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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
PUBLIC MEETING
July 20, 2016
9:00 a.m.
Taos Academy
110 Paseo de Canon W
Taos, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219
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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. CAROLYN SHEARMAN, Member
MS. CARMIE TOULOUSE, Member

STAFF:

MS. KATIE POULOS, Director, Charter School Division
MR. DYLAN LANGE, Assistant Attorney General
Counsel to the PEC
MS. BEVERLY FRIEDMAN, PED Custodian of Record
and Liaison to the PEC

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1 THE CHAIR: I bring to order the
2 New Mexico Public Education Commission. It is
3 Wednesday, July 20th, 2016.

4 We are in -- we are graciously being
5 hosted by the Taos Academy. I want to thank them
6 for the doughnuts, the grapes, and the water. So we
7 appreciate the hospitality.

8 COMMISSIONER CARR: And there's coffee in
9 the break room for the Commissioners.

10 COMMISSIONER SHEARMAN: And we appreciate
11 the air conditioning.

12 THE CHAIR: Absolutely. After yesterday,
13 it is greatly appreciated.

14 I ask Commissioner Armbruster to do roll
15 call.

16 COMMISSIONER ARMBRUSTER: Commissioner
17 Pogna?

18 Commissioner Toulouse?

19 COMMISSIONER TOULOUSE: Present.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Armbruster is president [verbatim].

22 THE CHAIR: You're president?

23 COMMISSIONER ARMBRUSTER: I said
24 president? Erase that, please. Sorry.

25 Jim Conyers?

1 Commissioner Peralta?

2 COMMISSIONER PERALTA: Here.

3 COMMISSIONER ARMBRUSTER: Commissioner

4 Gipson?

5 THE CHAIR: Here.

6 COMMISSIONER ARMBRUSTER: Commissioner

7 Shearman?

8 COMMISSIONER SHEARMAN: Here.

9 COMMISSIONER ARMBRUSTER: Commissioner

10 Chavez? Not here.

11 Commissioner Carr?

12 COMMISSIONER CARR: Here.

13 COMMISSIONER ARMBRUSTER: Madam Chair,

14 there are six Commissioners here.

15 THE CHAIR: Thank you. And we will now

16 have the Pledge of Allegiance, led by

17 Commissioner Carr, and the Salute to the New Mexico

18 Flag, by Commissioner Shearman.

19 (Pledge of Allegiance and Salute to

20 the New Mexico Flag conducted.)

21 THE CHAIR: The next item on the agenda is

22 the approval of the agenda. So if everyone has had

23 a chance to look at it?

24 COMMISSIONER SHEARMAN: Madam Chair, I

25 move for approval of the agenda, as presented.

1 THE CHAIR: Motion by --

2 COMMISSIONER PERALTA: Second.

3 THE CHAIR: Motion by Commissioner
4 Shearman, second by Commissioner Peralta. All in
5 favor?

6 (Commissioners so indicate.)

7 THE CHAIR: Anyone opposed?

8 (No response.)

9 THE CHAIR: It is unanimous.

10 The Item No. 3 on the agenda is approval
11 of the minutes and transcript. And the first is
12 letter A, the approval of the PEC meeting minutes
13 transcript for June 17th, 2016.

14 So does anyone have any corrections?

15 Not appearing to have any corrections,
16 I'll entertain a -- do I have to do a separate
17 motion for each of these?

18 COMMISSIONER SHEARMAN: Yes.

19 THE CHAIR: I do? Okay.

20 I'll entertain a motion for approval of
21 the PEC minutes transcript, June 17th, 2016.

22 COMMISSIONER PERALTA: Madam Chair, I will
23 make a motion to approve the June 17th minutes --

24 COMMISSIONER SHEARMAN: Second.

25 COMMISSIONER PERALTA: -- as presented.

1 COMMISSIONER SHEARMAN: Second.

2 THE CHAIR: There's a motion by
3 Commissioner Peralta, second by Commissioner
4 Shearman.

5 All in favor?

6 (Commissioners so indicate.)

7 THE CHAIR: Any opposed?

8 (No response.)

9 THE CHAIR: Thank you. That is a
10 unanimous vote.

11 And letter C, approval of PEC meeting
12 summary minutes for June 17th, 2016.

13 Do we have any corrections? Without any
14 corrections, I'll entertain a motion.

15 COMMISSIONER PERALTA: Madam Chair, I will
16 also make a motion to approve the summary minutes
17 for June 17th.

18 COMMISSIONER ARMBRUSTER: Second.

19 THE CHAIR: Thank you. Motion by
20 Commissioner Peralta, second by Commissioner
21 Armbruster.

22 All in favor?

23 (Commissioners so indicate.)

24 THE CHAIR: Any opposed?

25 (No response.)

1 THE CHAIR: That is a unanimous vote.

2 Moving on to Item No. 4, Discussion and
3 Possible Action on Charter School Amendments.

4 And first and only up is Taos
5 International School.

6 MS. POULOS: Madam Chair and
7 Commissioners, Taos International School has
8 submitted a second amendment request. This is a
9 continuation of the consideration from last month in
10 which the PEC did approve an amendment request to
11 extend the hours in each school day.

12 Accompanied with that, they are requesting
13 to decrease the number of school days, while still
14 maintaining the minimum instructional hours
15 required.

16 THE CHAIR: Okay. Thank you.

17 Welcome once again.

18 MS. NADINE VIGIL: Yes. Welcome to Taos.
19 Thank you guys for being here.

20 THE CHAIR: Please state your name and
21 spell your last name.

22 MS. NADINE VIGIL: My name is Nadine
23 Vigil, V-I-G-I-L.

24 I am the head administrator/director of
25 Taos International School right down the street.

1 MS. CARLA ROMERO: Again, welcome. Thank
2 you for being here. I'm Carla Romero, R-O-M-E-R-O.
3 And I'm the governing board president for Taos
4 International School.

5 MS. LYNELL VIGIL: I'm Lynell Vigil. I am
6 the IT coordinator, as well as the S.T.A.R.S.
7 coordinator for Taos International School.

8 My last name is Vigil, V-I-G-I-L, same as
9 Nadine's.

10 MS. NADINE VIGIL: Thank you. Good
11 morning, everybody, Madam Chair, members of the
12 board.

13 Last month, we presented our school day.
14 We're presenting our school year now, 'cause we had
15 to have two different amendments. So what we're
16 presenting, and we would like to be approved on, is
17 having instructional days -- the number of them
18 would be 153 days. And we've calculated all the
19 hours, and -- of the week that we will be meeting
20 with our students. And the total hours is 1,090 is
21 what we're proposing.

22 And K through 5, the requirement is 990;
23 sixth to eighth grade, the requirement is 1,080
24 hours. So we're over by 10; plus, also, I just want
25 to mention that if we do have snow days, which we

1 did this last past year -- we had five -- and we
2 made them up, too. So we always have those days
3 built in so that we can also make them up and make
4 sure that we are meeting all the requirements for
5 instructional hours with our students.

6 Our staff will work 173 days; because
7 within this school year, what we're doing also is we
8 are proposing to get out on Fridays, dismiss at
9 1:30. It used to be Wednesdays at 2:30. We're
10 going to dismiss on Fridays at 1:30.

11 And then one Friday out of each month, we
12 are proposing also to have no school for students,
13 which we can have professional development for our
14 staff. And that, because of our letter grade being
15 a letter "D," we want to really give that
16 professional development to our teachers.

17 And, again, our school day will run from
18 8:00 to 4:00, with an intensive RTI program that we
19 are going to be doing with our students. They
20 will -- they have been grouped already by ability
21 through our MAP data and our IDEL data, which is our
22 Spanish language assessment that we use for our K
23 through 3. Of course, that is changing now to
24 Istation; so we'll make that adjustment.

25 But the MAP data and everything else, our

1 staff has already worked on.

2 We're also going to be implementing a
3 study hall for our sixth through eighth graders,
4 because we do have a "no homework" policy at the
5 school. So we will implement that study hall, where
6 our sixth grade will be able to rotate and come in
7 and be assisted even more intense, also. So that is
8 our plan.

9 Again, another reason for this is we'll
10 end earlier in May than what we're ending now in
11 June. The reason for that, parents did express a
12 concern that a lot of the sports or the camps start
13 early -- I should say late May, after the Taos
14 schools have finished. And our kiddos cannot get
15 into it, because we -- the past year, we went
16 through June 10th. And so that's another reason why
17 we'd like to move up to finish a little earlier than
18 June.

19 Our staff, of course, will finish the
20 first week of June.

21 MS. LYNELL VIGIL: It also accommodates
22 our parents; because we all know kids tend to get in
23 trouble between 3:30 and 5:00, that parents are not
24 home. So with this new schedule that we're
25 implementing, we're going 8:00 to 4:00 with

1 instructional time; and then for those that need
2 sitters, that need after-school programs, will be
3 from 4:00 to 5:00, so the kids are taken care of
4 that workday for those parents.

5 MS. NADINE VIGIL: And that is written in
6 our charter, that we will provide a free
7 after-school program.

8 We provide programs such as Folklorico,
9 Mariachi. I usually stay -- or her -- we stay until
10 5:15, 5:20, because we have one or two parents that
11 really need that help. So it's to accommodate our
12 parents.

13 Our parents, we had meetings to discuss
14 our calendar. 91 percent said they were good with
15 it; they liked the proposed calendar. 2 percent
16 were okay, as long as our kids are taken care of,
17 and you're meeting the requirements by the state.

18 So those are the reasons why we'd like our
19 calendar to change. I stand for questions.

20 THE CHAIR: Okay. All right. I'll start
21 off briefly. I just -- I have a concern with -- as
22 you mentioned, taking care of the students with too
23 much free time. And now you're reducing the number
24 of school days that the students are going to be
25 there.

1 So how does that help to address a need
2 for the community, when now, they're going to have
3 to look for care for students --

4 MS. LYNELL VIGIL: The camps are jumping
5 in. That's why we had a lot of parents saying they
6 were going on vacation; 'cause we have siblings that
7 are with the Taos Schools. Because right now, we
8 only have -- so they would take off, and it would
9 affect our attendance rate at the end of the year.

10 Like I said, they were absent to attend
11 basketball camp, to attend summer camping and --
12 that --

13 MS. NADINE VIGIL: Because the way --

14 THE CHAIR: Do you start significantly
15 later?

16 MS. NADINE VIGIL: Yes, we do. We start
17 after Labor Day. The reason is we're phasing in
18 grades as we're growing. As we're growing, we're
19 phasing in the grades. So some of the siblings are
20 at the other schools. That's why we say we want to
21 finish closer to the time that they finish so
22 parents will have to make their accommodations --
23 you know, they will make their accommodations.
24 That's when they plan their vacations.

25 That's some of the things they did say

1 when we sent out our survey. "It makes it easier to
2 plan vacations with all of our kids out of school
3 closer together."

4 But they will have to make their own
5 accommodations, which is the camps and the sports
6 and everything else that Taos offers.

7 THE CHAIR: You didn't look at possibly
8 adjusting the calendar to start the school year
9 around the same time that Taos does?

10 MS. NADINE VIGIL: No. Parents are very
11 happy with after Labor Day, too. And it kind of
12 contradicts, that some start earlier than others.
13 But they really like the idea of after Labor Day.

14 COMMISSIONER SHEARMAN: And how many
15 students do you have?

16 MS. NADINE VIGIL: This coming year, we
17 will have 170. We have 175 right now, because
18 five -- 170 that have their actual packets and are
19 enrolled. We have maybe more than five on waiting
20 list. I think it's a total of, like, 13, in the
21 different grades.

22 So, yeah, we're growing. We're growing
23 fast. We're growing fast.

24 THE CHAIR: Commissioner Peralta?

25 COMMISSIONER PERALTA: What do you

1 anticipate the numbers for the program from 4:00 to
2 5:00 p.m. in the after-school?

3 MS. NADINE VIGIL: Last year, we had 20 to
4 22 students that would stay after school, that
5 needed the care.

6 COMMISSIONER PERALTA: And did you do
7 anything other than enrichment programs, such as
8 tutorials?

9 MS. NADINE VIGIL: Yes, yes. The teachers
10 tutor the students that need to be tutored. We
11 offer the folklorico, the mariachi; so, yes, there
12 is tutoring that they do.

13 COMMISSIONER PERALTA: Thank you.

14 THE CHAIR: Commissioner Armbruster?

15 COMMISSIONER ARMBRUSTER: So a teacher's
16 day is from 8:00 to 5:00?

17 MS. NADINE VIGIL: 8:00 to 4:30. Of
18 course, they're there earlier. We also allow
19 parents to bring in their kids at 7:45, because they
20 need to get to work; plus, we're also going to be
21 starting earlier. And we're also going to be
22 offering a breakfast program this year, along with a
23 lunch.

24 So we try to accommodate our parents in
25 every way; so...

1 COMMISSIONER ARMBRUSTER: Do you pay
2 teachers extra for that longer day?

3 MS. NADINE VIGIL: No. Their contract
4 goes from 8:00 to 4:30.

5 COMMISSIONER CARR: And it's a four-day
6 week.

7 MS. NADINE VIGIL: A five-day week, Monday
8 through Friday.

9 COMMISSIONER ARMBRUSTER: Do they have a
10 prep period during that day?

11 MS. NADINE VIGIL: Oh, yes, they do,
12 during our activities; because we do offer music,
13 art, soccer, gymnastics, and tae kwon do. That's
14 our non-traditional PE.

15 So during that time, she's really good on
16 working on the schedule, where we have our teachers
17 through the grade levels, they have their
18 collaboration time together. They might have one
19 prep that -- it's different; but we make sure that
20 they at least have one to collaborate together, with
21 the grade levels.

22 We're growing this year to the eighth
23 grade. So we're going to have two kindergarten
24 classes, two first, two second, one third -- that's
25 the one we're going to be phasing in. And sixth,

1 seventh and eighth, one of each. Eighth is the one
2 we're phasing in, because our kids just roll over.

3 COMMISSIONER SHEARMAN: Madam Chair?

4 THE CHAIR: Commissioner Shearman?

5 COMMISSIONER SHEARMAN: Was food service
6 part of your original application? I don't
7 remember.

8 MS. NADINE VIGIL: Yes. Yes, it did say
9 that we would provide food services.

10 COMMISSIONER SHEARMAN: But you're just
11 now being able to, or have you --

12 MS. NADINE VIGIL: Last year, we provided
13 the lunch; we're adding the breakfast. And it does
14 state in our performance framework, our contract,
15 that we would be providing those services,
16 eventually.

17 We did last year's, which worked really
18 well. Parents are very happy with that, too; so --
19 and we -- it's provided through Farmhouse Cafe,
20 which is all organic. So it's good food. It's good
21 food.

22 THE CHAIR: Any other questions?

23 Commissioner Carr?

24 COMMISSIONER CARR: So I was a little
25 confus- -- the teachers are going to be five days a

1 week; the students will be four days a week.

2 MS. NADINE VIGIL: Five days.

3 COMMISSIONER CARR: Okay. What did I
4 miss?

5 THE CHAIR: I thought I heard four days a
6 week.

7 MS. NADINE VIGIL: Probably because of the
8 way it reads, that four days out of the week, we go
9 8:00 to 4:00, and one day, we go until 1:30.

10 COMMISSIONER CARR: Okay. Kind of like
11 Taos Academy.

12 Okay. All right. And so all the students
13 are there basically four-and-a-half days.

14 MS. NADINE VIGIL: Uh-huh. Yeah.

15 COMMISSIONER CARR: And then Taos Schools,
16 they get off early now on Fridays.

17 MS. NADINE VIGIL: They get off on Fridays
18 at 1:30. So we're trying to use that same schedule,
19 uniform ourselves with them, because of the
20 siblings.

21 COMMISSIONER CARR: Yeah. After I left --
22 and the four-day week is -- all the research on it,
23 too, anyway, is -- I mean, a half-day is not quite a
24 four-day week; but four-day week has proved
25 successful, you know, in most schools. And -- you

1 know -- and I was one of the ones that led the fight
2 for it at Taos. At least they went to a half-a-day
3 on Friday for years.

4 It also decreases absenteeism and actually
5 improves production, not just for schools, but for
6 all workplaces, actually.

7 MS. NADINE VIGIL: It does.

8 COMMISSIONER CARR: I don't know of any
9 studies that are against it. I didn't vote for this
10 school; and -- but I don't -- I think not voting for
11 this request would be impeding what you want to do
12 for improvement. And I don't want you to fail, and
13 I want you to do well.

14 You're there. You're already serving a
15 good number of students. And so -- you know. And
16 well, most of the people on the Commission didn't
17 vote, you know. We were overruled on this.

18 But -- but you're up and running. Looks
19 like things -- you know -- they're going. And we'll
20 keep monitoring you, of course, just like we do all
21 the other schools. But I intend to vote for your
22 request today.

23 MS. NADINE VIGIL: Thank you. Thank you.

24 THE CHAIR: Okay.

25 MS. NADINE VIGIL: We feel we're very

1 successful. I know it was hard to get going; but,
2 you know, we are very successful, and we have
3 parents that are very supportive. We have our
4 students. It's good. It's all good.

5 COMMISSIONER CARR: Okay.

6 THE CHAIR: Any other questions? I'll
7 entertain a motion.

8 COMMISSIONER PERALTA: Madam Chair?

9 THE CHAIR: Commissioner Peralta?

10 COMMISSIONER PERALTA: I move to approve
11 the amendment request presented by Taos
12 International to amend its charter to change their
13 schedule so that the regular school year will be
14 comprised of 153 days, instructional days.

15 COMMISSIONER SHEARMAN: I second.

16 THE CHAIR: Motion by Commissioner
17 Peralta, second by Commissioner Shearman.

18 Commissioner Armbruster, roll-call vote,
19 please?

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Carr?

22 COMMISSIONER CARR: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner
24 Shearman?

25 COMMISSIONER SHEARMAN: Yes.

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Gipson?

3 THE CHAIR: Yes.

4 COMMISSIONER ARMBRUSTER: Commissioner
5 Peralta?

6 COMMISSIONER PERALTA: Yes.

7 COMMISSIONER SHEARMAN: Commissioner
8 Toulouse?

9 COMMISSIONER TOULOUSE: Yes.

10 COMMISSIONER ARMBRUSTER: Commissioner
11 Armbruster says "Yes."

12 So that is a six-to-zero vote,
13 Madam Chair.

14 THE CHAIR: Thank you very much.

15 MS. NADINE VIGIL: Thank you. Thank you,
16 all. Come see us.

17 THE CHAIR: Have a good rest of your
18 summer. There's not much left.

19 Oh, you don't start until September, yeah.

20 Report from Options for Parents,
21 Discussion and Possible Action and Schools of
22 Concern.

23 MS. POULOS: Madam Chairwoman and
24 Commissioners, the Schools of Concern list, we've
25 continued to keep updated.

1 In addition, you'll see one addition to
2 the list of schools looking for a new facility. We
3 did learn that -- from a governing board member of
4 the International School at Mesa Del Sol that they
5 were looking for a new location.

6 We communicated with the school leader,
7 who indicated that they have been looking for a new
8 location since the beginning of their charter, did
9 want it to be recorded here for you to ensure that
10 you were aware of that. He indicated that they were
11 not any closer to changing locations than they had
12 been at the beginning of their charter term.

13 We're not totally clear about that,
14 because my staff had received different information
15 from their governing board member. And so we at
16 least wanted to make you aware of that potential.
17 And so that's the only information that's changed on
18 the list, of that kind of ongoing actions.

19 COMMISSIONER SHEARMAN: May I --
20 Madam Chair, may I make just a comment? And I'm
21 sure Jeff Carr will remember. Probably Gilbert, you
22 do as well. The school at Mesa Del Sol came to the
23 PEC after they -- that school had been in session
24 for -- what? -- about a year? Maybe two?

25 And because of the problems with

1 recruiting students in that location, they wanted to
2 move into Albuquerque somewhere. And their request
3 was denied, because we had also been on the group
4 that approved that initial application. And they
5 were very adamant that they were the school at Mesa
6 Del Sol. And they were very, very adamant and very
7 proud of that location and the name of that school.

8 And we agreed that if that was the name of
9 the school, then that's where it needed to be. So
10 if they're looking to move to a new location, I
11 think probably this Commission's going to have to
12 have that same discussion again, whatever the
13 Commissioners choose to do.

14 But I just thought I would bring you up to
15 speed on a little bit of history, for those who
16 weren't here back in that day.

17 Thank you.

18 THE CHAIR: Thank you. And I know I had
19 mentioned to you the concern about Anthony possibly
20 had moved at some point in time. Were you able to
21 get --

22 MS. POULOS: Madam Chairwoman and
23 Commissioners, I did look and reached out. I did
24 not hear back from the school. But I did look and
25 did some digging. They appear to still be at the

1 same address as the address that's in their
2 contract.

3 THE CHAIR: I guess it was just an odd
4 wording of the -- just so the Commissioners know,
5 there was an ad in the paper for enrollment for
6 Anthony Charter School. And it was worded, "Now
7 conveniently located."

8 So it kind of piqued my interest that why
9 would you say "now conveniently located," if you
10 hadn't moved?

11 COMMISSIONER ARMBRUSTER: Marketing.

12 THE CHAIR: You know. So I contacted
13 Katie to see if she could dig out some information.
14 And I guess we're okay with that.

15 MS. POULOS: It appears to me that they're
16 still at the same location. I'll continue to keep
17 an eye on that.

18 THE CHAIR: Thank you. Appreciate that.

19 COMMISSIONER SHEARMAN: Madam Chair, as
20 long as we're talking about Anthony, I thought they
21 were up for renewal this year.

22 THE CHAIR: And I will add that they are
23 apparently under the assumption that they are up for
24 renewal; because they wanted to attend that renewal
25 workshop with the understanding they have that

1 they're up for renewal. Because my understanding --
2 I have a lot of understanding here. My
3 understanding is that they only had two years.

4 COMMISSIONER SHEARMAN: We originally gave
5 them two, the court gave them three, for a total of
6 five.

7 COMMISSIONER CARR: So they're not up
8 for --

9 THE CHAIR: They should be.

10 COMMISSIONER CARR: Really, has it been
11 that long? Okay.

12 THE CHAIR: Time flies when you're having
13 fun. By my mathematical calculations. And, you
14 know, that's not always quality; but it -- it
15 appears to me -- because that all happened the year
16 before I came on. And now I'm finishing up my
17 second. So they've had their -- you know, it's
18 three years total, by December.

19 COMMISSIONER CARR: So if we turn them
20 down, we may end up in court again.

21 THE CHAIR: That's -- well --

22 COMMISSIONER CARR: Sounds like fun.

23 Sorry to bring up the good stuff.

24 THE CHAIR: That is -- you know, be that
25 what it may, when that time comes. But I'm -- you

1 know.

2 MS. POULOS: I'll try and get some more
3 information.

4 THE CHAIR: Thanks. I appreciate that.

5 COMMISSIONER SHEARMAN: I would just point
6 out that nonrenewal was in December 2014. And so
7 counting school years --

8 THE CHAIR: Right. That was the December
9 right before I came on.

10 COMMISSIONER SHEARMAN: So they should be
11 up for renewal, according to that date. But we'll
12 see.

13 THE CHAIR: All right.

14 COMMISSIONER CARR: That's true.

15 THE CHAIR: Appreciate that. Governing
16 changes?

17 MS. POULOS: Madam Chairwoman,
18 Commissioners, since we have approved -- since the
19 Commission voted and approved that policy regarding
20 governance changes, we have been receiving
21 significantly more notifications.

22 So we are getting much more up-to-date
23 information. We're working internally on a tracking
24 system, just to kind of flag if we've got a lot of
25 turnover, anything that should be flagged or

1 concerns that should be brought up.

2 And so it's great that we're getting this
3 information and getting the notifications from our
4 charter schools.

5 Today, we have four for your information.
6 That appears to be how we've been handling them over
7 the last couple of months. There are a couple that
8 we know had that extension and need to fill
9 positions. And so we're keeping an eye on that, and
10 we'll bring that information to you if there is a
11 concern that they don't meet those deadlines.

12 And that's really all we have on that at
13 this time.

14 THE CHAIR: Okay. Thank you. And I --
15 the Executive Committee asked Katie to just give us
16 what I think would be a final report, update, on
17 CEPI.

18 MS. POULOS: Yes.

19 THE CHAIR: On closure.

20 MS. POULOS: And I did request -- but
21 just, I think, it may have slipped Sandy's mind --
22 an update on the checklist. But we have completed
23 the closeout process for CEPI. And at this point,
24 we're processing any sort of unemployment claims or
25 requests for verification of employment through our

1 office.

2 And otherwise, the school has been closed
3 out. The property has been transferred
4 appropriately, and they are no longer in operation.

5 THE CHAIR: Okay.

6 Commissioner Toulouse?

7 COMMISSIONER TOULOUSE: Madam Chair, I'm
8 concerned about the school records from CEPi.
9 Where -- where have they been located? Because
10 those things have to be kept for huge numbers of
11 years.

12 MS. POULOS: Certainly. I believe we were
13 working with APS to transfer them to APS. I'm not
14 sure that they were willing to accept those. And in
15 those cases where the local school district has not
16 been willing to accept them, they are kept within
17 the PED. And those records are then pulled,
18 whenever a student requests them, from the office of
19 the Charter Schools Division.

20 And so we do have those files, and we are
21 keeping them according to the schedule.

22 THE CHAIR: So I guess there's a little
23 confusion. How would a student know where their
24 records would be located so that -- you know, down
25 the road?

1 MS. POULOS: Sure. So certainly, the
2 students, when they were given notification of the
3 process, the closeout, it typically -- we receive
4 requests, even from students that went to private
5 schools, that call the Options for Parents Division
6 looking for records.

7 And so we facilitate that conversation.
8 So it'll come through, I think, a variety of venues.
9 Those students may call that school, realize that
10 they're closed, and then seek alternative sources of
11 information, such as the Public Education
12 Department. And so they'll typically come -- either
13 go directly to the Constituent Services office,
14 which will reference them to us; or they'll come
15 directly to us, because we're the Options for
16 Parents, which covers a large plethora of school
17 options.

18 THE CHAIR: Okay. All right. Thank you
19 very much.

20 Reports from PEC Committee Chairs and
21 Liaisons.

22 We had a discussion, I believe, during the
23 agenda setting conference, about committees. And
24 some of the committees aren't necessarily
25 functioning, so that people are on committees, and

1 they don't -- there's no meetings; so that maybe we
2 need to look at taking those committees off the list
3 of -- for Commissioners serving on them.

4 I would like to hold off that discussion
5 until we have, hopefully, everyone in attendance,
6 maybe next month in Santa Fe, so that we can hear
7 from some of those Commissioners that may be on
8 those committees that aren't functioning, and
9 they're -- or maybe they are functioning, and we
10 don't realize it.

11 So I would like to -- to delay that
12 discussion.

13 I will -- Commissioner Armbruster?

14 COMMISSIONER ARMBRUSTER: I just wanted to
15 add to what you were saying, that maybe -- we can
16 have a slight definition. When we're doing this
17 talk about them next time, if we could maybe just
18 have a sentence or two about what these actually --
19 what these committees actually do, so when you get
20 signed up -- "Oh, I didn't know that's what they
21 did."

22 I don't know, something along that line.

23 THE CHAIR: You're right. And I think
24 some of them are self-explanatory; but some of them,
25 you're not really sure. And that's why I think

1 there's a concern, or a question as to whether they
2 really do meet and, yes, what do they do. Yeah.

3 COMMISSIONER ARMBRUSTER: In that --

4 THE CHAIR: Commissioner Carr?

5 COMMISSIONER CARR: Yes. And I was just
6 going to add something for everybody to think about,
7 too. We've already -- we've eliminated a few of
8 these already. And most of these go back to when we
9 were still a school board and when we had more
10 powers over all aspects of the Public Education
11 Department.

12 So it's just something to think about
13 also, you know; because the legislative committees,
14 you know, that's, I think, still viable. I don't
15 know. I'm not sure about the rest of them. But
16 we'll have that -- I just wanted to throw that out
17 for everybody to think about.

18 THE CHAIR: Thank you. And you're right.
19 You may have a seat at that table; but you really
20 don't have much voice --

21 COMMISSIONER CARR: Right.

22 THE CHAIR: -- potentially, on some of
23 those committees. And point well-taken. I think
24 the LESC discussions at the LFC are certainly
25 discussions that, even if we're not part of, it's --

1 it's important listening for us.

2 And I will say that Los Alamos hosted the
3 most recent LESC meeting. And Commissioner
4 Toulouse, Commissioner Shearman, myself, and
5 Commissioner Armbruster attended last -- well, it
6 was Wednesday, Thursday, Friday.

7 But Commissioner Shearman and I were on
8 the agenda for Thursday for a discussion on the PEC
9 performance frameworks. And I think there were
10 some -- there was some good discussion that came out
11 of it as to -- and the discussion wasn't as much
12 about the performance framework, but the discussion
13 was about that 2 percent.

14 So I think we might be heading in a -- in
15 a reasonable direction. Right now, the glass is
16 half-full. We'll see.

17 But I think it's -- and I appreciate the
18 LESC for taking this interim session and making
19 charter schools a topic of discussion, and the fact
20 that they finally invited us to be part of that
21 discussion. And I hope that it's continued to be an
22 ongoing discussion.

23 Does anyone else want to add anything to
24 that?

25 COMMISSIONER ARMBRUSTER: I -- look this

1 way. I wanted to say how well Commissioner Shearman
2 and Commissioner Gipson presented their information
3 and answered questions.

4 THE CHAIR: Thank you.

5 COMMISSIONER SHEARMAN: Thank you.

6 THE CHAIR: Thank you.

7 COMMISSIONER ARMBRUSTER: And there was
8 air conditioning there.

9 THE CHAIR: Okay. Item No. -- oh, sorry.
10 Report -- Item No. 7, Report from the Chair.
11 Special PEC Meeting, the NACSA report.

12 You all received an e-mail that it would
13 be August 1st at 1:00 p.m. After that went out, we
14 received notice that their flight doesn't get in
15 until noon.

16 So I'm anticipating that they will not
17 make it to Santa Fe by 1:00; so I'm going to suggest
18 that we move it to 2:00, and hope that they can get
19 out of the airport, get a rental car, and get to --
20 get to Santa Fe by 2:00.

21 But I think 2:00 is at least -- or if --
22 2:00 is a more reasonable time, I believe.

23 You will all be receiving, when Beverly
24 gets back home, the final report. They forwarded it
25 last evening. I couldn't get my Wi-Fi open at the

1 hotel; so I haven't been able to look at it yet.

2 But I know we received it.

3 So she'll be forwarding it out to you so
4 that you'll have plenty of time to digest it.

5 So I will -- are we okay with --

6 COMMISSIONER CARR: I have a question.

7 THE CHAIR: Sure.

8 COMMISSIONER CARR: So is it a special
9 meeting, or is it a work session?

10 THE CHAIR: It's a work session.

11 COMMISSIONER CARR: So we're not going to
12 vote on anything?

13 THE CHAIR: No, no. That's why they asked
14 for a work session, that it's nothing that's voted
15 on, and it doesn't go -- from their report to us; it
16 doesn't go in the public record from that.

17 COMMISSIONER CARR: Okay.

18 THE CHAIR: So they wanted the work
19 session.

20 COMMISSIONER CARR: And --

21 THE CHAIR: I'm sorry. It'll be about
22 30 minutes, my understanding, the presentation.

23 COMMISSIONER CARR: Uh-huh.

24 THE CHAIR: And then it's open for
25 questions. So the general estimate is an hour and a

1 half.

2 COMMISSIONER CARR: If we take any action
3 on this, we'll do it at a later meeting? Or, I
4 guess, if there's any action to be taken, or if
5 anybody decides that as a result of this report, we
6 want to make some kind of changes in something that
7 we do --

8 THE CHAIR: Correct.

9 COMMISSIONER CARR: -- which we really
10 couldn't do this year. It would have to go into
11 effect next year, right?

12 THE CHAIR: Correct. There certainly are
13 recommendations, suggestions that are in the report.
14 So, yes, anything that we would like to review, look
15 at, and move on later on through a new policy, would
16 be done throughout, you know, the remainder of the
17 time.

18 COMMISSIONER CARR: Okay.

19 THE CHAIR: So, yes.

20 COMMISSIONER TOULOUSE: Madam Chair, I do
21 just want to point out, though, whether this goes in
22 the public record or not, our work sessions are
23 public meetings, so that people may be there to
24 hear. And I think several people want to come hear;
25 so...

1 THE CHAIR: Yes. But it is not their --
2 from my understanding, it is not their policy to
3 place it into the public record. It is the
4 authorizer who chooses to make it public
5 information.

6 COMMISSIONER CARR: Okay.

7 THE CHAIR: That's why they were hesitant
8 to offer the preliminary report back when they
9 finished, because we were in a regular meeting --

10 COMMISSIONER CARR: Okay.

11 THE CHAIR: -- and not in a work session
12 with us, okay? So -- I'm sorry.

13 COMMISSIONER ARMBRUSTER: So -- I'm
14 sorry -- so at this work session, does the -- do the
15 people in the audience have input, too, as well
16 as -- as when you said that they have a 30-minute
17 presentation; but it's a 90-minute block of time
18 that we're setting for that?

19 THE CHAIR: Correct.

20 COMMISSIONER ARMBRUSTER: So anyone can
21 add to that questioning? I don't know.

22 THE CHAIR: We normally don't do questions
23 from the audience during a work session.

24 COMMISSIONER ARMBRUSTER: So it's only us.

25 THE CHAIR: Yeah. Yeah.

1 Anything else?

2 So we're good for changing it to 2:00?

3 Okay. Thank you.

4 Update from the New Mexico Charter
5 Coalition.

6 MS. KELLY CALLAHAN: Madam Chair,
7 Commissioners, good morning. Thank you again for
8 allowing us to have some time to update you on the
9 work of the -- of the Coalition and to piggyback on
10 the Chairwoman's report about the LESC.

11 The Coalition has been working very
12 closely with the LESC. Rachel Gudgel and Kevin
13 Force serve as participants in our work groups that
14 the Coalition put together to address areas of
15 concern for charter schools in regards to
16 legislation.

17 And the three work groups are funding,
18 facilities, and accountability.

19 And in the funding, of course, there's
20 a -- a lot of discussion about the parity in
21 funding. And at the LESC meeting, there was a
22 report presented by Director Gudgel and Assistant
23 Director Sallee, I think, from the LSC --

24 THE CHAIR: Yes.

25 MS. KELLY CALLAHAN: -- that outlined a

1 comparison of the State Equalization Guarantee,
2 the -- the -- the SEG that forms the operational
3 amounts of funding for schools, for charter schools
4 and school districts.

5 And there was -- and it was -- it was
6 simply SEG. There was no other funds that were
7 considered in terms of outlining how much per
8 student is spent on schools. And so -- so only that
9 part of the report went to the LESC.

10 The work group that we've been working
11 with this past summer is looking at all funding
12 sources. And so school districts receive funding
13 for facilities; they receive a lot more federal
14 funding that charter schools cannot always get
15 access to.

16 And -- and so what we're advocating for is
17 a look at apples-to-apples for charter schools and
18 districts in terms of per-pupil funding, because the
19 impact of decision-making about cuts or changes to
20 the SEG formula will have a very big impact on -- on
21 charter schools.

22 And so what we're doing is we're working
23 very closely with school leaders, business managers,
24 the LESC, the -- we're trying to get the LFC
25 involved and the Public Ed Department, as well.

1 Matt Pahl is a part of that. So it's urgent, the
2 information that we're trying to gather.

3 There was an editorial in the Santa Fe New
4 Mexican that really put the spotlight on this. And
5 they've only seen part of the story.

6 And so we're trying to meet with the
7 members of the media. And we want to make sure --
8 you know, the concerns from the LESC is that
9 there -- you know, that there's -- what are the
10 apples that need to be compared? What are the --
11 how do we do this?

12 So I think that the work that we're
13 doing -- the Coalition work groups, in coordinating
14 with LESC, is to come up with, "Here is the
15 definitive comparison, what is it that, you know,
16 actually happens." Because the percentages and the
17 total dollar amounts are skewed, depending on which
18 way you look at the data. And so we're trying to
19 ensure that charter schools are represented fairly
20 in terms of the funding, so that the impact of
21 possible legislation doesn't create very negative
22 circumstances for schools going into the future.

23 So I think the biggest part of that work
24 is that the -- the Coalition is at the table with
25 LESC and LFC; whereas, in the last several years, it

1 has not been. And so this has been a really -- a
2 significant change.

3 So -- and I also want to echo that
4 Commissioner Shearman and Commissioner Gipson did a
5 fantastic job answering the questions about the
6 performance frameworks. And so, you know, there's
7 still some things that need to be worked out in
8 terms of support for charter schools and support,
9 frankly, for authorizers, as well.

10 So I think that this is allowing that
11 light to get shined -- get some shining on the
12 issues that are happening with charter schools and
13 authorizers.

14 And so we're also -- our other work group
15 in facilities and accountability, we're looking at
16 options for charter schools to find facilities that
17 will meet the requirement of being in a public
18 building.

19 And so there are, you know, different ways
20 that this can be approached according to the law.
21 And so various options, such as a lease purchase
22 agreement, looking at coordinating with school
23 districts in empty school buildings, arranging to
24 find purchase alternatives, bonding, et cetera.

25 So we're trying, with this facilities

1 group, to put these pieces together to get a true
2 status: Where are the schools in terms of their
3 public building?

4 And for schools that need options, being
5 able to provide those opportunities and to be able
6 to say, "This is your situation; here's something
7 that you can try to make sure that your facility
8 meets the requirements of the law." And so that
9 work group is also -- LESC is working with that and
10 the PED, as well as school leaders, business
11 managers and other community that are looking at the
12 funding options for facilities; because if you
13 take -- the facilities issue is that charter schools
14 are using a bulk of their SEG money to help pay for
15 facilities. They do get some subsidy through the
16 lease reimbursement; but they're -- but anything
17 that is left over comes directly out of that
18 operational fund.

19 And so when you're talking about the
20 percentage that is spent on students, of course,
21 it's less, because they're spending more on the
22 facilities. And so how do you, again, create parity
23 for that, so that the students ultimately are in the
24 best facilities that's most conducive for
25 educational programming? And, you know, that's what

1 we're looking at.

2 And then the last group is accountability.
3 We're also working with the PED to gather a lot of
4 data about the SAM schools. And this gets to the
5 discussion that the PEC has had about high
6 performing and low performing. How do you identify?
7 What does that look like in terms of the report
8 card, and what happens with SAM schools?

9 And so we're trying to get a lot of data
10 to really focus what will be adequate accountability
11 for SAM schools that does take into consideration
12 the factors that may be impacting their performance
13 on traditional academic measures.

14 So these are working groups that we're
15 trying to get as many stakeholders involved as
16 possible to -- to get the best information. And
17 what we're hoping is before we get to the
18 legislative season in January, that we will have
19 proposals, or at least suggestions, for possible
20 legislation that could assist with some of the
21 things that, as you said, are happening with charter
22 schools right now.

23 There's a lot of cleanup that needs to
24 happen. There's a lot of things that have to be
25 aligned that, right now, are -- and it's hard. It's

1 hard for the schools to understand exactly what's
2 going on.

3 So, hopefully working with the PED, with
4 the PEC, with the LESC, and all the alphabets that
5 go around that, that we can ensure that the schools,
6 one, are meeting the requirements of accountability
7 and finance and organization; and -- but also
8 ensuring that there is technical assistance; there's
9 support; there's -- you know, the ways that we can
10 ensure that we're -- we're rising the tide for all
11 the boats.

12 I think that's where we're sitting right
13 now is we're very interested in ensuring that the
14 schools that are authorized in the State of New
15 Mexico are quality and are performing as they need
16 to and -- and making sure everybody understanding
17 those expectations.

18 So -- and it's a lot of work. There's a
19 lot of work and lots of meetings that Greta and I
20 are running around. So that's why she's not here.
21 She's at meetings with the funding formula. And so
22 thank goodness there's two of us.

23 And so are there any questions about that
24 part? Then I just have one other thing that I
25 wanted to update you on.

1 THE CHAIR: I think that's an important
2 component to have in the conversation, the
3 facilities and the SEG money; because I know what I
4 hear often is, "Oh, charters have more money than a
5 regular school; so, of course, they've got all this
6 stuff that they need."

7 And people don't understand the -- the
8 need with the facilities and how much that does
9 begin to impact their overall budget. And people
10 don't see that; because they think they get
11 everything they need through lease reimbursement, so
12 that, "Oh, yeah. You go find your building, and,
13 yeah, the State's going to pay the lease." And
14 it's -- there's --

15 MS. KELLY CALLAHAN: It's woefully
16 inadequate.

17 THE CHAIR: Right, right.

18 MS. KELLY CALLAHAN: And Madam Chair and
19 Commissioners, one of the things I think is really
20 important is gathering that data. And so we are
21 actually working with the Colorado League. And
22 unfortunately, it's only with Albuquerque schools;
23 but it's a start. They have said that they will
24 expand this to the rest of the state.

25 But the Colorado League is doing a

1 facilities survey, exactly what is -- what are the
2 conditions that the schools are in right now. And
3 this is a -- this is funded through the Department
4 of Ed, the national Department of Ed.

5 And we're facilitating the work with the
6 Albuquerque schools to develop a report that we
7 would then make available to the LESC, LFC, the PEC,
8 the PED, everybody that will help kind of gauge
9 where we are in terms of facility.

10 How much are you paying outside of the
11 lease reimbursement?

12 What is that percentage above that that is
13 being taken directly out of the SEG?

14 You know, are there foundations that are
15 helping?

16 And getting a pretty, you know, accurate
17 lay of what the landscape looks like for charter
18 schools, as I said, in Albuquerque, and then we're
19 hoping next year that we'll be able to do the rest
20 of the schools. The scope of the grant that they're
21 doing only is Albuquerque for this point. But
22 that's -- you know, that's 50-plus schools. So it's
23 a -- it'll get at least a snapshot of some of the
24 issues that are happening right now.

25 So that report should be coming out mid to

1 end of September. And we'll make sure everybody has
2 copies of that.

3 THE CHAIR: Okay. Thanks.

4 MS. KELLY CALLAHAN: And so getting that
5 data, I think, is really important, you know. So,
6 again, we're not -- we're not going up whining.
7 We're saying, "This is -- this is a real issue, and
8 these are the reasons why. And how can we come up
9 with a solution that is going to be fair and
10 equitable?"

11 THE CHAIR: Right. Because -- so the
12 Commissioners know, at the LESC -- and I don't
13 remember who said it -- but one of the legislators
14 made mention of the fact that the charters have
15 foundations; so that's where they get their extra
16 money.

17 So I think there's a sense that all
18 charters have foundations. And I think we would
19 find that an overwhelming number don't have
20 foundations, that it's the -- it's the minority that
21 have a foundation.

22 But it seemed to be that they thought,
23 "Oh, there's -- the charters -- doesn't -- the SEG
24 doesn't matter that much, because they're going to
25 be able to get the money from their foundation."

1 And we know that that's not the case.

2 MS. KELLY CALLAHAN: And Madam Chair and
3 Commissioners, that is exactly what we're trying to
4 do with this work group is coming up with, you know,
5 "Here's the actual information about what is
6 happening."

7 And the foundation question came up not
8 only in Los Alamos, but also in Los Lunas.

9 THE CHAIR: Okay.

10 MS. KELLY CALLAHAN: And so, you know,
11 exactly what kind of funding comes from foundations
12 and for what purpose are the foundations, and,
13 actually, how much. Because foundations are
14 component units of the schools. And so they have --
15 they are subject to the audit.

16 So they're -- you know, we will be able to
17 find that data and that information. So it seems to
18 me that that's something that we need to gather, and
19 what the work group is probably going to look at in
20 our next meetings with that.

21 But, in addition, we're also looking at
22 ways that schools can work with school districts. I
23 know Las Cruces had a really good partnership with
24 the schools and the school district providing
25 buildings. APS has done a little bit of that, and

1 they're looking to expand that. Because of the
2 general bond election that happened in February,
3 charter schools were included in that funding
4 amount; so \$58 million over the next six years.

5 And so APS is putting forth some ideas of
6 how we can ensure that schools can take that money
7 and leverage it into looking at getting
8 facilities -- instead of spending \$800,000 on
9 renovations or things that we all know that it's
10 very expensive to do that, is there a way that a
11 school district could leverage their bonding
12 capacity to work with charter schools to build some
13 facilities that would actually be -- you know, meet
14 the needs of what the schools are having, instead of
15 patching and trying to -- covey [verbatim] together
16 a school.

17 And so these are very preliminary
18 discussions, but, again, looking at alternatives for
19 charter schools because of the urgency of being in a
20 public building.

21 THE CHAIR: Commissioner Armbruster?

22 COMMISSIONER ARMBRUSTER: Yeah. I just
23 wanted to thank you for starting this letter. I
24 think there's so much, "He said this," and, "She
25 said that," and, "They said this." And it's hard to

1 even get a direct answer.

2 I think it also would address the small
3 school funding in a sense; because if you can only
4 find a building that holds 172 kids -- or people, in
5 general -- then you can't get above 200.

6 MS. KELLY CALLAHAN: Right.

7 COMMISSIONER ARMBRUSTER: So I think
8 it's -- I get many questions. "Well, they always --
9 they're getting more money."

10 Yeah," I said, "But they're having to
11 spend money to lease a building. Yes. But then
12 they're leasing a building, and they're improving
13 the building, and they leave the building, and now
14 the building is approved, and we're not getting the
15 benefit."

16 It goes on and on in sort of a circular
17 motion.

18 I think that would be a great thing to
19 have and possibly put into a newspaper, edited to a
20 place where, "Okay. Let's understand charter
21 schools and what's going on."

22 Because when people don't know, then you
23 just get various points of view.

24 MS. KELLY CALLAHAN: Right. Right. Yes.

25 THE CHAIR: Commissioner Carr?

1 COMMISSIONER CARR: I -- Moreno Valley
2 High School asked the school board in Cimarron --
3 you know, it's a local charter school --

4 MS. KELLY CALLAHAN: Right.

5 COMMISSIONER CARR: -- and they were
6 allowed to be part of a bond issue. And we're
7 building a new building for them. And the bond
8 issue passed overwhelmingly.

9 I'm not sure five years ago, it would
10 have, because there was so much controversy with
11 that school when it first opened. But I think that
12 is -- that's the way all the other schools do it.

13 If the community doesn't pass a bond
14 issue, that means that school -- you know, or -- you
15 know. And usually, of course, the way you do it,
16 too, is they had lots of community meetings.

17 And they didn't get all the money. The
18 money was shared amongst all the schools in the
19 district. Moreno Valley High School had the
20 greatest need.

21 And -- and they are getting that need
22 fulfilled, I think a little bit too slowly. I'm not
23 sure what's going on with it; but I think that's the
24 way to go. And if they don't have community
25 support, well, you know, maybe there's some other

1 issues that we need to work on.

2 And I -- and I -- you know, the overall --
3 you know, people want to throw the baby out with the
4 bathwater type of thing. They're either completely
5 against -- all charter schools are bad, or all
6 charter schools are good.

7 Well, it's not. It's somewhere in the
8 middle, and we have to continue to work to make sure
9 that our schools are monitored and that -- because
10 the schools that have been closed are the ones
11 people think about and are the ones that aren't
12 effectively taking care of their children are the
13 ones that people talk about.

14 When they -- several years ago, when we
15 had the south -- excuse me -- we had the LESC
16 meeting in Albuquerque, people were -- and they were
17 talking about the Small School Funding Formula,
18 people were saying "Well, Southwest, Southwest."
19 Even the other charter schools, "Well, get rid of
20 them," because they were ready to -- because they
21 were -- you know, they were in fear mode, you know.

22 And it's important that we do that. And I
23 hope, you know, we all -- you know, we need to be
24 fair and give everybody due process and continue
25 that process. But along with securing the proper

1 funding for charter schools, they need to be
2 excellent schools. They need to be above what the
3 regular public schools are doing, just for their own
4 survival.

5 If charter schools are going to survive,
6 bad charter schools cannot be allowed to remain
7 open. I know we've got bad public schools, too; but
8 that's -- you know, that's not -- that's not really
9 the issue. People don't see it that way, you know.

10 I always see the middle road somewhere,
11 you know. So I think that's -- that's a big issue.
12 If you want to dispel getting rid of that Small
13 School Funding Formula just for charter schools,
14 like we worried about last year, then we have to
15 make sure that we're doing everything to make sure
16 that all the charter schools in this state are
17 running excellent schools and -- and help the ones
18 that are struggling, if we can.

19 But if they're not making it, then we --
20 you know, there's some -- probably some more that
21 need to go. And -- you know, and it -- and it's
22 awful to close a school, and it's difficult. But
23 that's -- you know -- and it's difficult to say no
24 to a school, like, you know, the one they want to
25 open in Española.

1 They have a great idea, you know. We want
2 them -- you know -- you know. But they have to have
3 everything complete, and they have to have
4 everything going for them that they need to, in
5 order to be successful.

6 So that's my two cents in for that. I
7 think it's -- the bonding thing, to me, is probably
8 your best avenue for getting that done. Now,
9 granted, you're going to have some local school
10 boards that aren't going to go -- you know, they
11 don't want to go along. I'm not sure the Taos
12 School Board would go along. I know Traci here has
13 been working on it, some other charter schools, to
14 be part of a bond issue here in Taos.

15 But -- and that makes it difficult. And,
16 you know, Taos Charter, Taos Academy are two top
17 schools. Taos Charter is locally chartered. And --
18 you know, and I know Taos Academy has been in
19 effect -- been here for -- they don't get any more
20 money than anybody else does. They do have a
21 foundation; but it's a -- not a very rich
22 foundation.

23 THE CHAIR: I think that's true of many of
24 the foundations: They can buy supplies for schools,
25 you know, and some extras. But it's not like the

1 foundation is what most people think of, some kind
2 of philanthropic foundation that has unlimited
3 funds.

4 We're talking about, you know, "We want to
5 have a special art project," and things like that,
6 so that additional supplies -- it's for a few
7 extras; actually, what shouldn't be even extras.
8 They're supplementing the basic needs of the school
9 with those foundations.

10 But thank you.

11 Commissioner Toulouse?

12 COMMISSIONER TOULOUSE: I just wanted to
13 point out for the record that one of the schools
14 that was brought out as a school that was needed and
15 could only have been done as a charter school was
16 Moreno Valley High School. And that was -- the
17 Legislature's discussed that. It was part of their
18 discussion, that they understand there are ones we
19 have to have.

20 You know, the same case is in
21 East Mountain High School. APS will never put a
22 high school out in the East Mountains; but there had
23 to be one. That's the place for a charter school.

24 And I also want to add on foundations.
25 The Legislature just absolutely refuses to

1 understand that everybody doesn't have one, and that
2 the ones that do -- and so there's got to be a way
3 for the Coalition to gather that information, how
4 many have foundations; because I've asked a number
5 of schools, "Do you have one," "Do you have" -- and
6 they're, "No, no, no."

7 And I know some of the schools that do, as
8 Chairman Gipson says, you know, if they work all
9 year, they may be able to buy a piece of playground
10 equipment.

11 And there has to be a way -- and I think
12 the Coalition now has the ear of the LESC, and,
13 eventually, hopefully, the LFC -- they're a harder
14 nut to crack -- that that's where nuts and bolts
15 facts need to be provided.

16 But thank you for your ongoing work with
17 us and with them.

18 THE CHAIR: Thank you. And I'll just add
19 on at this point in time, because it sort of goes
20 along with the idea of looking at the schools,
21 knowing which are the good schools, and along with
22 that conversation, that I think it's in the best
23 interests of the Commission and our relationship
24 with the schools that the Commission begin to look
25 at better communication between us and the schools,

1 and that there has to be a reaching out to the
2 schools, so that they have -- we can speak with
3 them, and they have an understanding of our
4 expectations of them; so that that is clear and
5 defined.

6 And I think we need to take a look at, you
7 know, some kind of road shows or establishing a
8 program where we're going to go out and offer the
9 opportunity for the charter schools to come and
10 speak with us in a less formal manner, so that
11 there's a comfort level in speaking.

12 It's not -- you know, we're not butting
13 in, nosing in, and trying to dig up dirt. It's --
14 we want some genuine good dialogue and a
15 relationship with these schools.

16 I -- fortunately, the Southern New Mexico
17 charters, which goes all -- they're all the way to
18 Silver City -- they've created a group that they
19 meet on a somewhat regular basis. And they've
20 invited me into those conversations, so that I do
21 get to meet with them and have some good
22 conversation with them. And I'm hoping that we can
23 take a look at the rest of the state and begin to do
24 something similar, because I really think it is
25 important that they get a better understanding of

1 truly what -- what we're about and what we're
2 looking for from them, so that it is clear.

3 COMMISSIONER ARMBRUSTER: To add onto what
4 you're saying, is this -- some literature that's
5 come through. It seems like it's an us-them thing.
6 And I believe what you were suggesting, Madam Chair,
7 is a communication field. Since -- I don't know
8 what -- you all came on in, like, 2008, it's a very
9 different world. It's a different world out there.
10 It's a different world from having ten charters to
11 having whatever amount, 65 or whatever charters.
12 It's very different.

13 And I think for their survival, if they're
14 not doing better, then there is no reason to exist.
15 And I'm not saying that we should close them. I'm
16 just saying they need to know that they're just not
17 on a free ride. And I think that the public needs
18 to know that they are being held accountable;
19 because they feel that they are just -- they can
20 just do whatever they want. And that's the ire that
21 is around -- that I'm getting, anyway.

22 So, you know, I want them to be good. I
23 want them to then -- it would be nice if they shared
24 with traditional schools, and we could get some
25 change in those; because it feels like I'm being a

1 1-percenter here. And I'm actually not a
2 1-percenter.

3 You know what I'm saying? Like, "Well,
4 charters get this, and they can do that; but we
5 can't."

6 And I don't like that division. I like --
7 I think, as an educator, I care about all children,
8 not just ones at a charter school or just ones at a
9 traditional school.

10 So I think that's a step forward where we
11 can be going. And I think what we're doing, Kelly,
12 is helping explain all of that so that people can
13 see what we can do.

14 THE CHAIR: Because I think -- it's also
15 an important piece of the conversation -- I think
16 there's a perception by many that charters gets
17 waivers for, like, everything, so they can do
18 whatever they want.

19 "Oh, they get waivers; so they don't have
20 to do that."

21 "They get waivers; they don't have to do
22 that."

23 So I think that's also a conversation that
24 the general public, and even regular, traditional
25 public schools need to be made more aware of;

1 because I heard that more than two or three times at
2 the LESC.

3 "Oh, they get waivers; so they don't have
4 to do that."

5 "Oh, they get waivers, and they don't have
6 to do that."

7 So that it's just -- it is that sense that
8 it's a free ride. They get to do whatever they
9 want, and they have a free ride.

10 I know they get waivers; but it's not
11 to -- "Here, here's the money. Go do whatever you
12 want, and have a -- have at it," you know.

13 So I think that also needs to be a message
14 that goes out there. The charters are accountable.

15 MS. KELLY CALLAHAN: And, Madam Chair,
16 Commissioners, to that end, something really
17 exciting happened over the last couple of weeks.
18 The New Mexico Coalition of Educational Leaders is
19 meeting in Albuquerque for their yearly conference.
20 And the New Mexico Coalition has actually been
21 invited to become an affiliate of that organization,
22 which has never happened.

23 That has never happened. It's always the
24 superintendent and the boards and the -- they have
25 had this very divisive relationship. And they've

1 actually invited -- and today, Greta is also going
2 to be attending the -- they're having a unity
3 meeting with all of the affiliates, including, now,
4 the Coalition, that I think maybe there's a way, if
5 we can bridge that, you know, sort of inaccurate
6 perception and -- and create, you know, a dialogue
7 about, you know, what is exactly the expectation,
8 and how is it that -- that you are accountable to
9 the authorizer, to your stakeholders? How does that
10 work?

11 And I think the contract and the
12 performance frameworks have definitely provided a
13 forum for that. And, you know, it's a way to -- you
14 know. So it's working out the kinks of how -- how
15 do you get that messaging out to -- to the general
16 public that, you know, they do have levels of
17 accountability that are different and sometimes more
18 rigorous, and that they don't have a free ride?

19 And so I think this is -- to me, it's a
20 huge step. The NMCEL affiliate status is just going
21 to be a great bridge, I think, to working with
22 school districts and other educational stakeholders
23 in the state.

24 THE CHAIR: Great. Congratulations.

25 MS. KELLY CALLAHAN: Thank you. And just

1 one more thing, just a reminder.

2 You'll be getting a postcard in the mail
3 that our -- our annual conference is October 26th,
4 27th, and 28th. The actual conference is the 27th
5 and 28th. And we realize that that's during the
6 NACSA week. We're at the end of the week, and NACSA
7 is at the beginning of the week; but there is a
8 crossover.

9 So -- but we are hoping that we can get
10 some representation from the PEC. This is a
11 complimentary conference for you all. And we'll
12 send a card with the registration information that
13 you will all be able to register.

14 And, Katie, we'll send it also to you
15 guys. We sent -- we want you to present. And so,
16 hopefully, you'll do something again like you did
17 last year.

18 MS. POULOS: Just so you know, my mother
19 and grandmother live in Georgia; so I probably won't
20 be back. I apologize. But we'll see what we can
21 do.

22 MS. KELLY CALLAHAN: Hopefully get maybe
23 somebody on your team, maybe, sitting on a panel.
24 We're still developing our programs.

25 THE CHAIR: It's one of the waivers that

1 charters can.

2 MS. KELLY CALLAHAN: But still working on
3 the program, a really heavy emphasis on rigorous
4 governance. Greta and I both said that has to be
5 our nuclear focus; it is on the governance piece,
6 because that is where the -- unfortunately, some
7 things are getting -- slipping through the cracks
8 and end up in front of you all.

9 And so I think, in my mind, good
10 governance would have avoided the CEPi issue. And
11 so we really are working on developing strong
12 governance workshops that we're changing. It's not
13 going to be individuals going to individual
14 workshops, like typical conferences are. We're
15 actually asking the boards to sign up together, and
16 they will work together --

17 THE CHAIR: Oh, great.

18 MS. KELLY CALLAHAN: -- in looking at
19 actual scenarios, you know, to actually doing
20 financial reviews, having, you know, a very high-end
21 look at governance; because they need to talk to
22 each other. And they need to talk amongst each
23 other. "What are you doing as a board?"

24 You know, "How is this impacting? Are you
25 finding success this way?"

1 And so really getting them to look
2 strategically. So we're trying something new, and
3 we'll see how it goes. But we're asking -- we're
4 giving them a discount if they sign up as a group.
5 So we're -- we'll try anything we can to entice
6 them.

7 And I think that is really a -- you know,
8 again, looking at some high standards for
9 governance, I think, is a really -- I think that's a
10 key to upping the level of accountability for
11 charter schools.

12 COMMISSIONER ARMBRUSTER: Can I ask one
13 more thing? When we were talking -- this is not
14 about the governance. But one of the questions --
15 or comments -- that I get all the time is, "Well,
16 charter schools don't have to do the teacher
17 evaluations, and they don't have to take the PARCC."

18 I say, "Uh, yes, they do. And yes, they
19 are accountable in the exact same way as you are."

20 I'm not sure where it's changed. Do you
21 know where that list of waivers is? I think it
22 still says -- and I think Pattie pointed that out
23 one time -- that it still says they have their own
24 way of evaluating. Do you remember that?

25 MS. POULOS: They can. It's in the

1 statute.

2 COMMISSIONER ARMBRUSTER: So it sounds
3 like the statute and the reality are different.

4 THE CHAIR: They can get a waiver for the
5 teacher evaluation.

6 MS. POULOS: Madam Chairwoman,
7 Commissioners, Commissioner Armbruster, yes, they
8 can get a waiver. What it's important to note is
9 that teachers cannot advance in licensure absent the
10 NMTEACH system and -- moving forward. And so while
11 the school may not choose to utilize that exact
12 system, that data is calculated; it is in the
13 NMTEACH system.

14 And any additions or changes they want to
15 make from that, they would do on their own. It
16 wouldn't be calculated by the PED; but PED still
17 will have the NMTEACH data for each teacher, because
18 that is essential for licensure advancement.

19 THE CHAIR: Do you have -- and I know this
20 is -- do you have any idea how many schools might
21 utilize that waiver? Because since I've been here
22 with the negotiations, I don't think I've had any
23 school that's come through the negotiations process
24 that's utilized that waiver. So I don't think it's
25 a significant number.

1 MS. POULOS: Madam Chairwoman, no. And
2 what had happened in that past, prior to kind of the
3 cleanup and consolidation of NMTEACH, where there
4 was a great amount of environmental impact statement
5 between each school and each teacher, even within
6 the school, is at that time charter schools were
7 getting additional selected data calculated into
8 their NMTEACH scores, that option has been
9 eliminated with that cleanup.

10 And so -- so there's, I think, less
11 variability than there was previously, where they
12 weren't maybe using an explicit waiver, but were
13 working within some flexibility that had been
14 granted to incorporate different or additional
15 measures. That's no longer occurring. If they want
16 to continue that, that's when they'll have to take
17 the data that we give them and then make any
18 adjustments themselves.

19 THE CHAIR: Okay. All right. Thank you.
20 Anyone else?

21 Okay. Item No. 8. PEC comments.

22 THE CHAIR: Oh, thank you.

23 MS. KELLY CALLAHAN: Thank you
24 Madam Chair, Commissioners. I appreciate the
25 opportunity and look forward to continue working

1 with you.

2 COMMISSIONER SHEARMAN: Thank you.

3 THE CHAIR: All right. Item No. 8, Public
4 Education Commission Comments.

5 Commissioner Carr?

6 COMMISSIONER CARR: I'll start off. I --
7 I'll take a little liberty, since you guys -- we're
8 meeting at the school that I teach at.

9 The -- the -- and I'll be starting my last
10 year before I retire here. And the -- I think
11 I've -- I think I've stated this for the record
12 before; but I think it would be a good time to state
13 it again, since you're here, and you're about ready
14 to get a tour.

15 Traci Phyllis, the director of the school
16 and the founder of the school, taught my daughter in
17 the second grade up in Eagle Nest Elementary School.
18 She was a very innovative teacher. I was very
19 impressed with her then; and it continued to be so.

20 She started a program that was -- had many
21 of the aspects of what goes on here, that was part
22 of the regular program at Eagle Nest Elementary
23 School and Middle School.

24 When they got a new superintendent, the
25 superintendent didn't like the program. And so

1 although it was very popular and successful, and he
2 worked his way to eliminate that program from the
3 Cimarron School District, Traci came to Taos
4 Municipal Schools and asked if they would like to
5 make her program part of Taos Municipal Schools.
6 Taos Municipal Schools didn't want anything to do
7 with it.

8 At that point, Traci decided, "Well, I
9 really want to implement this program. I think it
10 has great" -- you know -- and she is one of those
11 innovative teachers. I always thought I was
12 innovative; but she's got me beat by a long ways.

13 So that's why she decided to start a
14 charter school. And -- and a lot of the things and
15 ideas that she had are ideas that I've had. And for
16 14 years at Taos Municipal Schools, I, through the
17 union and other teachers, tried to implement things
18 for improvement in Taos Municipal Schools. We were
19 shut down every time.

20 "Oh. Four-day week? Oh, no, can't do
21 that."

22 You know, just any number of issues. I --
23 you know, we did -- they did finally implement a
24 small cyber program, where some kids go -- they
25 actually go and work on things; they've done maybe

1 one or two things. But to me, this is one of the
2 issues with public schools. One of the -- to me,
3 the only reason we need some charter schools, and
4 the only reason there was any need for them at all
5 was because the local schools have failed on
6 their -- in their efforts for innovation.

7 Not all of them. You know, Albuquerque
8 has done a lot of great things, and a lot of school
9 districts have worked hard to innovate. But
10 unfortunately, most administrations and local school
11 boards, and even -- you know, at every level,
12 nonprofessionals are being shut down and stifled
13 when they try to innovate.

14 And -- and that is an issue. And to me --
15 and that issue goes way beyond charter schools. It
16 goes beyond the core issue with public schools
17 across this whole country is that we are not
18 listening to the professionals in the classroom at
19 that level. We are having top-down management.

20 We have top-down management in this state,
21 from the Governor down. We have -- and we have that
22 on the local levels. Teachers are greatly
23 disrespected and maligned, and they're leaving the
24 profession. And, you know, I might consider staying
25 on a few more years if -- if things weren't

1 different. I may not have moved over here and gave
2 up my tenure and years of service at Taos Municipal
3 Schools had I not been teaching 200 students a day
4 and struggling with that and not having textbooks
5 and the materials that I need.

6 So that is a -- you know, that's a huge
7 issue that we -- that we need to look for.

8 I came over here. I am -- I have received
9 more respect, consideration, and am part of the team
10 here than I have never been able to be part of in my
11 26 years of teaching. And we have an incredible
12 team of teachers here who work together.

13 I have an administrator who is my boss who
14 treats me like I'm her brother, you know. I -- her
15 brother educator. Let's puts it that way. And she
16 treats everybody with that same dignity and respect
17 that teachers are not given. That's free.

18 And that's also a way to -- you know, to
19 emulate -- to show that that's how we need to treat
20 our students, as well. Our students all need to be
21 treated with dignity and respect. And even when
22 they get up in your face and use the "F" word and
23 call you all kinds of names, you come back and you
24 say, "I don't talk to you that way. What's going
25 on?" Instead of, "You're going home for three

1 days."

2 And maybe they still need to go home for
3 three days; but they need to be talked to and dealt
4 with in a respectful way, just like the teachers do.
5 All of us need that, you know? I'll take dignity
6 and respect and a wonderful working environment over
7 a \$10,000 raise any day. And that's free.

8 So going around, I'm not sure -- I know
9 they set up a tour for everybody here today or
10 something. But I'd be happy to be -- to be part of
11 that. I've got a lot of emotions surrounding my
12 last year of teaching. And I was really happy to
13 come over here to spend my last three years in a
14 calm, respectful working environment, and where I've
15 had the time to really work one-on-one with kids
16 that I didn't really have the time before.

17 Like, when I first started teaching at
18 Taos Schools, I -- I could do that. But it got
19 worse, and it got steadily worse and worse.

20 So, you know, that's why I came over here.
21 And that's why I -- I continue to support good
22 charter schools. And -- and they -- and this school
23 isn't for everyone, just like any of the other
24 charter schools. It's a program that's special.
25 There's, like, a little over 200 students here. And

1 it's a great environment to work in. And I will --
2 I will miss it.

3 THE CHAIR: Thank you.

4 Commissioner Armbruster?

5 COMMISSIONER ARMBRUSTER: I'm fine.

6 THE CHAIR: I think I've had my say. So
7 I'm good.

8 Commissioner Peralta?

9 COMMISSIONER PERALTA: Thank you, Chair.
10 My comments are to speak to a couple of charter
11 schools that have come under the radar of the PSFA,
12 have been brought to my attention by Martica Casias.

13 The first one, the initial, I guess,
14 concern that was brought to my attention was the
15 school of La Academia de Dolores Huerta Charter
16 School. And so the conversation to me was she was
17 not getting very much cooperation from the school in
18 regards to PSFA requirements, deadlines, much of
19 those kind of issues.

20 Right now, the -- the school was asked for
21 an assessment of the facility a few years ago. And
22 their New Mexico Condition Index was far below the
23 average. The school had provided an 18-month plan
24 of correction in the way of -- of construction
25 documents. They got a permit and eventually got an

1 E-Occupancy, because the facility is -- is a public
2 facility.

3 But there are still a number of things
4 that are required by PSFA that the school needs to
5 follow through on. Basically, her relationship --
6 or communication, or the accountability on the part
7 of the school and the leader, Mr. Casillas -- has
8 not been conducive to making sure that the school is
9 meeting standards.

10 On that note, I, personally, want to add
11 and mention that Mr. -- this school, and, in
12 particular, Mr. Casillas, is one of the schools that
13 has filed a letter of concern about the Charter
14 School Division and their site visits and how unfair
15 they've been and what have you.

16 So I'm really more concerned about
17 Mr. Casillas and the leadership that he's providing,
18 in a bad way, with not following through on
19 requirements with PSFA. And so this is one school
20 that's definitely -- needs to be asked a number of
21 questions at our next meeting.

22 And so this is one that I'm going to
23 request to be on the agenda. And I will have
24 Ms. Martica Casias present so we can make sure that
25 we rectify all concerns from stakeholders.

1 THE CHAIR: Let me ask -- because I'm
2 not -- since I've been on here, do I recall that
3 they've put in a notice of intent to move?

4 MS. POULOS: Madam Chairwoman,
5 Commissioners, I don't believe they have. They're
6 not on our list -- making sure that's accurate.
7 Actually, no, they did notify us on March 11th.

8 THE CHAIR: Of this year?

9 MS. POULOS: Yes.

10 THE CHAIR: Because I know, through a
11 conversation that I had with him, that they have
12 property that they're looking to -- to build on; but
13 there's a -- there's a water fight between the
14 municipal water authority and the county, I believe;
15 so they can't get clear rights to that land until
16 that issue is settled.

17 And that -- you know what happens with
18 water in New Mexico; that can take forever to settle
19 it. So that's -- you know, that's a real
20 long-term -- you know, personally, I thought it was
21 a mistake that he didn't take up the offer of LCPS
22 when they were doing J. Paul Taylor and
23 Alma de Arte. They wanted to include Dolores Huerta
24 in that whole building program; and they said no.

25 And I just thought that was a -- you know,

1 not maybe the wisest, because they would have had
2 a -- they would have clearly had a building. Now, I
3 know there's issues with that building. And I think
4 there's issues with what's been done to the inside
5 of the building.

6 COMMISSIONER PERALTA: Yeah. And on that
7 note, Ms. Casias anticipates that this is going to
8 be brought before the PSCOC, and that meeting will
9 be happening on Monday the 25th.

10 THE CHAIR: Of July?

11 COMMISSIONER PERALTA: Yeah, that will be
12 next week. So I believe we might have more
13 additional information, once this is being discussed
14 at the PSCOC.

15 THE CHAIR: I'm sorry. Katie wanted to --

16 MS. POULOS: I wanted -- Madam Chairwoman
17 and Commissioners, this -- the schools looking for a
18 facility is in your materials every month; it's a
19 consistent item. And we won't remove a school until
20 they've changed facilities or otherwise notified us
21 that they're not looking any longer.

22 And so I do my best to keep this
23 up-to-date. And so if you have any questions, this
24 is a great place; but you can also always call me.

25 THE CHAIR: Okay. All right. Thank you.

1 COMMISSIONER PERALTA: And then the next
2 one was a school that we had in our June 17th
3 meeting. And I believe at one of the breaks --

4 THE CHAIR: It's a Las Cruces event here
5 today.

6 COMMISSIONER PERALTA: Yes, it is.
7 La Montañas school. They were before us because of
8 a change of address or site for their school. And
9 during that meeting -- and I think on a break, I had
10 gotten notification from Ms. Casias that there were
11 some things she needed to meet with, with the
12 administrator and what have you.

13 And we had requested to him, personally,
14 that he contact her as soon as possible. And as of
15 July 8th, she has not heard from him. And she has
16 made efforts to call him and has had no success in
17 getting in touch with him.

18 So -- and, of course, this has to do with
19 their facility change from East Lohman to South
20 Solano. And, of course, a lot of it has to do with
21 the assessment on the new facility that hasn't been
22 quite completed or done yet.

23 And so she -- this is something that needs
24 to be addressed and followed through by the school.
25 So this is the other school that I'd like to ask to

1 have also put on the agenda for our next meeting,
2 and we would have Ms. Casias present.

3 THE CHAIR: Because unfortunately, that
4 gentleman that was there was the head of the
5 governance council. And because they were -- they
6 didn't yet have -- I'm not even -- do you know? Do
7 they have a new head administrator now?

8 MS. POULOS: Madam Chairwoman,
9 Commissioners, I believe we have not received notice
10 of a new head administrator. And so I think that
11 they're still working on that.

12 THE CHAIR: And, see, I had tried to get
13 ahold of -- when the issue came up, I tried to get
14 ahold of the -- the old administrator, not knowing
15 that he was no longer there. And I just wasn't -- I
16 think his last name was "Robinson" or -- yeah. And
17 I wasn't getting any answers back.

18 And then it wasn't until that last
19 meeting, I realized why he wasn't answering me back,
20 because he's not there any longer. But I was trying
21 to call the school and couldn't get an answer at the
22 school.

23 But I think by that time, they were
24 already out -- yeah. Yeah. So I'll actually just
25 try to stop by --

1 COMMISSIONER PERALTA: Yeah.

2 THE CHAIR: -- and see.

3 COMMISSIONER PERALTA: So if we can just
4 get them in the next meeting and find out whether or
5 not he's still -- thanks.

6 THE CHAIR: Yeah, I don't think their
7 facility is going to be -- this is the silly part.
8 It's not going to be an issue; because they built
9 through LCPS. So I don't think there's going to be
10 any issue with it being rated. But it's just
11 foolish to -- to do this, you know, when it's an
12 easy fix.

13 COMMISSIONER PERALTA: Right.

14 MS. POULOS: Madam Chairwoman,
15 Commissioners, we -- in the past, I've indicated
16 that it may be valuable for the Commission to set
17 policies with regards to amendment requests. And
18 this may be a specific one, where it would be really
19 valuable, especially when we're talking about
20 changing facilities, to have the policy of when that
21 needs to be submitted and what documentation must be
22 submitted with that, to include some of these things
23 with regards to PSCOC and PSFA.

24 And that way, we don't -- we don't end up
25 in a situation where they're saying, "Please get us

1 on."

2 "We can see here's what the policy says,
3 these are the documents. When you've gotten those,
4 we can add you to the agenda."

5 I think that may be something that the
6 Commission wants to consider.

7 THE CHAIR: All right.

8 COMMISSIONER PERALTA: That's it,
9 Madam Chair. Thank you.

10 THE CHAIR: Thank you.

11 Commissioner Shearman?

12 COMMISSIONER SHEARMAN: No, thank you.

13 THE CHAIR: Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: Madam Chair, I
15 just want to say, in regard to some of what Kelly
16 was saying, my school board member for APS holds
17 almost monthly meetings. And usually, they have
18 them at 5:00 on the Friday we're meeting; but when
19 we get out earlier, I can get back.

20 I go -- I've lived in the same APS school
21 district my entire life. She's the first one in
22 many, many years who's bothered to meet. Mostly,
23 the people who come to her meeting are teachers.
24 But I happened to be at the one where they were
25 asking her -- because that was right after APS had

1 closed Bataan Charter School, and she had some real
2 misinformation about our charter schools; because
3 they were asking general charter school -- and we
4 ended up with doing a very good dialogue between the
5 two of us.

6 In fact, when I do show up, we start
7 getting questions on charter schools. And she's
8 been very generous about, then, the two of us
9 together, you know, dealing with the schools.

10 So I don't know, for other people, how
11 easy it is to reach out to your school board member.
12 My last one never would even return phone calls from
13 me. This one, she calls, e-mails, whatever. So it
14 depends.

15 But that it is helpful if you can make
16 that connection, even just for one school board
17 meeting.

18 THE CHAIR: Thank you.

19 All right. I'm going to -- oh, I'm sorry.

20 MS. FRIEDMAN: May I say something? I
21 sent out an e-mail -- I'm sorry. My voice is not
22 that strong. But I had sent out an e-mail about the
23 NACSA conference. And I have not received anything
24 from anybody.

25 COMMISSIONER SHEARMAN: You received it

1 from me.

2 MS. FRIEDMAN: That you would like to go
3 to NACSA?

4 COMMISSIONER SHEARMAN: Oh. I thought I
5 told you I was not going.

6 MS. FRIEDMAN: You did. You did. But I
7 have not received any positive comments. If anyone
8 would like to go to the NACSA conference in October,
9 I do need to know shortly, because getting
10 out-of-state travel is a -- takes about six to eight
11 weeks, because it has to go through the Governor's
12 Office.

13 And so if you're interested in going, it's
14 October 24th through the 27th. It's in Atlanta,
15 Georgia. And the -- all the information is there.
16 I'll send it to you. I have a new NACSA e-mail that
17 just came in.

18 And secondly, I did send the NACSA
19 evaluation report. I just sent that to everybody.

20 THE CHAIR: Oh, okay. Thank you.

21 MS. FRIEDMAN: The PowerPoint and the
22 report.

23 THE CHAIR: I'll go -- I'll tell you, I'm
24 staying here, so that I can be here for the state --
25 for the Coalition conference.

1 MS. FRIEDMAN: All-righty.

2 COMMISSIONER ARMBRUSTER: Although I made
3 reservations, I'm not feeling that it looks --
4 because they just told us what was going to
5 happen --

6 THE CHAIR: Yeah. We just got the
7 extra --

8 COMMISSIONER ARMBRUSTER: -- just the
9 other day. And I thought --

10 THE CHAIR: Yeah, you're right. The
11 agenda didn't look like it was -- I think I'm going
12 to get more value out of the New Mexico --

13 COMMISSIONER ARMBRUSTER: Right. So I
14 maybe thought I -- I don't know. The NACSA report
15 and are we coming to the NACSA convention --

16 THE CHAIR: It's kind of been an ongoing
17 thought in my mind, and I didn't make you part of
18 conversation.

19 MS. FRIEDMAN: That's quite all right. I
20 wanted to bring that up again, in case someone
21 wanted to do it, I'd start getting that paperwork
22 together.

23 COMMISSIONER ARMBRUSTER: I may have
24 written you yes; but in my mind, I was thinking
25 about the August 1st meeting and not this one. So I

1 may have -- but I just want to say no.

2 MS. FRIEDMAN: Okay. Terrific. If anyone
3 does change their mind in the next week or so, let
4 me know.

5 THE CHAIR: All right. Thank you. I'm
6 going to hazard a guess that we don't have anyone
7 that wants to speak.

8 MS. FRIEDMAN: No, you don't have anyone.

9 THE CHAIR: So we will move on to No. 10,
10 which is Executive Session.

11 Oh, I need to -- I need -- so I call for a
12 motion?

13 COMMISSIONER SHEARMAN: Madam Chair, I
14 move that the Public Education Commission go into
15 Executive Session to discuss pending or threatened
16 litigation, pursuant to NMSA 1978,
17 Section 10-15-1H(7).

18 THE CHAIR: Do I have a second?

19 COMMISSIONER ARMBRUSTER: Second.

20 THE CHAIR: Motion by Commissioner
21 Armbruster -- by Commissioner Shearman, second by
22 Commissioner Armbruster. Can we do a voice vote?

23 MR. LANGE: We need a roll-call vote.

24 THE CHAIR: Okay.

25 COMMISSIONER ARMBRUSTER: Commissioner

1 Peralta?

2 COMMISSIONER PERALTA: Yes.

3 COMMISSIONER ARMBRUSTER: Commissioner

4 Gipson?

5 THE CHAIR: Yes.

6 COMMISSIONER ARMBRUSTER: Commissioner

7 Toulouse?

8 COMMISSIONER TOULOUSE: Yes.

9 COMMISSIONER ARMBRUSTER: Commissioner

10 Armbruster says "Yes."

11 Commissioner Shearman?

12 COMMISSIONER SHEARMAN: Yes.

13 COMMISSIONER ARMBRUSTER: Commissioner

14 Carr?

15 COMMISSIONER CARR: Yes.

16 COMMISSIONER ARMBRUSTER: That is a

17 six-to-one vote, and we are -- zero.

18 THE CHAIR: Okay. Who came?

19 (Brief recess taken.)

20 (Executive Session conducted

21 off the record.)

22 THE CHAIR: Okay. The -- pursuant to NMSA

23 1978, 10-15-1J, the only matter discussed during the

24 closed session was the pending litigation,

25 Rio Rancho Public School District v. PED/PEC.

1 And that brings us to Item No. 11, which
2 is adjournment.

3 COMMISSIONER SHEARMAN: I move we adjourn.

4 THE CHAIR: Motion by Commissioner
5 Shearman.

6 COMMISSIONER ARMBRUSTER: Second.

7 THE CHAIR: Second by Commissioner
8 Armbruster. All in favor?

9 (Commissioners so indicate.)

10 THE CHAIR: We are adjourned.

11 (Proceedings adjourned at 11:03 a.m.)

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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

I, Cynthia C. Chapman, RMR, CCR #219, Certified Court Reporter in the State of New Mexico, do hereby certify that the foregoing pages constitute a true transcript of proceedings had before the said NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the State of New Mexico, County of Taos, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on August 3, 2016.

Cynthia Chapman
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