's -- we cannot be sitting
4 on a D, but you'll notice we moved all the way from
5 28.98 points to 40.79 points in one year.

6 For some reason my computer keeps on
7 freezing, but let's just go on, and I'll give my
8 presentation without the slides.

9 In 2014 we were 46 out of 46 schools in
10 our size and how we rated. By 2015 it was 38 of 46
11 in similar schools. And by 2016 we're 25 out of 46.

12 Then we go to new data from Istations, and
13 I wish I could show you the data from Istations
14 because it's just amazing. In the kindergarten
15 station, it showed that 17 percent of our students
16 were in Tier 1 and proficient at the beginning of
17 the year. And these students are not tested again
18 until January, and they're taken out of the numbers.

19 Of our results, 29 percent of the students
20 that were showed as Tier 2, Tier 3, ended up in
21 Tier 1 by November. We had moved one third of the
22 students from the ones that were not testing again
23 into proficiencies. In first grade 24 percent of
24 the students tested were Tier 1 and not tested until
25 January 2017. 31 percent of the Tier 2 and 3

1 students moved to Tier 1. Again, very remarkable in
2 just a short period of time.

3 Second grade showed 26 percent in Tier 1,
4 but we increased those rates to 20 and 26 percent in
5 October and November. We use a program called
6 Success for All as a literacy program -- very
7 standards based -- and our school had to make some
8 adjustments in making those things because, as you
9 know, we have to have a student be able to read and
10 write before they can be successful in school.

11 Our school has put a great deal of time
12 and effort into that. Teachers did three full days
13 of in-service before school even started and
14 received half day in-services every month from then
15 on. We have an outside contractor that comes in,
16 reviews all of our programs on a monthly basis, and
17 makes recommendations, and works with the teachers
18 in their classrooms to change the literacy program
19 as we go.

20 Current standings of PARCC also give us a
21 different viewpoint. We actually are on equal
22 standings with the State and, in many of the grades,
23 are higher than the state average. We are very much
24 higher than Gallup-McKinley County Schools. You ask
25 how could we get such a poor grade in such a short

1 time. When you do not turn in the PARCC scores for
2 one year, it kind of messes up your school score.
3 And the hold harmless thing of the grading system --
4 40 percent, as you know, of the school grade is the
5 hold harmless from the past year's scores. So when
6 you start off as zero, it's pretty hard to get your
7 stuff going. I know that that's an excuse, and it's
8 not acceptable for myself or the board. And that's
9 why some changes were made in the school.

10 I came down in August to help the school.
11 We have come so far so quick. It's amazing to me.
12 I'm a retired charter school leader. I ran Middle
13 College High School there in Gallup for ten years.
14 We were an A school, and I can see the school
15 becoming an A school if given that opportunity to
16 make that change. We've got our work cut out for
17 us. And, yes, the experiential learning is a model
18 that is a good model. And if we have to change some
19 things to, again, go back to EL and find out what
20 contracts we have to make, again, we will make
21 those.

22 As far as all the material things, yes, I
23 worked very hard and work diligently. As my wife
24 would say, "When you coming home?"

25 And I said, "When we get the school

1 running exactly the way I think and I can find a
2 director." And I will be glad to mentor that
3 director from here on. I gave the board my word
4 that I would do that.

5 As far as the financial things, we have an
6 unqualified audit. The Vigil group is working
7 there. We have very, very few audit findings. I
8 apologize that there was a couple findings. We have
9 fixed those. All of our students -- I mean all of
10 our personnel have background checks.

11 We do struggle keeping teachers. I will
12 not -- there. I've lost two of my best teachers in
13 the past two months. The reason that I've lost them
14 is we had the report come out, and they said, "Well,
15 I've got job offers from different places, and I
16 know I'll have a job next year." They left. One of
17 them doubled their salary going to a different
18 place.

19 And it is hard in Gallup. We have a very,
20 very high turnover rate for Gallup-McKinley County
21 Schools. They have many positions they have not
22 filled. They have between a 10 and 15 percent
23 turnover rate in Gallup McKinley alone. They
24 provide housing. They provide a lot of things that
25 we cannot do. But for this school, I do feel bad

1 that it has come down to the fact that it was an
2 F school. It did move up, and I can see it moving
3 up.

4 COMMISSIONER GIPSON: That's the timer.

5 MR. FELDMAN: Thank you.

6 COMMISSIONER GIPSON: Thank you.

7 COMMISSIONER CARR: Christmasy.

8 COMMISSIONER GIPSON: I like the sound.

9 It's pleasant.

10 Bev, do you have anyone for public input?

11 MS. FRIEDMAN: Yes, we do. Sorry.

12 COMMISSIONER GIPSON: There are three
13 people that have signed up. I'll remind you that
14 it's a total of five minutes. The first person is
15 Phyllis Grana.

16 MS. GRANA: Thank you.

17 Do you mind if I kind of go like this? Is
18 that all right?

19 MS. FRIEDMAN: Sure.

20 MS. GRANA: Thank you very much.

21 COMMISSIONER GIPSON: You need to use the
22 microphone.

23 MS. GRANA: Oh, I have such a big voice.

24 Can you hear me?

25 COMMISSIONER GIPSON: I know. But we have

1 a court reporter here.

2 MS. GRANA: Oh, I'm sorry. My name is
3 Phyllis Grana, and I'm with Uplift Community School.
4 I'm the second grade teacher that he mentioned. And
5 I am very proud to say that I am new to Uplift. I
6 had no idea the school was in this kind of a mess,
7 but I'm committed to it, as many of the teachers
8 are. We started out our year with certified
9 teachers -- from what I hear, certified teachers for
10 the first time.

11 We have three students who have been
12 with -- three teachers who have been with the school
13 anywhere -- you know, from the beginning, the
14 inception, or maybe two or three years. The rest of
15 us are all new. I feel like we stepped into a fire
16 storm, and it really concerns me because I happen to
17 know who I am as a teacher, and I know that I'm a
18 good teacher.

19 Last year 71 percent of my Navajo children
20 met benchmark. In the years before that on the
21 reservation, my students all moved forward. And my
22 students this year are moving forward, and I would
23 like to continue that at Uplift. I'm not a quitter.
24 I stick in. When I say I'm going to do something, I
25 don't bail despite an increase in salary.

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1 I brought with me today the compilation of
2 the thoughts, passions, and concerns of parents who
3 were not able to come. But, honestly, sitting here
4 and listening to things I was not aware of, I would
5 like to say that, to move down in my -- I have to
6 take this off for just a minute.

7 Hang on there, Ms. Recorder.

8 To jump to the end, that is that, as I
9 said, most of the teachers are new, and we walked
10 into a problem. And many of us were willing to face
11 that problem and do everything we could to make it
12 work. And we are. We stand here -- I stand here
13 before you and say that we will do whatever it is
14 you want us to do. And please tell us. We would
15 like you to allow us to show you over the next three
16 years that we can further improve the grades.

17 Our grades already are going up, and I
18 think that it's a shame that those of us that came
19 in new need to almost be punished, I feel -- I'm
20 sorry to use that word, but I almost feel as though
21 it's a punishment that we cannot continue to show
22 you how qualified we are as new teachers coming in
23 and that whatever has gone wrong, we did not create
24 that monster. And I hope that you would consider
25 giving us a period of time to show that Uplift can

1 be the quality school that it set out to be when it
2 was created.

3 We do Expeditionary Learning. When we
4 were viewed by whoever it was that came down from
5 the state, as Mr. Feldman said, we were in the
6 middle of other things. I kind of flipped my class
7 from our Success for All program and said, "Well, we
8 are just starting our new Expeditionary Learning
9 project. We'll just do that." We were really
10 caught off guard in a way. And I feel as though I'm
11 making an excuse of that, and I'm not an excuse
12 maker.

13 I'm just asking you, with what we have put
14 in place, please allow us to continue with Uplift
15 and to show you -- to prove you wrong. I would love
16 to prove you wrong. Thank you.

17 COMMISSIONER GIPSON: Next on the list is
18 Sarah J.B. Jones.

19 MS. JONES: I'll be quick.

20 I'm a parent of five children. I have
21 bright learners. I have kids with learning
22 disabilities. I have one son that's currently being
23 tested for autism spectrum right now. And I take
24 full range of my student choices.

25 I started out with a kindergartener in the

1 public schools who started asking to be
2 homeschooled. And for three years, when that's all
3 we had -- once a week at least, he has to be
4 homeschooled; and I put him at Uplift, and he
5 finally enjoyed his education. This is a little boy
6 who loved learning but did not enjoy his education,
7 and at Uplift he finally found a passion for
8 learning.

9 And I would ask you, please, to leave this
10 option, which is a very rare thing in Gallup, open
11 for the students because we are already doing
12 better. The negative findings do not reflect the
13 whole of the school and all that we are, either as a
14 community or as a school. Thank you.

15 COMMISSIONER GIPSON: Thank you. And
16 finally Honey Chavez.

17 MS. CHAVEZ: Good morning. My name is
18 Honey Chavez. The documents show what Uplift is
19 going to be looking forward to in the future. If
20 you could please look at that, that's our
21 project-based experience. Those are some of the
22 things that I was going to present. Thank you.

23 COMMISSIONER GIPSON: Thank you.

24 MS. JONES: So could I just say that the
25 part that didn't work were our parents.

1 COMMISSIONER GIPSON: I'm sorry, but the
2 five minutes for public input is completed.

3 MR. FELDMAN: I did tape parents that
4 couldn't attend because we live so far.

5 COMMISSIONER GIPSON: I understand that,
6 but there's --

7 MR. FELDMAN: Fine.

8 COMMISSIONER GIPSON: If that could have
9 been part of that presentation in the 15 minutes,
10 that would have been fine, but the 5 minutes for
11 public input is complete.

12 Commissioners, any questions? Comments?
13 I'll start.

14 These are always difficult conversations
15 that we have, and I know there have been apologies
16 about the Expeditionary Learning, and I was actually
17 one of the ones quoted in the school response.

18 You had a mission for Expeditionary
19 Learning. You failed, in years prior to your
20 changing your mission, to meet that mission. You
21 determined to change your mission, and I understand
22 the concern that the amendment to change your
23 mission apparently had been lost. The e-mail was
24 misplaced somehow with CSD.

25 But it is also the burden on the school,

1 in that five- to six-month period that you didn't
2 hear back from CSD, to call and say, "We put in an
3 amendment request. What has happened to it?" But
4 you let six to eight months go by before it came to
5 us when you had -- and you had already, when you
6 changed -- when you asked for the amendment request,
7 you had already changed through the Governance
8 Council the mission.

9 There was a school response that "Missions
10 change all the time and that programs change in the
11 public schools; so therefore your mission changes."
12 You're not a traditional public school. You are
13 authorized for Expeditionary Learning, and when the
14 request came before us, that was a change. And in
15 part of your presentation, there is a difference
16 between hands-on learning and project-based
17 learning. There was a huge difference.

18 I taught project-based learning, Ford
19 Foundation grants to develop project-based learning.
20 There is a big difference between project-based
21 learning and hands-on learning. And I understand.
22 I heard your concern about what was observed on the
23 half day. But CSD also goes through and looks at
24 lesson planning so that that decision to determine
25 that project-based learning was not going on was not

1 based solely -- and I'm sure that was a small
2 portion of that decision that you're not doing
3 project-based learning. It was looking at what the
4 school has been doing.

5 These are always difficult decisions and
6 discussions that we have when we hear the staff,
7 when we hear from parents; but, first and foremost,
8 our obligation as an authorizer is to make sure that
9 the school is fulfilling the mission of the school
10 because that was what you were given the task to do.
11 And you've had five years to make that best effort
12 to do that -- not even make a best effort. You had
13 five years to complete that mission. That is the
14 promise you made to us and to your community was to
15 do that, and you have not done that over these five
16 years.

17 And I would also like to correct the
18 record because there is another charter in Gallup.
19 So there is another choice. That's not a decision
20 that's going to factor in, but there is another
21 charter in Gallup.

22 MS. DOUCETTE: It is not the same age
23 group.

24 COMMISSIONER GIPSON: There is another
25 charter. The comment was made there was no other

1 choice. And there is. There is another charter
2 there. So I just want the record corrected with
3 that fact.

4 Commissioners, I'm going to recommend that
5 the charter not be renewed based on multiple reasons
6 but, first and foremost, because they have not
7 fulfilled the mission of the school that the PEC
8 authorized them for.

9 Do you want to have discussion on this, or
10 would you like a motion? That's to the Commission.

11 COMMISSIONER TOULOUSE: Madam Chair, I
12 would like to reluctantly back you up.

13 Going forward with new plans is fine, but
14 when they haven't been executed at any point in the
15 past and we're looking at money problems, we're
16 looking with so many other things, I can't justify
17 when I honestly don't see everybody -- you know,
18 it's new. We have people who are working hard. I
19 recognize all of your efforts. It's a hard thing to
20 say. I don't like to vote the to not renew. We've
21 done that twice so far these several days, and it is
22 a very hard thing for me to have to do. But I also
23 have an elected responsibility, and unfortunately I
24 need to back our Chair on this one. Thank you.

25 COMMISSIONER GIPSON: Are we ready?

1 COMMISSIONER PERALTA: Madam Chair.

2 COMMISSIONER GIPSON: Oh,
3 Commissioner Peralta.

4 COMMISSIONER PERALTA: Yes. I would go
5 ahead and make the motion, if that's okay.

6 COMMISSIONER GIPSON: Okay. Here
7 (indicating).

8 COMMISSIONER PERALTA: Madam Chair, I move
9 to deny to renew the application for Uplift
10 Community School for the following reasons: One,
11 the school committed a material violation of the
12 conditions, standards, or procedures set forth in
13 the charter contract because they are not fulfilling
14 the mission of the school. It has failed to meet
15 nearly all the major elements of the material terms
16 of the contract.

17 Secondly, the school failed to meet or
18 make substantial progress towards achievement of the
19 Department's standards of excellence or student
20 performance standards identified in the charter
21 contract because the school currently maintains a
22 three-year average letter grade of F and it has
23 earned a D or F letter grade in each of the last
24 three years. The school has failed to meet or make
25 progress toward each of the goals in the charter

1 contract, and the school failed to complete and
2 submit statutorily required state PARCC assessments
3 in one year. The school's short-cycle assessment
4 data demonstrates declining proficiencies at almost
5 every grade level in almost every year.

6 Thirdly, the school failed to meet
7 generally accepted standards of fiscal management
8 because multi-year report audit findings,
9 single-year report audit findings, and significant
10 deficiencies identified by the audit.

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

20 Also, the school failed to complete
21 summative teacher evaluations as required by
22 New Mexico Teach for two years. And, finally, the
23 school failed to complete and submit statutorily
24 required state PARCC assessments in one year.

25 COMMISSIONER GIPSON: Thank you.

1 And, once again, these are difficult
2 decisions. And you will be receiving a letter with
3 information regarding any appeals.

4 COMMISSIONER PERALTA: We need a second.

5 COMMISSIONER GIPSON: Oh, I'm sorry. I'm
6 sorry.

7 COMMISSIONER TOULOUSE: Madam Chair, I
8 will second.

9 COMMISSIONER GIPSON: Second by
10 Commissioner Toulouse.

11 Roll call vote.

12 COMMISSIONER ARMBRUSTER: Commissioner
13 Peralta.

14 COMMISSIONER PERALTA: Yes.

15 COMMISSIONER ARMBRUSTER: Commissioner
16 Gipson.

17 COMMISSIONER GIPSON: Yes.

18 COMMISSIONER ARMBRUSTER: Commissioner
19 Pogna.

20 COMMISSIONER POGNA: Yes.

21 COMMISSIONER ARMBRUSTER: Commissioner
22 Toulouse.

23 COMMISSIONER TOULOUSE: Yes.

24 COMMISSIONER ARMBRUSTER: Commissioner
25 Carr.

1 COMMISSIONER CARR: Yes.

2 COMMISSIONER ARMBRUSTER: Commissioner

3 Armbruster votes yes.

4 Commissioner Johnston.

5 COMMISSIONER JOHNSTON: Yes.

6 COMMISSIONER ARMBRUSTER: Madam Chair, we
7 have a quorum of seven, and we have seven votes for
8 the motion and zero votes against. So the motion
9 passes.

10 COMMISSIONER GIPSON: That is a seven-zero
11 vote for denial of the renewal of the application.

12 Thank you, once again, and you will be
13 receiving a letter.

14 Commissioners, can we take a short break,
15 please.

16 (Recess 10:51 a.m. to 10:57 a.m.)

17 COMMISSIONER GIPSON: Welcome. We are on
18 to our final school for the day, and that is
19 Walatowa Charter High School.

20 Good morning. I see that you're ahead of
21 us, and those that wanted to participate in public
22 input have already signed up. So I'll remind you
23 that you have 15 minutes when it is your time.

24 Director, are you ready?

25 MS. POULOS: Madam Chairwoman,

1 Commissioners, CSD has recommended the renewal of
2 this charter for a five-year term. CSD recommends
3 the renewal of this charter school because the
4 school has met the material terms of the charter and
5 has met the Department's standards of excellence.

6 The school currently maintains a
7 three-year average letter grade of A, and the school
8 has complied with the material terms of the
9 contract. While the school has not met all of the
10 student performance goals in the charter, it has met
11 five of the nine goals. Additionally, as we've
12 noted in other considerations, this school is under
13 one of the old charters, had a multitude of goals
14 including several goals that changed because they
15 were based on the State assessment.

16 I do think it's important to note the
17 school did come forward and ask to amend some of
18 those goals. At the time, the Commission indicated
19 they just wanted to wait until the new contract term
20 to deal with that issue.

21 The school has not met generally accepted
22 standards of fiscal management for the reason of
23 having multi-year repeat findings and significant
24 deficiencies in the most recent audit. And so CSD
25 would recommend a renewal condition based upon that

1 to ensure compliance with the Corrective Action
2 Plan.

3 In addition, the school has not met all
4 provisions of law. This is based on, again, the
5 site visit, and some concerns that CSD had with
6 regards -- and these are minimal concerns, as with
7 the other schools that we've indicated -- with
8 regards to licensure and background checks, special
9 education requirements, English language learner
10 requirements, next-step plans, RTI, governance.
11 Specifically the school did not provide evidence
12 that all governing board members have completed all
13 required training hours. And so CSD would recommend
14 a condition to correct that finding.

15 With regards to facilities, one of the
16 things that I think I need to be more clear about
17 that I hadn't been is with regards to renewal, the
18 only provision in 22-8B-4.2 that affects renewal is,
19 I believe, subparagraph D, which states that "A
20 charter school shall not be renewed unless the
21 charter school" -- and then it lists a whole litany
22 of issues with regard to ownership or leasing.

23 So I know there is a concern outstanding
24 about whether the school has demonstrated
25 E-occupancy. I think they probably want to speak to

1 that a little bit. But that would not be one of the
2 terms necessarily that is a specific reason in
3 8B-4.2 for nonrenewal. I know it's certainly a
4 concern for the Commission.

5 COMMISSIONER GIPSON: Can I just --

6 MS. POULOS: Yep.

7 COMMISSIONER GIPSON: -- add into that
8 because there were documents that went out from PSFA
9 that schools were given, unfortunately, I think, a
10 week to get those documents all in; and there was an
11 indication in that e-mail that, if they weren't in
12 compliance all of that, they wouldn't be renewed.
13 That was the wording in the e-mail. And that was --
14 you know, that certainly piqued my interest when I
15 received the e-mail to please forward this to all
16 the schools.

17 And I did call all the schools prior to
18 when all that material was due in to make sure that
19 they had had it in. And, of course, Walatowa did
20 indicate that they had provided all that
21 information. Every school responded to me except
22 for Estancia Valley. So I just -- there's a
23 confusion there at this point in time as to what
24 needs to be in and what doesn't need to be in. And
25 we need to straighten that out going forward for

1 sure. Thanks.

2 MS. POULOS: Thank you, Madam Chairwoman.

3 So, again, I just want to reiterate CSD is
4 recommending the renewal of this charter school with
5 a five-year term with some conditions requiring
6 corrective action be reported on specifically with
7 regards to all governing board members completing
8 their required annual training. This is not
9 included here, but I do think it's important,
10 because of the audit findings, that a condition be
11 added, as was with a couple of the schools, that the
12 school specifically report on the implementation of
13 the audit Corrective Action Plan.

14 And we have also added that the school's
15 framework include specific academic goals related to
16 growth of lowest performing students but also to the
17 submission of STARS data. The school may want to
18 speak to this. But you'll notice that in our
19 reports the data for 2017, the current year, is
20 missing in several instances, and that was because
21 the data had not been submitted to STARS in time for
22 it to be included in here. And I think I can speak
23 to the fact that that was a misunderstanding and a
24 challenge because the district had previously
25 submitted that school's data. It did not this year

1 and I don't think there was good communication. The
2 school has gotten that data in, but we certainly
3 really want to emphasize the importance of that
4 data, which is used to actually fund all of our
5 schools.

6 COMMISSIONER GIPSON: Right.

7 MS. POULOS: So, again, I do want to
8 reiterate we are very supportive of this school.
9 And I think another thing to just mention is they
10 are serving a population of -- a very strongly
11 Native American population, and they are doing an
12 excellent job of that. We do not have any other
13 schools that have this demographic makeup and have
14 an A letter grade. And they are growing their
15 students, they are graduating their students, and we
16 are very, very supportive of the work that this
17 school is doing.

18 COMMISSIONER GIPSON: Thank you.

19 Welcome, once again. And if you would,
20 please, introduce yourself for the record.

21 DR. TAMEZ: Dr. Jaime Tamez.

22 MR. KRUEGER: Ron Krueger.

23 MR. WILKINSON: Arrow Wilkinson, Principal
24 of Walatowa.

25 Madam Chair and PEC members, we appreciate

1 the opportunity to discuss our charter renewal
2 application today. At Walatowa we are committed to
3 providing the best possible education for our
4 students and not only on the Pueblo of Jemez but our
5 surrounding communities. We have students from
6 Pueblo Zia, San Luis, Cañon, Jemez Springs,
7 Bernalillo, and Santo Domingo.

8 But we make great strides in providing a
9 high-quality education service at our school and in
10 progressing toward the Public Education Department's
11 excellence of standards. And we met seven out of
12 the eight subcategories on our school report grade
13 and then one subcategory that we did not meet, and
14 that is the lower performing students, and we'll
15 talk about that.

16 In addition, student, parent, and staff
17 feedback remain extremely positive and supportive of
18 our school. The Pueblo of Jemez Tribal
19 Administration, which represents the majority of our
20 students, are in full support of our renewal, and
21 I'd like to read a letter from the Tribal Governor.

22 "The Pueblo of Jemez Tribal Administration
23 is in full support of the renewal application for
24 Walatowa High Charter School.

25 "Over the past five years, we have been

1 impressed with the continued and sustained growth
2 levels of the students who attend Walatowa High
3 Charter School. The student body represents an
4 inclusive cross-section of diverse tribal and local
5 communities.

6 "Walatowa High Charter School provides
7 invaluable educational opportunities which are
8 unique to the mission statement of the school.

9 "Therefore, we offer our support to the
10 Walatowa High Charter School and look forward to
11 watching its continued growth. Sincerely, David R.
12 Yepa, Governor; and Benny Shendo, Jr., Tribal
13 Administrator."

14 When we look at the report from the
15 Charter School Division we submitted to you -- and
16 it has comments, and if you look further down,
17 there's more in-depth comment. But we have comments
18 from students that says the school feels like a
19 family and they feel safe here. You know, it's
20 important because that reflects the tribal
21 communities, but not only tribal communities but all
22 communities that they want a safe school. They want
23 to feel that they can achieve, and that's what we
24 provide for the community. And it brings the
25 community together because it provides a network of

1 support.

2 We get support from our partnerships that
3 are truly a community school model. The Pueblo of
4 Jemez Health and Human Services, Five Sandoval,
5 provide our counseling services that we are able to
6 address the whole child, the mental health aspect of
7 it. And also we have our ancillary services that do
8 a great job and our partnerships with the colleges
9 that help us do our experiential learning and all
10 these other activities that are part of our dual
11 credit program.

12 So we're proud of our efforts and our
13 growth that we have experienced, but there are areas
14 that we do need to show improvement as part of the
15 review process. There are samplings of our answers.
16 But, again, in depth it can be found on 228 through
17 284.

18 Our teacher retention rate was listed as
19 low, but we provided a chart that shows that we were
20 able to maintain teachers. We have been able to
21 retain a group of teachers in the core area of math,
22 science, English language arts, social studies,
23 special education for seven to ten years. We just
24 recently had an art teacher, who retired because of
25 illness, for nine years. Teacher turnover has been

1 due to retirement, illness, advancement to a better
2 paying job, and a change of careers altogether. But
3 you'll be able to see that in the chart over the
4 past ten years.

5 As far as our lower 25 students, we look
6 at the comparative student demographic. We have a
7 high population of ELL learners and economically
8 disadvantaged compared to the district and the
9 state. But even though that these are challenges,
10 the students did show academic growth, and that's
11 great. In our lower 25, even though I appeal it
12 every year, we show growth in reading levels --
13 especially reading levels -- two grade levels
14 annually. You know, it's great, but it's never
15 going to meet the PARCC level, but they show
16 academic gain. So they do a great job. The kids
17 are awesome. The teachers do an excellent job.

18 Our fiscal management, in terms of
19 concern, rates by the CSD regarding management --
20 each year we have resolved those issues and
21 submitted any additional information to the PED, and
22 we have copies of those e-mails and responses with
23 the State-required auditor that comes out. So we do
24 make those adjustments insofar as our fiscal
25 management.

1 Regarding complying with provisions of the
2 law, we had one -- and I'll go down the findings
3 that she discussed -- background checks. Because we
4 are a state charter, it was difficult getting an ORI
5 number, and we finally received one. But to be able
6 to process them, it's just taken time as far as the
7 process with the State. So we do have background
8 checks and just not anybody coming in.

9 We have members of our teaching staff that
10 are here today that are from different countries.
11 So we have an immigration background check. We have
12 BIE. I have myself and a couple other staff members
13 that have a BIE background check. Our
14 universities -- we adjunct. Some of our staff
15 members are adjunct for the state, I mean, through
16 IAIA or CNM or UNM, and we have those background
17 checks. We just didn't have the cogent background
18 check. But we partnered with Jemez Springs Police
19 Department, who have a cogent designation, and they
20 allowed us to be a third party to submit it through
21 them. So they've been processed. We just have to
22 pick them up, and they'll be ready next week. So we
23 do have cogent background checks. And next year
24 we'll have that ORI number taken care of. So that's
25 addressed.

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1 As far as our next-step plans, everything
2 has been addressed. Response to intervention --
3 it's in the lower part of your packet there that
4 have been addressed. The governing board training
5 requirements -- we do agree. All of our board
6 members are employed and employed on the weekends.
7 It's just difficult. They are supportive. They do
8 a great job. But we assigned Dr. Bruce Heguire to
9 provide training on site with our board beginning in
10 January.

11 And then when it comes down to the
12 facilities requirement, we didn't respond because it
13 is something of a misunderstanding because the
14 school does reside on tribal land. And as far as
15 the State having any jurisdiction, it's a tribal
16 land. But we have notified the Tribal Council and
17 the Tribal Administrator. We have notified our
18 Regional Director, Mr. David Briggs, and that was
19 his opinion, you know. But he's going to walk us
20 through. We've notified our fire marshal. Mr. Cox
21 is going to come out and do his annual inspection in
22 January and also the Construction Division director.
23 We're all going to sit down and meet, as far as the
24 Tribal Council, and get the E-occupancy. So they're
25 in full support as far as our school, and we have a

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1 letter from the Tribal Council.

2 "The School's current facility meets
3 adequacy standards and all applicable requirements
4 as follows:

5 "New Mexico Public School Facilities
6 Authority Certificate and the approval of the most
7 recent PSFA facility assessment, which indicated an
8 NMCI Score of Score 6.48 percent. Approval of
9 facilities can be found on the current PSCOC
10 approved funding allocation regarding WHCS
11 facilities and NMPSFA.

12 "In addition, Walatowa High Charter School
13 is located on the Pueblo of Jemez Indian Reservation
14 and is also evaluated by the Pueblo of Jemez
15 Facilities and Public Works Department.

16 "The WHCS has leased the current facility
17 from the Pueblo of Jemez Tribal Administration which
18 maintains the facility applicable to state adequacy
19 standards at no additional cost to the school.

20 Sincerely, David R. Yepa, Governor; and Benny
21 Shendo, Jr., Tribal Administrator."

22 So all the recommendations we feel that we
23 can work with with our State agencies to fulfill all
24 requirements and, with assistance from the Charter
25 School Division, be able to address any concerns or

1 any issues that you may have.

2 COMMISSIONER GIPSON: Are you done?

3 MR. WILKINSON: Yes. Yes.

4 COMMISSIONER GIPSON: Okay. I'm going to
5 digress a little bit because we have someone here
6 from PED Indian Education that would -- is she still
7 here? Where did she go? Oh, there she is. Okay.

8 Thank you. And if you could introduce
9 yourself for the record. Thank you.

10 MS. CALABAZA: Thank you. Good morning,
11 Chairman, Members of the Committee. Thank you very
12 much for having us present this morning.

13 My name is DeAlva Calabaza. I am the
14 general manager of Indian Education Division here
15 within Public Education Department. And we would
16 like to express that we are in support of Walatowa
17 Charter School. And with the support of them having
18 shown improvement and growth in the math and reading
19 proficiencies as well as expressing that they have
20 outperformed our American Indian students and
21 statewide average with the growth in math and
22 reading as well, as well as they are a role model in
23 providing tribal consultation and public education
24 endeavors, we do support their charter. Thank you.

25 COMMISSIONER GIPSON: Thank you so much.

1 We will now move on to the public input
2 portion, and I have four people who have signed up.
3 And the first one is Frances Strain. And just a
4 reminder that you have a total of five minutes.

5 MS. STRAIN: Among us?

6 COMMISSIONER GIPSON: Yes, correct.

7 MS. STRAIN: I have back problems. Here.
8 There we go. Press the button?

9 MS. FRIEDMAN: Yes.

10 MS. STRAIN: And hold it.

11 COMMISSIONER ARMBRUSTER: She could sit
12 down.

13 MS. STRAIN: My name is Frances Strain,
14 and I've been with Walatowa High Charter School
15 since the second semester of the first year. I'm
16 their special ed. teacher and also testing
17 coordinator and wear many hats, as we all do in a
18 small school.

19 For the first five years, I feel that we
20 were like a revolving door, the students coming and
21 going as well as teachers. And I think that we
22 started seeing -- I know that we started seeing some
23 stability in our students, which correlated with a
24 stability in teachers. Like I said, I've been there
25 since 2004. And Mr. Krueger is here. He's been

1 here --

2 MR. KRUEGER: '07.

3 MS. STRAIN: -- also seven years.

4 MR. KRUEGER: '07.

5 MS. STRAIN: And as Arrow told you, we had
6 a teacher that retired after nine years, our art
7 teacher. And as special ed. teacher, our students
8 with disabilities like to come to our school from
9 other high schools because we have full inclusion.
10 Our staff bends over backwards. They're excellent
11 at meeting the needs of our children with
12 disabilities. Let's see. What else?

13 What else?

14 MR. WILKINSON: Gear Up.

15 MS. STRAIN: Oh, yes. We have a
16 schoolwide RTI program, Response to Intervention.
17 And the way that works is any student who falls
18 below 70 percent, which is a C-minus, is referred to
19 me or to the principal -- to both of us -- and we
20 provide tutoring services through Gear Up. And our
21 Gear Up coordinator is here too.

22 That's all I have. I think I've taken up
23 almost the five minutes.

24 COMMISSIONER GIPSON: Thank you.

25 Next on the list is Ron Krueger.

1 MR. KRUEGER: Madam Chairwoman, I would
2 like to relinquish my time to the other public
3 speakers.

4 COMMISSIONER GIPSON: Okay. Next on my
5 list, then, is Mary Warren-Olson.

6 MS. WARREN-OLSON: My name is Mary
7 Warren-Olson, Madam Chairwoman and Members of the
8 Board. I'm an educator at the charter school. And
9 I would like to address the intangibles and the
10 undocumented successes that we have.

11 Amongst other things, I teach a
12 comprehensive health program, and we receive funding
13 from PED through the health curriculum. And we've
14 also been awarded a very special grant by Native
15 Stand, which has an Oregon Health and Sciences
16 University IRB. And we are offering the health
17 program, which includes sexuality and behavioral
18 health specifically for Native adolescence, and this
19 is the first program in the U.S. to address the
20 needs of underserved Native students.

21 It's my view, in four years of teaching at
22 Walatowa, that the students have a passionate sense
23 of belonging and safety and that the staff believes
24 in them; that we are not only educators but we are
25 staunch child advocates. And teachers and staff

1 have a strong sense of commitment to serve our
2 students and the broader community. Thank you.

3 DR. KOMMANDER-SALAZAR: Good morning,
4 Madam Chair and Commissioners. My name is
5 Dr. Kommander-Salazar. I have been with Walatowa
6 High Charter School for the last four years. When I
7 began teaching at Walatowa High Charter School,
8 there was no consistent science curriculum in place
9 due to the fact that we are a rural area, and there
10 were no middle school science teachers and no
11 consistent high school science teachers in place.

12 Meanwhile, in the past four years -- the
13 first two years I worked upon bridging the gap of
14 the lacking middle school instruction. In the last
15 two years we have bridged that gap. My students
16 are -- the majority of my students are proficient in
17 the SBA science testing. In the last two years we
18 have strongly implemented the dual credit program.
19 Our students have successfully passed these dual
20 credit programs both at IAIA, offering the
21 indigenous classes such as indigenous agriculture
22 and indigenous leadership. We also offer
23 nonindigenous programs offered through CNM.

24 Our students graduated, for example, with
25 32 credits. We have one of our mothers, one of our

1 parents here whose daughter graduated with
2 32 college credits from CNM with a Certified Nursing
3 Associate program. The benefits of the dual credit
4 is not just obtaining the dual credit but also that
5 our students have not dropped out of the
6 post-secondary education. Thank you.

7 COMMISSIONER GIPSON: Thank you so much.

8 Commissioners, questions? Comments?

9 Mr. Peralta, I don't know if you want to
10 speak to the PSFA issue.

11 COMMISSIONER PERALTA: Thank you,
12 Madam Chair.

13 So we're coming to the topic of -- the
14 subject of facilities. And as you all know, PSFA
15 has brought to my attention that your E-occupancy
16 certificate is not a state-issued certificate. It
17 is a certificate of occupancy that is granted by
18 your local agency. Am I correct?

19 MR. WILKINSON: Since I've been the
20 principal there, that's always been the explanation
21 we've put on our funding application. And that's --
22 it's just always been because it sat on tribal land.
23 And then when I talked to Mr. Dave Briggs, he said
24 that was the reason. But, you know, in contact with
25 him and trying to get us E-occupancy, it's been in

1 contact with the Construction Division and fire
2 marshal and things like that.

3 So if you can provide guidance as far as
4 how do we get that and how do we move through the
5 sovereignty as far as, you know, a certificate, then
6 we're amenable to anything -- you know, whatever you
7 want us to do.

8 COMMISSIONER PERALTA: And I appreciate
9 that. So I think -- it's my understanding that it's
10 important that the E-occupancy comes from PSFA so
11 that way we make sure we have everything.
12 Everything about your school is great. I would hate
13 to see that facility hang up such as an easy
14 occupancy certificate would hold you back a bit. So
15 the process would be to contact Bob Gorrell at PSFA,
16 and from what I understand, if there aren't any
17 issues with facilities, then a certificate can
18 immediately be presented --

19 MR. WILKINSON: Okay.

20 COMMISSIONER PERALTA: -- to the school;
21 but if there are, a temporary certificate can be
22 offered to the school until CID has determined a
23 timeline for you guys to be able to get --

24 MR. WILKINSON: Okay.

25 COMMISSIONER PERALTA: -- the issues

1 resolved. But I think I can speak on behalf of the
2 Commission that this is of importance and we'd like
3 to see the school follow through with the
4 state-issued certificate, please.

5 Thank you, Chair.

6 COMMISSIONER GIPSON: Thank you.

7 Commissioners, questions? Comments?

8 Commissioner Armbruster.

9 COMMISSIONER ARMBRUSTER: I'm just -- and,
10 Katie, maybe you can help me with this.

11 I'm fine with your school. It's great,
12 and I'm your Commissioner. But I just wanted to
13 understand this E-occupancy because what I'm
14 remembering the last time you were here to possibly
15 combine with San Diego Riverside, that your facility
16 was okay and theirs wasn't. And so now I'm just
17 confused about why Walatowa is not okay.

18 Does that make --

19 COMMISSIONER GIPSON: It's not that their
20 facility is not okay because they indicated that
21 they've got a 16 rating, is it? It's just the
22 certificate.

23 COMMISSIONER ARMBRUSTER: Oh, okay.

24 COMMISSIONER GIPSON: So there's not a
25 question with the quality of the facility. It's a

1 matter of who's issuing. They have a tribal
2 occupancy certificate, which evidently has been
3 accepted --

4 MR. WILKINSON: Every year.

5 COMMISSIONER GIPSON: -- every other year.
6 This year PSFA is requiring apparently an
7 E-occupancy certificate issued from the State.

8 COMMISSIONER ARMBRUSTER: So the answer to
9 that is bureaucracy?

10 COMMISSIONER GIPSON: Correct.

11 COMMISSIONER ARMBRUSTER: Okay. That's
12 fine. I just was concerned.

13 COMMISSIONER TOULOUSE: Madam Chair, this
14 isn't our only school that has had those issues --

15 COMMISSIONER GIPSON: Correct.

16 COMMISSIONER TOULOUSE: -- because of the
17 sovereignty of Indian lands. And I honestly think
18 to fix that we probably need a legislative
19 clarification in -- something. And you may want to
20 get with the two Navajo schools that we have and see
21 if you can get a legislator who would do some
22 clarification on that, that as long as the tribal
23 meets the same standards as the State does, that
24 then it's acceptable because I understand very
25 clearly the tribal sovereignty issue that's here and

1 why the tribe isn't going to want to give in to it.

2 But I do think it --

3 MR. WILKINSON: It's important, yeah.

4 COMMISSIONER TOULOUSE: Yeah. It would
5 require the legislative --

6 COMMISSIONER GIPSON: You are correct.
7 And thanks for that suggestion because it has become
8 an issue and it's not something that we want to make
9 an impediment to a successful school, and we want to
10 be able to be thoughtful to the Sovereign Nation.
11 So it is something that we need to be able to
12 navigate through much more graciously.

13 MR. WILKINSON: Yes.

14 COMMISSIONER GIPSON: Thank you.

15 Commissioner Johnston.

16 COMMISSIONER JOHNSTON: Thank you,
17 Madam Chair.

18 Two commendations. I got so excited
19 looking at your dual credit that everything left my
20 head. You've done a really good job with that.

21 One, compliments on the dual credit
22 program that you have, offering your students; two,
23 I'm amazed at the international faculty. It's
24 something that every school strives for because what
25 you're doing is you're presenting international role

1 models for students who really don't have a lot of
2 worldly travel. No student does. And so we're
3 always looking at that. And it's overwhelming what
4 you've been able to do. It is something.

5 Back to my concern -- and I'm sure you
6 know because you're a very small school. And when I
7 look at your 40-day membership, that's declined by 9
8 students. What -- can you give me a reason for
9 that? Is it a concern to you?

10 MR. WILKINSON: This 40th day --

11 COMMISSIONER JOHNSTON: Well, I'm looking
12 at -- in 2013 you had 59 total. 2016, you had 50.
13 And that's significant to me with the opportunities
14 that you're offering at Walatowa.

15 What is the struggle?

16 MR. WILKINSON: When they were submitting
17 the data, the reason why the school was late is that
18 we contract Jemez Valley as far as Skyward to
19 provide that data. The individual that does that
20 was in a terrible car accident that lost her
21 husband, and that's the reason why. And the
22 students that we have --

23 What's our student count? 59?

24 MS. STRAIN: Yeah.

25 MR. WILKINSON: Yeah, we're at 59 now.

1 COMMISSIONER JOHNSTON: So you're good?

2 MR. WILKINSON: Yeah, we're good. The
3 students were counted when that data went in. On
4 the 80th day, it should reflect the correct
5 enrollment.

6 COMMISSIONER JOHNSTON: That was a concern
7 for me, for you, if there was any assistance or if
8 you had a trend that you were -- because
9 represent -- and I was trying to count, and you were
10 citing the names of the pueblos very quickly. I
11 counted six. How many pueblos do you --

12 MR. WILKINSON: We have kids that get on
13 the bus from Santo Domingo -- the train -- in the
14 morning, get out there; Zia; Jemez. We have a girl
15 that the parent moved in from Michigan. We have
16 students from San Luis, Bernalillo, California that
17 just moved in that chose the charter school. Also,
18 that's not talking about Caqon and Jemez Springs.
19 So we do a real good reflection of the communities
20 that surround us.

21 And it's just not Jemez Pueblo. When we
22 first started, it was just Jemez. But when we
23 started getting the Spanish kids and different kids
24 of different ethnicities, it really forced the kids
25 to really reach out and try to understand different

1 cultures and different families. And It's all the
2 same. We all want the same thing. So it was really
3 positive that we started reflecting the communities
4 that we serve.

5 COMMISSIONER JOHNSTON: It's a wonderful
6 thing. And I was looking at -- so you do dual
7 enrollment with CNM and with IAIA.

8 Do you use any of the other
9 post-secondary?

10 MR. WILKINSON: Yes. Once they can
11 qualify, which we have students that do, we push
12 UNM. As far as price and everything, CNM is great.
13 IAIA. SIPI -- we're trying to get into an agreement
14 with SIPI. It's more of a high school
15 science-robotic program. And we want dual credit
16 but -- you know, that's going to help too. So we're
17 in conversations with SIPI.

18 Also, in the past it was Los Alamos UNM
19 campus and Eastern New Mexico as far as our nursing,
20 introduction to nursing program, because we looked
21 at the CNM workforce of what jobs are going to be
22 available out in that area. So we're trying to
23 partner with them again and bring that fire
24 management, the first responders, back into our
25 curriculum just because we didn't have an instructor

1 out there this past semester. So hopefully that
2 will come back up during the fall or the summertime.

3 COMMISSIONER JOHNSTON: Then also your
4 success with the ACT --

5 MR. WILKINSON: Yes.

6 COMMISSIONER JOHNSTON: -- and the
7 post-secondary enroll. I've looked at all of this.
8 This is wonderful data. There are advantages to
9 being small because you can look at every student.

10 MR. WILKINSON: Yes. Yes.

11 COMMISSIONER JOHNSTON: So I just -- I
12 applaud you for what you are doing. And I applaud
13 your ability to have an international staff to work
14 with those students. It's just very exciting.

15 MR. WILKINSON: They're going to get the
16 big head here in a second.

17 COMMISSIONER JOHNSTON: Well, you bring
18 them, I'm sure, back to earth very quickly.

19 MR. WILKINSON: I'm going to have to
20 provide more snacks. That's about the only thing we
21 can do.

22 COMMISSIONER JOHNSTON: Snacks. Thank you
23 very much.

24 COMMISSIONER GIPSON: Commissioner
25 Toulouse.

1 COMMISSIONER TOULOUSE: Madam Chair, I
2 think I had a question before all of this.

3 On your students who go on to college, how
4 many of them have graduated, and where do they go?

5 MR. WILKINSON: We have a student now
6 that's going to graduate from New Mexico State in
7 spring that was part of our dual credit. We have
8 one that's entering her junior year at University of
9 Hawaii. We have a whole slew of them at CNM right
10 now. A lot of them -- we have an individual that
11 graduated last year from University of -- I mean the
12 Marine Corps. Should have went to school; but, hey,
13 he went to the Marine Corps. So that was awesome.
14 Environmental science -- University of North Dakota
15 in environmental science.

16 So they're spread out. We had a bunch
17 that enrolled at CNM and at SIPI. A lot of them are
18 employed. So they're just kind of chipping away.
19 And it's not that they can't do it. It just comes
20 down to finances and coming all the way from Zia or
21 Jemez, trying to get to that class. But just like
22 any kid in the state, it comes down to finances. We
23 have a bunch at Fort Lewis. So they're all there,
24 whether they're juniors or sophomores. We just
25 can't wait until our alumni start graduating from

1 the four-year schools that we send them to. In
2 University of Arizona we have a student that just
3 went back to school, and he's down there now.

4 COMMISSIONER TOULOUSE: Madam Chair.

5 I am a big proponent of CNM, of course,
6 partly because I'm well aware of it because I was on
7 the board for 12 years because I know how they reach
8 out and work with students. And, also, money is not
9 a problem there. The Foundation will find ways to
10 buy textbooks. As far as I know, the dual
11 enrollment -- they are not charging tuition, are
12 they?

13 MR. WILKINSON: No. No. And also --

14 COMMISSIONER TOULOUSE: And the foundation
15 will provide the textbooks and --

16 MR. WILKINSON: Everything. They do a
17 wonderful job.

18 COMMISSIONER TOULOUSE: They work very,
19 very hard. I wondered -- do you ever do anything
20 with NACA in Albuquerque because I know they've been
21 bringing in recruiters from the big-name schools.

22 MR. WILKINSON: Yeah. We -- most of it is
23 more collaboration, you know, as far as
24 administration and things like that. And, also, you
25 know, we look at every school, what they're doing,

1 are they doing something different. I'll do a site
2 visit just to see what they're doing because we can
3 always change it up and we can always show
4 improvement and can't get stuck. So we do talk to
5 them, but we also talk to Cottonwood Classic and
6 say, "What are you doing? How did you get kids up".
7 And just really any type of information is good.

8 COMMISSIONER TOULOUSE: I know I was just
9 amazed when I went to NACA's Fall Feast. I've known
10 Kara for many, many years, and I was invited -- and
11 her grandchildren. They had recruiters there from
12 Yale, from Harvard --

13 MR. WILKINSON: Yes.

14 COMMISSIONER TOULOUSE: -- from Columbia,
15 from Princeton, and from Denver University. Nobody
16 from UNM was there, which kind of bothered me. They
17 were invited. They didn't show. I know they have a
18 student who is a junior at Brown this year. I know
19 they have one. And I just think they've worked on
20 this over time and have made connections with
21 recruiters.

22 I'm not personally sure I want to send all
23 of our kids to the East Coast, but I would like to
24 give them a chance to talk to those recruiters too.
25 So I was just wondering if you've reached out to

1 some of those.

2 MR. WILKINSON: Yeah. Through Gear Up,
3 through the Gear Up program, we have all a slew of
4 universities that come out. We really do push the
5 New Mexico State Schools because of finances. But
6 we have schools from Oregon, OU, Oklahoma State,
7 Haskell -- just because Haskell is free tuition --
8 Fort Lewis -- tuition-free. University of Oklahoma
9 Arts and Sciences also have a Native program.
10 University of Arizona.

11 We pick the schools that our kids are at
12 so they can speak and kind of do the tour and stuff
13 like that. So we do have colleges that come from
14 all over. We had a student that got into the Fly-By
15 Program at Darmouth and really has a good shot. You
16 know, I told him that he needs to take his ACT again
17 and get that up, but he did a really good job.
18 Taking the dual credit program was really what --
19 his application really shined. So that was great.
20 So I hope he goes to Darmouth, but looking at his
21 finances, that's -- his brother's down at New Mexico
22 State. So he might go down there.

23 COMMISSIONER TOULOUSE: I know the young
24 woman at Yale who is their recruiter for Native
25 American students is a New Mexico Native. So she is

1 reaching out to New Mexico students, and I think
2 that's good for our top students because she will
3 also help them with their financial assistance --

4 MR. WILKINSON: Yes. Okay.

5 COMMISSIONER TOULOUSE: -- for those
6 students. And I was able to meet her at NACA.
7 That's why -- and she was there specifically
8 presenting herself as "I'm a Native New Mexican. I
9 grew up on a reservation. I've gone to school, and
10 I'm back here because I know the brains we have
11 here." But she's head of the entire country for
12 their Native recruitment.

13 And I think we have more of our students
14 who have the brains and the education and hopefully
15 the maturity because I have a grandson who is a
16 freshman this year here in the state, and I'm not
17 sure about his maturity. But I know we have ones
18 who can do that, and I want our minority populations
19 and our majority minority populations to reach out
20 to the world and then bring it back here. I'm tired
21 of the brain drain going from here and other people
22 coming into here to get our jobs because our kids go
23 away. And I just -- I want to send them away and
24 bring them back.

25 And I think a more traditional community

1 has the roots here that will bring people back. I
2 came back. I went to Georgetown. I came back. My
3 dad went to Georgetown. He came back. My sister
4 went to Notre Dame for law school. She came back.
5 You know, I want to perpetuate this. You know, we
6 get our New Mexico education -- and I've gone to UNM
7 too -- but then we encourage our people to come back
8 and give back and increase our state that is really
9 not as bad as our bottom rating.

10 MR. WILKINSON: No.

11 COMMISSIONER TOULOUSE: It's just in every
12 list there has to be a bottom as well as a top when
13 you make a list, and I really am not sure I like
14 lists.

15 Anyway, thank you for your indulgence
16 everybody. I had to do my little -- because the
17 school is doing so well, I thought I could do a
18 little extra time.

19 I'm very proud of your school. Thank you.

20 MR. WILKINSON: Thanks.

21 COMMISSIONER GIPSON: Commissioner
22 Armbruster.

23 COMMISSIONER ARMBRUSTER: Yes. I have two
24 very, very, very quick comments, contrary to
25 everything I've said, I believe, in the last few

1 days.

2 Thank you for reaching out to special ed.
3 students and including them. And also thank you for
4 looking at all students who are 70 -- you know,
5 getting the lowest C and reaching out immediately to
6 help them be more successful. That's all.

7 COMMISSIONER GIPSON: Commissioner
8 Johnston.

9 COMMISSIONER JOHNSTON: Thank you.

10 And I know -- I have one question. How do
11 you support students on the ACT at increasing their
12 scores? Do you have after-school tutoring? Is it a
13 part of the curriculum? You have significant
14 increases here. So what are you doing?

15 MR. WILKINSON: We have it built into the
16 schedule where they have ACT tutoring. The juniors
17 have no choice, and the seniors -- they really don't
18 have a choice either. So that's part of your class.
19 But Mr. Krueger provides the math portion of ACT
20 prep, and the English instructor, and even I go in
21 there. And we do nothing but assessment prep built
22 into that time.

23 That's not counting what the teachers do
24 during the day. We provide a lot of ACT prep. But
25 they pull everything from Khan Academy, ACT Prep.

1 They're good at their research, and they're good at
2 their job. So the teachers are prepared every day.
3 So they pull to prepare them for these assessments,
4 but it comes down to just good teaching. I'm
5 blessed to have good teachers.

6 COMMISSIONER JOHNSTON: Chosen scores.
7 And I don't want to leave out four-year college
8 education is not for everyone. And in looking at
9 your chart, you have students who are working. You
10 have students who are -- you have a student who went
11 to welding school through Job Corps. So thank you
12 for looking at the future for every student --

13 MR. WILKINSON: Yes.

14 COMMISSIONER JOHNSTON: -- whether it be
15 trade school, whether it be the military, whether it
16 be a two-year school, whether it be a four-year
17 school, and making that equally important for each
18 one. So thank you.

19 MR. WILKINSON: And if you come towards
20 Sandoval County and around that area and you see
21 some young person employed there, they're our
22 alumni. So we're kind of proud about that. But
23 they always hear -- they hate seeing me, whether
24 they're working at McDonald's. You know, you can
25 get a degree in finance. And they hate seeing me

1 because I'm going to ask, "Why aren't you in
2 school?" But the majority of them are alumni. So
3 I'm very proud just seeing them employed because
4 they're still giving back. They're not just sitting
5 around. So I'm very proud of them that are working.

6 COMMISSIONER GIPSON: Commissioners, are
7 we ready for a motion?

8 All right. I move that the Public
9 Education Commission approve the renewal application
10 for Walatowa Charter School Jemez Pueblo for a
11 period of five years with the following conditions:
12 Report on implementation of Corrective Action Plan
13 for audits and develop a Corrective Action Plan to
14 ensure timely STARS data reporting.

15 Director Poulos, I'm just going to ask,
16 are we comfortable with leaving off the Governance
17 Council one?

18 MS. POULOS: Obviously, Madam Chairwoman,
19 that is up to this Commission. I do think we all
20 know governance reporting and governance training is
21 very important. So I would not necessarily be
22 opposed to doing that.

23 COMMISSIONER GIPSON: Is it still an
24 issue? Because you indicated that you thought it
25 was not an issue. I'm sorry I've digressed out of

1 this motion.

2 MS. POULOS: Madam Chairwoman, based on
3 the data reporting that my staff got, we did not
4 receive the reporting on training for this school,
5 and so that is where -- it may be a reporting issue;
6 it may be a training issue. And I apologize if I
7 missed the school speak to that. But we certainly
8 do believe governance training is very important.

9 COMMISSIONER TOULOUSE: Madam Chair, they
10 reported that they had training contracted for --

11 MR. WILKINSON: Yeah, for January.

12 COMMISSIONER TOULOUSE: -- in January.

13 MR. WILKINSON: So just leave it on --

14 COMMISSIONER GIPSON: Okay.

15 MR. WILKINSON: -- because we're going to
16 need it. We're going to do it. It's another thing
17 to check on.

18 COMMISSIONER GIPSON: Third condition:
19 The school will work directly with CSD to create a
20 Corrective Action Plan to ensure all governing board
21 members complete the required annual training.

22 Do I have a second?

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 will second.

25 COMMISSIONER GIPSON: Second by

1 Commissioner Toulouse.

2 Commissioner Armbruster, roll call vote,
3 please.

4 COMMISSIONER ARMBRUSTER: Commissioner
5 Carr.

6 COMMISSIONER CARR: Yes.

7 COMMISSIONER ARMBRUSTER: Commissioner
8 Johnston.

9 COMMISSIONER JOHNSTON: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner
11 Pogna.

12 COMMISSIONER POGNA: 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: Commissioner
21 Peralta.

22 COMMISSIONER PERALTA: Yes.

23 COMMISSIONER ARMBRUSTER: Today we have a
24 quorum of seven, and we have seven votes for the
25 motion and zero votes against. So the motion

1 passes.

2 COMMISSIONER GIPSON: That is a vote of
3 seven-zero in favor of renewing the charter.

4 Congratulations.

5 MR. WILKINSON: Thank you so much.

6 COMMISSIONER GIPSON: Great job. Thank
7 you. Thank you for letting us end on this note.

8 MR. WILKINSON: Yes.

9 COMMISSIONER GIPSON: Thank you.

10 Commissioners, I do need to speak to the
11 Executive Committee. So I would like to take a
12 short break so that I can speak with them. We don't
13 have a lot left. So I'm assuming that we don't want
14 to take a lunch break.

15 COMMISSIONER TOULOUSE: Well, I'm staying
16 around.

17 COMMISSIONER GIPSON: Well, I know you're
18 staying, yeah.

19 What's the pleasure of those sitting here?

20 COMMISSIONER JOHNSTON: I agree with you
21 that we take a short break.

22 COMMISSIONER GIPSON: Okay. So we'll take
23 a 15-minute break.

24 (Recess, 11:45 a.m. to 12:05 p.m.)

25 COMMISSIONER GIPSON: I guess we need a

1 little order. We've gotten too into the spirit
2 here. I want to see if Millie has that all eaten by
3 the end of the meeting.

4 COMMISSIONER CARR: If I help her, she
5 might.

6 COMMISSIONER JOHNSTON: She's sharing.

7 COMMISSIONER ARMBRUSTER: I don't have an
8 agenda. I gave it to someone.

9 COMMISSIONER GIPSON: I know, and I had it
10 here. I've got it. Got it back.

11 Okay. We are now on to item No. 7, Report
12 from Options for Parents and the Charter School
13 Division, Discussion and Possible Actions.

14 Director Poulos.

15 MS. POULOS: Madam Chairwoman,
16 Commissioners, normally I give you an update on what
17 we've been doing. I think you know what we've been
18 doing. I did have a staff member, my new staff
19 member, Laurel, who was here in attendance on the
20 first day. And I just want to share that we have
21 hired additional administrative support.

22 She is focused entirely on the
23 administrative support we need in relation to
24 charters as compared to the other things that are
25 under our umbrella, and we're very excited for that.

1 She's going to be very helpful to us in making sure
2 that no amendment requests disappear, you know,
3 everything gets mailed out and filed. And so we're
4 really excited to have her.

5 COMMISSIONER GIPSON: Let me just -- is
6 that who sent us all the zip files, or no?

7 MS. POULOS: No.

8 COMMISSIONER GIPSON: Okay.

9 MS. POULOS: Again, all of this work has
10 been an incredible lift throughout PED, and I am so
11 grateful to everyone on the team here from all of
12 October or all of November -- October when they were
13 out on site visits and we had members from every
14 bureau helping out and being there to -- that was
15 Tomas Aguirre, who at midnight was transferring
16 files to you because he was kind enough to come in
17 when I finished at 10:00 editing the last version.
18 We have had an incredible amount of support, and we
19 are very appreciative for that.

20 We would like your feedback on the
21 information we provided. That was -- Becky did ask
22 if we got any feedback on the content, on additional
23 information you would like, on the organization, the
24 order, the style, the colors -- anything like
25 that -- because we are very proud of the reports.

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1 We feel that they were very comprehensive and
2 provided good information that you have not had in
3 the past. But we would like to ensure that they
4 continue to improve. Just as we expect our schools
5 to continue to improve, we expect ourselves to
6 continue to improve.

7 So that's what we've been working on. We
8 are immediately going to be jumping into site
9 visits. I believe the first one is scheduled for
10 January 13, which means that we have to get
11 notification out to the schools in the next four
12 days, and those are scheduled every single day
13 except --

14 MS. KAPPUS: Presidents' Day.

15 DIRECTOR POULOS: -- Presidents' Day
16 until --

17 MS. KAPPUS: April 10.

18 DIRECTOR POULOS: -- April 10. So we will
19 be very busy until then getting the information to
20 you and making sure that things are going well at
21 each of our schools. And we will also be doing site
22 visits to -- or visits to governing board meetings
23 during that time to, again, observe and give them
24 feedback on those meetings.

25 So what I did also want to do is make sure

1 that you had seen the ongoing monitoring that I did
2 hand out. As I said, this is something that's
3 included in this item every month; and it does, just
4 to reiterate, include the schools that have
5 identified that they are looking for a facility. It
6 was my error. Estancia had notified us in September
7 that they were looking for a new facility, or
8 seeking the opportunity for a new facility. So that
9 has been added to this sheet. And this is just an
10 ongoing list of the schools.

11 We have also received information from
12 Tierra Encantada that they are actually in the
13 process of being ready to change facilities. And so
14 that's another addition to the list there. So
15 that's the information.

16 And there were two other items for this
17 agenda. We have removed those at the beginning of
18 the meeting, but we will seek to add that back to
19 next month.

20 COMMISSIONER GIPSON: Next month. Okay.
21 Thank you very much.

22 COMMISSIONER ARMBRUSTER: So that's this?
23 I'm sorry.

24 COMMISSIONER GIPSON: No. It's B and --
25 I'm sorry. No. It's B and C from the Director's

1 report.

2 COMMISSIONER ARMBRUSTER: Oh.

3 COMMISSIONER GIPSON: There were two
4 schools for discussion.

5 COMMISSIONER ARMBRUSTER: I gave you my
6 agenda. So I can't read --

7 COMMISSIONER GIPSON: No. We're still on
8 No. 7. So we're good.

9 COMMISSIONER ARMBRUSTER: Oh, okay.
10 That's fine. Sorry.

11 COMMISSIONER GIPSON: And before we
12 continue, I would like to thank, I think, Deanna for
13 all the goodies.

14 COMMISSIONER JOHNSTON: Yes. There was a
15 fight going on.

16 COMMISSIONER GIPSON: It was like kids in
17 a candy shop there for a little while. So we
18 appreciate it, and thank you.

19 DEANNA: Thank you for all you do for us.

20 COMMISSIONER GIPSON: We are now on to
21 item No. 8, Discussion and Possible Action on New
22 Application Review. And I'm just going to ask for
23 some clarification on this in terms of what review
24 are we looking at to do today with the new
25 application? I'm not sure.

1 MS. POULOS: Madam Chairwoman,
2 Commissioners, I believe this item was kind of a
3 continuation of something that we've been trying to
4 work on for some time now. That is revisions to the
5 rubric. In the NACSA report it was indicated that
6 the rubric was not, in their opinion -- and I share
7 the opinion -- sufficiently rigorous or clear. And
8 I think we have received that same feedback not only
9 from me, NACSA, my team, as well as the external
10 contracted reviewers who helped review the
11 applications. Those are charter school operators
12 and business managers.

13 And so we have prepared kind of a -- I
14 want to support you, and I need guidance on how you
15 would like me to support you. So what I did was
16 work with individuals throughout PED, again, to at
17 least come to a starting point on what we may do or
18 may not do in providing you a starting point for
19 discussion. And so I wanted to put that in front of
20 you and get your eyes and get your feedback and your
21 guidance on what you would like us to do for this
22 discussion and to provide to you, as a starting
23 point for the discussion on revising the rubrics --
24 only the rubrics -- for evaluating the new
25 application.

1 COMMISSIONER GIPSON: Okay. Can I just --
2 I absolutely appreciate this because I know this
3 work has to be done, but I have maybe a couple of
4 suggestions.

5 This is a lot of information to digest,
6 and I think we want to make thoughtful decisions
7 about this. I think this is a great topic for an
8 early work session so that people have an
9 opportunity to read through this and gather their
10 thoughts about this. And, in addition, we're going
11 to have two new people who will be part of the
12 ultimate --

13 MS. FRIEDMAN: Three. Three.

14 COMMISSIONER GIPSON: -- coming on board.

15 COMMISSIONER TOULOUSE: Three new ones.

16 COMMISSIONER GIPSON: Who am I missing?

17 Oh, yes. Three. I'm sorry. We'll have three new
18 Commissioners --

19 COMMISSIONER ARMBRUSTER: Hard numbers.

20 It's math.

21 COMMISSIONER GIPSON: I know.

22 And I think it will be really important
23 for them to be part of that discussion because I
24 think it would be educational for them to be part of
25 that discussion. So I would like to have it during

1 a time when they are here as well because those are
2 big decisions that we jump into and we fly into this
3 job with, you know, standing up.

4 So that's the only input I'm going to have
5 on this because I would really like to read through
6 it and be able to have a real good discussion about
7 it. So my recommendation is for us to be able to
8 take a look at it and do it at a work session when
9 we've had time to really look at it.

10 Commissioner Armbruster.

11 COMMISSIONER ARMBRUSTER: I clearly need
12 some time to read something, since I've been reading
13 renewals, but this is, I guess, just a question. So
14 people who may want to open a new charter school are
15 going to get the application, but that's no
16 different. But what would potentially be different
17 is how they're graded; but when they get this in
18 January, they're not going to be looking at the
19 grade, how we're evaluating it.

20 So I personally -- but I don't know about
21 the law -- that's why I'm saying this -- would feel
22 comfortable, you know, doing it in the work session
23 in January. Don't we have one on the 9th or
24 something like that?

25 COMMISSIONER GIPSON: No. The 12th.

1 COMMISSIONER ARMBRUSTER: 12th. Okay.
2 Because I definitely want to get it in because it's
3 just easier in the end if we have the bar where we
4 want it to be, but I don't think that that should
5 prevent new people who want to open up new charters
6 from going ahead.

7 And so my question, I guess, really is --
8 legally, Audrey -- do we have to have this
9 (indicating) in the new application?

10 COMMISSIONER GIPSON: Well, we've had the
11 discussion that the new application would be
12 available with a caveat on it that there's
13 ongoing -- we talked about this last --

14 MS. POULOS: Madam Chairwoman,
15 Commissioners, so the rubric is embedded in the
16 application.

17 COMMISSIONER GIPSON: Right.

18 MS. POULOS: What happened last year --
19 and, again, what I would like eventually for this
20 Commission to get away from -- is that the old
21 application remained available.

22 Applicants submit their notice of intent
23 in early January, the second Tuesday, and then they
24 begin. And, quite honestly, they've already begun.
25 I've already been getting e-mails saying, "Is this

1 the right application package? When is the notice
2 of intent due?" But last year, as soon as we met
3 with those schools in early January for the first
4 training, we said, "This is likely changing." And
5 it did.

6 Again, I think we've got to think long
7 term. We don't want to continue that. We should
8 have an application package out in December annually
9 whenever we can, but I certainly understand where we
10 are -- and why we are -- now. What I would like to
11 say is this is only an excerpt, and what I was kind
12 of looking for is "Yeah, that looks along the right
13 lines -- no guarantees -- as a good starting point.
14 Continue on and bring us a full rubric with a
15 starting point" -- right? -- "revised as a starting
16 point," because I think it's hard to not have a
17 starting point.

18 So if you would like me to continue with
19 this work with track changes and our recommendations
20 of, again, that starting point for discussion with
21 more clarity, we can do that and continue to work
22 throughout the PED to get the right folks in the
23 room doing the right sections. I just didn't want
24 to do work that you didn't want.

25 COMMISSIONER GIPSON: I think that's fine.

1 That's fine. Yeah. Yeah, I'm certainly comfortable
2 with that. So sure.

3 So are we good with holding this for -- of
4 course, Commissioner Carr is sitting there saying,
5 "Sure. Have at it" -- but for this being on the
6 agenda for the January 12 work session?

7 Okay. Thank you.

8 COMMISSIONER ARMBRUSTER: And then you're
9 saying you want -- is this the whole thing? No?

10 COMMISSIONER GIPSON: She just said --

11 COMMISSIONER ARMBRUSTER: It's part of it.

12 So are we saying, just to clarify, that we want
13 Katie and CSD --

14 COMMISSIONER GIPSON: Correct. We just
15 said yes. Correct.

16 COMMISSIONER ARMBRUSTER: We're going to
17 have more coming?

18 COMMISSIONER GIPSON: Correct.

19 Commissioner Johnston.

20 COMMISSIONER JOHNSTON: Thank you, Madam
21 Chair.

22 I don't have to do that, or do I? All
23 right. I'll keep doing it.

24 I have three pieces of paper here; is that
25 correct.

1 COMMISSIONER GIPSON: Correct.

2 COMMISSIONER JOHNSTON: I have one with
3 red markings on it, and I understand that. But then
4 I confused myself because I thought I only had two.
5 Do I have two models?

6 MS. POULOS: One is the original.

7 COMMISSIONER JOHNSTON: Okay.

8 MS. POULOS: One is the -- and I probably
9 should have marked those better.

10 COMMISSIONER JOHNSTON: That's all right.
11 I can figure it out. It's where my head is right
12 now. So one is the original.

13 MS. POULOS: One is the final with our
14 recommendations, and then the one with the red is
15 obviously the track changes to help you track
16 changes.

17 COMMISSIONER JOHNSTON: I can figure it
18 out when I've rested a little. Thank you very much.

19 COMMISSIONER ARMBRUSTER: Hold on.

20 COMMISSIONER GIPSON: So just so everyone
21 is clear, this third one is the final --

22 MS. POULOS: Our starting point of
23 conversation, our recommended starting point.

24 COMMISSIONER GIPSON: Yes.

25 MS. POULOS: And that's the one that

1 changes -- here's the easy way to distinguish that.
2 We have recommended that you don't use the
3 categories Exceeds, Meets, Partially Meets, and Does
4 Not Meet but, rather, use Exceeds, Meets, Does Not
5 Meet, and Falls Far Below. So that would be the one
6 we are recommending as "This is what we think would
7 look good."

8 COMMISSIONER GIPSON: So unless you mess
9 it up, you were given it in sequence.

10 COMMISSIONER JOHNSTON: I've already
11 messed it up, but I put it back in order.

12 COMMISSIONER GIPSON: So it actually goes
13 from smallest to biggest, which is tracking all
14 the -- and then the final one. Okay?

15 COMMISSIONER JOHNSTON: Got it.

16 COMMISSIONER ARMBRUSTER: Got it.

17 MS. POULOS: Madam Chairwoman,
18 Commissioners, the other thing that I didn't notice
19 that I hadn't changed -- and I'll just put this in
20 your heads for you to think about -- is I've
21 actually thought that the Falls Far Below should not
22 be granted one point but should be granted zero
23 points. I didn't track that. That's a thought.

24 COMMISSIONER GIPSON: You know, that's
25 fine by me.

1 COMMISSIONER TOULOUSE: Madam Chair, I'm
2 not sure I remember why we put any points on that.

3 COMMISSIONER GIPSON: You're getting
4 credit for something you didn't do or you didn't
5 meet. So I'm great with that. I'm fine with no
6 points for Not Meet -- for Falling Far Below.
7 Absolutely.

8 Okay. Are we good?

9 We are now on to item Nos. 8 and 9, which
10 is me, report from the Chair, and this will be very
11 brief.

12 I want to thank everyone. I want to thank
13 all the work that CSD did and submitting to us
14 somewhere around probably 10,000 pages of work. I
15 want to thank you so much for that. But I
16 appreciate the thought and the effort that went into
17 it, and it's certainly a task that does not go
18 unnoticed.

19 And I want to thank all the Commissioners
20 for their time and diligence with these reports and
21 their thoughtful questions and their responses, and
22 I think this came out in a -- it was a good three
23 days' work. So I appreciate all that. Those were
24 hard decisions; and, as we know, they're difficult
25 to make, but I think in the end we made good,

1 thoughtful decisions.

2 Just so that you are aware, a brief update
3 on the appeal. A lawyer was contracted the end of
4 last week or beginning of this week, and the appeal
5 hearing is scheduled for January 6. So, you know,
6 I'll have an update for the next meeting. I believe
7 everyone was sent an e-mail about that. Were they?

8 MS. FRIEDMAN: The e-mail that I sent was
9 just the information from -- but I did not receive
10 anything about the date of the hearing.

11 COMMISSIONER GIPSON: Oh, okay. I will
12 forward --

13 COMMISSIONER CARR: Your time is up. I'm
14 sorry. Just kidding.

15 COMMISSIONER GIPSON: I will forward to
16 you the notice of the hearing so that you can send
17 it out to all the Commissioners, yes.

18 COMMISSIONER TOULOUSE: Make it ding.

19 COMMISSIONER JOHNSTON: Is the Commission
20 expected to attend the hearing?

21 COMMISSIONER GIPSON: The expectation is
22 not there. You're certainly welcome to come, but
23 there will be no testimony taken from any
24 Commissioners.

25 COMMISSIONER JOHNSTON: It would just be

1 an open hearing.

2 COMMISSIONER GIPSON: Right. It would
3 just be to participate in the open hearing.

4 COMMISSIONER JOHNSTON: Thank you.

5 COMMISSIONER GIPSON: But there is no
6 participation by the Commission, per se.

7 COMMISSIONER JOHNSTON: Thank you.

8 COMMISSIONER GIPSON: Okay. But I will
9 send out the notice so that, if you have nothing to
10 do on the afternoon of January 6, you can come by
11 for the hearing. Thank you. And I will get that
12 out as soon as I get home.

13 Item No. -- where is --

14 COMMISSIONER TOULOUSE: You want to say
15 when the LESC meeting is?

16 COMMISSIONER GIPSON: I know but where --
17 oh. Update from the Charter Coalition, No. 9 --
18 sorry -- letter A.

19 COMMISSIONER TOULOUSE: Announce the LESC
20 meeting?

21 COMMISSIONER GIPSON: Oh, I forgot. I'm
22 sorry.

23 The LESC meeting is next week, Wednesday
24 through Friday. I will be there. It is one of the
25 bigger meetings because it is when there is

1 discussion about potential legislation. If you go
2 on the website, legislation has -- or some
3 legislation is already there, but they will have an
4 update, the best update for what legislation they're
5 looking to put forward so that it is an interesting
6 and busy meeting in that respect.

7 Good afternoon.

8 MS. CALLAHAN: Good afternoon,
9 Madam Chair, Commissioners. My name is Kelly
10 Callahan, and I am the co-executive director of the
11 New Mexico Coalition for Charter Schools. And thank
12 you. I appreciate the time, and I will be very
13 brief because you guys have been here a while.

14 First of all, I'd like to echo the kudos
15 to the PEC and the CSD. I reviewed the renewal
16 application reports, and they were thorough and
17 very, very complete. And I think it was a
18 tremendously daunting process, and I have to say
19 that that definitely was a lot of work and also to
20 the PEC having to digest all of that and to make
21 those very difficult decisions. I think they were
22 very thoughtfully presented and, I believe, very
23 fairly judged. And so thank you very much for all
24 of your hard work on that.

25 So just a couple of things that the

1 Coalition has going to kind of tie into the LESC.
2 The Coalition is going to set up three meetings for
3 our school leaders around the state to discuss
4 legislative issues that are going to come up
5 obviously next week. We are going to do a Northern
6 Leader Session in Santa Fe on December 14 at the
7 Santa Fe Community College at noon; so prior to the
8 LESC meeting on Wednesday. We will be doing one
9 January 5 for the South in Las Cruces at --

10 You're not going to be there?

11 COMMISSIONER GIPSON: Well, I have to come
12 up. The appeal is on the 6th, and I have to come up
13 to speak with Julia on the 5th.

14 MS. CALLAHAN: Oh, okay. But we will be
15 meeting with the Southern Leaders on January 5.
16 Unfortunately, it's all been scheduled. And it's
17 going to be --

18 COMMISSIONER GIPSON: What time?

19 MS. CALLAHAN: At -- I think it's 11:00.
20 So we can just drive down from Albuquerque, but I
21 can get back to you.

22 COMMISSIONER GIPSON: Okay.

23 MS. CALLAHAN: Then we'll be doing Central
24 Leaders on January 11, and that site is yet to be
25 determined, somewhere in Albuquerque. So we'll be

1 covering -- so the leaders will have an opportunity
2 to look at the platform from the Coalition and ask
3 questions and look at strategies of how to work with
4 the legislature in this upcoming 60-day session.

5 COMMISSIONER GIPSON: I'm sorry. Could
6 you give me the Northern one again?

7 MS. CALLAHAN: It's December 14 at the
8 Santa Fe Community College at noon.

9 COMMISSIONER GIPSON: Okay. Because I'm
10 coming up that day.

11 MS. CALLAHAN: And any of you are welcome.
12 And we -- Chair Gipson, I will -- when we get our
13 final platform complete, I will make sure that I
14 send that to you.

15 COMMISSIONER GIPSON: Okay. Thank you.

16 MS. CALLAHAN: And if you can share that
17 with the Commissioners --

18 COMMISSIONER GIPSON: Sure.

19 MS. CALLAHAN: -- that would be great.
20 We're working with the PED. We're working with the
21 LESC. It's a very collaborative effort. Also with
22 the Coalition of Educational Leaders -- so the
23 School Board Association and the Superintendents.
24 And so hopefully in this collaboration we can do
25 some forward thinking about the legislation that is

1 going to obviously be very difficult.

2 Just another thing that the Coalition has
3 taken on: We are beginning a Cohort Group Meeting
4 with the school business officials, the business
5 managers, and we have -- we had our first meeting on
6 Tuesday. That went very well. This is to address
7 issues that are coming up, whether it's through the
8 audits or any of the things that are happening
9 currently that are troubling to charter schools and
10 school business officers. And we have reached out
11 to David Craig. We're just now getting started on
12 this Cohort Group.

13 Charter school leaders meet frequently.
14 Charter school special ed. coordinators meet,
15 testing coordinators, but the school business
16 officers really didn't have a place or a forum where
17 they could share best practice and do things
18 together because they do often operate in isolation.
19 So we had about 20 attend this first session, which,
20 I think, is a really good representation. So
21 hopefully we will be able to do something on a
22 regular basis and, again, moving around the state to
23 include all schools. This is members and nonmembers
24 of the Coalition. We just saw it as a great need.

25 And then, lastly, mark your calendars.

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1 January 23 here in Santa Fe at the Capitol is
2 National School Choice Week, and that's National
3 School Choice Day at the Capitol on January 23 at
4 noon in the Rotunda.

5 And, Katie, you guys weren't on the list,
6 and I asked them to reach out to you, the National
7 Group, Lisa Keegan-Graham. And we were wondering
8 why you guys were not a part of that.

9 DIRECTOR POULOS: I think they actually
10 used our name to reserve space. I will reach out.

11 MS. CALLAHAN: Just so you know, last year
12 we collaborated with the PED and other -- and it's
13 not just charter schools. It's school choice. So
14 it's private schools. It's homeschoolers, parochial
15 schools. And so they're the national organization
16 that helps plan this, and we sort of serve as a
17 place to organize transportation and mobilization to
18 get kids up into the Capitol. But January 23 at
19 noon in the Rotunda at the Capitol, they'll be doing
20 a rally, which will be performances and speakers.

21 And so, again, Katie, I was going to talk
22 to you about this on Tuesday. You know, we sort of
23 got roped into this, and when I didn't see you guys
24 on there, I was a little concerned.

25 So, anyway, we wanted to get notice out to

1 schools and get that. And so if you are available
2 or if you would be interested in speaking, if you're
3 going to be around Santa Fe at the legislative
4 session, they are always looking for somebody to
5 talk about school choice. So I wanted to make sure
6 that you guys had that on your calendar.

7 That's it for me.

8 COMMISSIONER GIPSON: Thank you so much.
9 And hopefully I'll see you on the 14th.

10 MS. CALLAHAN: Yes.

11 COMMISSIONER GIPSON: We are on to No. 10,
12 which is PEC Comments.

13 Commissioner Toulouse.

14 COMMISSIONER TOULOUSE: Madam Chair, I
15 have no comments left. Thank you.

16 COMMISSIONER GIPSON: Commissioner
17 Peralta.

18 COMMISSIONER PERALTA: Thank you,
19 Madam Chair. I guess just to Jeff, since he's the
20 only one really here that's departing the
21 Commission.

22 Best of luck --

23 COMMISSIONER CARR: Thank you.

24 COMMISSIONER PERALTA: -- you know,
25 finishing out your school year, retirement --

1 whatever you have planned ahead. I wish you the
2 best. I've enjoyed working the six years for me,
3 that we're staggered on our terms.

4 COMMISSIONER CARR: Right.

5 COMMISSIONER PERALTA: I've enjoyed
6 working those six years with you. You've been a
7 great friend and a great help. So good luck.

8 COMMISSIONER CARR: Thank you.

9 COMMISSIONER GIPSON: And I would just
10 like to say, similarly, thank you very much for all
11 the time, the effort, and the energy that you've put
12 into this Commission. I appreciate a lot of the
13 thoughtful comments that you made and e-mails that
14 you've made to me. We appreciate this. And I know
15 your energies are going to go someplace else
16 positive, and I look forward to seeing what that is.

17 COMMISSIONER CARR: Okay. Thank you.

18 COMMISSIONER ARMBRUSTER: Hi. Two things.

19 Thank you, Stephanie, for coming and
20 putting up with us today. We appreciate that.

21 And I want to say to Jeff, I believe you
22 said, "It's only a few hours a month," and I think
23 you meant day. But, of course, I wish you well
24 maybe. No. I do. I do. Of course. And thank you
25 for all the tutoring.

1 COMMISSIONER CARR: Okay.

2 COMMISSIONER GIPSON: Commissioner Pogna.

3 COMMISSIONER POGNA: Yes. I wanted to
4 make a request more than a comment that, in the
5 future when a charge is made against a school, a
6 charter school, that it is Christian school or a
7 Christian curriculum or any religion, that the
8 Commissioners be given proof of those charges so
9 that we can understand the truth of the issue versus
10 personal rumor. A lot of it is rumor, I know.

11 And I will miss Jeff sitting beside me.

12 And I want for you the best.

13 And I have been feeding him cough drops
14 for quite a while.

15 COMMISSIONER CARR: I still have the cough
16 drops you gave me.

17 COMMISSIONER POGNA: So I'll save a little
18 bit of money with your absence. And I wish you
19 luck, Jeff.

20 COMMISSIONER CARR: Thank you, Millie.

21 COMMISSIONER GIPSON: Commissioner Carr.

22 COMMISSIONER CARR: Well, thank all of you
23 for your kind words. I can't believe it's been
24 eight years -- a long time. Yeah. And it's been --
25 you know, it's always difficult to leave, you know,

1 someplace and then, you know, I think, "Well, I've
2 got all this experience, you know. Why should I
3 leave?" and all these other things. But I just like
4 my teaching. I love my kids.

5 But I'm retiring. It's time for me to
6 move on to a different time in my life. And I have
7 a lot of energy, and I'm going to focus all that
8 experience and all the energy that I have left in my
9 life to still work, in whatever capacity I can, to
10 help improve education in the state of New Mexico
11 and all the other things that need to be fixed --
12 whatever -- in whatever capacity I can do that.

13 I don't -- you know, I never cared about
14 titles or accolades or anything like that. They're
15 nice, but I only care about being someplace where I
16 can actually do some kind of good for my community,
17 for my state, or for my country.

18 And it's been a great honor. This
19 Commission, like I said before, has never stooped
20 into areas that I thought were inappropriate for
21 politicians. I'm very proud of this Commission.
22 I'm really proud of the work that we've done. And
23 we should always be passionate about what we do and
24 stand up for what we believe in, Millie, which you
25 always do, and all of you do. And that's okay.

1 And, again, I would also ask for
2 forgiveness for any time that I've offended you in
3 any way. I hope -- and I probably have. And I'm
4 sorry for that. In my passion I get overzealous as
5 well, and I'm not always perfect by any means.

6 So I'll end it there. Thank you very
7 much.

8 COMMISSIONER GIPSON: Thank you.

9 Commissioner Johnston -- oh, I'm sorry.

10 Commissioner Pogna, did you want to say
11 something?

12 COMMISSIONER POGNA: I'll make my list of
13 offenses.

14 COMMISSIONER JOHNSTON: No more caramel
15 corn for you.

16 COMMISSIONER GIPSON: Commissioner
17 Johnston.

18 COMMISSIONER JOHNSTON: Thank you,
19 Madam Chair.

20 I'd like to thank all of the Commissioners
21 for the warmth of the welcome and the willingness to
22 help me along as a new appointment. My appointment
23 will be over today.

24 COMMISSIONER GIPSON: That's true.

25 COMMISSIONER JOHNSTON: And I don't

1 know -- really understand what happens with the
2 reappointment. I know that there's no one running
3 or anything, but I do not know the intricacies of
4 how we will do this. Beverly says she's going to
5 take care of me again. So I look forward to working
6 with you should that not happen.

7 COMMISSIONER GIPSON: Please.

8 COMMISSIONER JOHNSTON: As we know, we
9 don't want to assume anything.

10 I really appreciate it. I'd like to thank
11 Charter Schools Division, all of the staff.

12 And, Katie, I ask that you please pass on
13 my thanks because the work that you did in
14 preparation for today's meeting was amazing and gave
15 me much insight that I would not have had because of
16 my short experience. My esteemed colleagues here
17 know this from six years, eight years -- long time.

18 COMMISSIONER GIPSON: Two years.

19 COMMISSIONER JOHNSTON: I needed the study
20 guide, and I utilized them all. And I thank you for
21 that. And please pass on to everyone.

22 I told Jeff that I look for great things
23 in education that he's leading. So I look forward
24 to seeing him.

25 Beverly, you take care of me, and I really

1 appreciate it. And I know from personal experience
2 the difficulty in getting expense reports filed
3 correctly and paid and not sent back to us for
4 repeats. And so I really appreciate what you're
5 doing with that.

6 Everybody, it's just been a great
7 privilege, and what a learning curve. So thank you
8 all. And we'll see what happens and see if I'm back
9 in January. I don't know.

10 COMMISSIONER GIPSON: Thank you.

11 With that, I will entertain a motion to
12 adjourn.

13 COMMISSIONER CARR: So moved.

14 COMMISSIONER GIPSON: Motion to adjourn --
15 oh, I'm sorry. I'm sorry.

16 Was there anyone that signed up for public
17 comment?

18 I didn't think so. Looking out there, I
19 didn't think so. There wasn't anyone that was
20 racing forward.

21 So there is a motion to adjourn.

22 COMMISSIONER ARMBRUSTER: Second.

23 COMMISSIONER GIPSON: All in favor?

24 (Simultaneous response of in favor by all
25 Commissioners.)

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COMMISSIONER GIPSON: That is unanimous.
Happy holidays to everyone. We will see you
January 12.

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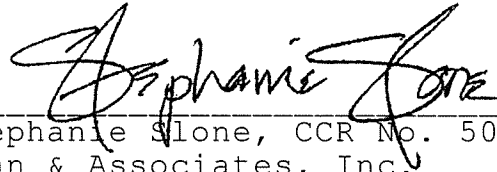


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5 REPORTER'S CERTIFICATE

6 I, Stephanie Slone, RPR, CSR, CCR No. 505,
7 certified court reporter in the state of New Mexico,
8 do hereby certify that the foregoing pages constitute
9 a true transcript of proceedings had before the said
10 New Mexico Public Education Commission, held in the
11 state of New Mexico, County of Santa Fe, in the
12 matter therein stated.

13 In testimony whereof, I have hereunto set
14 my hand on December 30, 2016.

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17 

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