

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

June 17, 2016

9:00 a.m.

Mabry Hall, Jerry Apodaca Education Building

300 Don Gaspar

Santa Fe, New Mexico

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

Bean & Associates, Inc.

Professional Court Reporting Service

201 Third Street, NW, Suite 1630

Albuquerque, New Mexico 87102

JOB NO.: 5845L

(CC)

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

**BEAN
& ASSOCIATES, Inc.**
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

A P P E A R A N C E S

COMMISSIONERS:

MS. PATRICIA GIPSON, Vice Chair
MR. GILBERT PERALTA, Secretary
MS. KARYL ANN ARMBRUSTER, Member
MR. JEFF CARR, Member
MS. ELEANOR CHAVEZ, Member
MR. JAMES CONYERS, Member
MS. MILLE POGNA, Member
MS. CAROLYN SHEARMAN, Member
MS. CARMIE TOULOUSE, Member

STAFF:

MS. KATIE POULOS, Director, Charter School Division

1	I N D E X T O P R O C E E D I N G S	
2	1	Call to Order, Roll Call, Pledge of Allegiance and Salute to the New Mexico Flag 5
3		
4	2	Aproval of Agenda 7
5	3	Approval of Minutes and Transcript 17
6	4	Election of PEC Chair and Other Officers 20
7	5	Discussion and Possible Action on Charter School Amendments 27
8		
9		A Taos International School 27
10		B Las Montañas Charter High School 46
11		C Amy Biehl High School 65
12	6	Discussion and Possible Action to Commence Operations for the Following Schools 76
13		A Six Directions Indigenous School 77
14		B Student Athlete Headquarters (SAHQ) Academy 114
15	7	Discussion and Possible Action on Newly Negotiated Performance Contracts and Performance Frameworks 179
16		
17	8	Discussion and Possible Action on Board of Finance Applications 173
18		
19	9	Presentation of High Performing School Data with Discussion and Possible Action on the Definition of High Performing Schools 186
20		
21	10	Discussion and Possible Action on Charter School Performance Framework Evaluation Time Line and Process 198
22		
23		
24		
25		

I N D E X T O P R O C E E D I N G S ,

Continued

11	Report from Options for Parents and the Charter School Division - Discussion and Possible Actions	210
	A Schools of Concern	211
	B School Governance Changes	211
	C Draft Schedule for Community Input Hearings	212
	D Report from New Mexico School for the Arts	219
	E Report on Closure of CEPi	220
12	Discussion and Possible Action on Acceptance of 2016 New Charter School Applications	221
14	Report from the Chair	229
15	PEC Comments	243
	REPORTER'S CERTIFICATE	252
	ATTACHMENTS:	
1.	Visitors Sign-In Sheet	

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

1 VICE CHAIR GIPSON: It is now actually
2 9:01. So I call this meeting of the Public
3 Education Commission to order. And I will ask our
4 secretary, Commissioner Peralta, to make roll call.

5 COMMISSIONER PERALTA: Commissioner Pogna?

6 COMMISSIONER POGNA: Here.

7 COMMISSIONER PERALTA: Commissioner
8 Toulouse?

9 COMMISSIONER TOULOUSE: Present.

10 COMMISSIONER PERALTA: Commissioner
11 Ambruster?

12 COMMISSIONER ARMBRUSTER: Present.

13 COMMISSIONER PERALTA: Commissioner
14 Conyers?

15 COMMISSIONER CONYERS: Here.

16 COMMISSIONER PERALTA: Commissioner
17 Shearman?

18 COMMISSIONER SHEARMAN: Here.

19 COMMISSIONER PERALTA: Commissioner
20 Chavez?

21 COMMISSIONER CHAVEZ: Here.

22 COMMISSIONER PERALTA: Commissioner Carr?

23 COMMISSIONER CARR: Here.

24 COMMISSIONER PERALTA: Commissioner
25 Peralta is here.

1 Commissioner Gipson?

2 VICE CHAIR GIPSON: Here.

3 COMMISSIONER PERALTA: Madam Vice Chair,
4 that is nine members present in this Commission.

5 VICE CHAIR GIPSON: Okay. Thank you very
6 much. And I have been reminded to ask everyone to
7 use their mics, please. Yes, it's -- I was coerced,
8 actually.

9 COMMISSIONER CARR: Turn off your phones.

10 VICE CHAIR GIPSON: Yes, thank you. And
11 please, everyone, if you will silence your
12 electronic devices, we would greatly appreciate it.

13 After being at the LESC, I also learned
14 that when you put it on -- some phone companies,
15 when you put it on silent, the -- there's still a
16 noise that comes through on the mics. So if that
17 starts to happen, we can be aware of that.

18 Before we start the meeting, I would ask
19 everyone if we could have a moment of silence for
20 the victims and their families of Orlando.

21 (Moment of silence conducted.)

22 VICE CHAIR GIPSON: Thank you very much.
23 And I will now ask Commissioner Chavez to lead us in
24 the Pledge of Allegiance -- is the mic on? It
25 doesn't sound like it's on; so it's not my fault.

1 And Commissioner Ambruster with the New Mexico --

2 (Pledge of Allegiance and

3 Salute to the New Mexico Flag.)

4 VICE CHAIR GIPSON: Could you -- oh,
5 thanks. All-righty.

6 The next item is the Approval of the
7 Agenda. So I would ask that you look through it. I
8 have to find my numbers. I have some
9 recommendations on the agenda. And I'm going to ask
10 at this time that we remove Items No. 12 and 13.

11 Take a look at them. No. 12 is Discussion
12 and Action on Acceptance of the 2016 New Charter
13 Applications. And I'm going to request that that be
14 removed, because we don't vote on moving charter
15 applications forward, except for if the application
16 has, in some instance, violated the law, like the
17 Albuquerque group last year, when they didn't send
18 the Notice of Intent, which is in the law that they
19 have to send the Notice of Intent to the district
20 that they -- that they reside in, that they want to
21 open the charter.

22 But there are no other stipulations in the
23 law as to why an application can go forward. And
24 my -- to my understanding, we have never voted on
25 whether an application is complete or not complete.

1 They're allowed to move forward. And what happens
2 through the application process and the input
3 hearings, that's -- Commissioner Carr?

4 COMMISSIONER CARR: I -- I -- on my --

5 VICE CHAIR GIPSON: They're not working.

6 COMMISSIONER CARR: On my -- I'll speak
7 loud. On my memory, it seems like we have voted.
8 Maybe it was before you came on the Commission. And
9 we have disallowed people for getting their
10 applications in late. And -- and I -- I can't
11 remember for sure. I can't give you an example.
12 But to me, if an application is incomplete, it
13 shouldn't be accepted. So I think there should be
14 something we need to discuss.

15 VICE CHAIR GIPSON: Well, that's --

16 COMMISSIONER CARR: And also -- but I -- I
17 don't like the idea of -- of accepting an incomplete
18 application, regardless of whether we voted on it in
19 the past or not. So that's -- that's my two cents.

20 VICE CHAIR GIPSON: Commissioner Shearman?
21 It's not working.

22 COMMISSIONER SHEARMAN: Yeah, forget it.
23 We did vote last year; but as Commissioner -- Chair
24 Gipson said, it was on applications that had not
25 notified both us and the district. That is

1 permitted in law, because it's required in law that
2 they notify both.

3 The law says the PEC will accept all
4 applications that meet the law. It's very clear
5 that we have to accept all of them. And we don't
6 get to say at this point whether or not they are
7 complete, because we haven't gone through the
8 process to really determine that.

9 So according to the law, we have to accept
10 them all, unless they have violated some condition
11 of the law. And that's what we did last year.

12 VICE CHAIR GIPSON: And we did, in fact,
13 vote not to put in the process a -- a review by CSD
14 prior to --

15 COMMISSIONER SHEARMAN: Yes.

16 VICE CHAIR GIPSON: -- the input hearings.
17 So we did have a discussion rather relative to this
18 a year ago. But I'll let -- I'll let the Director
19 weigh in and then --

20 COMMISSIONER CARR: I'd like to say one
21 more thing, and then I'm done.

22 MS. POULOS: Madam Chair, Commissioners, I
23 just want to note that this item, whether you vote
24 to approve or not, has been on the agenda, at least
25 as far as I know -- and I didn't look back

1 further -- for at least the last two years. I don't
2 think it's a situational, depending on what we get
3 or who is involved. So I recommend that it stay on
4 the agenda, simply so that you have that as a
5 standing item every year, when applications come in,
6 to accept those.

7 I do want to clarify on the law just to
8 make sure the right word is being used. It doesn't
9 say "must accept"; it says "must process." Again,
10 that's a question of whether that's ever been
11 defined or how you choose to define that. But I did
12 just want to clarify those two points.

13 VICE CHAIR GIPSON: I think it's
14 reasonable -- I'm sorry.

15 COMMISSIONER CARR: So my final comment is
16 that I would think, in my opinion, if an application
17 is incomplete, it hasn't been turned in. If I get
18 a -- if I get a -- you know, that's just my opinion.
19 I -- if it's not complete, then, you know, well,
20 what if we got a half of what was -- we normally
21 require?

22 VICE CHAIR GIPSON: Well, okay. I'll
23 weigh in with --

24 COMMISSIONER CARR: That's just -- you
25 know, I'm fine however everybody wants to go. But,

1 you know, I -- just seems like we should have some
2 say in -- okay. You have a microphone. I'm done.

3 VICE CHAIR GIPSON: I'll talk -- I did
4 nothing.

5 MS. POULOS: So on the microphone, it's my
6 understanding it would take about five minutes
7 before the whole system would turn on; but that that
8 one would work. But is that working?

9 VICE CHAIR GIPSON: The little red light
10 flashes on, but goes immediately off.

11 COMMISSIONER ARMBRUSTER: I'm sorry. Are
12 these going to work?

13 MS. POULOS: That's my understanding.

14 VICE CHAIR GIPSON: We're in the process.

15 When I accepted papers, if they were
16 incomplete, they were still accepted. They turned
17 them in. It was incomplete, and the grade reflected
18 it's incompleteness, if that's a word; but...

19 COMMISSIONER SHEARMAN: I think that's a
20 decision that the Commission has to make.

21 VICE CHAIR GIPSON: I think that's a
22 decision that we now have to make after the fact,
23 going forward, that it would be unfair to make that
24 decision that affected schools that have already put
25 in applications. If that's something that we want

1 to look at for the next application round, that's
2 certainly something we can look at at a work
3 session, and if we want to put stricter guidelines
4 as to what is. But my opinion is if it comes in
5 incomplete, and they go through the process, the
6 vote that's taken on that school reflects the
7 quality of that application.

8 COMMISSIONER CARR: Sure.

9 VICE CHAIR GIPSON: And that's the risk
10 they take, because that's what they chose to turn
11 in.

12 COMMISSIONER CARR: Okay.

13 VICE CHAIR GIPSON: Just like your grade
14 in school.

15 COMMISSIONER CARR: Okay.

16 VICE CHAIR GIPSON: So -- but I will -- I
17 will consider the comment to keep it on the agenda
18 as an item for every year, so that if there is a
19 case where we have to do -- vote one not to go
20 forward because there's a violation of the law, I
21 think that's a reasonable --

22 COMMISSIONER CARR: Sure.

23 VICE CHAIR GIPSON: So I will remove my
24 request to remove that item from the agenda.

25 COMMISSIONER CARR: Okay.

1 COMMISSIONER SHEARMAN: What about out
2 of --

3 VICE CHAIR GIPSON: I'm still -- No. So,
4 now, Item 13. Item 13 is Discussion of Possible
5 Action on the Renewal Time Line.

6 CSD has posted a different renewal time
7 line than we had voted.

8 COMMISSIONER CARR: Oh.

9 VICE CHAIR GIPSON: So at this point in
10 time, because of that process, I don't think there's
11 any need -- I don't see any need to -- we already
12 voted on a time line. It apparently wasn't accepted
13 by CSD, and they chose to put their own time line on
14 there.

15 I think it's wasting our time to have a
16 discussion on something that's already up. I'm
17 disappointed in the process of what happened.

18 MS. POULOS: Madam Chair, Commissioners, I
19 would request that item be considered. The time
20 line that CSD has posted does indicate slightly
21 different dates than those that were provided by the
22 Commission, with a notation that we're requesting
23 that consideration by the Commission, meaning that
24 could change back.

25 I think it is important, because when

1 looking at the time line that was provided by and
2 voted on by the Commission, some things weren't
3 taken into consideration, including Columbus Day
4 being a State holiday, as well as the time for
5 completing site visits occurring during the NACSA
6 annual conference, which we are hoping to send
7 several of our team members to, which would not
8 provide sufficient amount of time for us to -- to
9 conduct meaningful site visits.

10 And so that is really our request. So I
11 would respectfully request that the Commission does
12 consider that; but, of course, that is up to you.

13 VICE CHAIR GIPSON: I have no issue
14 with -- because I don't want to be Petty Patti about
15 the week. You know, that's not my -- that's not my
16 concern.

17 CSD was present when we had the discussion
18 about the time line, and there was no discussion
19 about it. That's my concern. When we presented a
20 time line in a timely fashion, probably close to two
21 months ago, we were requested by CSD to show where,
22 in the minutes of any meeting, we had voted on a
23 time line; so therefore, the time line was not
24 posted.

25 When we did post a time line -- when we

1 did finally vote on a time line, that time line was
2 not the one that was put on the website; that time
3 line that had not been voted on was put on.

4 So I was just disappointed and confused
5 with why we had to wait so long for a time line to
6 get posted, because one had not been voted on; and
7 then one that wasn't voted on was just put on.

8 That's my concern. I have no problem with
9 the consideration of the altering of the time frame.
10 That, I thought, was a reasonable request. It was
11 the process that went on for that time line to be
12 posted was my concern, that there -- so anyone else
13 wish to -- Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: Madam Chair, it
15 seems to me if we've already voted on it, we voted
16 on it. Since it was posted differently, I don't
17 think it matters whether we vote again. It's
18 already posted; it's already there.

19 My concern is that it was posted when we
20 had asked earlier to have one posted, and it wasn't
21 till we voted. Then something was posted that we
22 had not voted on. I have that concern. It just
23 seems to me...

24 The other thing is it's nice to send staff
25 members to NACSA. But that's not a Commission

1 incentive to postpone anything, because it's the
2 schools that have to deal with things, not -- in
3 meeting time lines. I just think we leave it stand
4 the way it's posted and the way we voted, and we
5 deal with it when the time line comes up again.

6 COMMISSIONER SHEARMAN: But it's not what
7 the Commission voted.

8 COMMISSIONER TOULOUSE: I don't see that
9 we can change what we voted. I just don't want to
10 retroactively approve something we didn't approve,
11 rather than let it stand. It's already there;
12 people have already read it. I'd rather just go on.

13 VICE CHAIR GIPSON: Commissioner?

14 COMMISSIONER PERALTA: Madam Chair, if
15 there is no other further discussion, I would make a
16 motion to approve the agenda, with your
17 recommendation to remove Item 13.

18 VICE CHAIR GIPSON: Okay. Do I have a
19 second?

20 COMMISSIONER POGNA: (Indicates.)

21 COMMISSIONER ARMBRUSTER: Second.

22 VICE CHAIR GIPSON: Second by Commissioner
23 Pogna.

24 Roll-call vote, please. I think we need a
25 roll call. Do we need a roll call?

1 COMMISSIONER SHEARMAN: No, a voice vote.

2 VICE CHAIR GIPSON: A voice vote. All
3 those in favor?

4 (Commissioners so indicate.)

5 VICE CHAIR GIPSON: Opposed?

6 COMMISSIONER SHEARMAN: No.

7 VICE CHAIR GIPSON: So noted. All right.

8 COMMISSIONER SHEARMAN: I do not -- let me
9 just explain my vote, which, by our rules, you can
10 do after you vote.

11 I don't think CSD has the authority to
12 change anything this Commission does. And by
13 putting up a different time line than the one the
14 Commission voted on, they have changed an action of
15 this Commission. And I oppose that strongly, and I
16 would like for that to be on the record.

17 VICE CHAIR GIPSON: And it is.

18 COMMISSIONER SHEARMAN: Thank you.

19 VICE CHAIR GIPSON: All right. And for
20 the record, that was eight affirmative and one
21 opposed.

22 COMMISSIONER SHEARMAN: Strongly opposed.

23 VICE CHAIR GIPSON: Strongly opposed.

24 All right. On to Item No. 3. No. Item
25 No. -- yes, Item No. 3, Approval of the Minutes and

1 the Transcript.

2 So if you've -- we've all been given --
3 and I need to do this. The first item that we have
4 to approve is the PEC Work Session minutes for
5 May 12th, 2016.

6 COMMISSIONER SHEARMAN: Madam Chair?

7 VICE CHAIR GIPSON: Commissioner Shearman?

8 COMMISSIONER SHEARMAN: Madam Chair, I
9 move approval of the PEC Work Session minutes for
10 May 12th, 2016.

11 VICE CHAIR GIPSON: Motion by Commissioner
12 Shearman.

13 Do I have a second?

14 COMMISSIONER ARMBRUSTER: (Indicates.)

15 VICE CHAIR GIPSON: Second by Commissioner
16 Ambruster.

17 All those in favor?

18 (Commissioners so indicate.)

19 VICE CHAIR GIPSON: Opposed?

20 (No response.)

21 VICE CHAIR GIPSON: That is a unanimous
22 vote.

23 3B, approval of PEC minutes for May 13th,
24 2016.

25 Do I have any changes?

1 If not, I'll entertain a motion.

2 Don't all jump in here. Try to move this
3 meeting along.

4 COMMISSIONER ARMBRUSTER: Why don't we
5 take a break?

6 COMMISSIONER PERALTA: Madam Chair, I
7 would move to approve the minutes.

8 COMMISSIONER SHEARMAN: I second.

9 VICE CHAIR GIPSON: That was a motion by
10 Commissioner Peralta and a second by Commissioner
11 Shearman.

12 3C, Approval of PEC Meeting Summary
13 minutes for --

14 COMMISSIONER TOULOUSE: We need to vote.

15 VICE CHAIR GIPSON: Oh, I'm sorry.

16 COMMISSIONER TOULOUSE: Just voice vote.

17 COMMISSIONER SHEARMAN: It was so hard to
18 get the motion.

19 VICE CHAIR GIPSON: All those in favor?

20 (Commissioners so indicate.)

21 VICE CHAIR GIPSON: Opposed?

22 (No response.)

23 VICE CHAIR GIPSON: That is a unanimous
24 vote.

25 3C, Approval of PEC Minute Meeting Summary

1 for May 13th, 2016. Do I have any -- oh.

2 COMMISSIONER CONYERS: I move we approve
3 the PEC summary minutes for May 13th, 2016.

4 VICE CHAIR GIPSON: Motion by Commissioner
5 Conyers.

6 Do I have a second?

7 COMMISSIONER ARMBRUSTER: (Indicates.)

8 VICE CHAIR GIPSON: Second by Commissioner
9 Ambruster.

10 All those in favor?

11 (Commissioners so indicate.)

12 VICE CHAIR GIPSON: Opposed?

13 (No response.)

14 VICE CHAIR GIPSON: That is, once again, a
15 unanimous vote.

16 At this point in time, I'd like to just
17 note for anyone that's in the audience that
18 Commissioner Bergman is no longer with us. His
19 health dictated that he resign from the PEC
20 Commission. And we want to thank him for his
21 service. He put in tireless hours. I spent -- I
22 was fortunate enough to spend a year on the
23 subcommittee for negotiations with him, and it was
24 lessons that were well-learned and I will take on
25 for a long time.

1 So I'd like to publicly thank him for the
2 service on this Commission.

3 But that does leave us without an acting
4 Chair. So at this point in time, I am going to turn
5 the meeting over to Commissioner Peralta to carry
6 out the vote and election of the Chair.

7 COMMISSIONER PERALTA: Thank you,
8 Madam Chair.

9 At this time, I am going to open the floor
10 for nominations for the Chair position of this
11 Commission. Nominations do not need a second. We
12 just need affirmation from the person who is being
13 nominated that they are willing to accept that
14 nomination.

15 So the floor now is open for any
16 nominations for the Chair of this Commission.

17 Commissioner Ambruster?

18 COMMISSIONER ARMBRUSTER: I nominate
19 Commissioner Gipson.

20 COMMISSIONER PERALTA: There is a
21 nomination on the floor to nominate Chairman Patti
22 Gipson for the position of Chair.

23 Do you accept?

24 COMMISSIONER GIPSON: I do.

25 COMMISSIONER PERALTA: Nomination is

1 accepted by Commissioner Gipson.

2 Are there any other nominations?

3 COMMISSIONER POGNA: Mr. Chair, I move
4 that we -- nominations cease.

5 COMMISSIONER PERALTA: Okay. It is moved
6 by Commissioner Pogna that nominations cease.

7 COMMISSIONER TOULOUSE: Second.

8 COMMISSIONER PERALTA: It has been
9 seconded by Commissioner Toulouse. We will now do
10 the actual vote, voice vote, actually.

11 Commissioner Carr?

12 COMMISSIONER CARR: Yes.

13 VICE CHAIR GIPSON: Oh, it's a voice vote.
14 I thought we were --

15 COMMISSIONER PERALTA: I'm sorry.

16 Roll-call vote. How's that?

17 Commissioner Pogna?

18 COMMISSIONER POGNA: Yes.

19 COMMISSIONER PERALTA: Commissioner
20 Chavez?

21 COMMISSIONER CHAVEZ: Yes.

22 COMMISSIONER PERALTA: Commissioner
23 Toulouse?

24 COMMISSIONER TOULOUSE: Yes.

25 COMMISSIONER PERALTA: Commissioner

1 Ambruster?

2 COMMISSIONER ARMBRUSTER: Yes.

3 COMMISSIONER PERALTA: Commissioner

4 Conyers?

5 COMMISSIONER CONYERS: Yes.

6 COMMISSIONER PERALTA: Commissioner

7 Shearman?

8 COMMISSIONER SHEARMAN: Yes.

9 COMMISSIONER PERALTA: Commissioner

10 Peralta votes "yes."

11 Commissioner Gipson?

12 VICE CHAIR GIPSON: Thank you. Thank you.

13 COMMISSIONER PERALTA: That is a
14 nine-to-zero vote by this Commission to have
15 Commissioner Gipson the Chair.

16 VICE CHAIR GIPSON: They finally work.
17 Thank you very much. I now move on to
18 the -- filling the position of Vice Chair. So I
19 open nominations for Vice Chair.

20 Commissioner Carr?

21 COMMISSIONER CARR: I would like to
22 nominate Commissioner Gilbert Peralta.

23 VICE CHAIR GIPSON: Do I have any other
24 nominations? Can I have a motion to close
25 nominations?

1 COMMISSIONER CHAVEZ: So move.

2 VICE CHAIR GIPSON: Commissioner Chavez
3 made a motion. Do I have a second?

4 COMMISSIONER SHEARMAN: Second.

5 VICE CHAIR GIPSON: Thank you.
6 Commissioner Shearman made a second.

7 So we will now carry out the vote for Vice
8 Chair. And that is Commissioner Peralta's name is
9 put in nomination. So -- thanks.

10 VICE CHAIR GIPSON: Which one? This one
11 up here? Okay. Okay.

12 Commissioner Pogna?

13 COMMISSIONER POGNA: Yes.

14 VICE CHAIR GIPSON: Commissioner Toulouse?

15 COMMISSIONER TOULOUSE: Yes.

16 VICE CHAIR GIPSON: Commissioner
17 Ambruster?

18 COMMISSIONER ARMBRUSTER: Yes.

19 VICE CHAIR GIPSON: Commissioner Conyers?

20 COMMISSIONER CONYERS: Yes.

21 VICE CHAIR GIPSON: Commissioner Peralta?

22 COMMISSIONER PERALTA: Yes.

23 VICE CHAIR GIPSON: Commissioner Gipson
24 votes "yes."

25 Commissioner Shearman?

1 COMMISSIONER SHEARMAN: Yes.

2 VICE CHAIR GIPSON: Commissioner Chavez?

3 COMMISSIONER CHAVEZ: Yes.

4 VICE CHAIR GIPSON: Commissioner Carr?

5 COMMISSIONER CARR: Yes.

6 VICE CHAIR GIPSON: That is a unanimous
7 nine-to-zero vote for Commissioner Peralta as Vice
8 Chair.

9 Congratulations.

10 We will now move on to filling the vacancy
11 of Secretary of the Commission. So I now open for
12 nominations.

13 Commissioner Chavez?

14 COMMISSIONER CHAVEZ: I'd like to nominate
15 Karyl Ann Armbruster for the position.

16 VICE CHAIR GIPSON: Do I have any other
17 nominations?

18 Commissioner Shearman?

19 COMMISSIONER SHEARMAN: I nominate
20 Commissioner Toulouse.

21 VICE CHAIR GIPSON: Thank you. Do I have
22 any other nominations? Do I have a motion to close
23 nominations?

24 COMMISSIONER CHAVEZ: (Indicates.)

25 VICE CHAIR GIPSON: Commissioner Chavez

1 has made a motion to close nominations.

2 Do I have a second?

3 COMMISSIONER CARR: Second.

4 VICE CHAIR GIPSON: Commissioner Carr,
5 second.

6 So we will now first have a vote for
7 Commissioner Ambruster for Secretary.

8 Can we do them both at the same time?

9 COMMISSIONER SHEARMAN: You can do them
10 both.

11 VICE CHAIR GIPSON: All right. All right.
12 That's fine. So we will now have a roll-call vote
13 for Secretary.

14 COMMISSIONER PERALTA: Thank you.

15 Commissioner Conyers?

16 COMMISSIONER CONYERS: I vote for
17 Commissioner Toulouse.

18 COMMISSIONER PERALTA: Commissioner Pogna?

19 COMMISSIONER POGNA: I vote for
20 Armbruster.

21 COMMISSIONER PERALTA: Commissioner
22 Toulouse?

23 COMMISSIONER TOULOUSE: I vote for Carmie
24 Toulouse.

25 COMMISSIONER PERALTA: Commissioner Carr?

1 COMMISSIONER CARR: Commissioner
2 Ambruster.
3 COMMISSIONER PERALTA: Commissioner
4 Chavez?
5 COMMISSIONER CHAVEZ: Commissioner
6 Ambruster.
7 COMMISSIONER PERALTA: Commissioner
8 Shearman?
9 COMMISSIONER SHEARMAN: Commissioner
10 Toulouse.
11 COMMISSIONER PERALTA: Commissioner
12 Ambruster?
13 COMMISSIONER ARMBRUSTER: Commissioner
14 Ambruster.
15 COMMISSIONER PERALTA: Commissioner
16 Peralta votes for Commissioner Ambruster.
17 Commissioner Gipson?
18 VICE CHAIR GIPSON: Commissioner Toulouse.
19 COMMISSIONER PERALTA: Madam Chair, that
20 is five in favor of Commissioner Ambruster, four in
21 favor of Commissioner Toulouse.
22 VICE CHAIR GIPSON: Thank you very much.
23 We are now on to Item No. 5, which is
24 Discussion and Possible Action on Charter School
25 Amendments. And the first school on the agenda is

1 Taos International School, which you will find in
2 Tab 5 in your notebook.

3 Director?

4 MS. POULOS: Madam Chair, Commissioners.
5 Taos International School has submitted an amendment
6 request to change the length of their school day.
7 In your materials, you will find an analysis of the
8 school's request, as well as information about the
9 school.

10 CSD has not made a recommendation on this
11 request, and you will not find the board minutes; so
12 I believe that may be a condition, if you choose to
13 approve this amendment, that you would want to
14 condition it on the receipt of those board minutes.

15 VICE CHAIR GIPSON: Thank you. And I see
16 we have representatives from the school here today.

17 FROM THE FLOOR: Yes.

18 VICE CHAIR GIPSON: Good morning and
19 welcome. And if you would please introduce yourself
20 for the record?

21 FROM THE FLOOR: Okay. Good morning
22 Madam Chair, Board members, Commissioners.

23 VICE CHAIR GIPSON: Hold on one second.
24 So hopefully, we can get a mic for you.

25 COMMISSIONER PERALTA: This one works.

1 VICE CHAIR GIPSON: It works? Okay.

2 MS. NADINE VIGIL: Good morning. I have a
3 really loud teacher voice for as short as I am.
4 Anyways, my name is Nadine Vigil. I am the Head
5 Administrator/Director of Taos International School.

6 MS. LYNELL VIGIL: My name is Lynell
7 Vigil, and I am the IT specialist, as well as the
8 S.T.A.R.S. coordinator for Taos International
9 School.

10 VICE CHAIR GIPSON: Okay, thank you.

11 Whenever you're ready.

12 MS. NADINE VIGIL: We're here today to
13 present our calendar for 2016-2017. We would like
14 to change our hours for the school year. And the
15 reason for that is -- I can go ahead and explain, as
16 we've given you a packet -- we would like to
17 start -- our daily schedule will start from 8:00 to
18 4:00 with students. They can be dropped off between
19 7:30, 7:45, and we will start with our breakfast in
20 the classroom, our bell work. And then from -- from
21 8:00 to 8:30.

22 From 9:30 to 10:30, we are going to
23 implement a very rigorous RTI program, Response To
24 Intervention, where all the students will be part of
25 this program. We have already collected all our

1 data for the end of the year. Our staff has already
2 created our ability groups. So we have everything
3 set to go at the beginning of the year, which we
4 start after Labor Day.

5 So that is one of the reasons we would
6 really like to change our calendar. And we would
7 start September 6th and go all the way through
8 May 25th.

9 We are trying to also implement, with your
10 approval, moving our Wednesday early dismissal days
11 to Friday. And there's a reason for that. That is
12 so that we can accommodate our parents that have
13 other siblings in the public schools that get out at
14 1:30 on Fridays.

15 Also, one Friday out of the month, we
16 would like to also implement for professional
17 development days for teachers. Our letter grade for
18 this past year, the school grade was a D. And I
19 feel, as the administrator, that we need more
20 professional development days.

21 So one Friday is scheduled to be given for
22 teachers without students so that we can really
23 implement our professional development trainings.

24 In your packet, you will see at the -- at
25 the end, that we have listed the different

1 professional trainings that we would like to
2 implement for our school.

3 And, again, just going back, at the
4 beginning, if you read the safety and stability of
5 our students. Data shows that between 3:00 to
6 5:00 p.m., this is where the students are often
7 alone and unsupervised. We will keep our students
8 till 4:00, 8:00 to 4:00. 7:30 is when they can be
9 dropped off, and then we will do instructional time
10 from 8:00 to 4:00.

11 And then from 4:00 to 5:00, we will have
12 an after-school program that we offer. It's free
13 for the -- for the parents. Again, we try to
14 accommodate the parents, because they all work from
15 8:00 to 5:00. So I usually stay longer; I'll stay
16 till 5:15, 5:20. I have several students that I
17 myself take care of that need that supervision.

18 So we're trying to really accommodate our
19 parents. And again, as we say, it takes a community
20 to raise a child. So we are all working in this
21 together with our parents. We really want to
22 accommodate them and make sure our kids are safe.

23 Again, like I mentioned before, the change
24 of the calendar, we will start from 8:00 to
25 4:00 p.m., four days a week, and 8:00 to 1:30 on

1 Fridays, and one Friday will be set aside for
2 professional development for staff, without
3 students.

4 Again, we've noticed with our absenteeism,
5 a lot of our students, a lot of our parents, commute
6 to Santa Fe, to Albuquerque for vehicle
7 appointments, doctor appointments; because Taos
8 is -- it's limited. So we did notice they were
9 taking off quite a bit.

10 So, again, the staff and I sat together
11 and said, "How can we help them?"

12 So that is why we're saying Fridays at
13 1:30. And it also helps them, because other
14 siblings, again, like I mentioned earlier, are with
15 the Taos Schools. And it would -- it creates a
16 problem for some of the parents. So some of our
17 students weren't coming, because they were getting
18 out on Wednesdays instead of Fridays. So we're
19 trying to accommodate our parents there again.

20 Another one is that we are still in
21 session during summer. We just finished June 10th,
22 this past week, with students. And a lot of the
23 schools end in May. So we do see that there's a big
24 break of absenteeism, because, again, I don't offer
25 all of the grades yet. We are phasing in our grades

1 as we go along. So that creates also a problem. So
2 not until I am K-8 will the parents have everybody
3 there that they need to have in our school.

4 Another thing is that sports and camps
5 start early June, right after Memorial Day. And
6 that creates problems for our students, that they
7 cannot join those camps or sports because they are
8 in session with us.

9 So those are some of the reasons that we
10 are stating that we would like to change our
11 calendar. We are going to be implementing, like I
12 mentioned, a rigorous RTI program. Our curriculum
13 is also rigorous, being that we are an IB school and
14 a dual language school offering the different
15 languages.

16 So this is part of our proposal for you.
17 And, again, the RTI program will provide
18 differentiation instruction for one hour, four days
19 a week. Four days a week, we will be doing that.
20 Two of the days, we'll be working on math; two of
21 the days, we'll be working on reading.

22 And again, all our kids have been already
23 scheduled in. They've already been grouped
24 according to their IDEL scores; that is the
25 assessment we use for the dual language, for the

1 kindergarten through third grade.

2 And the other students, MAP scores are
3 being used for the older group, sixth through eighth
4 grade, for reading; and then MAP scores for math
5 throughout the whole school.

6 So that is what we want to do. We want to
7 push all our students to move up levels and start
8 preparing them for the PARCC, because they all will
9 be administered the PARCC when they are at those
10 grades.

11 I think this coming year, we are phasing
12 in another second grade, a third grade, and an
13 eighth grade. So third grade, of course, will be
14 administered the PARCC test. We've got to prepare
15 those kids. Right now, currently, we have
16 kindergarten, first and second, sixth and seventh.
17 But we will be, like I just mentioned, phasing in
18 another second grade, third grade, and eighth grade.
19 Then the following year, we'll phase in fourth and
20 fifth, and we will be K-8.

21 So that is our proposal today. And I
22 would hope that you all will look at it closely and
23 give us the okay to go ahead and do what we want to
24 do.

25 VICE CHAIR GIPSON: Okay. Before we

1 continue, I think there's some confusion here;
2 because the only item on the agenda is length of
3 school day and doesn't address length of school
4 year. And we only accept one amendment request at a
5 time, per form.

6 So -- and there were two on the form. And
7 on the accepted agenda, the item to be voted on is
8 only length of school day, not length of school
9 year. That second item is not on here. We cannot
10 address that issue at -- it's not on the agenda.
11 And it needed to be put on a second form, as well.

12 MS. NADINE VIGIL: Okay.

13 VICE CHAIR GIPSON: Each amendment item
14 needs to be put on a second form. But with this
15 agenda we can't address that issue at this time.

16 MS. NADINE VIGIL: Okay. I understand. I
17 think the very first time I had done it that way; so
18 that's why we did it. And it just -- it does
19 address the length of the school day and length of
20 school year, but on one form. So -- okay.

21 VICE CHAIR GIPSON: All right. So --

22 MS. NADINE VIGIL: Can we --

23 VICE CHAIR GIPSON: -- we will -- it's
24 likely that we may not have a meeting in July,
25 because we have the road trip.

1 MS. POULOS: We do have the whole week,
2 Madam Chair. We have the whole week scheduled for
3 that. We have, again, only received four
4 submissions during the new application process. And
5 so -- let's see -- one is in Albuquerque.

6 VICE CHAIR GIPSON: Yeah.

7 MS. POULOS: So we do have a day,
8 potentially, that could be used for a meeting. And
9 we did, last year, conduct the meeting at the
10 beginning of that week, and then the capacity
11 interviews the remainder.

12 VICE CHAIR GIPSON: We did. So at the
13 earliest we could look at it would be July, if we
14 can fit in that meeting, which you will have to
15 submit a separate amendment request for length of
16 school year.

17 MS. NADINE VIGIL: Okay. I can do that.
18 I can absolutely do that.

19 VICE CHAIR GIPSON: But your budget has
20 already been accepted based on that; correct?

21 MS. POULOS: I believe that their budget
22 would have been submitted based on that. And that
23 submission date is June 20th.

24 MS. NADINE VIGIL: Yes.

25 MS. POULOS: Statutorily. And so they --

1 they would have submitted it previously. And I
2 think the requesting for you to approve the calendar
3 changes from the contract.

4 And I think, then, of course, the school
5 does have an opportunity, any school could request
6 from the Secretary a change to the calendar that
7 they've submitted to the Budget Department, as long
8 as it's -- meets the minimum instructional hours
9 that are required.

10 VICE CHAIR GIPSON: So is the calendar
11 that you're submitting, is that based on this
12 amendment request going through?

13 MS. NADINE VIGIL: Yes.

14 VICE CHAIR GIPSON: So they're submitting
15 a budget with this calendar.

16 MS. POULOS: That's correct. And so,
17 again, what they would be doing, then, is requesting
18 that that -- that change to the contract be
19 approved. And then if it weren't, I think they
20 would reach out to the Budget Department and notify
21 them and request to change that back.

22 VICE CHAIR GIPSON: Okay. Commissioners,
23 just so we are clear, the only item that we are
24 speaking to now is the length of school day
25 amendment request, okay?

1 Commissioner Shearman?

2 COMMISSIONER SHEARMAN: I just had a
3 couple of questions. First of all, though, I think
4 it would have been better had these amendment
5 requests come to us before you turned in your
6 budget; because you've turned in a budget with dates
7 and length of school year that are not really
8 accurate.

9 I know it can be fixed; but had these
10 been -- had these come through earlier, there
11 wouldn't have been a problem. So just -- you know,
12 a word to the wise.

13 MS. NADINE VIGIL: Yes.

14 COMMISSIONER SHEARMAN: How is your
15 International Baccalaureate program coming along?

16 MS. NADINE VIGIL: It's going well. We
17 have applied for our candidacy, and we have been
18 accepted; so we will start in the fall as an IB
19 candidate school. So that has been accepted.

20 I'm awaiting now for consultants to come
21 in so we can also plan our professional development
22 days for that.

23 COMMISSIONER SHEARMAN: And the financing
24 for that, I know when we talked earlier, there was a
25 concern where the money was going to come from.

1 MS. NADINE VIGIL: Yeah, there was a
2 concern; but we are doing really well with our
3 budget. We have -- I've been able to get a lot of
4 furniture and different items from other schools; so
5 that has really helped our budget.

6 We are doing extremely well. Our business
7 manager is here, if you'd like to speak with her,
8 too. But our carryover money for this coming year
9 is -- Justine?

10 FROM THE FLOOR: Estimating \$170,000.

11 MS. NADINE VIGIL: Estimating \$170,000.

12 COMMISSIONER SHEARMAN: What percentage of
13 your budget is that?

14 FROM THE FLOOR: About 4 percent.

15 MS. NADINE VIGIL: About 4 percent.

16 COMMISSIONER SHEARMAN: Thank you.

17 And I do have a question about -- no,
18 never mind, I don't. Thank you very much. That's
19 all I have.

20 MS. NADINE VIGIL: Thank you.

21 VICE CHAIR GIPSON: Do I have any other
22 questions or comments?

23 Commissioner Toulouse?

24 COMMISSIONER TOULOUSE: Madam Chair, you
25 need to look this direction, too. You know, we are

1 on your left.

2 I don't -- maybe I missed it; but I don't
3 see governance council minutes, for either of these.

4 MS. POULOS: Madam Chair, Commissioner
5 Toulouse, that is correct. We -- I spoke with
6 Ms. -- Ms. Gonzales -- Vigil -- sorry -- this
7 morning. And she will be able to provide those to
8 us; but we have not yet received them.

9 COMMISSIONER TOULOUSE: Because I'm
10 understanding are we going to vote on one of these
11 two? Because I'm not comfortable voting on one
12 without governance council.

13 VICE CHAIR GIPSON: We've voted on them
14 before. And the motion has been contingent on their
15 providing the -- the approved governance council
16 minutes.

17 COMMISSIONER TOULOUSE: Madam Chair, I
18 remember doing that for the approved; but I don't
19 remember voting for no governance council minutes,
20 as opposed to we usually get the draft, and then
21 it's contingent on receiving the, you know, final
22 approved copy.

23 And I'm not comfortable voting "yes,"
24 which I normally would do, on one where there is not
25 something I can see that shows me the governance

1 council has discussed it and how they voted.

2 MS. NADINE VIGIL: Yes. If I might speak,
3 please? The governing council meeting was held on
4 the 9th of May. And then we had to wait for
5 everything to be approved, which they were approved
6 now on the 13th.

7 So that will -- we will submit those
8 minutes, Katie, as soon as possible.

9 VICE CHAIR GIPSON: And -- Commissioner
10 Conyers?

11 COMMISSIONER CONYERS: Yeah. I'd just
12 like to say that your proposal looks very reasonable
13 and very proactive. And I want to compliment you
14 for doing that. If you want to raise your grade, it
15 looks good.

16 MS. NADINE VIGIL: Thank you.

17 VICE CHAIR GIPSON: Any other comments?
18 Questions?

19 Commissioner Ambruster? It's working.

20 COMMISSIONER ARMBRUSTER: Yes, I like your
21 proactive approach to the RTI. And I would also
22 like to suggest that besides reading and math, you
23 include writing.

24 MS. NADINE VIGIL: Of course, yes.

25 COMMISSIONER ARMBRUSTER: Because I think

1 that's the issue on the PARCC exam. And I know you
2 said this and said it clearly; but I'm sorry I
3 didn't hear it. And I know we're not even voting on
4 it.

5 But what day were you going to begin --
6 that you wanted to begin the new schedule?

7 MS. NADINE VIGIL: September 6, when we go
8 back to school in the fall.

9 COMMISSIONER ARMBRUSTER: September 6
10 through May 25th is what it is?

11 MS. LYNELL VIGIL: Yes. And to address
12 the writing portion, we do have a study hall
13 implemented in the library, slash, computers; so
14 we -- during that time, everybody will receive that
15 time. And we will be working on the writing portion
16 in that area.

17 VICE CHAIR GIPSON: Commissioner Chavez?

18 COMMISSIONER CHAVEZ: Thank you. So I
19 also want to commend you on taking a proactive
20 approach. But the question that I have is in terms
21 of your focus on math and reading.

22 You know, just -- just want to clarify.
23 You're adding additional hours to the amount of time
24 that you spend on math and reading? Is that what
25 you're doing?

1 MS. NADINE VIGIL: Yes. With the RTI,
2 with one hour a day that we'll be offering, that's
3 additional to the curriculum that the teachers teach
4 throughout the day.

5 COMMISSIONER CHAVEZ: Okay. So are there
6 any different strategies that you're going to be
7 using to get the kids up to par in those two subject
8 areas?

9 MS. NADINE VIGIL: We want to use a lot of
10 the GLAD strategies, the Guided Language Acquisition
11 Design strategies; that is also a focus for the ELL
12 students. So that's one of the strategies that
13 we're going to be implementing, plus a lot of the IB
14 themes that we work with.

15 The IB is -- inquiry of units [verbatim]
16 that we have developed, that those are the
17 strategies that we are going to be using, which we
18 integrate the regular curriculum into those units.
19 So those are all the different strategies that we'll
20 be using.

21 COMMISSIONER CHAVEZ: Given the fact that
22 you're adding additional time for reading and math,
23 is there something you're taking away?

24 MS. NADINE VIGIL: No, no.

25 COMMISSIONER CHAVEZ: There's no other

1 classes that you're taking away from your --

2 MS. NADINE VIGIL: No.

3 COMMISSIONER CHAVEZ: All right. Okay.

4 Thank you.

5 VICE CHAIR GIPSON: Any other questions?
6 Comments?

7 So I will -- Commissioner Carr, were
8 you -- okay. I will entertain a motion on the
9 amendment request.

10 Commissioner Shearman?

11 COMMISSIONER SHEARMAN: I move that the
12 Public Education Commission approve the amendment
13 request presented by Taos International School to
14 change the length of the school day, as presented in
15 the official documents today. The approval is
16 contingent upon receiving official governance
17 council minutes of the school approving this
18 amendment.

19 VICE CHAIR GIPSON: Thank you.

20 COMMISSIONER PERALTA: Second.

21 VICE CHAIR GIPSON: Commissioner Peralta
22 seconds the motion.

23 Commissioner Peralta, roll-call vote,
24 please?

25 COMMISSIONER PERALTA: Commissioner

1 Peralta votes "yes."
2 Commissioner Shearman?
3 COMMISSIONER SHEARMAN: Yes.
4 COMMISSIONER PERALTA: Commissioner
5 Chavez?
6 COMMISSIONER CHAVEZ: Yes.
7 COMMISSIONER PERALTA: Commissioner Pogna?
8 COMMISSIONER POGNA: Yes.
9 COMMISSIONER PERALTA: Commissioner
10 Toulouse?
11 COMMISSIONER TOULOUSE: No.
12 COMMISSIONER PERALTA: Commissioner
13 Armbruster?
14 COMMISSIONER ARMBRUSTER: Yes.
15 COMMISSIONER PERALTA: Commissioner
16 Conyers?
17 COMMISSIONER CONYERS: Yes.
18 COMMISSIONER PERALTA: Commissioner Carr?
19 COMMISSIONER CARR: Yes.
20 COMMISSIONER PERALTA: Commissioner
21 Gipson?
22 VICE CHAIR GIPSON: Yes.
23 COMMISSIONER PERALTA: Madam Chair, that
24 is eight to one in favor of the motion.
25 VICE CHAIR GIPSON: Thank you so much.

1 And please get those minutes to us as soon as
2 possible, and the amendment request, so that
3 hopefully, we can look at it for the July meeting.

4 MS. NADINE VIGIL: Okay, I will. Thank
5 you so much.

6 VICE CHAIR GIPSON: Commissioners, that
7 moves us to Item 5B, which is an amendment request
8 by Las Montañas Charter High School. And it is a
9 school site change.

10 MS. POULOS: Madam Chair, Commissioners,
11 Las Montañas High School submitted an amendment
12 request to change the site location after CSD
13 identified, during the site visit, that it had
14 changed locations without first requesting an
15 amendment.

16 So you will find in your materials the
17 amendment request. CSD, again, has not made a
18 recommendation on this, but has provided proposed
19 motion language for your use.

20 VICE CHAIR GIPSON: Good morning. And if
21 you would please introduce yourself for the record?

22 MR. MIKE DAVIS: Yes. My name is Mike
23 Davis. I'm the chairman -- the governance council
24 chairman. I just got appointed to that; so --
25 it's -- Mr. Davis.

1 VICE CHAIR GIPSON: Trial by fire.

2 MR. WILLIAM DAVIS: Good morning, Madam
3 Chairman and Commission members. My name is William
4 Davis. We're not related. I guess congratulations
5 is in order on your new position.

6 VICE CHAIR GIPSON: I think we have a
7 mutual sense here.

8 MR. WILLIAM DAVIS: I am president and CEO
9 of Applied Facility Development and consultant to
10 the Las Montañas High School on their new building
11 and the move.

12 VICE CHAIR GIPSON: Thank you.

13 Is there anything you would like to say
14 before I open this up for questions to the
15 Commission?

16 MR. MIKE DAVIS: No.

17 VICE CHAIR GIPSON: Okay. All right.

18 MR. WILLIAM DAVIS: Oh, Madam --

19 VICE CHAIR GIPSON: Certainly.

20 MR. WILLIAM DAVIS: If I could give just a
21 little bit of background, and then I'll be more than
22 happy to answer any questions to the best of my
23 ability.

24 The move to the new location for
25 Las Montañas High School was actually begun in 2014,

1 with the request by the school for my assistance in
2 locating a new facility that could suit their
3 purposes.

4 In July of 2014, I met with Principal and
5 Director Richard Robinson, who I might add, at this
6 point, has officially retired from the school
7 effective at the end of this month and is away on a
8 personal business trip that was -- or personal trip
9 that was scheduled some months ago.

10 And I am here at the school's request
11 through the board and the assistant director,
12 Mr. Caz Martinez.

13 I began looking for facilities in
14 Las Cruces, as I was already working with the school
15 district on the replacement of Las Cruces Public
16 Schools, a high school, and also working with La
17 Academia Dolores Huerta Middle School for a new
18 facility for them, as well.

19 I located a property at the current
20 address of the school in the fall, actually, October
21 of 2014, and contacted the school and, in the
22 process, made a site visit.

23 The school at that time was in a
24 corrective action plan and was also becoming a State
25 charter at the beginning of the 2015 year. Mr. Herb

1 Torres was a special master working with the school
2 to get through their corrective action plan and help
3 them with the State charter status.

4 At that time, I met with Mr. Stan Rounds,
5 the Superintendent of Las Cruces Public Schools.

6 And given the totality of the relationship with the
7 charters and Las Cruces Public Schools, which has
8 been actually one of the best relationships between
9 all the charters and the school district in the
10 state -- should probably be a state model for
11 charters working with districts in facility
12 acquisition -- the school, being aware that the
13 State had a mandate that they be in a new facility
14 by the end of 2015, or be in the process of
15 acquiring a publicly owned facility or a facility
16 owned by nonprofit -- so working with the district
17 on a number of different aspects of a potential
18 move, we went ahead and began negotiating with the
19 owners of the building.

20 And that was -- took over place [verbatim]
21 of several months from October until December. The
22 building was purchased by the school district in
23 December. In actual fact, we met over a period of
24 two weeks while the school was out for Christmas
25 break in December of 2014 to begin the early

1 planning and meeting with the school architect, who
2 was on board by virtue of an ongoing contract with
3 Las Cruces Public Schools.

4 The tentative arrangement for the
5 agreement was for Las Cruces Public Schools to
6 purchase a building, do the renovation, hire the
7 architect, do the proper planning and design
8 requirements by PSFA, and then bring on board a
9 contractor, who would, in turn, begin to price a
10 building and make sure that the school could afford
11 it.

12 That took place from roughly the end of
13 December through March of 2015.

14 No final decision was made to move until
15 the final numbers came in from the contractor in
16 March. The numbers came in on a construction
17 contract by a local contractor, and it fell within
18 the budgeted amount by the school and by the
19 district for the project; and, in fact, we were able
20 to save a combination of costs that resulted in the
21 school lowering their monthly and annual lease
22 payments to the district by 20 percent.

23 At that time, the school was paying
24 roughly \$30,000 a month to a private party that had
25 been renting the previous building to the school for

1 a number of years. And in going through the process
2 of buying the building and doing the renovation
3 design, it came out roughly that the school saved
4 over \$7,000 a month. And I'm just giving a rough
5 approximation.

6 The final agreement was reached in March,
7 and construction began, with the initial concept
8 that the facility would be ready in early September
9 for a move-in, anywhere from September until
10 December. As with any project, especially
11 remodeling projects, as we got into the
12 construction, there were numerous unforeseen
13 elements that came up, but kept the project within
14 the budget, because of the contingency.

15 And as the project moved forward, the
16 contractor did its best to meet the time line; but
17 the construction completion was delayed until
18 December of 2015.

19 So a move was scheduled over the Christmas
20 break of 2015 and was accomplished during the
21 Christmas break of 2015, and the school moved in for
22 the beginning of the 2015-2016 spring term.

23 This was a Herculean effort by everybody,
24 the school, the planning and design team, and the
25 contractor, given that this project would normally

1 take about two years. So it actually took place
2 from January of 2015 to the completion of December
3 2015.

4 Madam Chairwoman, let me say that that's
5 the background of what happened. And the bottom
6 line is that with all of the meetings, the
7 continuous on-site activity daily of the staff
8 overseeing the decisions that had to be made in
9 multiple weekly meetings that we all attended,
10 working with the contractor, et cetera, making
11 decisions that would impact the cost of the final
12 product, which ended up being \$4.2 million, roughly,
13 and making sure that the school stayed within their
14 budget, which was predetermined before we started
15 the process, basically, this one request to make the
16 move, probably the most important request in all of
17 the activities that we undertook, was a mere
18 oversight, and humbly apologize to the Commission
19 for the oversight.

20 It just fell through the cracks. And me
21 being one of the people responsible for making sure
22 that the -- the school did everything appropriately,
23 I personally apologize to the Commission for the
24 oversight.

25 VICE CHAIR GIPSON: Thank you. It's

1 unfortunate that we seem to be in this position a
2 lot, that -- you know, I do not subscribe to it's
3 easier to ask forgiveness than permission, in most
4 things in life.

5 MR. WILLIAM DAVIS: Yes, agree.

6 VICE CHAIR GIPSON: And I will say that
7 this is my district that the school sits in. I have
8 not had the opportunity to see the inside of the
9 school. I've had the opportunity to go through
10 J. Paul Taylor and Alma de Arte, which also -- and I
11 have publicly applauded Las Cruces Public Schools
12 for what they have done in partnering with the
13 charter schools and creating incredible facilities
14 for these charters.

15 The outside of the building looks fabulous
16 and is certainly a benefit to that area that is
17 somewhat -- that is becoming somewhat blighted. So
18 I look forward to seeing the inside of it.

19 But I do express my personal concern over
20 having to deal with this issue now, after the fact.

21 Commissioner Carr, I know you had your
22 hand up.

23 COMMISSIONER CARR: No, I did not.

24 COMMISSIONER CHAVEZ: I did.

25 VICE CHAIR GIPSON: Commissioner Chavez?

1 COMMISSIONER CHAVEZ: Yeah, thank you.

2 You know, I'm wondering if -- I mean, this
3 really doesn't happen a whole lot; right?

4 VICE CHAIR GIPSON: It's happening fairly
5 regularly.

6 COMMISSIONER CHAVEZ: Okay. So then --

7 COMMISSIONER SHEARMAN: More than it
8 should.

9 COMMISSIONER CHAVEZ: So I change my
10 thing. If this is happening more than it should,
11 I'm wondering if there is something that we should
12 do in terms of reminding folks, you know, what they
13 need to do in certain circumstances. I don't know
14 if it was that --

15 VICE CHAIR GIPSON: I think the director
16 would best answer that, because she communicates
17 more directly with them. But I'm going to say
18 beforehand that I think it's done. But I'll let you
19 speak more to it.

20 MS. POULOS: Madam Chair, Commissioner
21 Chavez, we are taking a very proactive approach in
22 working with our schools. And so on July 7th and
23 8th, we're conducting a two-day training. We have
24 about 78 charter schools throughout the state that
25 will be attending that training. We're bringing

1 together bureaus throughout PED to make sure that
2 we're giving them good technical assistance and
3 support.

4 The first session of the day -- so I hope
5 everybody decides to come on time rather than
6 late -- actually does specifically address the issue
7 of amendments and the importance of submitting those
8 prior to making any changes. We've addressed those
9 at a few other opportunities to train.

10 In addition, we've been providing training
11 to governing boards, and that's certainly one of the
12 issues that we've talked about in that training.
13 And certainly, we would welcome your attendance, if
14 you're interested in any of those trainings, just to
15 see the information that we're providing to those
16 charter schools.

17 But we know it's an issue, and we have
18 been proactively communicating it when we have found
19 that there appear to be issues. Where schools have
20 changed something that should have been subject to
21 an amendment request, we communicate that to that
22 school, which is what happened in this case.

23 VICE CHAIR GIPSON: And I believe that is
24 the training session that we received the e-mail
25 yesterday from inviting us to? Was that the --

1 COMMISSIONER ARMBRUSTER: I got it.

2 VICE CHAIR GIPSON: We received an e-mail
3 yesterday inviting all of us to that training
4 session. So if you haven't had a chance, please
5 take a look at that e-mail and -- if you -- the
6 invitation is there to attend any and all.

7 Commissioner Shearman?

8 COMMISSIONER SHEARMAN: Thank you very
9 much. I just -- I don't want to make too big a deal
10 of this; but I do hope that you, as the new head of
11 the governance council, are aware of the severity of
12 this. It is a material violation, a material term
13 violation of your contract. So you've got a strike
14 against you already. So I just want to be sure that
15 that's known.

16 The other thing is, I am a little
17 concerned with your head administrator has left.
18 You're a new chair of the governance council. So I
19 hope that perhaps any other new people to the school
20 will take advantage of the training opportunities so
21 that things don't slip through the cracks again.

22 Let me just ask one more thing before I
23 forget about it. What's the enrollment cap of the
24 school?

25 MR. MIKE DAVIS: 200.

1 COMMISSIONER SHEARMAN: And how many
2 students do you have?

3 MR. MIKE DAVIS: 150, 152.

4 COMMISSIONER SHEARMAN: About 150? Okay.
5 The other thing I have to say, in looking
6 through the materials that have been provided to us
7 on the school report card, on Page 2 of that
8 information, looking at the proficiency numbers,
9 they're really, really low. They're really low,
10 less than 2 percent for both reading and --

11 MR. MIKE DAVIS: Math.

12 COMMISSIONER SHEARMAN: Well, I'm looking
13 at gender. I should go over on all students. 2.7
14 for reading and less than 2 percent on math. Those
15 are really low.

16 MR. MIKE DAVIS: Let me speak to that.
17 I'm sorry. Let me speak to that. We understand
18 that there's a problem in the governance council.
19 We met last --

20 COMMISSIONER ARMBRUSTER: Pardon me.
21 Could you hold that up closer?

22 MR. MIKE DAVIS: We met last week, and we
23 talked about that. One of the things we're looking
24 for in a new principal is we do need to get our
25 grade up in terms of we're thinking about having

1 some programs -- we don't have school on Friday.
2 We're looking at grants to bring in students that
3 are not performing at level for our [inaudible] --

4 (Reporter requests clarification.)

5 MR. MIKE DAVIS: I'm sorry. Is that
6 better? I'm sorry.

7 Anyway, so we're looking into doing some
8 grant improvement -- our number one thing is to get
9 a new principal. Our principal resigned because of
10 health reasons, you know. He just didn't walk away.
11 He had some health concerns. And he had been in
12 education about 30-some years. So, you know, he
13 felt it was time to turn it over.

14 So I think that when you come down, we'll
15 definitely have some -- we'll do better, period.
16 We'll do better. Our school will do better.

17 COMMISSIONER SHEARMAN: It really --

18 MR. MIKE DAVIS: It needs to. I agree.
19 Yes, it does.

20 COMMISSIONER SHEARMAN: Thank you.

21 VICE CHAIR GIPSON: Commissioner Toulouse?

22 COMMISSIONER TOULOUSE: Madam Chair, this
23 is just a comment. I don't want an answer back.
24 It's just when you build a new facility, you always
25 have a checklist. Why wasn't this item on your

1 checklist so that it would be there every time --
2 and that's a rhetorical question -- looks at it.
3 Because I'm tired of this. I mean, my grandson goes
4 to a school that did this to us. Because I don't
5 vote on that one, I knew they were moving months
6 before they came to us on it.

7 I kept telling my daughter, "You need to
8 tell the school, because I can't, that they need to
9 come to us."

10 They chose not to until they already had
11 the moving trucks at the old school. You know,
12 unfortunately, I didn't vote on that one. I'm --
13 once you're in this -- and I know your facilities --
14 I know this whole thing, you know. I think it's
15 great. But I am really tired of people overlooking
16 what they need to come to us to do before.

17 And we now run a list of people looking
18 for new facilities. And we look at those every
19 month. So if you would just pass the word to future
20 people planning buildings and moves, it needs to be
21 a part of your whole -- whether it's a building or a
22 move checklist. And that goes to everybody in the
23 audience, too.

24 Thank you very much, Madam Chair.

25 VICE CHAIR GIPSON: Any other questions?

1 Comments?

2 Commissioner Ambruster?

3 COMMISSIONER ARMBRUSTER: This is not
4 about your move. It's hard to move someplace else;
5 so that's sort of a done deal.

6 But I wanted to mention to Katie, as well
7 as to you, about what we passed last month about
8 improvement plans that are up to the schools to make
9 sure that they have that. And I hope that that's
10 part of that -- I glanced at the agenda; but I did
11 not spend a huge amount of time looking at it. But
12 I hope that that's really sent out to all charter
13 schools, that they have to bring up these grades if
14 they want to continue to be a charter.

15 VICE CHAIR GIPSON: They have a "D" grade;
16 so they are automatically on an improvement plan
17 because of the "D" grade.

18 MR. MIKE DAVIS: Madam Chair, let me speak
19 to that, if I may.

20 COMMISSIONER SHEARMAN: Closer.

21 MR. MIKE DAVIS: Let me speak to that, if
22 I may. You know, Las Montañas, when it first came
23 into existence, it was a catchall school. Every kid
24 that dropped out of school, Las Cruces Public
25 Schools, would go there. And it worked for a while.

1 So we get a lot of kids that no other school -- I
2 shouldn't say "want" -- but has had problems. So we
3 get students that come in with just low -- low grade
4 averages.

5 So one of the things that we do, we try to
6 nurture them and make sure that they become better
7 students and better people. But I think that
8 your -- you know, the sentiments are with us. We
9 know that we have to do a better job in preparing
10 our students, you know, and raising our grade level.
11 And we have started on that. And we will do a
12 better job. I can promise you that.

13 COMMISSIONER ARMBRUSTER: Good.

14 VICE CHAIR GIPSON: Do you have a time
15 frame for when you anticipate to have a new
16 director?

17 MR. MIKE DAVIS: Yes, we do. Yes, we do.
18 Within a week.

19 VICE CHAIR GIPSON: Oh.

20 MR. MIKE DAVIS: Yes, within a week.

21 VICE CHAIR GIPSON: That's encouraging.
22 And hopefully, with that new director and creating
23 an improvement plan, you can take a look at
24 implementing some of those new strategies, moving
25 forward, and get the school on track a little bit

1 better with their proficiency scores.

2 MR. MIKE DAVIS: You will see improvement.

3 VICE CHAIR GIPSON: Thank you.

4 Any other questions? Comments?

5 If not, I'll ask for a motion on the
6 amendment request.

7 Oh, I'm sorry. I did note in these
8 minutes that your governance council minutes are not
9 signed, the May 20- -- I think it's May 26th -- yes,
10 May 26 minutes. Oh, no, that's graduation will be
11 held on May 26th.

12 May 10th minutes. They are provided, but
13 they were not signed.

14 MR. MIKE DAVIS: Yes, ma'am. That's an
15 oversight, you know. I wasn't at that meeting;
16 so -- but we will -- we will make sure it's signed
17 and sent back to you.

18 VICE CHAIR GIPSON: Okay. Thank you so
19 much. Just as long as the Commissioners note that
20 these minutes have not been signed by the gov- --
21 there is a vote noted in the minutes; but they --
22 they were not sent in signed.

23 So I would ask that any amendment -- that
24 any motion include that in the motion.

25 So Commissioner Ambruster?

1 COMMISSIONER ARMBRUSTER: Sure. I move to
2 approve the amendment request presented by
3 Las Montañas to amend its charter to reflect -- to
4 reflect -- I'm sorry -- that the school has moved
5 from 201 East Lohman Avenue to their current
6 location at 1405 South Solano Drive in Las Cruces.
7 And this is contingent on signed minutes by the
8 governing council with their approval.

9 COMMISSIONER SHEARMAN: Second.

10 VICE CHAIR GIPSON: Second by Commissioner
11 Shearman.

12 Commissioner Peralta, roll-call vote,
13 please?

14 COMMISSIONER PERALTA: Commissioner
15 Toulouse?

16 COMMISSIONER TOULOUSE: Yes.

17 COMMISSIONER PERALTA: Commissioner
18 Conyers?

19 COMMISSIONER CONYERS: Yes.

20 COMMISSIONER PERALTA: Commissioner Carr?

21 COMMISSIONER CARR: Yes.

22 COMMISSIONER PERALTA: Commissioner Pogna?

23 COMMISSIONER POGNA: Yes.

24 COMMISSIONER PERALTA: Commissioner
25 Chavez?

1 COMMISSIONER CHAVEZ: Yes.

2 COMMISSIONER PERALTA: Commissioner
3 Armbruster?

4 COMMISSIONER ARMBRUSTER: Yes.

5 COMMISSIONER PERALTA: Commissioner
6 Shearman?

7 COMMISSIONER SHEARMAN: Yes.

8 COMMISSIONER PERALTA: Commissioner
9 Peralta votes "Yes."

10 Commissioner Gipson?

11 VICE CHAIR GIPSON: Yes.

12 COMMISSIONER PERALTA: Madam Chair, that
13 is nine to zero in favor of the motion.

14 VICE CHAIR GIPSON: Thank you. We look
15 forward to hearing from you soon.

16 MR. MIKE DAVIS: And hopefully, we will
17 see you when you come down there.

18 VICE CHAIR GIPSON: I don't have to come
19 down; I live there.

20 MR. WILLIAM DAVIS: Come see the school.

21 VICE CHAIR GIPSON: I just have to go home
22 now.

23 MR. MIKE DAVIS: So do I.

24 VICE CHAIR GIPSON: But I understand now
25 why I wasn't getting phone calls back from

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

1 Mr. Robinson.

2 MR. MIKE DAVIS: Thank you.

3 VICE CHAIR GIPSON: Thanks.

4 Okay. Commissioners, that moves us to 5C,
5 an amendment request by Amy Biehl High School; then,
6 also -- oh, that's a school site addition.

7 MS. POULOS: Madam Chair, Commissioners,
8 Amy Biehl High School has requested to add a school
9 site. They're really adding space that's nearby or
10 across the street from the school currently.

11 In your materials, you'll see that there's
12 the amendment request, as well as a letter from PSFA
13 regarding that school site. In addition, we were
14 also able to add materials from -- I believe that
15 demonstrate the E-Occupancy for that Simms Building.
16 And then there are also minutes from the governing
17 board provided in your materials.

18 VICE CHAIR GIPSON: Good morning. And if
19 you could just please introduce yourself for the
20 record.

21 MR. FRANK McCULLOCH: Sure. Good morning,
22 Madam Chair and members of the Commission. My name
23 is Frank McCulloch. I'm the principal of Amy Biehl
24 High School.

25 VICE CHAIR GIPSON: You can proceed

1 whenever.

2 MR. FRANK McCULLOCH: Thank you very much
3 for this opportunity. What Amy Biehl High School is
4 looking at doing is leasing additional classroom
5 space in the Simms Building, which is directly
6 across the street from our location on 123 Fourth
7 Street downtown.

8 There are several reasons why we need
9 additional instructional space. Currently, our
10 director of college engagement, who teaches four
11 classes, has no classroom. She's basically an
12 itinerant teacher, moving from classroom to
13 classroom to teach her passage class, which really
14 supports students in our dual credit requirement.

15 We have a fully functioning student
16 support center, offering social and emotional
17 support for students all throughout the day. And
18 because we had to convert the school support center
19 into an additional classroom space because of our
20 need, we lost the drop-in capability of that space.

21 So we want to -- if you approve this
22 amendment, then provide that drop-in space for
23 students.

24 We have a growing special education
25 population, and that requires some homogenous

1 groupings of these students, small groups, in order
2 to best meet their needs, thus requiring more
3 classroom space.

4 I would also like to mention, several
5 years ago, we surveyed students and parents
6 regarding our course offerings at the school. And
7 the voices were very consensual in they've -- they
8 really requested additional opportunity for
9 enrichment and elective classes. And so we have
10 provided that for students; but that just requires
11 more instructional space.

12 Also, the last thing I would say is that
13 this is a short-term solution. We're looking at a
14 basement remodel, which is going to take several
15 years to do that. And so we're just looking for a
16 viable option in the short term in order to provide
17 the best programming for our students.

18 As Katie had mentioned, we already have an
19 E-Occupancy for the space. Both Martica Casias and
20 John Valdez from PSFA toured the space, giving a
21 very favorable New Mexico schools ranking index.
22 We're excited about providing this additional space
23 for our students.

24 Last thing I'll mention is we have a
25 partnership with the University of New Mexico in

1 order to help students meet our two dual credit
2 classes as a graduation requirement. And we have
3 been offering, over the last year, in partnership
4 with the American Studies Department through UNM on
5 class -- on campus, dual credit classes. And so
6 that is yet one other course that would be offered
7 in the Simms space then.

8 Thank you very much.

9 VICE CHAIR GIPSON: Thank you.

10 Commissioner Shearman?

11 COMMISSIONER SHEARMAN: Thank you. I
12 just -- I appreciate the information that you
13 provided that what classes would be taught in this
14 additional facility. And I assume that they're all
15 twelfth-grade classes. It says, "Twelfth Grade
16 ELS," and then goes on to name some others. They're
17 all twelfth grade; right?

18 MR. FRANK McCULLOCH: They are,
19 Commissioner. One thing I should also mention is
20 we're looking at offering a pre-calculus class.
21 That's an ability grouping. And so there might
22 possibly be eleventh-graders in there. But what we
23 have done is done our best to ensure that the
24 upper-grade students, twelfth-grade students, are
25 really primarily focused in that area, then.

1 COMMISSIONER SHEARMAN: I am looking at
2 the letter from PSFA saying, "The current facility
3 has a business occupancy classification," and, of
4 course, E-Occupancy, or "educational occupancy" for
5 students above the twelfth grade.

6 MR. FRANK McCULLOCH: Right. So we
7 currently have an E-Occupancy.

8 COMMISSIONER SHEARMAN: You have gotten an
9 E-Occupancy; so this letter is not the most current?

10 MR. FRANK McCULLOCH: We have gotten an
11 E-Occupancy.

12 COMMISSIONER SHEARMAN: The other thing I
13 wanted to ask you, on your governance council
14 minutes of March the 10th -- is that the one I
15 should be looking at?

16 MR. FRANK McCULLOCH: So we had a meeting
17 last week, Commissioner Shearman, where they
18 approved, specifically approved, the lease of this
19 space.

20 COMMISSIONER SHEARMAN: June 14th?

21 MR. FRANK McCULLOCH: Yes.

22 COMMISSIONER SHEARMAN: Was it approved
23 there?

24 MR. FRANK McCULLOCH: It was.

25 COMMISSIONER SHEARMAN: The amendment?

1 MR. FRANK McCULLOCH: Yes, it was. Yes.

2 COMMISSIONER SHEARMAN: I just didn't read
3 far enough.

4 VICE CHAIR GIPSON: I'm sorry. The letter
5 that we have says that you need to obtain the
6 E-Occupancy certification. So you do have that now?

7 MR. FRANK McCULLOCH: We do have that,
8 yes.

9 VICE CHAIR GIPSON: Okay. All right.

10 COMMISSIONER SHEARMAN: I think we --
11 unless you've already turned that in to CSD for us,
12 we would need that.

13 MR. FRANK McCULLOCH: Oh, absolutely. I
14 believe I turned it in to CSD already; but I'm happy
15 to forward another copy to you all.

16 MS. POULOS: Madam Chair, Commissioners,
17 the materials that I received are the ones that say
18 the big Simms project that are kind of like a
19 project plan. And in the middle of that, it
20 indicates E-Occupancy.

21 MR. FRANK McCULLOCH: Right.

22 COMMISSIONER SHEARMAN: I'll have to get
23 my magnifying glass out.

24 VICE CHAIR GIPSON: You wanted us to read
25 this?

1 COMMISSIONER SHEARMAN: Does this say they
2 have E-Occupancy?

3 MS. POULOS: I believe it does. I will
4 ensure that. I'll check with somebody who has a
5 little more facility -- but I believe it does.

6 COMMISSIONER SHEARMAN: Okay. Thank you.
7 What's your enrollment cap?

8 MR. FRANK McCULLOCH: 325, Commissioner.

9 COMMISSIONER SHEARMAN: And your student
10 count right now?

11 MR. FRANK McCULLOCH: We are at -- oh, my
12 gosh. Well, we're in the middle of -- I'm enrolling
13 students right now; so we are at I want to say 315
14 at our latest count.

15 COMMISSIONER SHEARMAN: Say that again?

16 MR. FRANK McCULLOCH: 315, when I spoke
17 with our dean on the last day of school. It's still
18 in flux. We'll start up on July 20th. We've got to
19 register kids, some kids don't show up, et cetera.
20 So...

21 COMMISSIONER SHEARMAN: But you're under
22 your cap.

23 MR. FRANK McCULLOCH: We are, yes,
24 Commissioner.

25 VICE CHAIR GIPSON: What we have on here

1 is not from PS- -- nothing that we can see is from
2 PSFA.

3 COMMISSIONER SHEARMAN: Let's just include
4 that in the motion.

5 VICE CHAIR GIPSON: Commissioner Peralta?

6 COMMISSIONER PERALTA: Just reading from
7 the document from PSFA, it's noting that the
8 occupancy -- to obtain the E-Occupancy
9 certification, it needed to come from the City of
10 Albuquerque, not so much from the PSFA.

11 MR. FRANK McCULLOCH: So, Commissioner,
12 I've been in direct communication with the
13 architect. And he guaranteed we have received the
14 E-Occupancy from the City of Albuquerque. Like
15 Director Poulos had mentioned, it's on that little
16 sheet there. It's just you have to just look
17 really -- it's right up at the top in the middle, I
18 believe.

19 When I communicated with Martin Grummer --
20 is his name -- he said, "Yes, we have achieved it,
21 and here is documentation for it."

22 VICE CHAIR GIPSON: Commissioner Toulouse?

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 have visited this school. And also, I've -- to be
25 honest, Mr. McCulloch and I had not met, other than

1 once or twice socially; but I had worked with his
2 wife, and his father was one of my high school
3 teachers. So I just want that out in the open.

4 I'm not saying I approve of him or
5 anything, though. But I have visited the school.
6 And I love the old buildings. And they're in a
7 historic building now. And I was so glad because we
8 discussed the plans to renovate the basement and
9 keep them in that historic -- what was the Post
10 Office for Albuquerque. I can walk in there and see
11 my grandmother going in to buy 2-cent stamps, you
12 know.

13 And I like the fact that you're moving
14 temporarily to another historic building, not nearly
15 as old. But I'm old enough to remember when the
16 Simms Building became the first high-rise building
17 in Albuquerque, the first one that went over four or
18 five stories. And I think that's an important thing
19 to have.

20 And while the students have to cross the
21 street, that's in an area where there are
22 pedestrians all the time. So people are always
23 crossing, and people drive very slowly, because you
24 never know who's going to be there. And it is
25 directly across the street.

1 And I want to say I support this move
2 100 percent and their remodeling of the basement so
3 that they stay in that historic facility, which has
4 so much character that many new ones don't.

5 And by the way, they are in my district.

6 So thank you very much.

7 MR. FRANK McCULLOCH: Thank you very much.
8 It was lovely having you visit, too, Commissioner
9 Toulouse.

10 VICE CHAIR GIPSON: And I will add that
11 Commissioner Peralta was able to, with his great
12 eyes, find that it does say "E-Occupancy" in one of
13 those little boxes. So it is there.

14 And I want to thank you for coming in a
15 timely fashion. We greatly appreciate it.

16 MR. FRANK McCULLOCH: You're very welcome.

17 VICE CHAIR GIPSON: Do we have any other
18 questions or comments?

19 If not, I'll entertain a motion on this
20 amendment. And the governance council minutes are
21 also here and signed. So we're good.

22 Commissioner Toulouse?

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 move that the Public Education Commission approve
25 the temporary location of classrooms, additional

1 classrooms for Amy Biehl High School, at the Simms
2 Building across the street from their current
3 facility in Albuquerque, starting as soon as they
4 can get in there.

5 Thank you very much.

6 COMMISSIONER SHEARMAN: Second.

7 VICE CHAIR GIPSON: Second by Commissioner
8 Shearman.

9 Commissioner Peralta, roll-call vote,
10 please?

11 COMMISSIONER PERALTA: Commissioner Carr?

12 COMMISSIONER CARR: Yes.

13 COMMISSIONER PERALTA: Commissioner
14 Chavez?

15 COMMISSIONER CHAVEZ: Yes.

16 COMMISSIONER PERALTA: Commissioner
17 Shearman?

18 COMMISSIONER SHEARMAN: Yes.

19 COMMISSIONER PERALTA: Commissioner
20 Conyers?

21 COMMISSIONER CONYERS: Yes.

22 COMMISSIONER PERALTA: Commissioner
23 Armbruster?

24 COMMISSIONER ARMBRUSTER: Yes.

25 COMMISSIONER PERALTA: Commissioner

1 Toulouse?

2 COMMISSIONER TOULOUSE: Yes.

3 COMMISSIONER PERALTA: Commissioner Pogna?

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER PERALTA: Commissioner

6 Peralta votes "Yes."

7 Commissioner Gipson?

8 VICE CHAIR GIPSON: Yes.

9 COMMISSIONER PERALTA: Madam Chair, that
10 is nine to zero in favor of the motion.

11 VICE CHAIR GIPSON: Thank you very much.

12 MR. FRANK McCULLOCH: Thank you very much.

13 I appreciate it.

14 VICE CHAIR GIPSON: Have a great day.

15 Commissioners before we move on to Item
16 No. 6, I'm going to ask for a short break, okay? Be
17 back by 10:30-ish, 10:35-ish.

18 (Recess taken, 10:22 a.m. to 10:37 a.m.)

19 VICE CHAIR GIPSON: We're missing one
20 Commissioner. So I think we can proceed on, and
21 Commissioner Toulouse will, I'm sure, join us
22 shortly, hopefully. She has a different definition
23 of "ish" than I do.

24 All right. That brings us to Item No. 6,
25 Discussion and Possible Action to Commence

1 Operations for the Following Schools.

2 And we will look at -- and they are prompt
3 and eager and ready -- Six Directions Indigenous
4 School.

5 Good morning. Welcome.

6 Director, do you want to start?

7 MS. POULOS: Madam Chair, Commissioners,
8 in your materials today for Item 6A, you will see
9 that we are first addressing Six Directions
10 Indigenous School.

11 On October 9th, 2016, this Commission
12 notified Six Directions Indigenous School of its
13 decision to approve with conditions the new
14 application for the school.

15 In the letter, the Commission laid out
16 several conditions. The letter and the conditions
17 are provided in your materials.

18 One of those conditions was that the
19 school complete the Planning Year Checklist.
20 Another one was on that checklist, that they address
21 the deficiencies that were identified in the letter.

22 Beginning in November and continuously
23 through May, CSD has met with the two planning year
24 schools. We've done full day-trainings digging into
25 policy requirements, statutory requirements and

1 regulatory requirements. We've also had a few
2 opportunities to bring other representatives from
3 other PED bureaus to those trainings to work
4 directly with the schools to ensure that they were
5 able to meet the requirements of the Planning Year
6 Checklist.

7 Six Directions -- both schools were
8 required to submit materials for evaluation on
9 January 31st, March 31st, and June 1st. CSD
10 provided feedback on those materials. We will fully
11 admit that the time lines for the feedback on the
12 January 31st submissions were not what we would have
13 expected from ourselves or wanted, due to some
14 staffing changes. We reassigned that -- that task
15 to a team member and were able to get that out at
16 the end of April, again, not the time lines that we
17 would have liked, and certainly not the time lines
18 we'll be following in future years.

19 And Six Directions was responsive to that
20 feedback. They submitted revised documents and
21 material and information and worked diligently to
22 address the concerns that were highlighted in CSD's
23 evaluation.

24 On June -- the materials for March 31st,
25 we were able to get feedback to the school on

1 May 13th; and, again, not the time line that we
2 would necessarily like, again, not what we will be
3 doing in future years. But, again, Six Directions
4 was responsive to that feedback, addressed the
5 concerns and provided follow-up material to address
6 those and make corrections for -- on those
7 materials.

8 As far as the June 1st submissions, we've
9 been in contact with those, and we were able to
10 complete an evaluation of those within about a
11 week -- in a week and a half, with the addition of
12 materials coming in up through June 9th from the
13 school.

14 And in response to those materials, we
15 were able to get them the evaluation last Sunday,
16 and the school, again, worked diligently through the
17 week and provided new materials today -- or I
18 apologize -- last night -- and I was able to put
19 those in your binders today.

20 And so you will see at the back of your
21 materials for this school that there is a student
22 handbook, which was inadvertently, I think, due to
23 some technical difficulties, not provided by the
24 June 1st deadline. And then there is evidence of
25 governing board training that was completed.

1 So in many cases, throughout the
2 materials, you'll see that over time, this school
3 has addressed any concerns or any areas for
4 improvement and has mostly been able to complete the
5 Planning Year Checklist.

6 CSD does have some concerns that have been
7 identified in the materials. The first is that as
8 of June 17th -- and I -- or sorry -- June 9th -- and
9 I imagine the school may have more of an update --
10 the school only does have 17 students who have
11 committed to enrollment. That's 34 percent of the
12 school's projected enrollment at this time and will
13 require adjustment to the school's operating plan
14 and budget.

15 I believe our Budget Department has been
16 in communication with the school, and they may be
17 able to address that further.

18 As of June 9th, the school had not hired a
19 licensed head administrator. The school did provide
20 information about a candidate they had identified.
21 We've been in communication with the school about
22 our concerns about that individual and that they may
23 not be eligible for licensure at this time in
24 New Mexico.

25 They have identified an alternate

1 candidate. We did have some questions about that,
2 and I hope today, the school will be able to address
3 the concerns that we had about whether that would be
4 a full-time administrator or not and how they would
5 want to move forward.

6 We note that, because in the application
7 that was part of their staffing plan, and I think an
8 important piece, where they did plan to have one
9 full-time, licensed administrator on staff; and so
10 that would be a change to the staffing plan that we
11 think the Commission may want to be aware of.

12 One item here that we had noted, but,
13 again, has been addressed, was the student
14 discipline policy and handbook. We did receive that
15 last night. We will take a look at that and make
16 sure that we provide the school any feedback on that
17 document, and will do that promptly.

18 The school also provided, last night, a
19 plan to address the needs of ELLs, which had not
20 been previously addressed. And so we'll again take
21 a look at that and provide them feedback in that
22 material.

23 There are a couple of items that still
24 haven't been addressed, as far as I can tell, which
25 is a plan for corrective action, if the proposed

1 school's performance falls short of expectations,
2 kind of what do they proactively have in place to
3 make sure, when that information comes out, it's
4 reviewed and addressed, a description of how the
5 school will use assessment data to inform
6 instruction, as well as a plan for how
7 transportation and food services will be provided.
8 So I hope that the school will be able to address
9 that today.

10 Additionally, we do note that the school
11 will need to make some additional revisions, we
12 believe, to their attendance, distance learning, and
13 grade change policies; but again, the school has
14 been responsive, and I believe they'll continue to
15 be responsive to that feedback.

16 So based on these -- the -- our
17 evaluation, we believe that the school can be
18 adequately prepared to serve students.

19 So at this time, we are recommending that
20 the Commission approve the conditional commencement
21 of operations, noting that the final commencement of
22 operations is conditioned on the last submission
23 deadline, which is two weeks prior. And we actually
24 go out and do a site visit at that time.

25 And so, again, I believe that the school

1 has demonstrated that they will have made
2 adjustments and responded to -- appropriately to the
3 feedback so that they have completed all items on
4 the Planning Year Checklist at that time.

5 VICE CHAIR GIPSON: Thank you. And before
6 we get started, I'm going to make a disclosure that
7 I have been the repository of most of these
8 documents that the two schools -- there have been
9 concerns about whether submissions have been
10 accepted and so on. So they have also copied me
11 on -- with all the documents. My Dropbox thanks you
12 for that.

13 I have not made any judgment on the
14 policies, the procedures, or made any suggestions,
15 because I know I have to vote on these. So I have
16 not asked them or recommended to them to make any
17 changes so that I'm not influencing the outcome in
18 any way. But I do have copies of all of their
19 submissions for both schools, okay?

20 Thank you.

21 And if you would, please introduce
22 yourself for the record.

23 MR. MATTHEW WELK: Yes, good morning. My
24 name is Matthew Welk [ph]. And I am the business
25 manager for Six Directions.

1 MS. NATASHA CUYLEAR: Good morning,
2 Madam Chair, Commissioners. My name is Natasha
3 Cuylear. I'm an attorney with Johnson, Barnhouse &
4 Keegan, and I'm here as legal counsel for
5 Six Directions.

6 MR. TOWERY: Good morning, Madam
7 Chairman -- Chairwoman -- Chairman --

8 VICE CHAIR GIPSON: It doesn't matter.

9 MR. TOWERY: -- and Commissioners. My
10 name is Lane Towery, T-O-W-E-R-Y. I'm one of the
11 cofounders of Six Directions.

12 FROM THE FLOOR: Good morning, members of
13 the Commission, Madam Chair, and Director Poulos.
14 I'm sorry I haven't had a chance to introduce myself
15 to you yet. I am the interim head administrator for
16 Six Directions Schools.

17 VICE CHAIR GIPSON: And your name? We
18 need your name, please.

19 MR. TOM GENNE: Yes, thank you. It's Tom
20 Genne, G-E-N-N-E.

21 MS. NATASHA CUYLEAR: Commissioners, if I
22 may, as a preliminary matter, I'd like to note our
23 objection and have it noted on the record -- and I
24 apologize. I should have done this before.

25 We received a report from Charter School

1 Division. But note our objection to the ordering of
2 Agenda Items 6 and 7. Agenda Item 6 calls for a
3 Discussion and Possible Action to Commence
4 Operations, and Agenda Item 7 calls for a Discussion
5 and Possible Action on Newly Negotiated Performance
6 Contracts and Performance Frameworks.

7 It is unclear to me on how the Commission
8 can take action on commencing operations when a
9 contract hasn't been -- no action has been taken on
10 the school's contract or performance framework. I
11 would recommend that those two agenda items be
12 reversed, because you can't legally commence
13 operations without a contract in place.

14 VICE CHAIR GIPSON: We can't move agenda
15 items, because the agenda has already been voted on.
16 But your objection is so noted.

17 MS. NATASHA CUYLEAR: Okay. Thank you,
18 Commissioner. I appreciate that.

19 MR. LANE TOWERY: Does this one -- is this
20 one working?

21 VICE CHAIR GIPSON: No, only the handheld
22 is, unfortunately.

23 MR. LANE TOWERY: No, that's okay. If it
24 sinks too low, just give me a signal.

25 Thank you all very much for your time

1 today, and thank you to all of the Commissioners for
2 the opportunity to do this work during this planning
3 year. This has really been a wonderful year for me,
4 personally and professionally, and I thank you all
5 for your continued support this year.

6 We started this project two years ago with
7 a shared concern about an indisputable pattern in
8 and around Gallup about divergent schooling
9 experiences and school achievement outcomes, based
10 largely on lines of race, geography, and
11 socioeconomic status, and have spent the better part
12 of two years now in the community engagement
13 planning and design process for Six Directions.

14 It was also true during our community
15 listening, during -- we did over 90 one-on-one
16 meetings with parents and educators in our area.
17 And it was clear that a lot of people -- besides the
18 research data that shows that there are divergent
19 outcomes, that it was also true that many families
20 simply have at best, negative, and at worst,
21 sometimes painful or traumatic experiences with
22 their schooling in the Gallup area.

23 So we set out with the intention of
24 innovating around a school that would be welcoming,
25 affirming, safe, and rigorous for a lot of families

1 who have traditionally felt disenfranchised from
2 schooling systems.

3 So specifically, in response to many
4 stories of -- of low expectations and a curriculum
5 that often feels very distant to students, we've
6 developed a model based on the tenets of Culturally
7 Responsive Teaching and Project Based Learning,
8 especially Place-Based Project Based Learning.

9 In response to myriad stories of students
10 facing consistent suspensions and expulsions and a
11 zero tolerance model in use in our area, as well as
12 stories of parental concerns of bullying, we've
13 designed a school around shared and restorative
14 practices, and restorative justice, specifically, in
15 order to try to keep students in the school --

16 (Reporter requests slower speaking pace.)

17 MR. LANE TOWERY: One signal for my pace
18 and one for the microphone.

19 Restorative practices and restorative
20 justice, in order to both keep students in school
21 and to build strong community and relationships
22 between students and between students and staff.

23 And then the truth is despite not having
24 transportation funding or services currently, we've
25 had an enthusiastic response from families in our

1 area, some of whom have been willing to drive as far
2 as from the Zuni Pueblo or from the Tohlokai/Twin
3 Lakes area north of Gallup to attend Six Directions.

4 We've recently been hosting talking
5 circles with registration nights after our
6 enrollment windows. And I wish you all could be
7 there to experience the talking circles and just the
8 community building and the joy that has been a part
9 of those meetings with families and the excitement
10 for Six Directions to open.

11 I want to give you all a few updates and
12 share some of the things we're really excited about.
13 The thesis of this, for sure, for me, is that we
14 feel very ready. And we feel that we've done --
15 we've done things that we're supposed to do this
16 year in order to prove our readiness. And we're
17 really excited to be able to open this summer.

18 In the few cases -- I know we'll get into
19 a few -- where there are concerns, I think, in large
20 part, we are attempting to do those things as well
21 and as right as we possibly can, despite many
22 challenges.

23 So far, our biggest one right now is as of
24 this week, we have a finalized lease on a space in
25 Gallup, which we're really excited about. And so

1 this will be sharing space in a building that has
2 been Western New Mexico University-Gallup's building
3 for the last 20 years. Has E-Occupancy, has a
4 really low -- "low" being good, in this case --
5 score from PSFA. And so we're really excited to
6 have half of that building for next year. And it's
7 a really perfect setting for us. And we have IT
8 assessments going on and printers and copiers being
9 delivered and all that good stuff to be ready for
10 next year.

11 We continue to have a really great
12 relationship with the NACA Inspired Schools Network,
13 with the National Indian Youth Leadership Project in
14 Gallup, with Western University, a tremendous
15 partner in working through the facilities question,
16 and we're excited about all the support we get from
17 all these of those organizations.

18 In terms of curriculum planning, we have
19 purchased all the curriculum that we will need for
20 our -- the skills-side portions of our day, the ELA,
21 the math and writing portions of our day. My garage
22 is full of boxes.

23 VICE CHAIR GIPSON: No, slow down.

24 MR. LANE TOWERY: Slow down? Okay.

25 VICE CHAIR GIPSON: Cindy's overloading.

1 COMMISSIONER SHEARMAN: This is what the
2 police do.

3 MR. LANE TOWERY: My garage is full of
4 boxes of curriculum materials, currently. So we
5 will have all of our materials ready for day one for
6 students.

7 We are also purchasing -- in the process
8 of purchasing Chromebooks for every one of our
9 students for next year. And then the portions of
10 our curriculum specific to Project Based Learning,
11 which we are designing, are on track with our
12 planning calendar. And we will, next week, be
13 launching our summer curriculum planning institute
14 with a number of educators, and have stipends for
15 them out of our planning year budget to continue
16 that curriculum planning process this summer.

17 Our SpEd plan is on track. We are through
18 ACES, which we have joint powers agreement,
19 contract. We're contracting with a SpEd director,
20 and ancillary service providers through ACES, so
21 that we're prepared for any of the needs that we
22 have at the very beginning of school.

23 In terms of student recruitment, yeah, as
24 was mentioned, we have 17 fully enrolled students.
25 We've had, as of yesterday, 31 students apply to

1 attend Six Directions. There are some who -- I
2 think five out of those, who I know, as of right
3 now, will not choose to come to Six Directions. In
4 most cases, it's based on the lack of
5 transportation.

6 We are continuing to act -- I will say
7 that there are a number of other parents who do have
8 their enrollment packets, and we expect to get them
9 back. So I expect to be in the low 20s this month.
10 Obviously, we continue to actively and urgently
11 recruit students. We'll be out hitting the pavement
12 tomorrow morning, a huge group of us at the flea
13 market and Walmart, as well as other places.

14 We also finally -- this is a great update.
15 It's been a months' long debate with Gallup-McKinley
16 County Schools; but we recently got mailing lists
17 for students who just finished fifth and sixth grade
18 in the City of Gallup so we'll be doing a direct
19 mailing with postcards to all of those families next
20 week.

21 And so I expect, as the summer goes on,
22 that our number will continue to rise. I will say I
23 also believe that it is a tradition in Gallup for
24 most families to register for school on the first
25 day of school. When I was a teacher, the first day

1 of school was we all went to the gym and registered
2 families. So I do anticipate that our number will
3 continue to rise over the course of the summer --
4 thanks, Tom.

5 In regards to -- I want to address some of
6 the things we talked about with Charter School
7 Division, in particular, an update on the food and
8 transportation. Under the -- the statute change
9 last year, you know, first-year charter schools are
10 not being provided transportation funding, which is
11 a pretty big impediment in a place like Gallup. And
12 so we've been working diligently to try to see if
13 there are solutions to that.

14 We're working with the city buses in
15 Gallup, who take a bus to Zuni every day on
16 transporting Zuni students, and making Western
17 New Mexico University a stop on their daily stop so
18 that families can utilize the public transportation
19 services from Zuni to Gallup.

20 And then in terms of within the City of
21 Gallup and north of Gallup, I will say one of your
22 other schools, Uplift Community School, which is
23 just a quarter mile down the street from our site,
24 has been incredibly willing to work together to try
25 to see if we can share buses; because they don't

1 fill up the buses that they use currently.

2 And so that's not final; but we're close
3 to, I think, being able to find a financially
4 feasible way to share some busing with Uplift
5 Community School for next year, which would, I
6 think, be a huge boon to a lot of our families,
7 certainly, and to our enrollment, I hope.

8 Food. Food is a challenge in Gallup; so
9 we're working hard on that, also, through ACES and
10 an organization called Canteen New Mexico, to bring
11 catered lunch to -- and breakfast to our school in
12 Gallup. That's also not finalized; but that is also
13 one of those things that we're working diligently to
14 try to solve, one of the things, when you're opening
15 a school in Gallup which I didn't realize, is just a
16 difficult thing to solve; but we're working hard on
17 that.

18 In terms of -- in terms of the head
19 administrator, which is one thing that's come up,
20 this is one those cases where we're -- we've tried
21 very hard to do what we think is -- to do this right
22 and do it well, to be prepared to have a great
23 principal for Six Directions at the start of the
24 year. We've interviewed a number of candidates,
25 most of them have their head administrator

1 licensure, but have really settled on Carole
2 Gomez-Uentillie as a candidate uniquely qualified.

3 I don't think anyone disputes her
4 qualifications. She's been a teacher of Diné
5 language and culture in Arizona for over ten years
6 at a K-12 level. She has been a professor of Diné
7 language and culture at the University of Arizona
8 and at the University of New Mexico. She has a
9 master's in bilingual and bi-cultural education.
10 She has done her program in educational leadership
11 at the University of Arizona. She's done her
12 internship at a middle school in Phoenix, and she
13 helped lead a charter middle school in Tucson for
14 one year, serving Tohono O'Odham youth, who came in
15 to Tucson from their reservation.

16 She does not have a licensure in
17 New Mexico. She's in Phoenix working to walk her
18 application for her administrative licensure in
19 Arizona through the process in a timely manner so
20 that she can apply for reciprocity in New Mexico.
21 And it seems unlikely that -- well, we can't
22 guarantee the time line of that process, even though
23 we really like Carole.

24 So in response to the concerns about not
25 having a licensed administrator currently, our

1 governing council -- and I have minutes from this
2 week in these packets that I can give to you -- our
3 governing council, on Wednesday night, elected to
4 make an offer to Tom Genne to be our head
5 administrator in the interim, pending his background
6 check, which it's my understanding has to happen
7 before we can sign a contract.

8 So Tom Genne is here to answer questions,
9 as well, about his qualifications as a principal and
10 district administrator for the last 30 years. And
11 so for the interim, it is our decision to have Tom
12 as our head administrator.

13 The special education director, we are
14 contracting with also has a head administrator's
15 license. At this point, I think we have a lot of
16 head administrator licenses surrounding us. For
17 17 students I think we have a really good ratio.

18 So our hope is that that assuages
19 concerns, at least for the short term.

20 We also look to, you know, statute at
21 22-10A-3C, which says that there are 90 days for
22 candidates to show their licensure. I don't know if
23 there is a way to utilize that statute as we move
24 forward with Carole.

25 That's the update on our head

1 administrator. I'm sure Tom and I are available to
2 answer questions should the Commission have them.

3 Then finally, there's the update on the
4 budget. I'm going to allow Natasha here to make a
5 statement about the budget concerns.

6 MS. NATASHA CUYLEAR: Yes, Commissioners.
7 If I may, I want to take some time to address CSD's
8 recommendation that Six Directions submit a budget
9 that reflects the actual number of students enrolled
10 as of June 10th.

11 In terms of student membership and
12 projected enrollment, it is pretty clear under
13 New Mexico law that in the initial year of a charter
14 school, State funds are based upon a projected
15 number of students that the charter school plans to
16 enroll. It is not based on the number of students
17 enrolled as of a date, a June 10th, that the Charter
18 School Division is recommending.

19 Once the school opens and the number of
20 students enrolled -- once that is finalized on the
21 school's 40th day, then the budget is adjusted
22 either up or down to reflect actual numbers. In
23 accordance with this process, Six Directions has
24 based their operating budget on the projected number
25 of program units that was generated by Six

1 Directions and its students.

2 The governing council approved the
3 operating budget in March, and that was -- in May --
4 sorry. Sorry about that. It was approved in May.
5 And then the operating budget was submitted to the
6 Charter School Division at the Budget Department.
7 And at that time, neither the Charter School
8 Division or the Budget Department voiced any concern
9 with the school's projected enrollment numbers.

10 By statute, the Department is obligated to
11 approve the budget on or before July 1st; so this
12 recommendation from the Charter School Division that
13 the school provide a revised budget by July 15th is
14 just simply not allowed by law.

15 Six Directions has submitted their budget,
16 and it is awaiting approval from the Department. By
17 law, the only instance in which the Department can
18 withhold approval of the budget is if the budget
19 fails to demonstrate that parental involvement in
20 the budget process was solicited.

21 By State -- by State statute, the
22 Department can also make corrections and revisions
23 and amendments to the operating budget; but that is
24 for the limited purpose of ensuring that the budget
25 conforms to the requirements of law and the

1 Department's rules and procedures.

2 The school's operating budget, as approved
3 by the governing council in May, does, in fact,
4 conform to all legal requirements, and CSD has not
5 provided any evidence to show that the school's
6 operating budget does not conform to the law.

7 What we're really talking about today in
8 terms of CSD's recommendation is the effect it will
9 have on Six Directions. And that effect is to
10 financially cripple the school during a crucial time
11 in which they are trying to grow and increase their
12 student population. And Six Directions should be
13 given every opportunity to meet its projected
14 membership. And they have plans to do so. And it
15 should be funded by the State in accordance with
16 this objective.

17 To the extent that the Charter School
18 Division is concerned with SEG funding, Six
19 Directions is aware that in the event it receives
20 more SEG funding than it is entitled to, it shall
21 make a refund to the State General Fund. However, I
22 want to be clear this is a process that is
23 controlled by statute, not by recommendations made
24 by the Charter School Division today.

25 I'm not sure if Lane wants to add any

1 other updates.

2 MR. LANE TOWERY: I'll just say this. I
3 think the uncertainty certainly is prohibitive to
4 us. It really influences whether we make offers to
5 folks or not. We're eager to find a solution and a
6 final number, at the very least, so that we can move
7 forward opening our school.

8 And certainly, we would like to have the
9 flexibility to hire the staff that we had intended
10 to hire, knowing, of course, that our final number
11 influences the budget that we will receive.

12 I think that we're handling the budget
13 responsibly. Internally, we have budgets written
14 for 25 students, 35 students, and 50 students. We
15 know exactly what hiring we should do depending on
16 those numbers. We're not hiring past the number
17 we're at at any given time. We're not even trying
18 to hire even past what we would do if we had more
19 than 25 students right now.

20 And so we're trying to treat that -- we
21 know the onus is on us to be responsible with our
22 finances, and we're working closely with our budget
23 analyst and our business manager to do that.

24 I also mentioned that we do -- we can rely
25 next year, just for you all's knowledge, on some

1 extra money, about \$70,000, coming to us through the
2 NACA Inspired Schools Network to support start-up,
3 which we're really excited about. We would prefer
4 not to rely on -- those funds are not continuous
5 over the years. We would prefer not to rely on them
6 for operational budget. That wouldn't be
7 financially responsible to do.

8 For everyone's understanding, we know we
9 can get that money from NISN in the coming year,
10 which we appreciate. With that, I'll say we're very
11 excited to open this year. We're appreciative of
12 your-all's time in being here today.

13 Thank you all very much, and we're happy
14 to entertain any questions.

15 VICE CHAIR GIPSON: Before I open it up, I
16 just want to express my concern over the budget
17 issue, as well, that what I think has apparently
18 happened is unfair to the schools, to just
19 unilaterally change what had been always a budget
20 based on a reasonable projection, and that
21 modification, if necessary, at Day 40.

22 And I think schools have generally been
23 reasonable with their projections, and that you are,
24 as you mentioned, crippling the school in their
25 opening by bringing the budget down to just a number

1 of 17 and without any really due process or fair
2 notice that this was going to happen.

3 So with that said, I'll turn it over to
4 comments, questions.

5 Commissioner Toulouse?

6 COMMISSIONER TOULOUSE: Thank you,
7 Chairwoman.

8 I am impressed with the amount of work
9 you've done and what I know is a difficult situation
10 with trying to deal with all of the different
11 situations in Gallup, deal with two different types
12 of native governments, as well as the bureaucracy in
13 Gallup and all of those things. And I also want to
14 express my concern about the budgeting.

15 But I also want to make a comment that I
16 think it isn't just in Gallup where people wait till
17 the last day to enroll; it's been my experience that
18 all over this state, families tend to wait. Even in
19 the charter schools, we have a lot that don't show
20 up. And that's why I tell people, "If you got on a
21 waiting list, don't worry, stay on the waiting list,
22 keep in touch with the school after the first week
23 or so and see if that space is open."

24 So it seems to me that, again, while -- as
25 a Commission, we can't officially change, because

1 the law does say that the Charter School Division
2 may look at finances. It also doesn't say -- the
3 law says you get it on your projections; so I don't
4 know that we can say that.

5 But I would like to also suggest that you
6 get on the radio and get on the Navajo language
7 radio programs, because if you talk to the
8 grandparents, they are very likely to get their
9 grandchildren in and enrolled.

10 So I just -- I don't really have any
11 questions. I just want to say I am impressed with
12 the amount of work you have done and that I support
13 this school 100 percent, and I think that it will
14 take a year or two to get going, like all of them
15 do; but I think you will get enough students to keep
16 the budget that will get you going. And I look
17 forward to seeing the 40-day enrollment figures.

18 Thank you.

19 MR. LANE TOWERY: Thank you, ma'am. And
20 we are both on Navajo and English-language radio.
21 But thank you very much for that suggestion.

22 VICE CHAIR GIPSON: Commissioners?

23 Commissioner Shearman?

24 COMMISSIONER SHEARMAN: Are you going to
25 have a full time administrator?

1 MR. LANE TOWERY: Our intention, right
2 now, is to do so. With a budget of 17 students,
3 there's some real tension there, if that's what ends
4 up being the budget. But our intention is to have a
5 full-time administrator, who will no doubt serve
6 part of her day, or his day, as a classroom
7 educator. But we intend to -- our open intention is
8 to have a full-time administrator on site.

9 COMMISSIONER SHEARMAN: My concern is,
10 there's a footnote here on our information that says
11 two other schools currently only have part-time
12 instructors -- pardon me -- head administrators, and
13 that you might follow that same model.

14 I'm not aware of any -- either one of
15 these schools having made this Commission aware that
16 they were going to a part-time head administrator.

17 I did look at their applications, as well
18 as yours. And in those application materials, as
19 well as the budgets that were presented to this
20 Commission for approval, everybody has said a
21 full-time administrator.

22 So I would hope that these other schools
23 that have recently been approved, if you do only
24 have a part-time administrator, I think it would be
25 well to come to this Commission and make sure the

1 Commission is aware of that, or work it out in some
2 way. But for your school, I think a full-time
3 administrator, an administrator who is on campus
4 full-time, would certainly more clearly reflect what
5 you said in the application.

6 The other thing I'd like to ask you, on
7 CSD's information here, it says the school needs to
8 revise several policies; specifically, their
9 evaluation has identified deficiencies in three
10 policies. The one I'm interested in hearing about
11 is your distance learning policy. Remind me what
12 your distance education is going to be as a
13 component of your school.

14 MR. LANE TOWERY: Yes. Thank you. First
15 of all, I'd like to say that those three policies, I
16 believe, were all submitted on June 1st. And so we
17 simply haven't seen the feedback or been able to
18 make changes to those policies yet.

19 That said, our distance learning policy
20 will also not take effect for another couple of
21 years, because our students are younger than that at
22 the moment, in sixth and seventh grades. But our
23 intention for distance learning, as we get older, as
24 well as dual enrollment, is to be able to -- to work
25 through both Western New Mexico University and UNM

1 to be able to provide those options to students.

2 COMMISSIONER SHEARMAN: Dual enrollment.

3 Not any of your curriculum being taught through
4 virtual options; but the dual enrollment classes?
5 Those are what you're talking about?

6 MR. LANE TOWERY: Right -- yes, ma'am,
7 that would be my intention right now. Though I
8 think I have -- yes, ma'am.

9 COMMISSIONER SHEARMAN: Okay. Good.

10 The other thing. I realize that currently
11 you have 17 students enrolled. You expect more.

12 Let's say you get all the way up to 25 or
13 30. Can your school really exist with that few
14 students? Can you do everything you want to do with
15 that number of students?

16 MR. LANE TOWERY: Yes, ma'am, I believe
17 so. And I would say the budgets that we've written
18 with our budget manager would say so; not that it's
19 easy or fun necessarily with that number. But
20 between support from the NACA Inspired Schools
21 Network, between careful stewardship of the funds,
22 yeah, I do think it's possible to open as low as 25,
23 absolutely.

24 COMMISSIONER SHEARMAN: And what did the
25 budget that you submitted to the Budget Department

1 have? How many students did you project on that
2 budget?

3 MR. LANE TOWERY: Fifty.

4 COMMISSIONER SHEARMAN: Fifty. So that is
5 going to be quite a difference, probably?

6 MR. TOWERY: Yes, ma'am. And we feel
7 prepared on our end for those numbers, given the
8 work that we've done internally on creating extra
9 budgets. But it is quite a difference, yes, ma'am.

10 COMMISSIONER SHEARMAN: Okay. Thank you.

11 VICE CHAIR GIPSON: Commissioner Carr?

12 COMMISSIONER CARR: I guess Commissioner
13 Shearman's questioning -- is it working? -- brought
14 up a -- I guess an issue that -- on administration.
15 You know, it's law. If you have a school -- the law
16 says if you have a school less than 200 students,
17 you don't have to have a full-time administrator.

18 And even -- like you said, you're so
19 small, just like every roles go in this state, the
20 administrator is going to teach and be the
21 administrator. I'm the administrator of record when
22 my director leaves my school.

23 But it's just a -- and we're right at
24 200 students. And if just -- you know, that's
25 pretty normal. It doesn't make financial sense.

1 It's nice to always have somebody with an
2 administrative license to be there; but as we know
3 also, administrators have so many duties. They're
4 off campus quite often.

5 Over the last ten years, we've had so many
6 requirements of administrators that they can't be
7 there at their school site all the time they'd like
8 to be there.

9 So, you know, that's something I think for
10 us to keep in mind in the future, not just with your
11 school, but all others. And if you guys -- I don't
12 know how it would work, you know, in a school
13 district -- like Taos Schools, for instance, we had
14 an elementary school that had less than
15 200 students, and there would be an administrator
16 over two different schools. That's the way it works
17 in Cimarron.

18 And so it's just something to keep in
19 mind, that that's just the way we have to do things
20 when we have a small school.

21 VICE CHAIR GIPSON: Thank you. I just
22 want -- I just have one question of the director.
23 Do you have any idea of what the general time frame
24 is for the licensure issue that they're -- that
25 they're dealing with in terms of is there a -- is

1 there automatic reciprocity with the license?

2 MS. POULOS: Madam Chair, I do not know
3 the answer to that. I can certainly get that. Our
4 licensure department is processing applications very
5 quickly. And so, in fact, within the same week
6 right now, that may delay a little bit, depending on
7 how many applications we start getting. But at this
8 time, those applications are being processed very
9 quickly.

10 VICE CHAIR GIPSON: Okay. And she's
11 currently getting her license first in Arizona; is
12 that --

13 MR. LANE TOWERY: Correct. So she
14 finished her program and did her internship and all
15 the steps in Arizona, short of actually submitting
16 for her licensure; because three or four years ago
17 she very suddenly moved back to Arizona to care for
18 her son who was ill.

19 So now she's gone back to Arizona to
20 submit for her licensure there, which they say
21 should take four weeks, hopefully, to process, and
22 then submit for reciprocity.

23 I don't believe it's automatic
24 reciprocity. There's four things. Carole has also
25 been up to Santa Fe to talk with the folks in the

1 licensure department here to make sure that she's
2 got everything she needs. Basically, there are four
3 things she'll need to submit: her licensure from
4 another state, proof of a master's degree, proof of
5 having taught for at least six years, proof of
6 having completed an administrative program.

7 We feel that she has all those things. So
8 as long as we have all that paperwork in line, once
9 her Arizona licensure finishes that process, then --
10 then -- so those are the steps for us.

11 VICE CHAIR GIPSON: All right. Thank you.
12 Commissioners?

13 Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: Madam Chair, I
15 have two things. One, I just wanted to add to the
16 discussion on administrators. I've never felt again
17 in all my years in state government, when I was the
18 person in charge, I did whatever needed to get done,
19 as well as my own job. And I don't think if
20 somebody is having to teach a class or fill in as a
21 counselor, that necessarily means they are
22 necessarily not a full-time administrator.

23 So I think we're -- maybe some of this is
24 a definition of, you know, what needs to get done
25 needs to get done, as Commissioner Carr said, in

1 small schools.

2 The other thing I'd like to completely
3 interrupt this, since I see we have the Deputy
4 Secretary who has arrived -- could we introduce him
5 very quickly and then go back to these folks?

6 VICE CHAIR GIPSON: Certainly.

7 COMMISSIONER TOULOUSE: Thank you.

8 DEP. SEC. RUSZKOWSKI: Sure. Good
9 morning, everyone. I had a chance to meet many of
10 you about a month ago. Christopher Ruszkowski,
11 Deputy Secretary of Policy and Program. Good to be
12 here this morning.

13 VICE CHAIR GIPSON: Commissioners, any
14 other questions? Comments? Concerns?

15 I would just like to personally thank you
16 for all the hard work that you've put in to try and
17 make the school a strong school. I have enjoyed all
18 of our conversations and the entire process, and
19 look forward to this moving on.

20 Commissioners, there -- there is a
21 recommendation for a motion. However, if you take a
22 look at the recommendation for commencement of
23 operation with conditions, I would submit to the
24 Commission that the -- the third bullet, by
25 July 15th, the school must submit a budget, there,

1 based on their enrollment of June 10th, I think I've
2 expressed my opinion on that issue; so...

3 COMMISSIONER SHEARMAN: I'd like to make a
4 motion.

5 VICE CHAIR GIPSON: I hear a motion from
6 Commissioner Shearman.

7 COMMISSIONER SHEARMAN: I move that the
8 Public Education Commission approve commencement of
9 operations for Six Directions Indigenous School with
10 the following conditions.

11 And I will read them, even though they are
12 printed in our materials, just so there's no
13 confusion. I also understand that probably some of
14 these conditions have been met; but we'll do this
15 officially.

16 Condition No. 1: By July 1, 2016, the
17 school must demonstrate a licensed head
18 administrator has been hired and begun full-time
19 employment with Six Directions Indigenous School.

20 No. 2: By July 1st, 2016, all governing
21 board members must demonstrate compliance with the
22 requirements for five hours of governing body
23 training. The training hours obtained on or before
24 July 1st, 2016, to comply with the training
25 requirements during the planning year may not be

1 subsequently used to demonstrate compliance with the
2 annual training requirements for fiscal year 2017.

3 No. 3: By July 28th, 2016, two weeks
4 prior to the scheduled date of opening, the school
5 must submit revised policies that address all
6 deficiencies identified in the CSD's analysis.

7 And, No. 4: By July 28, 2016, two weeks
8 prior to the scheduled date of opening, the school
9 must provide protocols, policies, and forms that
10 demonstrate readiness to address the needs of ELLs.

11 VICE CHAIR GIPSON: Thank you.

12 COMMISSIONER TOULOUSE: Second.

13 VICE CHAIR GIPSON: A second by
14 Commissioner Toulouse.

15 Commissioner Peralta, a roll-call vote,
16 please.

17 COMMISSIONER PERALTA: Commissioner Pogna?

18 COMMISSIONER POGNA: Yes.

19 COMMISSIONER PERALTA: Commissioner
20 Toulouse?

21 COMMISSIONER TOULOUSE: Yes.

22 COMMISSIONER PERALTA: Commissioner
23 Armbruster?

24 COMMISSIONER ARMBRUSTER: Yes.

25 COMMISSIONER PERALTA: Commissioner

1 Conyers?

2 COMMISSIONER CONYERS: Yes.

3 COMMISSIONER PERALTA: Commissioner

4 Peralta votes "Yes."

5 Commissioner Shearman?

6 COMMISSIONER SHEARMAN: Yes.

7 COMMISSIONER PERALTA: Commissioner

8 Chavez?

9 COMMISSIONER CHAVEZ: Yes.

10 COMMISSIONER PERALTA: Commissioner Carr?

11 COMMISSIONER CARR: Yes.

12 COMMISSIONER PERALTA: Commissioner

13 Gipson?

14 VICE CHAIR GIPSON: Yes.

15 COMMISSIONER PERALTA: Madam Chair, that
16 is nine to zero in favor of the motion.

17 COMMISSIONER TOULOUSE: Madam Chair, may I
18 ask Director Poulos a question?

19 VICE CHAIR GIPSON: Sure.

20 COMMISSIONER TOULOUSE: Director, I would
21 like to ask, what is the status of the budget that
22 is going forward on this school? Is it meeting the
23 laws and meeting the recommendations?

24 MS. POULOS: Madam Chair, Commissioner
25 Toulouse, Commissioners, the Budget Department is

1 working on the budget matters. It's working with
2 the schools. I know it has communicated with both
3 schools about what it believes to be the projected
4 enrollment that will be funded; but I can't speak
5 much further than that.

6 I was hoping that our Department would be
7 able to be here today; but unfortunately, nobody was
8 able to. So I can follow up and get you additional
9 information.

10 COMMISSIONER TOULOUSE: Madam Chair?

11 Director Poulos, would you please provide
12 us as quickly as you can information on that? Thank
13 you.

14 VICE CHAIR GIPSON: Congratulations.

15 Okay, Commissioners, that brings us to
16 Item 6B, Student Athlete Headquarters Academy, SAHQ.

17 MS. MATTHEWS: Madam Chair, we need to get
18 another chair over here; so --

19 COMMISSIONER SHEARMAN: Patti, remember
20 that microphone doesn't work.

21 MR. VIGIL: You have to use the hand mic.

22 VICE CHAIR GIPSON: Use your teacher
23 voice.

24 Is that box yours?

25 MS. CHARLOTTE RODE: Yes. I'm Charlotte

1 Rode, one of the founders of SAHQ Academy.

2 MR. DARRELL GARCIA: Good morning,
3 Commissioners. My name is Darrell Garcia, the
4 director.

5 MS. PATRICIA MATTHEWS: Good morning. I'm
6 Patricia Matthews. I'm one of the -- I'm the
7 attorney for the school.

8 MR. MICHAEL VIGIL: Good morning,
9 Commissioners. My name is Michael Vigil. I am also
10 one of the founders, and I am the business manager
11 for the school.

12 MR. DAVID BEACH: Good morning. I am
13 David Beach. I am the governing council chair.

14 VICE CHAIR GIPSON: Thank you.
15 Director?

16 MS. POULOS: Madam Chair, Commissioners.

17 MS. PATRICIA MATTHEWS: Excuse me. I'm
18 sorry, Ms. Poulos. I hate to interrupt. I would
19 like our objection on the record before Ms. Poulos
20 is able to present her side or her summary. And I'd
21 like to do that for one particular reason, and I'm
22 sure you are all aware.

23 You have the executive summary in your
24 packet. And for the reason that the Charter Schools
25 Division has recommended that this school not be

1 permitted to commence operation, I would like to
2 point out the particular scenario here is we have a
3 school that doesn't even contractually exist at this
4 time. And I'm concerned that the statements by the
5 Charter Schools Division could somehow negatively
6 impact the vote on the contract.

7 And so we've been put in the unfortunate
8 predicament of having to respond to the negative
9 responses about the planning year and the conditions
10 that allegedly were not met before you have even
11 voted on the contract, which, quite frankly, should
12 have been done in December of 2015.

13 So it is a disadvantage that's being
14 placed on this school. I hope that the outcome
15 would not be that the contract is denied based on
16 anything that is said by Ms. Poulos, because the
17 vote should have been taken first and then a
18 decision on whether or not to commence operations
19 taken secondly.

20 So I disagree with the position of
21 Ms. Poulos that how can you talk about a contract
22 unless you've decided to commence? It's backward.

23 VICE CHAIR GIPSON: Okay. So noted.

24 Thank you.

25 Director?

1 MS. POULOS: Madam Chair, Commissioners, I
2 won't go over the same information that I did. But
3 again on October 9th, this school was also notified
4 of the conditional approval, with clear conditions
5 that included addressing the deficiencies that were
6 identified in the evaluation of the application, as
7 well as completion of the Planning Year Checklist.

8 This school attended all of the same
9 trainings, received the same feedback, and was given
10 many opportunities to communicate with CSD. After
11 each time that we provided feedback, we did reach
12 out by e-mail and by phone, to see if this school
13 had any questions or wanted to discuss any of the
14 matters with us.

15 We will note that the concerns, for the
16 most part, were not addressed, and materials were
17 not revised sufficiently to address the concerns
18 laid out by CSD.

19 As Ms. Matthews has noted, CSD is making
20 the recommendation that this school not be allowed
21 to commence operations. CSD believes it's
22 appropriate at this time to suspend the charter for
23 a year, allow the school an additional year of
24 planning to prepare itself to operate a public
25 charter school.

1 As you'll note in the materials, the
2 school has only 65 students enrolled, as of
3 June 1st, and constitutes only 36 percent of what
4 the school proposed as their projected enrollment.
5 That will, of course, require substantial
6 adjustments to the school's operating plan and
7 budget.

8 The school's program additionally
9 described on the school's website appears to differ
10 substantially from the program that was described in
11 the new application. Specifically, in the new
12 application, it appeared that the program would
13 require students to be on campus every day of the
14 week. In the materials that are on the website, as
15 well as that have been provided to CSD, there are
16 only -- there is the requirement only that students
17 attend class two days a week, which doesn't appear
18 to align with the program that was proposed, which
19 would include daily workouts, daily classroom
20 instruction, and daily sports science -- a daily
21 sports science program.

22 In addition, some language on the school's
23 website appears to indicate that the school plans to
24 operate as a statewide, in some cases, remote
25 learning program, which didn't appear to be proposed

1 in the new application.

2 Additionally, the application described a
3 substantial sports science curriculum with labs.
4 Based on the curriculum materials that CSD has been
5 able to review, CSD was unable to determine if this
6 is still part of the school's curriculum.

7 Another concern that's arisen with regards
8 to the opening of this school at this time is that
9 the school has failed to demonstrate stable
10 governance over the planning year. Three of the --
11 and I believe actually, at this time, it's four of
12 the original five governing board members have
13 resigned, and new members were added at the
14 beginning of May.

15 CSD did receive notice of the resignation
16 of two of those members. We didn't receive
17 resignation notice for the third. And I believe
18 there's been resignation of a fourth; but I may be
19 wrong on that.

20 If -- as of June 8th, we hadn't received
21 the forms for the new governing board members. We
22 did receive those this week. And we've provided
23 that material in your binders today in the Board of
24 Finance application -- or change in governance
25 section of your binders.

1 Of the six current board members, four
2 have not fulfilled the five-hour training
3 requirement for the planning year. And the school
4 has also not provided information to CSD to
5 understand whether those new governing board members
6 possess the same knowledge and skill sets that the
7 original members possessed, which is part of the
8 application, to ensure they have the skills and
9 knowledge to operate a public charter school.

10 In addition to those concerns, the school
11 has not provided sufficient information to
12 demonstrate there are not conflicts of interest in
13 the relationships between three nonprofit
14 organizations that, in some cases, appear to have
15 overlapping either membership or parties that are
16 involved.

17 And those entities are SAHQ Academy, which
18 would be the public charter school; SAHQ Backers,
19 which I believe would be what we know as a
20 foundation for the charter school, which is really
21 those entities that are created to support the
22 facility funding for charter schools; and then SAHQ,
23 which is a gymnasium program that will be operating
24 out of the same building. I believe they'll be
25 offering classes at night. And so it's really

1 unclear how that -- that relationship is going to
2 work.

3 In addition, the school has provided
4 information that raises concerns about its ability
5 to comply with the legally required minimum
6 instructional hours.

7 And CSD also believes that the school has
8 not provided a calendar and schedule that will
9 improve student achievement. Specifically, we've
10 addressed -- or notified the Budget Department of
11 one concern, which is the calendar that's been
12 provided to the Budget Department as part of that
13 budgeting process does not align with the calendar
14 that's been provided on the school's website in the
15 materials provided to CSD. Specifically, the
16 schedule provided for the budget purpose indicates
17 students will attend 6.5 instructional hours a day,
18 five days a week, for 178 days. The school's
19 calendar indicates that students will attend only
20 three days a week, or, in some cases, two days, as
21 noted previously.

22 Then there's additional materials that
23 enrolling students are required to sign that state
24 that students will commit to a minimum number of
25 hours to learning, which is 27.5 hours for a middle

1 school, or three hours for upper grades. Again,
2 that doesn't exactly align with the five days a
3 week, 6.5 instructional hours, provided to Budget.

4 As we've noted, while schools can
5 implement programs that do not require physical,
6 in-class seat time, we do expect that they can
7 provide evidence that they have minimum
8 instructional hours, and that would be to provide
9 some evidence of how we know that that program is
10 being implemented at the school.

11 In addition, the school has not provided
12 CSD with updates that would allow CSD to understand
13 when the school will meet E-Occupancy, NMCI
14 requirements, or the lease requirements, ownership
15 and lease requirements. And that -- the update that
16 was provided was pretty general and didn't provide
17 some clear information that would help us better
18 understand that.

19 As of June 9th, the school had not hired
20 an administrator, as we've seen today. They have
21 addressed that issue. And Mr. Garcia is here with
22 us today; so that's one issue that we can take off
23 the table.

24 The school has also not described an
25 adequate staffing plan that would ensure the school

1 is properly staffed and ready to accept students on
2 the opening date. The school has not developed a
3 mentorship plan or program for new teachers. And
4 that's a statutory requirement with very specific
5 requirements for what those programs should look
6 like.

7 The school has also not demonstrated that
8 it will have an adequate curriculum developed and
9 ready to implement by the beginning of the school
10 year. The curriculum development plan and the
11 updates have provided limited information and have
12 failed to identify responsible parties, as well as
13 success benchmarks, which was part of the
14 requirements of the planning year checklist.

15 The school has not demonstrated readiness
16 to serve all students; specifically, they've failed
17 to provide policies, protocols, and plans to
18 implement RTI and SAT processes, or to adequately
19 serve students with disabilities.

20 In addition -- and some of those are
21 deficiencies that were identified in the new
22 application analysis. And we just pulled those out.
23 We thought those were some of the important ones.

24 But additional deficiencies that have not
25 been addressed include information to demonstrate

1 the school has the capacity to prepare curriculum
2 aligned with the standards, information to
3 demonstrate it has the capacity to identify and
4 implement instructional methods that will improve
5 student achievement, a plan to address the needs of
6 all special population students, a plan for
7 corrective action if the proposed school's
8 performance falls short of expectations, a
9 description of how the governing body will monitor
10 outcomes, or a staffing or recruitment plan to
11 ensure that they are able to hire a skilled and
12 capable administrator.

13 They have, again, hired an administrator.
14 What the plan -- or the application deficiency
15 identified was that that's not just a one-time
16 thing, but, really, how do they hire administrators
17 if there should be the need for a change in
18 administration.

19 The school has also failed to demonstrate
20 that it has developed comprehensive, legally
21 sufficient policies.

22 CSD's evaluation has identified
23 deficiencies in each of the following policies: The
24 IPRA policy, the "conflict of interest" policy, the
25 background check policy; FERPA policy; enrollment

1 and lottery policies; grievance policies; attendance
2 policy; health, wellness, and safety policy;
3 bullying prevention policies; dual credit policies;
4 distance learning policies; credit change policies;
5 staff discipline policies; and student discipline
6 policies.

7 Based on the evaluation that has been
8 summarized and is available in your materials,
9 again, CSD has made the recommendation that at this
10 time, the school not be granted the commencement of
11 operations, but be granted the opportunity to engage
12 in a second planning year.

13 If the school -- if -- I said -- I'm
14 sorry. If the Commission chooses to move forward
15 with a commencement of operations recommendation at
16 this time, or a vote at this time, CSD has
17 recommended some specific conditions that may be
18 imposed as part of that.

19 VICE CHAIR GIPSON: Thank you. And you
20 have introduced yourself, all, now. So --

21 MS. CHARLOTTE RODE: And I'd like to just
22 take a couple of minutes. It's hard not to be
23 defensive; but -- because this is -- we really are
24 very positive about what we have done and what we
25 are doing with our school.

1 And as you can tell, this is our planning
2 year submissions that we have given to the CSD. And
3 I can tell you that yes, in e-mails, in the
4 responses, in two of them, they have asked if we had
5 any questions, to call.

6 That was after we waited four months from
7 our January 31st submission. The last time on
8 January 3rd, which was a Friday, we got a response
9 from them at -- I'm sorry -- June 3rd, at 4:25 p.m.,
10 which said we had on or before Monday, June 6th, to
11 respond.

12 And so at that time, we responded by
13 June 6th. And then were told that we needed to have
14 a telephone conversation with regards to the head
15 administrator and our budget, in order for them to
16 give us a recommendation.

17 I -- we run -- I volunteer. And I'm with
18 kids all day long. So I said there wasn't a time
19 that I knew I was going to be available. She
20 demanded that I give her a time.

21 So I set up a window. I called on
22 Wednesday, and she said that she had not received
23 any information on Darrell's qualifications. That
24 information was submitted on June 1st. And, again,
25 the -- the Licensure Bureau had received it by --

1 by -- via mail on June 3rd, Monday; this was now
2 Wednesday, and they said they still hadn't received
3 it. It only took a few days for Licensure Bureau to
4 approve his 3B license; but they said they hadn't
5 received it.

6 Also, in that conversation, Philip had
7 said that he didn't see the policies that we had
8 provided and that we were -- we were not providing
9 them with the information that they needed. During
10 that conversation, he actually got on the computer
11 and found the policies that I had submitted.

12 This last time, when we -- when we read
13 this recommendation -- which, of course, with all of
14 the work that's gone into it, it -- it doesn't feel
15 so good to get that recommendation. But at the same
16 time, we did as we have done every other time, and
17 we took it point by point by point, and we addressed
18 those deficiencies that -- to our understanding --
19 to the best of our understanding.

20 And sometimes they say, "This isn't
21 sufficient."

22 But we go back and we read the State's
23 documentation, we refer to people who are experts in
24 the field, and we feel as though those things that
25 we are sending them is appropriate.

1 We were not -- as Six Directions has
2 indicated they were able to converse back and forth,
3 since the recommendation, we were given no mechanism
4 to provide them with a response to their
5 recommendation. And we went point by point and
6 addressed every single item that she just read, and
7 that was on our recommendation as a negative.

8 We have that. I put it in the Dropbox. I
9 sent an e-mail to Beverly yesterday, but got an
10 out-of-office e-mail.

11 MS. POULOS: Charlotte?

12 MS. CHARLOTTE RODE: Sure.

13 MS. POULOS: And we -- again, Beverly was
14 out of the office. That was not e-mailed directly
15 to CSD. CSD received it directly from Beverly last
16 night. All of that is in your materials.

17 MS. CHARLOTTE RODE: Thank you for that.
18 I didn't receive any kind of response. I was not
19 given the opportunity to converse with them -- with
20 CSD with regards to that.

21 On another note, I hosted all of the
22 trainings for the training year at our building. I
23 was in the same room with them all day, in every
24 training. Never once did Katie ever approach me and
25 say, "Charlotte, I've got a really big concern about

1 this. Can we sit down and figure this out?"

2 "Charlotte, I really think that you need
3 to change this in order for you to be successful."

4 It was basically a repeat of the
5 application year. We -- our trainings were the same
6 and presented in the same manner as they were during
7 the application year. And there wasn't that
8 back-and-forth partnership of sitting down and
9 saying, "Let's figure this out."

10 This is just one small piece of what we
11 are doing. (Indicates.) Our -- our -- this is --
12 this is our curriculum book. This is one of the
13 curriculum books. We have nine of them. So for her
14 to say that we don't have the capacity to develop a
15 curriculum when we have a very strong group of
16 people working on that, it's insulting.

17 But what they asked for was a plan. They
18 asked for the plan, defining who is responsible,
19 when are you meeting. Those are things that we
20 submitted.

21 So if you all have any questions,
22 regardless -- I want to have a great school. That's
23 why I do this. I don't get paid. I'm a volunteer,
24 have been a volunteer for 32 years in this
25 community, okay? So if -- if you have a

1 recommendation for me to make my school better, I
2 want to hear it.

3 But I don't want to hear, "You're not good
4 enough, so figure it out." That's not what I want
5 to hear. I need to have that positive feedback of
6 saying, "This is deficient, this is how you can
7 change it, this is what you can do," or, "This is
8 what we're looking for."

9 We had a special ed veteran, somebody who
10 has been in the industry forever, helping us to
11 write our materials and our approaches. We then
12 compared that to everything that's on the State's
13 website. We -- we copied hundreds of pages of
14 special ed documentation.

15 And it complied with everything that was
16 in those -- in those -- those policies and
17 procedures that were on the State's website.

18 So if there's something that we're
19 lacking, I would like that to be communicated to us
20 so that we can make those changes.

21 We have addressed every single item that
22 she has spoken of. Anything that you guys have
23 questions of, I brought a lot of it. I could
24 probably provide it to you.

25 If I don't have it here with me -- I'm

1 sorry that Katie doesn't understand blended models.
2 We -- and in our documentation, I stated exactly how
3 our blended model works, much like where
4 Commissioner Carr works.

5 So what I'm going to do is I'm going to
6 go -- I'm going to go -- I'm going to pass this
7 along. But I just want you to know, we worked
8 really hard to comply and to provide detailed
9 information back to them. And -- and I will provide
10 any of that to you, as well.

11 I'm not sure why the tone is the way it
12 is. But we are dedicated and committed to kids here
13 in New Mexico. I went to the LESC meeting the other
14 day. There was a gentleman there that's been there
15 for five months and has a direct connect with the
16 Secretary for support and for -- for added help.

17 I'd like to have a little bit of added
18 help, if it's something that we can do to make this
19 school better. I appreciate your time.

20 MS. PATRICIA MATTHEWS: Madam Chair and
21 members of the Commission, it's very disconcerting,
22 and, certainly, the school doesn't want to come up
23 here in defensive posture. But looking through the
24 materials, you know, we substantially disagree with
25 the recommendations. And in short, you know, if

1 you'd like, I believe -- and thank you, Katie, for
2 putting those materials in the packet; but very
3 quickly put together in an attempt to respond and
4 essentially disagree that the school has not met the
5 conditions that were imposed on it by the letter
6 from Ms. Shearman in December -- or October --
7 approving the school's existence.

8 Certainly, we're all prepared to go
9 through these item by item. I request that we have
10 that opportunity, because Ms. Poulos had the
11 opportunity to lay them on the table.

12 Again, as I stated at the very beginning,
13 I'm very concerned that this is a back-door attempt
14 to get this school denied a second time. It's very
15 problematic, this current situation that this school
16 is sitting in. In addition, because of where we are
17 in the timing of this fiscal year, they have been --
18 they will be denied the opportunity to open this
19 school in a timely manner when this should have been
20 addressed some time ago.

21 But be that as it may, we're going to
22 go -- I would like for the school to have the
23 opportunity to go through each of these points in
24 the Executive Summary and give a response.

25 I would like to point out that this is not

1 Arizona; this is New Mexico, and we do not have the
2 mechanism for this Commission to suspend a school's
3 operation. You can request that the school -- or
4 you can direct the school to take an additional
5 planning year, which I assume has substantially the
6 same effect.

7 But by law, unlike Arizona law, which I'm
8 familiar with, we don't have a suspension in that --
9 in that realm. So -- and on top of that, you
10 haven't approved the contract yet. So I would like
11 to have the opportunity to go through -- obviously,
12 we disagree with substantially all of the points as
13 far as whether or not they have been met.

14 There are some things the school
15 understands, much like Six Directions, that they
16 still need to work on in order to get opened. But
17 if I looked -- when we looked at what was remaining
18 of the Planning Year Checklist issues or the
19 conditions proposed, seven -- or roughly, I believe
20 it was -- I think I counted -- 13 of those have
21 already been complied with. Three of them aren't
22 even due yet, and three of them, I believe, are
23 quite minor issues, but external. The school would
24 be willing to have those as conditions going
25 forward.

1 So before I continue to talk, I would like
2 the Chair to -- we'd like the opportunity to go
3 through each of the points that are in the Executive
4 Summary. And it's not going to take --

5 VICE CHAIR GIPSON: I ask the Commission
6 what their will is at this point in time, that I
7 don't believe the decision is solely up to me.
8 So...

9 COMMISSIONER SHEARMAN: Please say that
10 again, whatever you said?

11 VICE CHAIR GIPSON: I'm sorry. I'm going
12 to ask the Commission what their will is in terms of
13 allowing the school to address each of the
14 individual points. I don't believe it's my sole
15 decision to do that.

16 COMMISSIONER SHEARMAN: I certainly think
17 they need to be offered the opportunity to respond.
18 But I'd also like to note that we're already at
19 noon. I want the school to have plenty of
20 opportunity to -- to say what they need to say. But
21 I would hope that it would be in a manner that would
22 keep time foremost in their minds. That's my
23 personal thought.

24 VICE CHAIR GIPSON: Commissioners? Going
25 once? Going twice?

1 COMMISSIONER CARR: I say no, but --

2 COMMISSIONER SHEARMAN: You're not looking
3 to the left again.

4 VICE CHAIR GIPSON: He was talking. I
5 went left, and I went right. And Commissioner Carr
6 was talking. Okay.

7 COMMISSIONER TOULOUSE: Madam Chair, I
8 would like to say I think the school has an absolute
9 right to respond to the points, because I also have
10 a concern. As I look through their answer, I find a
11 lot of things that say that, "We've done that."

12 I don't know whether it's been done. So I
13 need you to tell me what was done on those things.

14 So I think they have a right to do that.
15 And I think it gives both sides a better legal
16 standing, if anything comes up, for everybody to
17 have had that opportunity.

18 VICE CHAIR GIPSON: Would it be helpful to
19 make this a more timely event if the Commissioners
20 asked their questions so that would hopefully, then,
21 highlight those areas where there appear to be
22 concerns? And then if there's anything else that
23 you feel the absolute need for clarity on, we can do
24 that?

25 COMMISSIONER SHEARMAN: Let's do that.

1 COMMISSIONER CARR: Sure.

2 VICE CHAIR GIPSON: Okay. So

3 Commissioners? Questions?

4 Commissioner Shearman?

5 COMMISSIONER SHEARMAN: There I go. I
6 know there are a lot of issues raised in these
7 documents. My issue is the same one that I talked
8 to you about during the contract negotiation; and
9 that is the blended learning model, that from
10 reading the application, I thought I understood what
11 was being proposed.

12 Yet when we were talking about it, it
13 comes to light that it's not what I thought it was.

14 I'm looking at your application. And on
15 Page 25 of the application, the sentence says, "Our
16 facilities will accommodate the student's need for
17 online access to curriculum, independent study,
18 small group classwork, projects..." blah, blah,
19 blah, so on and so forth. "Our open space, clear
20 sight lines, natural lighting, and open work areas
21 allow staff to maintain visual contact with
22 students, while classrooms allow for teachers to
23 openly discuss materials without creating a
24 distraction."

25 That defined your blended learning model

1 very clearly in my mind. Students were going to be
2 in class with the teacher. The teacher was going to
3 teach whatever they were going to; students then
4 moved to the computers in the classroom or in the
5 building and completed the rest of the work.

6 That's what I read, blended learning.

7 Now I find out that students are only
8 going to be on campus two days a week.

9 MS. CHARLOTTE RODE: That's not true.

10 COMMISSIONER SHEARMAN: Not even that
11 much. And I said to you at that time, and I say it
12 again today, that sounds like an online school to
13 me.

14 So if things have changed from the
15 application to the implementation, then I think we
16 have an online school here that I do not approve,
17 ever.

18 MS. CHARLOTTE RODE: I appreciate --

19 COMMISSIONER SHEARMAN: Let me just say
20 one other thing. You also brought up that there
21 were some other schools that use this same model.
22 If they do, I'm not aware of it. And I wasn't
23 voting to approve that, if I was voting when they
24 were approved.

25 But this is an online school, the way that

1 it's being proposed to us now.

2 MS. CHARLOTTE RODE: I appreciate that
3 thought; but it absolutely is not. And it's -- it's
4 maybe my inability to communicate or the
5 misrepresentations that have been made of the
6 school.

7 COMMISSIONER SHEARMAN: No. You told us
8 the way students were going to be on campus. And I
9 asked you specifically how many hours a week were
10 students going to be on campus, because your -- the
11 hours that were proposed and the days in your
12 application were 30 hours a week for instruction.
13 We came down to, "Is it 23 that students are going
14 to be on campus?"

15 And you said, "No, it's more like 6."

16 MS. CHARLOTTE RODE: No, no, no, no. That
17 was in the queue. That was for kids who were taking
18 dual credit. The kids in the queue were six hours.
19 The ones that are taking dual credit at CNM and UNM
20 are juniors and seniors in high school. They can't
21 just go take dual credit and not come to campus,
22 which a lot of blended schools allow.

23 What we say is that if you're taking dual
24 credit, you have to be on campus at least six hours
25 a week for instructional hours.

1 So the six hours -- it's 23 for the kids.
2 And it's not two days a week; it's three days a
3 week. They have the opportunity to come to school
4 six days a week. So most blended environments are
5 open four days a week. Southwest Secondary,
6 Rio Rancho Cyber, Taos Academy; most of those
7 schools have a four-day school week.

8 We have a five-day school week with added
9 support on Saturday. And so those kids that are --
10 their regular schedule is two-and-a-half days every
11 week. So middle school is there Monday, Wednesday,
12 half a day Friday. High school is there Tuesday,
13 Thursday, half a day Friday. And then we have
14 professional development in the afternoon every
15 Friday.

16 And so the six hours is not -- is just for
17 the juniors and seniors who -- and the only kids who
18 can qualify for that are the kids who have the grade
19 point average and the performance to allow them the
20 freedom to do that.

21 So I apologize for the misinformation; but
22 it absolutely -- we -- we built this school based on
23 understanding that the best blended models have a
24 lot of teacher-student interaction, that the online
25 component is not --

1 COMMISSIONER SHEARMAN: I understand. I
2 really do understand that.

3 MS. CHARLOTTE RODE: Okay.

4 COMMISSIONER SHEARMAN: But I did not vote
5 for a school where students come to school
6 two-and-a-half days. I did not. That is not what I
7 read in your application.

8 MS. CHARLOTTE RODE: Okay.

9 COMMISSIONER SHEARMAN: That is not what I
10 voted for.

11 MS. CHARLOTTE RODE: I apologize.

12 COMMISSIONER SHEARMAN: So my concern is
13 that we've got a school that was not clear how it
14 was going to be run. It was a -- there's a whole
15 different impression in this -- in this application.

16 MS. CHARLOTTE RODE: And I apologize.

17 COMMISSIONER SHEARMAN: And I will let
18 other Commissioners ask their questions. But that's
19 my whole concern right there.

20 VICE CHAIR GIPSON: I would just like to
21 follow up on that idea before I hear from anyone
22 else.

23 I also have a similar concern, because my
24 vote was for a school that had intensive athletic
25 programs. And when a student is only on campus

1 at -- two-and-a-half days out of the week, I don't
2 see the -- the incorporation of the intensive
3 athletic program when they're allowed to be home as
4 much as they could be.

5 So I will open it up for other
6 Commissioners' questions.

7 MS. CHARLOTTE RODE: Chair Gipson --

8 VICE CHAIR GIPSON: That was my part.

9 MS. CHARLOTTE RODE: -- can I address
10 that? Because the academic portion is
11 two-and-a-half days where they have to be there, so
12 long as they're on pace. The athletic component is
13 they come and train so that they can meet with their
14 team and build those relationships five days a week
15 for high-schoolers, four days a week for
16 middle-schoolers.

17 So they are on campus; but they are not
18 required academically to be in the classes if
19 they're doing their coursework at home, just like
20 Taos Academy, Rio Rancho Cyber, and Southwest
21 Secondary. So the relationship is -- and training
22 is there.

23 VICE CHAIR GIPSON: Okay. It's -- that,
24 honestly, for me -- and I think for a number of
25 others -- that's not clear, when -- in this. And I

1 appreciate the fact that you've looked at other
2 schools. But I'm looking at you, and I'm not
3 comparing you, at this point in time, to other
4 schools.

5 So to say it's just like -- I'm looking at
6 you right now. I'm not looking at other schools.
7 So -- and that's not clear from what has been
8 written. And that is not clear so far as to what
9 has been communicated to us, from my perspective.

10 Commissioners? Commissioner Carr?

11 COMMISSIONER CARR: I'll just make some
12 comments, since I've been referred to a few times.
13 The -- I voted no on this school originally because
14 I just didn't think they were ready yet. And I -- I
15 think they need at least another year. I think they
16 need at least another year.

17 And I voted no originally, not because of
18 the timing or the -- their program; their program,
19 through Edge, which is what Taos Academy uses and
20 several other schools use, is -- is the only way
21 they're like Taos Academy. They're not just like
22 Taos Academy. If they were just like Taos Academy,
23 I would have voted yes the first time.

24 But I couldn't vote for my school, anyway;
25 so -- and so just to clarify that, Taos Academy --

1 and I hear about that -- but our students are
2 required to come two days a week, and it's blended.
3 They have face-to-face classwork. They have -- you
4 know, we have all these other programs that we
5 offer. If -- we offer math tutoring on Friday.
6 If -- we offer extra work five days a week, you
7 know.

8 And it just -- it's a very different
9 setup. And I -- you know, I feel like SAHQ could be
10 there. I don't think they're ready yet; but I think
11 they could possibly get to where they want to be.
12 But I didn't think the application -- and for all
13 the things that Katie put forth, as well -- or -- I
14 just don't think they're where they should be even
15 more now.

16 It's -- you know, and it's -- it's nice to
17 compare yourself to schools that have already been
18 successful and are "A" schools over the last seven
19 or eight years; but you --

20 MS. CHARLOTTE RODE: It's a model.

21 COMMISSIONER CARR: And I know you have to
22 have a chance to get there so you can prove
23 yourself. But I just don't think, you know, at this
24 time, that I can vote to -- for you to commence
25 operations right now.

1 And they've been up to our school and
2 visited several times, and they've probably visited
3 other schools, as well. And I know they're working
4 hard. And I have the greatest respect for you and
5 for the -- and for what you're doing and for what
6 you've done in the past. You're a great advocate of
7 kids, and you're a great community member.

8 And so it has nothing to do with you,
9 personally, and it just has to do with me looking at
10 the terms and looking at all aspects of it.

11 So I wish you the best of luck in the
12 future, or no matter how we vote today, because I
13 think you've got a lot of great ideas, and I think
14 you just need more time to fully implement them.

15 VICE CHAIR GIPSON: Commissioners? Any
16 other questions? Comments?

17 Commissioner Peralta?

18 COMMISSIONER PERALTA: I'll just go ahead
19 and follow up on Commissioner Carr. I initially was
20 one who didn't vote for this school. And to this
21 point, I don't see anything that has convinced me
22 otherwise. You know, when I see that there's
23 more -- in my opinion -- there's more emphasis on
24 the athletic piece as opposed to a commitment to the
25 academic piece, that kind of gets me a little

1 worried.

2 There's a lot of shadiness in this whole
3 process with this school and what have you. And so
4 I -- again, I -- if the school wishes to continue
5 with their idea or their philosophy of this whole
6 school, I -- another year, definitely, is something
7 that could probably convince me to vote in favor of
8 it.

9 But at this point, I can't support this.
10 Thank you.

11 VICE CHAIR GIPSON: Okay. Commissioner
12 Toulouse?

13 COMMISSIONER TOULOUSE: Madam Chair, I
14 want to move away from the blended model, because I
15 also understood your students would be online, but
16 at school, as most of the blended ones that I'm
17 aware of, as a non-educator, but parent and
18 grandparent, do.

19 But my issue is directly -- Ms. Rode, are
20 you on the governance council and the foundation
21 board?

22 MS. CHARLOTTE RODE: No, ma'am.

23 COMMISSIONER TOULOUSE: Okay. Absolutely
24 sure of that?

25 MS. CHARLOTTE RODE: Absolutely.

1 COMMISSIONER TOULOUSE: Because that is a
2 conflict of interest.

3 The other issue I have is this huge
4 turnover of your board. And I -- my problem is
5 several years ago, I voted to commence operations
6 for a school that actually hadn't had as much
7 turnover as your school has. And then we had to
8 vote during that first school year to revoke the
9 charter.

10 And I don't want any of us to be in that
11 situation again. And I am concerned when you have a
12 board where almost none of them have now taken the
13 financial training -- and five hours, I can
14 guarantee you, is not enough to really give
15 anybody -- and I think Mr. Vigil sitting here will
16 tell us, too -- does not give you a good grasp of
17 what finances are for education. My concerns have
18 to do with that.

19 They also have to do -- and, again, I
20 don't necessarily need responses. I got the
21 response I wanted to put on the record.

22 But I also know other schools can hire
23 administrators during the school year. You hired
24 one and got rid of him, and now you've hired
25 another. That shows me some instability. And I

1 don't want to give a school -- students -- because
2 this is not about any one of you sitting there.
3 This is about the students that are going to walk in
4 that door and get an education. And I don't want
5 them to have to deal with all of this.

6 I mean, this is not about any person
7 sitting out here in the audience, or Ms. Poulos, or
8 our Deputy Secretary, or any one of us. We're here
9 because of those students.

10 Your volunteer hours? We're all
11 volunteer; let me tell you. I have put in more
12 hours on this Commission than anybody ever told me
13 when my arm was twisted to run that I thought I
14 would ever have to do. We're all in this for the
15 students.

16 I want to make sure when this school
17 opens, whenever it's going to be, it opens as the
18 absolute best learning place it could be for those
19 students who have that interest in athletics, as
20 well.

21 Thank you.

22 MS. PATRICIA MATTHEWS: Madam Chair, may I
23 respond to Ms. Toulouse, please?

24 VICE CHAIR GIPSON: Certainly.

25 MS. PATRICIA MATTHEWS: Okay. I think

1 this is what I feared by you all getting the
2 presentation about their side of their
3 interpretation of what is and hasn't been completed.

4 Your comments, Ms. Toulouse, are
5 well-taken. However, there's a substantial amount
6 of misinformation about the obligation of the
7 governance council in reporting to you. That gives
8 you all the impression that this school hasn't done
9 what it was supposed to do.

10 If you will recall, there is no contract.
11 There is no place in statute that says this school,
12 or any other charter school, is required to notify
13 the Commission of who is on, who is off, their
14 qualifications.

15 Now, I'm not trying to excuse the fact
16 that they had turnover. I believe Ms. Rode could
17 probably describe the circumstances. But it's a lot
18 of work that has been imposed, probably unlike any
19 other charter school year that I've been doing this
20 since 2000. So I've not seen this -- this kind of
21 requirement in a planning year.

22 So maybe these folks just said, "I'm just
23 a volunteer."

24 So -- but let's go back to the other point
25 that you made, which was you had somebody who was

1 hired, and then they resigned, or whatever it was,
2 and now you have another person hired.

3 They can't even hire anybody at this point
4 in time. No one has ever been under contract,
5 because they don't have a budget. That would be a
6 against the -- against State law.

7 So you can't contract for, in a school
8 year, in a contract that you don't have any money
9 for. So that's misinformation.

10 So I just feel like this document is full
11 of a lot of misinformation that has now completely
12 jaded the way this Commission has looked at the
13 school.

14 Now, some of your concerns, I'm sure you
15 feel are legitimate that maybe need to be addressed.
16 I will have to talk with the client.

17 But some of the legal points that are
18 raised in this thing are just absolutely misleading
19 and paint a picture of the school as not being
20 compliant, which I do not believe is fair; and it
21 appears we're not going to be having the opportunity
22 to rebut these statements in this document.

23 And I would, again, request that, because
24 the comments you've requested or solicited have not
25 addressed a number of these.

1 Back -- and the budget is another one of
2 those questions. Although you didn't bring that up,
3 the budget is of concern because of the way the
4 Department has decided to violate the law.

5 COMMISSIONER TOULOUSE: Madam Chair, may I
6 respond to Ms. Matthews?

7 VICE CHAIR GIPSON: Yes.

8 COMMISSIONER TOULOUSE: I was not looking
9 at necessarily the legal points. I was looking at
10 the management side of doing things. And I
11 understand what's asked.

12 I also want to assure you when I get one
13 of anybody's, whether it's from here or any of my
14 previous employments or anything, and I get these
15 reports, I realize that's only half of everything,
16 which is why when I came in here I tried to look
17 through the responses.

18 Six Directions had responses we could
19 follow, except we couldn't -- some of the stuff, we
20 can't always read if it's little. They responded in
21 a way I could deal with. This one, I couldn't
22 figure out the answers to a lot of this. They
23 simply said, "It's been done," or, "We've done
24 this."

25 MS. CHARLOTTE RODE: The appendices were

1 not included.

2 COMMISSIONER TOULOUSE: No, and that's why
3 I had no way of knowing. Because, trust me, I don't
4 go on anybody's recommendations until I know both
5 sides. I learned as a parent before I ever got into
6 management, you never go with the first side of
7 anything you hear, because there's always two sides.
8 And if more people were there, there's more. And
9 the more sides that you get in a discussion, the
10 clearer the picture becomes; because neither side
11 gives you the full picture.

12 And so I am looking to the responses,
13 because I couldn't find some of things I needed, in
14 reading through what we had. And sometimes just
15 putting appendices on isn't helpful when it comes to
16 us. It's almost better to add right into the body
17 of it, for future reference, on what we read, so
18 that it is there for us, rather than -- or having to
19 keep going to an appendices. It's there.

20 So thank you.

21 VICE CHAIR GIPSON: I will add that
22 online, the -- there were a thousand-plus pages that
23 were provided to the Commissioners. It was -- I'll
24 take full blame for the thousand pages not being
25 copied off for each Commissioner to go in the book

1 today. But everyone did receive that information.

2 And you did --

3 COMMISSIONER TOULOUSE: I couldn't

4 download it; so...

5 VICE CHAIR GIPSON: Unfortunately, it's a

6 thousand pages. I just -- I'm -- my Wilderness

7 Alliance membership is -- is biting me at this point

8 in time.

9 Commissioner Pogna?

10 COMMISSIONER POGNA: Madam Chair, I have

11 been a very strong supporter of this school, and I

12 really want it do be very successful. But I think

13 that all concerns have to be resolved for future

14 planning. We can't have these confusions.

15 But I do want it to be successful, and I

16 strongly support it.

17 VICE CHAIR GIPSON: I would like to note

18 for the record that Commissioner Pogna did not use

19 the microphone.

20 COMMISSIONER CARR: And we heard her.

21 COMMISSIONER SHEARMAN: I'm not voting for

22 you.

23 MS. CHARLOTTE RODE: Madam Chair -- and I

24 appreciate everybody wanting to have great schools.

25 And that's exactly what we want, too.

1 But moving forward -- so -- but because
2 there were really no specifics given, and the
3 specifics that Katie has provided, we have addressed
4 every single one of the specifics. Some of them
5 were given for the very first time in the
6 recommendation that we've never even heard of
7 before. Some of the policy issues that we submitted
8 in January were not addressed until this document,
9 which we were not given the opportunity to respond
10 to Katie with this document.

11 So moving forward, are we trying to
12 satisfy Katie Poulos, or are we trying to create an
13 avenue for our school to address specific issues and
14 to show that we have addressed those specific
15 issues? Because all of this documentation has been
16 in direct response to concerns that have been
17 brought up to us.

18 And so if these documentations are not
19 sufficient, who is it that's deciding that it is
20 sufficient or it is not? Because when someone
21 says -- you know, if I have an electrician in my
22 building doing the renovations, and the inspector
23 comes by and says, "This doesn't meet the -- I'm not
24 going to give you the certification for this
25 electrician -- for this electrical work."

1 And he says, "Okay. Well, what do I need
2 to change," and he says, "Go read the book," how is
3 that person supposed to know specifically, in the
4 entire building, what specifically they need to
5 address? Because we have taken every single point
6 that we have gotten from Katie Poulos and addressed
7 them, with documentation, throughout the entire
8 year.

9 So moving forward, and putting us in a
10 position with no start-up money, with all-volunteer
11 labor, to then go forth with another year of
12 application -- because that's what you're doing is
13 that you're putting us through a third year of
14 application -- what is it that we're trying to
15 accomplish in that third year?

16 Because we have documented, point by point
17 by point. And none of you gave me specifics of what
18 exactly you're concerned with, except for our -- our
19 educational plan, which -- which I don't know what
20 else to do but to provide an environment where kids
21 can be there six days a week, all day long; but
22 those kids who are strong and have other avenues for
23 learning have the opportunity to do something
24 different. I don't know what else to do with the
25 educational plan.

1 But as far as an objection is that we're
2 not ready or that we're modeling after these great
3 schools, what specifically can we do to prove to
4 you, besides responding point by point by point,
5 with documentation, that we've applied? I just
6 don't know what -- I'd like to know.

7 VICE CHAIR GIPSON: Commissioners?

8 I'm only -- I'll make one comment. I
9 think the educational plan is a critical component
10 of opening a school. So to diminish it in some way
11 and say, "What else can we do," I have a serious
12 concern about the educational plan. And I've
13 expressed it any number of times. And I think other
14 Commissioners have expressed it, as well.

15 So that's my comment, that I think that's
16 an important component.

17 MS. CHARLOTTE RODE: How would you change
18 it?

19 VICE CHAIR GIPSON: And it's not for a
20 negotiation point at this moment.

21 Are there any other questions?

22 COMMISSIONER CARR: I hate to make another
23 comment; but I'm going to.

24 VICE CHAIR GIPSON: Okay.

25 COMMISSIONER CARR: The -- we -- you know,

1 I know we've had some disagreements on this on the
2 Commission, as well, over the last couple -- or year
3 or so.

4 But we are unpaid, part-time members of
5 the Public Education Commission. We have a
6 full-time staff over here that supports us. If --
7 and it's our job to have oversight.

8 If Ms. Poulos has been wrong in anything
9 she's doing, there will be an appropriate time for
10 hearings and things to be said.

11 We have to rely that -- on this staff that
12 they are doing their job until we find otherwise.
13 And believe me, I'll be the first one -- I won't
14 be -- I mean, I won't be the first one; but I'll be
15 the one that speaks the loudest if I think that
16 she's not doing what she's supposed to be doing. I
17 will say it out loud on the record. That's --
18 that's my reputation, and I will always do that.

19 We cannot get into the weeds on
20 everything. We can't do it, you know. And they
21 have to split up their time and dig deep. And we
22 haven't had anybody do that before. And I've always
23 been concerned, are they doing -- you know, I
24 don't -- I don't think they're digging deep enough.

25 I wanted to -- there was some opposition

1 when I wanted to go with the them on the school site
2 visits so I could see what they're doing; because in
3 the past, I didn't think they were doing their job,
4 unfortunately.

5 And -- and she may be overzealous. And if
6 she is, we'll reign her in, you know. And -- and
7 she's probably not a great diplomat, you know --
8 and -- you know, and that type of thing.

9 But that's -- you know, that's not my
10 purview. She needs to be doing her job. And when
11 she's not doing her job, I think she gets called to
12 task by members of this Commission all the time.
13 And I will, too.

14 But we have to rely on her and her staff.
15 And when -- but when things are brought to our
16 attention, we will look at it. And we have a
17 reputation here, since I've been here anyway,
18 seven-and-a-half years, of giving people a chance to
19 speak their mind and to -- and we hear you out.
20 We're fair.

21 And I -- I don't know a moment when any
22 Commissioner that I've ever worked with here on this
23 Commission hasn't been fair.

24 So, you know, I -- if there is an issue,
25 we're going to look at it. And -- and I don't

1 think -- I don't think anybody's being easy on
2 Katie. And we shouldn't. We should be hard on
3 everybody. That's fine, you know. People are hard
4 on me, too. And that's all right, you know.
5 Because hopefully, that makes me better.

6 But that's kind of my soapbox there. And
7 we want to be as fair as we possibly can. And I
8 believe every -- I think -- I can't speak for
9 everybody; but I believe everybody on this
10 Commission is extremely fair in how they look at
11 everything.

12 And we're not perfect; but we do the best
13 we can. And we don't have any malcontent -- I don't
14 have any malcontent for you and your school. I want
15 you to do -- I hope you have success. It's just my
16 opinion that you need to wait another year.

17 And I'll get off my soapbox. Sorry.

18 VICE CHAIR GIPSON: Director?

19 MS. POULOS: Madam Chair, Commissioners, I
20 did just want to address the reason for CSD's
21 recommendation to suspend the charter. You will
22 note that in NMSA 1978, Section 22-B-87 [verbatim],
23 it does specifically reference suspensions.

24 And our concern is that we have seen in
25 the past, schools have used up a year of their

1 contract as a plan -- an additional planning year,
2 leaving them at the end of their contract with only
3 four, or maybe even three, years of data, which was
4 the purpose of that recommendation; so that if the
5 school, or when the school is granted the
6 commencement of operations, the term of their
7 contract operating gives them five full years. That
8 was the purpose of that recommendation.

9 VICE CHAIR GIPSON: Thanks for that
10 clarity.

11 COMMISSIONER SHEARMAN: I don't think they
12 have a -- I don't think the school has a charter.
13 How can we suspend it if they don't have one?

14 VICE CHAIR GIPSON: If we don't vote to
15 commence operations, do they, for all intents and
16 purposes, not have a charter?

17 MS. POULOS: I think it's a reasonable
18 question. It would be ideal if your counsel was
19 here.

20 Commissioner Peralta?

21 Certainly, I think that -- you know,
22 that's something that's going to need to be
23 considered, you know, again, if -- depending on the
24 vote today, in the future; but I do think it's
25 important that this Commission consider the fact

1 that in the past, schools that have taken that
2 second planning year have been left with a limited
3 amount of data.

4 VICE CHAIR GIPSON: Okay. All right. So
5 noted.

6 Commissioners, any other questions?
7 Comments?

8 I will -- do we want to take a short break
9 to craft a motion?

10 COMMISSIONER TOULOUSE: Madam Chair,
11 weren't we going to allow them to then --

12 VICE CHAIR GIPSON: Highlight any points?
13 I'm sorry. I apologize.

14 MS. MATTHEWS: I think at this point, we
15 know what the Commission's vote is going to be. I
16 want to clarify. And I certainly would love it,
17 Katie, if they could have seven years. I would love
18 that; that would be awesome.

19 But I don't think that's what the law
20 calls for. It says very clearly, you get a six-year
21 term in your first year, and five years after that.
22 I think that would be a great idea. I don't think
23 that's what we have here.

24 My other big concern is the statute says
25 this about charter contracts. It says, "Failure to

1 enter into a charter contract or appeal to the
2 Secretary" -- which we've now been denied the right
3 to appeal in this matter because of the sequencing
4 of -- of the charter contract approval, and that's
5 now all been waived because of the time frame that
6 has occurred here -- but, "Failure to enter into
7 that contract pursuant to this section precludes the
8 chartering authority from chartering the school."

9 So if there's not a contract here, if you
10 don't vote in the next agenda item to grant them a
11 contract, you have then denied them a charter,
12 without the right to appeal, because of the process
13 that's been involved here.

14 So that is why I was so adamant that we
15 have the vote on the contract first, and then we
16 talk about extending the contract -- or giving them
17 another planning year, which is how we've -- we've
18 discussed it in the past. That's how charters have
19 discussed it in the past.

20 So just -- I'm concerned -- I don't want
21 to be doing something -- I appreciate the word
22 "suspension." We can all have the discussion about
23 what that word means.

24 I think, under the statute, suspension of
25 a school has more to do with Board of Finance,

1 mismanagement, et cetera. It has a whole completely
2 different meaning than the concept used in Arizona,
3 which is you can suspend the charter contract from
4 going into effect for two years, which I'd love that
5 if we could; but I want everyone not to be misled
6 about what the law actually provides.

7 So it's, I have to say, kind of critical
8 that they are approved, their contract is approved.
9 And certainly, if you wish to impose another
10 planning year, that's -- that's how it would be
11 termed.

12 COMMISSIONER SHEARMAN: My thought --
13 Madam Chair -- my thought with that is, at this
14 point, there are issues with what the school has
15 proposed, that I voted on, and what I now hear is
16 going to be the school. My thought on another
17 planning year is clarify that. And if you really
18 are coming back to me with a school where students
19 come to class two-and-a-half days a week, I'm not in
20 favor of it. I won't vote for it, ever.

21 So if you're saying that we should vote
22 and approve the contract, then look at commence
23 operations, and if we don't commence operations, but
24 we give them another planning year, that still means
25 at the end of that planning year, they go into

1 operation is what it sounds like to me.

2 I'm not an attorney. That's why I thought
3 we had always done it in the order that we did.

4 But I may be wrong. But whatever it is, I
5 think, in my own mind, I was a big champion for this
6 school. I voted for it. I spoke passionately about
7 the school, about its proposed mission, what it was
8 going to do with athletes, and so on and so forth.

9 But the school that I'm looking at now is
10 not the school I voted for. So I would like the
11 school to take another planning year and come back
12 and tell this Commission who they want to be.

13 That's my thought. And then the
14 Commission can decide, yes or no, they get to open.

15 MS. PATRICIA MATTHEWS: I just want to
16 be -- understand, Commissioner Shearman. So you're
17 suggesting that you would postpone a vote on the
18 contract, as well?

19 COMMISSIONER SHEARMAN: Yes.

20 MS. MATTHEWS: That will essentially deny
21 the charter.

22 COMMISSIONER SHEARMAN: Or we can vote on
23 the contract. If I'm forced to vote on the
24 contract, I can tell you right now, I'll vote "no"
25 on it.

1 MS. MATTHEWS: Then you're denying a
2 charter without giving them due process.

3 COMMISSIONER SHEARMAN: All I'm saying is
4 I don't want to say, yeah, this school can open
5 later with no --

6 MS. PATRICIA MATTHEWS: I believe it would
7 be appropriate -- we're in a predicament. We're in
8 a predicament, because the statutes weren't
9 followed, period; right? It is not the fault of
10 this school.

11 Now, mind you, they could have appealed;
12 but they -- they were handed a piece of paper and
13 required to sign a piece of paper without knowing
14 what they were signing about waiving appeal rights.
15 So that's one.

16 So let's not go there, though, because
17 we've already waived their appeal, because they had
18 30 days from the date that they -- that you imposed
19 the conditions to appeal; however, they signed a
20 piece of paper, because you approved it, believing
21 in good faith that they were going to sit down and
22 then negotiate a contract within the statutory time
23 frames, which are 30 days from the date you approved
24 that charter.

25 That didn't happen. They, in good faith,

1 signed that waiver. And now we're in June, and this
2 situation -- and I understand your concern, and I'm
3 not -- not at all saying that you don't have a
4 viable -- whatever your concerns are, they should be
5 addressed. But I'm trying to figure out, because
6 we've now muddied all of these waters -- we've even
7 lost the right to appeal to the Secretary on the
8 time frame for negotiating the contract.

9 So all of those time frames have been
10 waived through the delays in this process.

11 So how do we get it back on track? I'm
12 trying to walk us back into a place where we could
13 get this back on track, because by denying the
14 contract's approval, as I've just read to you in
15 statute, the contract has been denied; all right?
16 And you've denied the charter, after seven months --
17 actually, more than that -- because you approved
18 them in October.

19 So you're denying them -- what is that --
20 ten months -- someone do the math -- like, eight
21 months -- okay? -- after the fact.

22 COMMISSIONER SHEARMAN: I don't know how
23 to answer it.

24 MS. PATRICIA MATTHEWS: And so can we --
25 can we, with your concern, have some mechanism by

1 which we address your concerns in the planning year;
2 so as a condition in the planning year, that you
3 come back and you have addressed what it is that
4 you're concerned about this blended learning
5 program.

6 And that's why I think Ms. Rode is asking
7 you, "Be specific about what it is you're asking
8 them to clarify, so that they can -- if, in fact,
9 your understanding was that it was a five-year and
10 the rest of the board of -- or the Commission's was
11 it was a five-year -- or a five-day-a-week, you
12 know, full-time, on-site, let the school go back and
13 consider, "Should we make a revamp in our program as
14 we had contemplated it, so we can ensure we've
15 addressed these issues from the -- of the
16 Commission"?

17 So I'm trying to, Ms. Shearman, work
18 through this so that we don't have a big legal mess,
19 frankly, because I'm not even quite sure what this
20 will look like if it's denied.

21 MS. CHARLOTTE RODE: What if we agreed to
22 do that now?

23 VICE CHAIR GIPSON: I want to let the
24 Commission know that I had some minor conversations
25 with -- with Mr. Lange about this, not anticipating

1 what this discussion was going to morph into. So I
2 am not comfortable with certainly telling you that
3 he said this was okay, or this was okay.

4 We did talk about the order on the agenda;
5 I will say that. And there wasn't perceived to be,
6 from his telling me, any concern over the agenda
7 order, but did not -- you know, certainly were not
8 anticipating the depth of this conversation now.

9 So it's -- you know, we're in difficult
10 waters at this point in time, because also
11 understanding that they need some kind of vote,
12 because July 1 is when their monies engage; so that
13 a decision may need to be made now.

14 Commissioner Carr?

15 COMMISSIONER CARR: Madam Chair, I mean,
16 there's a reason we have a vote on whether we
17 commence operations or not. And the reason we go
18 through this process, if things aren't where they
19 should be at this time of the year, every year, then
20 we have a decision to make.

21 I don't see the waters as being muddy at
22 all. I -- I think it's quite clear, we have gone
23 through the procedures, step by step, as we've done
24 for years. And, you know, if it means -- you know,
25 and I think for any school, it would be -- it would

1 mean the charter is gone. They come back.

2 And I'd welcome -- welcome them to come
3 back and reapply next year. And if that's how it
4 goes, then I hope they do; because I think they've
5 got some great ideas, like I said before.

6 And lots of schools have. We've -- we've
7 denied lots of schools and asked them -- said, "Hey,
8 you've got great ideas. Please come back."

9 But I don't think you're there yet. So I
10 don't really see the waters as muddy as -- as they
11 are.

12 I -- I would prefer -- we don't have an
13 attorney here. I'd like to hear from the school.
14 And I don't have an attorney. This is not a -- I
15 mean, this is not a court of law. And I'd like to
16 hear from the people in the school, which I have.

17 And when we don't have a lawyer, I have a
18 serious issue with the school having a lawyer,
19 anyway. And -- and I'm not an expert on the law.
20 None of us are lawyers. And so, you know, it's --
21 when we start talking about the law, I think if I
22 start arguing with a lawyer, then I'm out of my
23 scope.

24 I need legal representation. And I don't
25 have it right now. I'm going with what we've done

1 in the past. I think we've followed our procedures
2 to the law and how they should be. And I would like
3 us to go ahead with a vote.

4 VICE CHAIR GIPSON: Fair enough.
5 Commissioners, any other -- Commissioner Chavez?

6 COMMISSIONER CHAVEZ: Yeah, thank you. I
7 just wanted to say I agree with that. I think we
8 need to move forward with a vote. You know, I read
9 some of the materials last night, have some
10 concerns; and actually, quite frankly, the more the
11 school talks, the more concerned I get. It seems to
12 be -- it seems to me like you all need to figure out
13 what you want and not keep changing.

14 So I -- I -- I'd like for us to move
15 forward and vote, or else we're going to be here all
16 day.

17 VICE CHAIR GIPSON: Commissioners, I'll
18 entertain a motion. And there are --

19 MS. MATTHEWS: Madam Chair, I'm trying to
20 work this through with Ms. Poulos. If there's some
21 way that we have a different reading about whether
22 or not we can suspend -- effectively suspend, or
23 what Katie is trying to explain to me.

24 I like being creative here; so -- because
25 we've not run into this before.

1 VICE CHAIR GIPSON: Okay.

2 MS. MATTHEWS: Can we have a few minutes?

3 VICE CHAIR GIPSON: Yeah. Yeah, we'll
4 take a ten-minute break, and hopefully, we can get
5 this done.

6 (Recess taken, 12:30 p.m. to 12:43 p.m.)

7 VICE CHAIR GIPSON: Okay, Commissioners.
8 We are all back, and I think we are ready for a
9 motion. And if there's no objection, I will make
10 the motion, because I wrote down the little edition.

11 Okay. So I move for the Public Education
12 Commission to suspend the charter for the reasons
13 identified -- of SAHQ Academy, for the reasons
14 identified in the analysis provided by CSD and
15 stated on the record today by the Public Education
16 Commission.

17 I move that the Public Education
18 Commission suspend the SAHQ Academy charter until
19 July 1st, 2017, to allow the school to engage in
20 another planning year to address the identified
21 deficiencies and concerns.

22 Upon a demonstration that the school has
23 sufficiently addressed each of the deficiencies and
24 is prepared to operate a charter school that will
25 improve student achievement, the Commission shall

1 reinstate the school's charter effective July 1st,
2 2017.

3 The parties shall enter into a Certificate
4 of Agreement to extend the deadline for entering
5 into the contract.

6 COMMISSIONER TOULOUSE: Second.

7 VICE CHAIR GIPSON: Second by Commissioner
8 Toulouse.

9 Is there any discussion?

10 COMMISSIONER CHAVEZ: So I have a
11 question. So what does that -- what does that do in
12 terms of their ability to receive funding?

13 VICE CHAIR GIPSON: Their ability to
14 receive funding is -- is suspended. They would have
15 needed the vote for the commencement to operate in
16 order to start receiving money July 1st. So they
17 had no opportunity for funding until July 1st of
18 2017.

19 COMMISSIONER SHEARMAN: And then at that
20 time, they go through another approval process.

21 VICE CHAIR GIPSON: Right. They'll have
22 to do contract negotiations, and they will have to
23 go through this process again.

24 Any other discussion?

25 Okay. Commissioner Peralta, roll-call

1 vote, please?

2 COMMISSIONER PERALTA: Did we have a
3 second?

4 VICE CHAIR GIPSON: Commissioner Toulouse
5 seconded.

6 COMMISSIONER PERALTA: Commissioner
7 Conyers?

8 COMMISSIONER CONYERS: Yes.

9 COMMISSIONER PERALTA: Commissioner
10 Shearman?

11 COMMISSIONER SHEARMAN: Yes.

12 COMMISSIONER PERALTA: Commissioner Pogna?

13 COMMISSIONER POGNA: No.

14 COMMISSIONER PERALTA: Commissioner
15 Toulouse?

16 COMMISSIONER TOULOUSE: Yes.

17 COMMISSIONER PERALTA: Commissioner Carr?

18 COMMISSIONER CARR: No.

19 COMMISSIONER PERALTA: Commissioner
20 Armbruster?

21 COMMISSIONER ARMBRUSTER: Yes.

22 COMMISSIONER PERALTA: Commissioner

23 Chavez?

24 COMMISSIONER CHAVEZ: Yes.

25 COMMISSIONER PERALTA: Commissioner

1 Peralta votes "Yes."

2 Commissioner Gipson?

3 VICE CHAIR GIPSON: Yes.

4 COMMISSIONER PERALTA: Madam Chair, that
5 is seven to two in favor of the motion.

6 VICE CHAIR GIPSON: Thank you very much.

7 Commissioners, I'm going to ask the
8 Commission, at this moment in time, if they would
9 like to move on to Item No. 7, or do you wish to
10 take a short break for lunch?

11 COMMISSIONER SHEARMAN: Madam Chair, I
12 move -- I would like for us to go ahead and handle
13 Item No. 8. I don't think it'll take that long.
14 These folks have waited a long time. And maybe take
15 a lunch break after that?

16 VICE CHAIR GIPSON: Yeah, the Board of
17 Finance vote should be very quick. So I think -- I
18 think that's fair and reasonable. Is everyone --
19 that's a quick fix.

20 So we're moving on right now to Item
21 No. 8, Discussion and Possible Action on Board of
22 Finance Applications. And the first one is A,
23 Cariños de los Niños Charter School.

24 MS. POULOS: Madam Chair, Commissioners,
25 yes, we did receive all the needed materials for the

1 Board of Finance application for Cariños de los
2 Niños, and CSD has provided motion language on the
3 first page to approve that application.

4 VICE CHAIR GIPSON: Good morning.

5 FROM THE FLOOR: Good afternoon,
6 Commissioners. Madam Chair, Commissioners.

7 COMMISSIONER SHEARMAN: Madam Chair, I'm
8 ready to make the motion.

9 VICE CHAIR GIPSON: Okay. Commissioner
10 Shearman?

11 COMMISSIONER SHEARMAN: Commissioners, I
12 would move that we approve the Board of Finance
13 application submitted by Cariños de los Niños
14 Charter School, pursuant to NMAC 6.80.4.16.

15 VICE CHAIR GIPSON: Do I have a second?

16 COMMISSIONER PERALTA: Second.

17 VICE CHAIR GIPSON: Commissioner Peralta
18 seconded.

19 Any discussion?

20 Okay. Commissioner Peralta, roll-call
21 vote, please?

22 COMMISSIONER PERALTA: Commissioner
23 Peralta votes "Yes."

24 Commissioner Pogna?

25 COMMISSIONER POGNA: Yes.

1 COMMISSIONER PERALTA: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER PERALTA: Commissioner Carr?
5 COMMISSIONER CARR: Yes.
6 COMMISSIONER PERALTA: Commissioner
7 Armbruster?
8 COMMISSIONER ARMBRUSTER: Yes.
9 COMMISSIONER PERALTA: Commissioner
10 Conyers?
11 COMMISSIONER CONYERS: Yes.
12 COMMISSIONER PERALTA: Commissioner
13 Shearman?
14 COMMISSIONER SHEARMAN: Yes.
15 COMMISSIONER PERALTA: Commissioner
16 Chavez?
17 COMMISSIONER CHAVEZ: Yes.
18 COMMISSIONER PERALTA: Commissioner
19 Gipson?
20 VICE CHAIR GIPSON: Yes.
21 COMMISSIONER PERALTA: Madam Chair, nine
22 to zero in favor of that notion.
23 VICE CHAIR GIPSON: I appreciate you
24 spending the time here. And good --
25 FROM THE FLOOR: We thank you.

1 VICE CHAIR GIPSON: Director, did you want
2 to say something?

3 MS. POULOS: No, sorry. I thought we were
4 moving on.

5 VICE CHAIR GIPSON: Thank you so much.

6 FROM THE FLOOR: Thank you, Commissioners.
7 Have a wonderful day. Thank you.

8 VICE CHAIR GIPSON: Thank you.

9 MS. POULOS: Madam Chair, now, I'd like to
10 say something.

11 VICE CHAIR GIPSON: Yes.

12 MS. POULOS: Six Directions Indigenous
13 School, I believe, was hoping that you might be
14 willing to do Item 7, so that they can leave also.

15 COMMISSIONER CHAVEZ: Man. Who else --

16 COMMISSIONER SHEARMAN: Oh, I'm sorry. I
17 was looking at the wrong one. I'm sorry. Don't we
18 need to finish 8 while we're here?

19 VICE CHAIR GIPSON: We do. We have to
20 finish 8. That's fair and reasonable.

21 MS. POULOS: Madam Chair, on 8B, which is
22 the --

23 VICE CHAIR GIPSON: Roots and Wings.

24 MS. POULOS: Roots and Wings, they are not
25 here.

1 VICE CHAIR GIPSON: Is there anyone here
2 from Roots and Wings?

3 MS. POULOS: They are not. And they have
4 been able to provide us the materials for almost all
5 of their board members, four of the five. I do
6 think it's important that we go ahead and take care
7 of this. I think we can do a conditional approval,
8 with the condition that they provide the materials,
9 which are just the affidavits for the four --
10 sorry -- for the fifth governing board member.

11 It's important that they have this
12 approved prior to the beginning of the year, so that
13 they can -- can accept those funds. And I think
14 this -- just to take some of the fault, this was
15 something that slipped, I think, everybody's minds,
16 for those schools that were transferring from a
17 district authorizer to a -- to the PEC.

18 And we are going to add this onto an
19 agenda, kind of standard agenda, that had certain
20 items that need to be addressed annually for just
21 90 days after the -- those renewals for schools that
22 transfer authorizers. And so we'll take care of
23 that for the future.

24 VICE CHAIR GIPSON: Okay. So you just
25 need the added conditional on the --

1 MS. POULOS: What -- the affidavits
2 provide the additional --

3 VICE CHAIR GIPSON: -- for providing
4 affidavits.

5 COMMISSIONER SHEARMAN: For all. For all?

6 MS. POULOS: I think that's a great way to
7 say it.

8 VICE CHAIR GIPSON: Commissioners, do we
9 have that?

10 Okay. I will ask for a motion.

11 VICE CHAIR GIPSON: Commissioner Toulouse?

12 COMMISSIONER TOULOUSE: Madam Chair, I
13 move that the PEC approve the Board of Finance
14 application submitted by Roots and Wings Community
15 School, pursuant to NMAC 6.80.4.16, with the
16 condition that we receive the certifications from
17 all their governance council members.

18 COMMISSIONER SHEARMAN: Second.

19 VICE CHAIR GIPSON: Thank you. Second by
20 Commissioner Shearman.

21 Commissioner Peralta, roll-call vote,
22 please?

23 COMMISSIONER PERALTA: Commissioner
24 Chavez?

25 COMMISSIONER CHAVEZ: Yes.

1 COMMISSIONER PERALTA: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER PERALTA: Commissioner Pogna?
5 COMMISSIONER POGNA: Yes.
6 COMMISSIONER PERALTA: Commissioner
7 Shearman?
8 COMMISSIONER SHEARMAN: Yes.
9 COMMISSIONER PERALTA: Commissioner
10 Peralta votes "Yes."
11 Commissioner Conyers?
12 COMMISSIONER CONYERS: Yes.
13 COMMISSIONER PERALTA: Commissioner
14 Ambruster?
15 COMMISSIONER ARMBRUSTER: Yes.
16 COMMISSIONER PERALTA: Commissioner Carr?
17 COMMISSIONER CARR: Yes.
18 COMMISSIONER PERALTA: Commissioner
19 Gipson?
20 VICE CHAIR GIPSON: Yes.
21 COMMISSIONER PERALTA: Madam Chair, that
22 is nine to zero in favor of the motion.
23 VICE CHAIR GIPSON: Okay. We will now
24 move backwards quickly to No. 7. Before we hear
25 from Six Directions, we do need a motion to table

1 the vote for the performance frameworks for SAHQ
2 Academy, because that was on the agenda.

3 COMMISSIONER CARR: So move.

4 COMMISSIONER CHAVEZ: Second.

5 VICE CHAIR GIPSON: Performance framework
6 and contract.

7 COMMISSIONER CARR: Yes.

8 COMMISSIONER SHEARMAN: Okay. Second.

9 VICE CHAIR GIPSON: Commissioner Chavez
10 seconded.

11 COMMISSIONER SHEARMAN: Oh, okay. Then
12 multiple seconds. Do we vote?

13 VICE CHAIR GIPSON: We have to vote roll
14 call?

15 COMMISSIONER SHEARMAN: Yeah.

16 VICE CHAIR GIPSON: All right.

17 Commissioner Peralta, roll-call vote,
18 please?

19 COMMISSIONER PERALTA: This is a roll-call
20 vote to table the performance frameworks and
21 contracts for SAHQ; is that correct?

22 VICE CHAIR GIPSON: Yes.

23 COMMISSIONER PERALTA: Okay. Commissioner
24 Pogna?

25 COMMISSIONER POGNA: Yes.

1 COMMISSIONER PERALTA: Commissioner Carr?
2 COMMISSIONER CARR: Yes.
3 COMMISSIONER PERALTA: Commissioner
4 Toulouse?
5 COMMISSIONER TOULOUSE: Yes.
6 COMMISSIONER PERALTA: Commissioner
7 Chavez?
8 COMMISSIONER CHAVEZ: Yes.
9 COMMISSIONER PERALTA: Commissioner
10 Armbruster?
11 COMMISSIONER ARMBRUSTER: Yes.
12 COMMISSIONER PERALTA: Commissioner
13 Shearman?
14 COMMISSIONER SHEARMAN: Yes.
15 COMMISSIONER PERALTA: Commissioner
16 Conyers?
17 COMMISSIONER CONYERS: Yes.
18 COMMISSIONER PERALTA: Commissioner
19 Peralta votes "Yes."
20 Commissioner Gipson?
21 VICE CHAIR GIPSON: Yes.
22 COMMISSIONER PERALTA: Madam Chair, that
23 is nine to zero to table the motion.
24 VICE CHAIR GIPSON: Okay. And we are now
25 back up to 7A, which is Six Directions Indigenous

1 School.

2 And, Commissioners, you have been provided
3 with the performance frameworks and contract.

4 MR. TOWERY: May I, ma'am? So --

5 VICE CHAIR GIPSON: And that is -- I don't
6 know what that is.

7 MR. LANE TOWERY: I did talk to Ms. Barnes
8 yesterday about this. I'm sorry if this is a
9 surprise. Ms. Barnes said she was talking to you.
10 So Ms. Barnes called me last week and said, "Hey,
11 the PEC changed some of the language to the
12 performance framework. Would you like to redo the
13 performance framework with the change -- the
14 language about whether or not you have to do
15 a..." --

16 VICE CHAIR GIPSON: Considering you've
17 taken the time to --

18 MR. LANE TOWERY: So we passed it this
19 week. I have, for each of you, a copy of the
20 performance framework, signed minutes and resolution
21 for the updated --

22 VICE CHAIR GIPSON: Okay. Thank you.

23 Commissioners, you recall from the last
24 month's meeting, we removed from the contract
25 language the automatic kick-in of an improvement

1 plan with a letter grade of "C." It only kicks in
2 now with "D" and "F." So they worked off of the
3 old -- an old contract. So this is the -- a copy of
4 the new language in the contract.

5 MR. LANE TOWERY: Ms. Barnes populated
6 this with all of the same language from our
7 negotiation. Nothing has changed, other than it's
8 your language.

9 VICE CHAIR GIPSON: Yeah. There's nothing
10 about the negotiations with the performance
11 framework that has been changed from what the
12 subcommittee did. It was just the removal of that
13 one piece.

14 I appreciate the school and the time and
15 the effort that they've -- they've put into getting
16 this together. And I enjoyed the negotiations, as
17 we always do. It's a great opportunity to get a
18 better insight on what the school is about. And, of
19 course, schools -- when they're coming around for a
20 second time, it's a great opportunity to talk about
21 what's been going on.

22 So we look forward to that in the future,
23 to be sitting down again and negotiating new goals.

24 Is there anything that you would like to
25 briefly say?

1 MR. LANE TOWERY: No, I don't think so,
2 ma'am. I think we've had our time together. I
3 think everyone's ready for lunch; so...

4 VICE CHAIR GIPSON: So, Commissioners, if
5 there are no questions, then I will entertain a
6 motion.

7 Commissioner Armbruster?

8 COMMISSIONER ARMBRUSTER: I move that the
9 Public Education Commission approve the contract and
10 performance framework for Six Directions.

11 VICE CHAIR GIPSON: Six Directions
12 Indigenous School.

13 COMMISSIONER ARMBRUSTER: Sorry.
14 Indigenous School.

15 VICE CHAIR GIPSON: For the --

16 COMMISSIONER ARMBRUSTER: For the -- well,
17 it's going to be from 2016 to -- 2021.

18 MR. LANE TOWERY: I believe it's '21.

19 COMMISSIONER ARMBRUSTER: So I did say
20 '21? '16 through '21.

21 Do you have that, Cindy?

22 THE REPORTER: Yes, ma'am.

23 VICE CHAIR GIPSON: Do I hear a second?

24 COMMISSIONER SHEARMAN: I thought -- I
25 second.

1 VICE CHAIR GIPSON: Any discussion?
2 Okay. Commissioner Peralta, roll-call
3 vote, please.
4 COMMISSIONER PERALTA: Commissioner
5 Chavez?
6 COMMISSIONER CHAVEZ: Yes.
7 COMMISSIONER PERALTA: Commissioner Carr?
8 COMMISSIONER CARR: Yes.
9 COMMISSIONER PERALTA: Commissioner
10 Conyers?
11 COMMISSIONER CONYERS: Yes.
12 COMMISSIONER PERALTA: Commissioner Pogna?
13 COMMISSIONER POGNA: Yes.
14 COMMISSIONER PERALTA: Commissioner
15 Toulouse?
16 COMMISSIONER TOULOUSE: Yes.
17 COMMISSIONER PERALTA: Commissioner
18 Ambruster?
19 COMMISSIONER ARMBRUSTER: Yes.
20 COMMISSIONER PERALTA: Commissioner
21 Shearman?
22 COMMISSIONER SHEARMAN: Yes.
23 COMMISSIONER PERALTA: Commissioner
24 Peralta votes "Yes."
25 Commissioner Gipson?

1 VICE CHAIR GIPSON: Yes.

2 COMMISSIONER PERALTA: Madam Chair, nine
3 to zero in favor of that motion.

4 VICE CHAIR GIPSON: Thank you so much.
5 Safe travels home.

6 Okay. That being said, we will now break
7 for lunch. And, Commissioners, a half-hour?

8 COMMISSIONER ARMBRUSTER: A half-hour? We
9 won't be back in a half-hour.

10 VICE CHAIR GIPSON: I'm going to ask you
11 to do your best to be back in a half-hour, because
12 some of us do have four hours to travel. I was
13 hoping to be home by 5:00.

14 (A recess was taken at 12:58 p.m., and
15 reconvened at 1:37 pm., as follows:)

16 VICE CHAIR GIPSON: I call us back into
17 session. And we are -- except someone has dumped a
18 whole bunch papers on top of my -- and I've lost my
19 agenda. I got it.

20 Okay. We are now on to Item No. 9. We
21 have every other one, just --

22 COMMISSIONER SHEARMAN: I'm really trying
23 to get you home.

24 VICE CHAIR GIPSON: Okay. And Item
25 No. 9 -- Item No. 9 is Presentation of High

1 Performing School Data with Discussion of Possible
2 Action on the Definition of High Performing Schools.

3 Is that what the Deputy Secretary was here
4 for?

5 MS. POULOS: No, no.

6 VICE CHAIR GIPSON: Oh, okay. Okay.

7 MS. POULOS: Madam Chair and
8 Commissioners, if you pull the information out from
9 the back pocket, it makes it slightly more readable.
10 This is the data that you requested --
11 slightly. If you look at the version that's in your
12 binders, it's much more unreadable.

13 VICE CHAIR GIPSON: It is; you're right.
14 This is -- this is easier to navigate than what's in
15 the binder.

16 COMMISSIONER TOULOUSE: Madam Chair, does
17 our budget extend to putting magnifying glasses
18 attached by a little hook to the binders?

19 VICE CHAIR GIPSON: There is an app for
20 your phone that is a magnifying glass. It works
21 really well. It uses the camera, and it -- it's a
22 magnifying glass. It works very well.

23 COMMISSIONER TOULOUSE: I just think we
24 ought to have that.

25 VICE CHAIR GIPSON: For all of us that are

1 of a certain age.

2 COMMISSIONER TOULOUSE: Madam Chair, I
3 still think the budget should extend to a physical
4 one attached, so we don't run off with it, that we
5 can use.

6 VICE CHAIR GIPSON: Okay. All right.

7 MS. POULOS: Madam Chair and
8 Commissioners?

9 VICE CHAIR GIPSON: We digress.

10 MS. POULOS: So, again, this is the
11 information you requested with regards to the
12 criteria you requested last month to define a "high
13 performing" charter school.

14 You'll see the very first column simply
15 indicates whether it meets -- a school meets those
16 requirements. We've provided this data for all
17 charter schools in the state, both district charter
18 schools, as well as state charters.

19 The data is sorted; so you first see only
20 the state charters on the first page-and-a-quarter,
21 and then after that it's only the local charters,
22 and identifies the grade levels that are served by
23 that school, the lowest grade and the highest grade
24 level. And then the first column kind of with those
25 colored headings identifies whether they met the

1 definition.

2 You'll note the only charter school in the
3 state that meets the definition is the Albuquerque
4 Institute of Math and Science.

5 Now, there are operational and financial
6 requirements in your definition. This is solely
7 looking at the academic requirements. So we haven't
8 considered any of the others.

9 The first -- then the next group in the
10 kind of marigold color will tell you, based on the
11 criteria of overall letter grade, that was the
12 combination of two A's and a B, which of the schools
13 met that criteria. Based on that criteria alone,
14 there would be 15 schools that would meet the
15 criteria.

16 Those schools are the Albuquerque
17 Institute of Math and Science, Amy Biehl High
18 School, Cottonwood Classical Preparatory Charter
19 School, Estancia Valley Classical Academy, The
20 Masters Program, the New Mexico School for the Arts,
21 the Southwest Aeronautics, Mathematics and Science
22 Academy, the Southwest Secondary Learning Center,
23 Taos Academy Charter School, Academy for Technology
24 and the Classics. Corrales International School,
25 East Mountain High School, Middle College High

1 School, Public Academy for the Performing Arts, and
2 Sidney Gutierrez Middle School.

3 And you'll note I read those, grouping the
4 state charter schools and then the district charter
5 schools together.

6 If you look at the next group, that's
7 looking at the criteria you voted on with regards to
8 the letter grade for the Q3, Quartile 3, growth;
9 that would be student growth. And there, what I --
10 if you want to look at the schools that meet that,
11 that maybe don't meet the other criteria, I have not
12 provided that for you; but what I did note in your
13 materials is which schools are eliminated from your
14 definition, based off of that criteria.

15 And that's nine schools that become
16 eliminated.

17 And I apologize. No schools become
18 eliminated based on the Q3, which is the highest
19 75 percent of students and the amount of growth they
20 make.

21 But then nine schools are eliminated based
22 on the Q1 criteria, which is the lowest 25 percent
23 of students. And those nine schools are Amy Biehl
24 High School, Estancia Valley Classical Academy,
25 Southwest Aeronautics Mathematics and Science

1 Academy, Taos Academy Charter School, Corrales
2 International School, East Mountain Charter School,
3 Middle College High Charter, Public Academy of
4 Performing Arts, and Sidney Gutierrez Middle School.

5 The next indicator is the reading
6 proficiency, which established at 80 percent. And,
7 again, the schools that become eliminated based on
8 that criteria are four schools: Cottonwood
9 Classical Preparatory Charter, Masters Program
10 Charter, Southwest Secondary Learning Center, and
11 Academy for Technology and the Classics.

12 And then the schools that are eliminated
13 based on the math proficiency, those are five
14 schools: Cottonwood Classical, Masters, New Mexico
15 School for the Arts, Southwest Secondary Learning
16 Center, and Academy for Technology and the Classics.

17 Then you'll see, with respect to the
18 graduation -- and that was based on the change in
19 the language during the discussion to an 80 percent
20 cutoff -- that criterion eliminates six schools,
21 based -- those schools are Amy Biehl High School,
22 Estancia Valley Masters Program, Southwest
23 Aeronautics and Science Academy, Academy for
24 Technology and the Classics, and Corrales
25 International Charter.

1 And lastly, the criteria for college and
2 career readiness. And that criteria eliminates -- I
3 have six schools here; but I believe that's actually
4 supposed to be one. That's Academy for Technology
5 and the Classics. I apologize for the typo.

6 And what I did add to that material is
7 just a note for your information, which is we did
8 work closely with the Coalition to create the CSP
9 grant. And I know we -- Chairwoman Gipson, we
10 appreciate your support on the application for that
11 grant.

12 That grant does require the State to a
13 definition of what would be high -- a high quality
14 charter school. We adopted, for the purposes of
15 that grant alone, the definition, which is the
16 Federal Department of Education's definition. And
17 based on -- you know, they kind of laid out the
18 criteria. And we indicated that based on our letter
19 grades, using a three-year average letter grade of A
20 or B, meeting all of the academic goals in the
21 performance framework, and having no significant
22 compliance issues, for the purposes of that grant
23 would be how we would define "high quality charter
24 school," because it was a necessary requirement of
25 the grant application.

1 And based on that definition,
2 approximately 32 charter schools met the definition.
3 There were some challenges with the criteria of
4 either meeting all of their academic goals; because
5 as we know not all the charter schools are under
6 performance frameworks yet, so we didn't have that
7 data for everybody, and then no significant
8 compliance issues. I think we still need to work on
9 the defining and data collection mechanisms for
10 that, in order to be able to really clearly and
11 competently feel like we can report on that data.

12 VICE CHAIR GIPSON: This is a lot to
13 digest.

14 COMMISSIONER SHEARMAN: It's just
15 information.

16 VICE CHAIR GIPSON: I know.

17 All right. Commissioners, any questions?
18 Comments?

19 COMMISSIONER ARMBRUSTER: It's too late to
20 lower the bar. Obviously, this looks, like, not so
21 great; but maybe it's the bar and not anything --

22 VICE CHAIR GIPSON: Yeah. And I think you
23 raise a good point is, is it something that we
24 want -- ideally, it would be something that we
25 would -- we would like a lot of schools to be able

1 to be.

2 But there is a bar that you want to set so
3 that it's -- it should be something that should be
4 somewhat difficult to attain to be classified as
5 high performing. And as I always used to try to
6 assuage students, "There's nothing wrong with a B.
7 You're still above average," you know; but -- any
8 questions? Comments?

9 COMMISSIONER CARR: I -- I think that we
10 don't want to set the bar too high, and we don't
11 want it too low, right? And we don't want it so
12 unreachable that people say, "Oh, well, I'll never
13 get that," either.

14 So -- and -- but I'm very supportive of
15 high standards. But it looks like maybe these are a
16 little bit too high, maybe. I don't know.

17 COMMISSIONER SHEARMAN: I wonder if
18 maybe -- the Commission is going into a really busy
19 time in the next few months. And I wonder if maybe
20 it isn't better just to set this aside for now, get
21 the renewals and the new applications and all of
22 that out of the way, and then possibly put this on a
23 future agenda, maybe a work session or something.

24 But certainly, there's nothing we can do
25 with it today.

1 VICE CHAIR GIPSON: Yeah. We -- I mean,
2 obviously, we won't have a work session in July. I
3 have to look back. I thought we already had
4 something that we wanted to do in August.

5 COMMISSIONER ARMBRUSTER: August is, like,
6 the 31st.

7 VICE CHAIR GIPSON: August, we have two
8 days for -- yeah. So we won't have a work session
9 in August. So maybe --

10 COMMISSIONER CARR: You know, we're going
11 to -- so what? We've only got four schools, which
12 we can easily finish in one day, instead of two
13 days.

14 VICE CHAIR GIPSON: I think
15 geographically, we can't.

16 COMMISSIONER CARR: I'm not talking about
17 the road trip. I'm talking about the voting.

18 VICE CHAIR GIPSON: Right.

19 COMMISSIONER CARR: So we could have a
20 work session that month, or even that morning or
21 afternoon, for that matter, because we don't have
22 that many to vote on.

23 COMMISSIONER SHEARMAN: But there's no
24 rush, you know.

25 VICE CHAIR GIPSON: And I think -- I don't

1 want to have to push four schools through in one
2 day, if there's a need for some, you know, good
3 discussion about those schools.

4 COMMISSIONER CARR: Okay.

5 VICE CHAIR GIPSON: So I would hesitate to
6 put four schools in in one day.

7 COMMISSIONER SHEARMAN: You mean for
8 approval?

9 COMMISSIONER GIPSON: Yeah. Yeah.

10 COMMISSIONER CARR: We voted on, I think,
11 ten before, it seems like.

12 VICE CHAIR GIPSON: I sat through that one
13 December meeting that I thought would never end;
14 but, yeah, I think to make it a quality decision --

15 COMMISSIONER CARR: Sure, that's fine.

16 VICE CHAIR GIPSON: -- it's fair to
17 everyone involved that we have some -- some mind
18 left that we can make a good decision.

19 COMMISSIONER ARMBRUSTER: And I'm thinking
20 that all schools are not on that performance
21 framework, with the MAPs and Discovery and all that.
22 They're not -- all of them are not on that.

23 VICE CHAIR GIPSON: No. They will be
24 after this round of renewals.

25 COMMISSIONER ARMBRUSTER: Right. And I'm

1 thinking that that could be possibly part of a
2 criteria that we use; because you would see, then,
3 if kids actually grew two years instead of just one.

4 Here, you just know they didn't pass the
5 test. And so that would be -- a high performing
6 school would be one who took kids in the bottom
7 quartile and got them up -- you know, if they're
8 reading at second-grade level in fifth grade, and
9 now they're reading two years above that, that's a
10 little -- but we can't do that, because we don't
11 have everyone. I understand that. That's why I was
12 saying.

13 But at the end of this year, it's
14 something else that we could look at, because you
15 would see that growth per individual child, in a
16 sense, per school, that they did that.

17 VICE CHAIR GIPSON: I -- you know --

18 COMMISSIONER SHEARMAN: I think after
19 things settle down, maybe.

20 VICE CHAIR GIPSON: So I'm -- I would
21 propose that we table this discussion until,
22 hopefully, a work session, possibly in October, so
23 that we can take a better look and dig into it a
24 little bit more and maybe see what the Coalition
25 could also provide in terms of any data that they

1 have that would help with the definition.

2 COMMISSIONER CARR: Okay.

3 VICE CHAIR GIPSON: Okay?

4 We are now on to No. 10, Discussion and
5 Possible Action on Charter School Performance
6 Framework Evaluation Time Line and Process.

7 The -- as you recall from the May meeting,
8 there was the improvement plan, which included the
9 collection of the evaluation -- the
10 self-evaluation -- it looks charming -- the
11 self-evaluation of the performance frameworks.

12 And Director Poulos asked to be part of
13 a -- asked for this to be put on the agenda today so
14 that we could have a little bit more in-depth
15 discussion on how that may roll out.

16 So I'll ask her to weigh in at this point
17 in time with what she's looking at in terms of any
18 modifications for a time line or whatever.

19 MS. POULOS: Madam Chair, Commissioners, I
20 think there's -- there's two kind of pieces that CSD
21 is specifically seeking direction for. The first is
22 how that time line works in this current year. So
23 the idea of a self-evaluation is one that I'm not
24 sure I was familiar with, and I'm not sure that our
25 charter schools were familiar with their

1 responsibility to do that. I think it's a new one.

2 And so the time line indicates that must
3 be completed by March. Clearly, for the current
4 school year, that won't work. And so I need to be
5 able to provide schools direction on how we're going
6 to do that for the current school year for another
7 15 days or so; so how and when the Commission
8 expects those self-evaluations to be completed for
9 fiscal year '16. And then it indicates that in
10 June, CSD will report the results on that framework
11 with copies to the schools.

12 Again, we're at the June meeting; and so
13 I'm not sure we can do that in this current year and
14 just want to understand when the expectation would
15 be for the current school year.

16 And so then I think our other time lines,
17 August and September, would need to be adjusted
18 additionally with regards to the improvement plans,
19 and then the PEC's vote on those for charter
20 schools, again, for the FY '16 performance framework
21 year.

22 I think -- so that's one piece of the
23 current-year question.

24 The other piece of that is -- and that's,
25 I think, a bigger question -- is what are the

1 expectations at each stage of that? So I think we
2 potentially have a good tool; the Web EPSS tool will
3 be very workable for that. The schools can have a
4 self-evaluation option within that, and we have
5 already put that into use. And so they can utilize
6 that tool.

7 But I think some of the questions are, do
8 they just provide a rating, or do they have to
9 provide evidence? In which cases do they provide
10 evidence? Is it based on certain ratings? Is it a
11 rating of "exceeds" or is it a rating of "meets"?

12 And then what standards are they to use,
13 because when we get into some of those operational
14 pieces, I think that's where a lot of the discomfort
15 of the past year has come from, because CSD looked
16 at those -- and I apologize that it took me a
17 while -- but I did send you the protocol today that
18 we have used on the site visits and what we've
19 looked at in those staff files, when we look at
20 their calendar, when we look at student files, when
21 we go and observe the program.

22 And so it would -- I think there's going
23 to need to be some more clarity for each of the --
24 especially for each of the operational performance
25 framework indicators, what exactly does that mean

1 for the Commission and what are they looking to have
2 the school report on explicitly; because those are
3 pretty broad. I mean, I think one of them is, does
4 the school comply with all terms of its charter, you
5 know. It's -- it's really broad.

6 And I think without directed, guiding
7 questions, it's hard for anyone to know what to do
8 or how to approach that. And so I think that kind
9 of big picture talks about the schools -- what we
10 need to give the schools clarity on.

11 I think from CSD's point of view, we need
12 a little bit more understanding on what the
13 expectations are for CSD's work. So what -- what
14 should CSD be doing with the school self-evaluation?
15 Do we -- if we should disagree based on information
16 we have or information that we saw at the site
17 visit, how do we deal with that? How should that be
18 reflected? What is -- what is the Commission
19 expecting from CSD in regards to this?

20 And then I think some of those same
21 questions about the improvement plans, if they come
22 in. CSD is certainly here to provide you analysis
23 and information that, as Commissioner Carr
24 indicated, you can't get into all of the weeds, and
25 that's what we are here to do in support of you.

1 And so what are your expectations for
2 that? Should we be evaluating those improvement
3 plans? Should we be looking to make sure they
4 address each of the items that was rated as
5 something that would need an improvement plan? What
6 are the expectations?

7 So quite a few questions, I think, that we
8 have outstanding. And again, I think there's two
9 pieces to address: One is the -- the current year,
10 what are the current expectations that charter
11 schools are waiting for me to give them some
12 guidance on; and then, secondarily, you know, really
13 digging into all of those other pieces.

14 VICE CHAIR GIPSON: Commissioner Shearman?

15 COMMISSIONER SHEARMAN: When we passed
16 this -- and I cannot remember absolutely -- did we
17 make it active for this school year, the '15-'16
18 school year? Or did we say the next school year --

19 VICE CHAIR GIPSON: '16-'17.

20 COMMISSIONER SHEARMAN: -- '16-'17?

21 VICE CHAIR GIPSON: Or it wasn't
22 specified.

23 MS. POULOS: Madam Chair, Commissioner
24 Shearman, Commissioners, it was not specified. And
25 I think that's part of the concern and the

1 confusion.

2 VICE CHAIR GIPSON: Yeah, yeah.

3 COMMISSIONER SHEARMAN: It seems like to
4 me, really, with the number of questions and the
5 number of items that need clarity, we've got to have
6 a work session. I don't think we can deal with this
7 today. I certainly don't think we can do that.

8 But perhaps in our road trip in July,
9 currently, from CSD, we have a draft document for
10 the road show that covers two days.

11 VICE CHAIR GIPSON: Where did you get
12 that?

13 COMMISSIONER CARR: I didn't get that.

14 COMMISSIONER SHEARMAN: I don't know why I
15 got it. Katie, where did I get it? Did you send
16 it?

17 MS. POULOS: Madam Chair and
18 Commissioners, I believe that's in Item -- sorry,
19 let me get to it -- 11.

20 COMMISSIONER CARR: 11.

21 MS. POULOS: And you're going to look
22 for -- there's no dividers.

23 COMMISSIONER SHEARMAN: I really think
24 it's one I printed off, to tell you the truth.

25 COMMISSIONER CARR: No, because mine is in

1 black-and-white.

2 COMMISSIONER ARMBRUSTER: I have one I got
3 somewhere.

4 VICE CHAIR GIPSON: My Item 11 is --

5 MS. POULOS: Madam Chair, Commissioners,
6 it's Item 11C. I apologize. I'm trying to get that
7 last step of putting the page numbers on; and
8 sometimes when I'm a little rushed, we don't get
9 there. We're going to make sure that happens from
10 now on.

11 It's in the middle there. And as
12 Commissioner Shearman indicates, it does -- it's
13 actually a three-day schedule; so Gallup-Albuquerque
14 on the same day, and then Española, and then Raton
15 in the next day.

16 VICE CHAIR GIPSON: Sorry. I don't --

17 COMMISSIONER ARMBRUSTER: This says
18 "2015."

19 MS. POULOS: I apologize; it should be
20 '16.

21 VICE CHAIR GIPSON: Am I the only one that
22 doesn't have it?

23 MS. POULOS: Let me help you.

24 VICE CHAIR GIPSON: I'm looking through
25 Item 11 now.

1 MS. POULOS: It's right here. It's not
2 colored; I apologize.

3 COMMISSIONER SHEARMAN: 18, 19 and 20;
4 right? Is what's on here? So it's three days.
5 Mine is cut off; so I just assumed it was --

6 VICE CHAIR GIPSON: 18 in Gallup. Okay.
7 The 19th, we're in Española. And the 20th -- so we
8 don't have -- we'd need to --

9 (A discussion was held off the record.)

10 VICE CHAIR GIPSON: Commissioners, we're
11 trying to figure out if we can squeeze in a work
12 session during the road trip.

13 COMMISSIONER ARMBRUSTER: Right now, the
14 road trip is three days on this; right? Monday,
15 Tuesday, Wednesday?

16 VICE CHAIR GIPSON: Correct, correct. But
17 this schedule can -- you know, can be altered
18 however we feel that it would best fit that.

19 So we can -- we can start in Gallup, go to
20 Albuquerque, have a special session in -- a work
21 session, not a special session -- a work session in
22 Albuquerque, and then go to Española and Raton. Or
23 we can start in Raton and Española.

24 COMMISSIONER SHEARMAN: But when would we
25 do the hearing for STAT, in Albuquerque?

1 VICE CHAIR GIPSON: Well, we'd be working
2 our way back in towards Albuquerque, if we -- you
3 know.

4 COMMISSIONER CARR: Are you talking about
5 doing Raton and Española the same day?

6 VICE CHAIR GIPSON: No, no.

7 COMMISSIONER CARR: Oh, okay. All right.

8 VICE CHAIR GIPSON: No, I'm just throwing
9 out, you know, directions at will. No, we would not
10 be able to do those in the same day.

11 COMMISSIONER CARR: Okay. Very good.

12 And 8:30 in the morning for Raton in
13 Española, that's kind of --

14 VICE CHAIR GIPSON: Well, I think the
15 assumption is that we're all already there, that
16 we've come in the night before. No one's driving in
17 the day of to go to these; so that we -- we have
18 usually started them early in the morning,
19 especially 'cause we often do one in the morning and
20 one in the afternoon, so that the -- the expectation
21 is that we're already there --

22 COMMISSIONER CARR: Okay.

23 VICE CHAIR GIPSON: -- bright-eyed and
24 bushy-tailed.

25 So we could do Gallup and Albuquerque, and

1 then do a work session on Tuesday morning.

2 COMMISSIONER SHEARMAN: Okay.

3 VICE CHAIR GIPSON: And people could then
4 travel to Española Tuesday afternoon. And we could
5 do Española, then, on Wednesday and Raton on
6 Thursday.

7 Does that sound reasonable? And I ask the
8 Coalition if you would be willing to participate in
9 the work session that -- what I did say? Tuesday?

10 COMMISSIONER SHEARMAN: Yes.

11 VICE CHAIR GIPSON: Tuesday, which is
12 July 19th, so we can dig through the improvement
13 plan and the --

14 MS. ROSKOM: Yeah, we have that whole week
15 open.

16 MS. CALLAHAN: Madam Chair, we'd be happy
17 to do that. We just need a time. We're planning on
18 being at the hearings, as well. So we're following
19 you wherever you go.

20 VICE CHAIR GIPSON: Oh, okay.

21 MS. CALLAHAN: So -- so we'll -- so we'll
22 be there. And so just to clarify, Tuesday, it's
23 going to be in Albuquerque, and then Tuesday
24 afternoon would be the work session?

25 VICE CHAIR GIPSON: No. Monday is going

1 to be in Albuquerque. We're still -- we're going to
2 be in Gallup, Monday morning; Albuquerque, Monday
3 afternoon. We'll do the work session Tuesday
4 morning, and then we'll travel Tuesday afternoon to
5 Española. We'll do Española on Wednesday, the 20th,
6 and then we'll do Raton on Thursday, the 21st.

7 COMMISSIONER SHEARMAN: So when are we
8 going to drive to --

9 VICE CHAIR GIPSON: When will we drive to
10 where?

11 COMMISSIONER SHEARMAN: When will we drive
12 to Raton?

13 COMMISSIONER ARMBRUSTER: Wednesday.

14 VICE CHAIR GIPSON: We would drive to
15 Raton Tuesday -- Wednesday afternoon, and then we're
16 going -- and then we hear Raton on Thursday.

17 COMMISSIONER ARMBRUSTER: How far is it
18 from Española to Raton? Like, four hours?

19 COMMISSIONER CARR: Let's see. About --
20 no.

21 VICE CHAIR GIPSON: Depends on who's
22 driving.

23 COMMISSIONER CARR: Three hours would be
24 more like it, about three hours, going the speed
25 limit.

1 COMMISSIONER ARMBRUSTER: Oh. Well,
2 two-and-a-half.

3 COMMISSIONER TOULOUSE: Madam Chair, then
4 I'm assuming we don't get lunch on Monday. If we do
5 an 8:30 in Gallup, we're through at 10:30, which
6 means if we're lucky, we're out of there at 11:00.
7 There's road construction along that road, and it's
8 tourist season. And I'm not going to arrange you a
9 meeting room; it's not my problem.

10 Last year, I got us a meeting space; I'm
11 not doing it again.

12 And to start at 1:30? That's putting it
13 awfully close to get from Gallup to Albuquerque and
14 get any food. And I don't think any of us want to
15 go in without eating, because we get kind of crabby
16 if not -- like me, low blood sugar, so -- we either
17 need to shift that time till, say, 2:00 or 2:30. I
18 would prefer 2:30, at a minimum.

19 VICE CHAIR GIPSON: We're talking about
20 when we can do a work session, try to fit in a work
21 session. I know we've kind of gone off the agenda
22 here.

23 Okay. Commissioners?

24 COMMISSIONER SHEARMAN: Yes, sir -- ma'am.

25 VICE CHAIR GIPSON: I think we need to

1 actually put this discussion off until we talk about
2 the calendar --

3 COMMISSIONER CARR: Okay.

4 VICE CHAIR GIPSON: -- which is later,
5 because we started to dig into this without -- you
6 know, so -- I think it's -- I think we can at least
7 sufficiently say that we will -- we are going to
8 postpone the discussion on the improvement plan and
9 the performance framework analysis until our work
10 session to be scheduled on -- during our July --

11 COMMISSIONER TOULOUSE: At a later date.

12 VICE CHAIR GIPSON: At a later date. And
13 we'll get to that in a moment, okay?

14 COMMISSIONER ARMBRUSTER: Madam Chair?

15 VICE CHAIR GIPSON: Yes.

16 COMMISSIONER ARMBRUSTER: Katie?

17 Whomever? So we have four schools? Or maybe
18 there's more than four on this --

19 MS. POULOS: Madam Chair, Commissioner
20 Ambruster, Commissioners, there -- we only received
21 four submissions during the new application process.
22 And so that is the max number that there would be is
23 those four.

24 COMMISSIONER ARMBRUSTER: Okay.

25 VICE CHAIR GIPSON: Okay. We're now on to

1 No. 11, Report from Options for Parents and the
2 Charter School Division.

3 MS. POULOS: Madam Chair, Commissioners,
4 the first item, as we've been presenting for the
5 past several months, is the Schools of Concern.
6 We've created that document that tracks any schools
7 that you've asked for information to be kept on.
8 And if you don't have any questions, that's as
9 up-to-date as we have.

10 The next is School Governance Changes. We
11 had received governance changes from the Student
12 Athlete Head Quarters Academy, which was a
13 planning-year school, Southwest Aeronautics,
14 Mathematics, and Sciences Academy, and Taos
15 International School.

16 So we can take those one-by-one. As you
17 recall, the policy was approved in February in an
18 attempt to ensure we're getting up-to-date and
19 accurate membership information for our governing
20 boards. And what you have been doing is using this
21 as an informational item.

22 One item that you may want to note is for
23 the Southwest Aeronautics Academy -- and I know
24 Mr. Hartom is here today -- is that that school,
25 you'll see at the -- kind of back of the materials

1 for that school, they have requested an extension
2 for filling the positions of two of those board
3 members; so your contract requires that they fill
4 vacancies within 45 days of the vacancy on their
5 governing board.

6 They did not timely request an extension
7 for one of those, and we have indicated that to
8 them. They are aware of that. They did request an
9 extension for the other vacancy, which was timely.

10 And so we are working with them to ensure
11 that they timely fill the positions, but have
12 indicated that if by the -- two weeks prior to the
13 next PEC meeting, they don't demonstrate that they
14 have filled at least that first vacancy, that this
15 may end up being a compliance matter.

16 VICE CHAIR GIPSON: Thank you. So now
17 we're to letter "C," which is the schedule for the
18 Community Input hearings.

19 COMMISSIONER CARR: Oh.

20 VICE CHAIR GIPSON: So here we are again.
21 So let's go through this one more time. And,
22 Commissioners, it came to my addled mind that we did
23 indicate earlier in this meeting -- correct me if
24 I'm wrong -- that we would hold a regular meeting so
25 that an amendment request would be -- for the length

1 of school year would be able to be heard in a timely
2 fashion.

3 So I think we need to relook at this
4 schedule and accommodate our, I think, assurances to
5 that school that we would be available for that.

6 So we need to not only -- we need to
7 either schedule a work session and a regular
8 session, or just a regular meeting in July.

9 COMMISSIONER CARR: I have an idea.

10 VICE CHAIR GIPSON: Thank you.
11 Commissioner Carr?

12 COMMISSIONER CARR: So I just -- I mean,
13 the school in question is from Taos.

14 VICE CHAIR GIPSON: Okay.

15 COMMISSIONER CARR: And I won't get into
16 that. But the -- if we kept the schedule the way it
17 is all the way up through Española, and, on
18 July 20th, had our meeting in Taos, then we would be
19 that much closer to Raton. And then -- and then the
20 next day, like, on the -- so on Wednesday, have the
21 meeting in Taos; then on Thursday, have the hearing
22 in Raton. And that takes us closer in that
23 direction.

24 That just -- that's a thought that I had,
25 since the school that we're -- we're dealing -- one

1 of the reasons we're having the meeting is that.
2 And we could have the work session and the meeting
3 in Taos.

4 COMMISSIONER PERALTA: And you'll find us
5 a place.

6 COMMISSIONER CARR: Well, you could come
7 to Taos Academy, real easy. That's easy. Yeah.

8 VICE CHAIR GIPSON: So let's go through
9 this, so we're clear.

10 We are looking at Monday, July 18th, to be
11 in Gallup at 8:30 a.m.; Monday afternoon, July 18th,
12 we will be in Albuquerque. And it is the
13 recommendation to change that time till 2:30, which
14 would then give --

15 COMMISSIONER TOULOUSE: At least 2:00.

16 VICE CHAIR GIPSON: Well, that's only an
17 extra half-hour.

18 COMMISSIONER SHEARMAN: We have done
19 Gallup to Albuquerque before.

20 COMMISSIONER ARMBRUSTER: Didn't we do it
21 last year?

22 VICE CHAIR GIPSON: No. We stopped in San
23 Miguel and had the hearing in -- we went from Gallup
24 to San Miguel; and when we drove into Albuquerque.
25 We didn't have anything left that afternoon.

1 COMMISSIONER SHEARMAN: But the year
2 before, we did Gallup to Albuquerque. But I -- we
3 may not have had road construction and all of that
4 to deal with. I don't know. But I wouldn't think
5 any later than 2:00.

6 VICE CHAIR GIPSON: 2:00? Okay.

7 COMMISSIONER SHEARMAN: But that's going
8 to make us late in the day, and we're going to
9 already be tired.

10 VICE CHAIR GIPSON: Okay. So we will meet
11 with the STAT charter school applicant on Monday,
12 July 18th, in Albuquerque, starting at 2:00 p.m.

13 And then on Wednesday, July 19th --

14 COMMISSIONER ARMBRUSTER: How about
15 Tuesday?

16 VICE CHAIR GIPSON: Oh, sorry. So
17 Tuesday, July 19th, we are in Española at --

18 COMMISSIONER SHEARMAN: So we will drive
19 from Albuquerque to Española the evening before,
20 Monday evening.

21 COMMISSIONER TOULOUSE: And drive to Taos.

22 COMMISSIONER SHEARMAN: So 8:30.

23 COMMISSIONER CARR: That's about an
24 hour-and-a-half drive.

25 VICE CHAIR GIPSON: Or, if it's your

1 pleasure, because we don't have anything Tuesday
2 afternoon -- correct? -- you could drive in Tuesday
3 morning to Española; because we won't finish with
4 Albuquerque until probably fairly late.

5 Would it be your -- I think it might be
6 best to drive into Española Wednesday morning.

7 COMMISSIONER CARR: And make it later?

8 VICE CHAIR GIPSON: And make it in the
9 afternoon, or at least later -- I would say
10 afternoon.

11 COMMISSIONER CARR: Oh, yeah. Afternoon,
12 yeah.

13 COMMISSIONER SHEARMAN: How far is it from
14 Española to Taos?

15 COMMISSIONER CARR: About 40 minutes.

16 COMMISSIONER SHEARMAN: If we choose to
17 have the meeting in Taos, it's not a long drive.

18 VICE CHAIR GIPSON: So what are you
19 thinking for Española? Española, I think 1:00 would
20 be sufficient. Start in the afternoon? Unless you
21 want to do an 11:00 to 1:00, and bridge -- you know,
22 I don't want you to get cranky on me and want lunch
23 in the middle of --

24 COMMISSIONER TOULOUSE: Let's just do
25 1:00.

1 VICE CHAIR GIPSON: So -- okay. Española
2 is at 1:00 p.m.

3 COMMISSIONER PERALTA: Tuesday.

4 VICE CHAIR GIPSON: Tuesday. And then
5 Wednesday, we will be in Taos Tuesday morning for a
6 work session. And Tuesday afternoon -- Wednesday --
7 Wednesday -- I'm sorry, I keep looking at this and
8 seeing Tuesday.

9 COMMISSIONER SHEARMAN: I would rather --
10 just thinking logistically, I'd almost rather have
11 the meeting first and have the work session right
12 after that. And then we could go as long as we
13 wanted to.

14 VICE CHAIR GIPSON: So Wednesday morning,
15 which is July 20th, we will be in Taos for a regular
16 meeting and then a work session to commence
17 afterwards.

18 COMMISSIONER SHEARMAN: And what time do
19 we want to start?

20 VICE CHAIR GIPSON: I guess for the
21 school, it's fair to do 9:00. And that leaves us at
22 Thursday, July 20th, [verbatim] in Raton. And are
23 we good with -- people should be able to
24 adequately -- is it good for an 8:30 start?

25 COMMISSIONER CARR: About a two-hour trip

1 from Taos to Raton.

2 VICE CHAIR GIPSON: So hopefully, people
3 will be able to leave the work session and then be
4 there already in the morning so that at 8:30 --
5 we'll stick with 8:30?

6 COMMISSIONER CARR: Yeah.

7 COMMISSIONER ARMBRUSTER: We don't know
8 exactly where in each of these places, other than
9 Taos, we will be.

10 COMMISSIONER CARR: Raton, probably the
11 school board meeting place would probably be --

12 COMMISSIONER SHEARMAN: Generally, CSD
13 sets that up.

14 MS. POULOS: Madam Chair, Commissioners,
15 Commissioner Carr, Commissioner Shearman, yes,
16 CSD -- yes, we've been waiting for these dates, and
17 now my staff member will make sure.

18 COMMISSIONER SHEARMAN: You usually give
19 us a list of hotels, as well.

20 MS. POULOS: Correct.

21 COMMISSIONER CARR: In Raton, there's a
22 Holiday Inn Express. There's another one, too. And
23 Taos, though -- I'm sure Taos Academy would be fine,
24 you know.

25 MS. POULOS: Thank you, Commissioner Carr.

1 COMMISSIONER CARR: Okay.

2 COMMISSIONER SHEARMAN: I think we got it.

3 It looks good.

4 COMMISSIONER POGNA: Madam Chair?

5 VICE CHAIR GIPSON: Commissioner Pogna?

6 COMMISSIONER POGNA: Just to let you know,
7 you all did a good job on this schedule. But that's
8 the week our three daughters are flying in for the
9 whole week for my husband's birthday, in from North
10 Carolina and Texas. So I hope you can do without
11 me.

12 VICE CHAIR GIPSON: Well, we will miss
13 you. We will miss you. Thank you.

14 We are now on to Item No. 14.

15 MS. POULOS: Madam Chair?

16 COMMISSIONER CARR: We are?

17 VICE CHAIR GIPSON: Oh, I'm sorry. We
18 still have "D," report from the New Mexico School
19 for the Arts. I'm ahead of myself.

20 MS. POULOS: Madam Chair, Commissioners,
21 as you know, the New Mexico School for the Arts has
22 a statutory requirement to provide an annual report
23 to the PEC. Based on discussions with the school,
24 as well as the Executive Committee, everyone
25 preferred that it be provided in writing.

1 And so you have that report in your
2 materials here. If you have any follow-up
3 questions, I'm sure that I can get the director of
4 the School for the Arts to join us; but thought we
5 would just present the information first and then
6 follow up as needed.

7 VICE CHAIR GIPSON: Okay. Right. Thank
8 you.

9 And now only to "E," Report on Closure of
10 CEPi.

11 MS. POULOS: Madam Chair, Commissioners,
12 again, this is an item that was requested by the
13 Commissioners to see the closure protocol with
14 updates.

15 These are the updates as of June 7th,
16 2016. We are in communication regularly with Sandy
17 Beery, who has been contracted to carry out this
18 part of the closure.

19 Mike Vigil is carrying out the part of the
20 closure involving finances.

21 And so everything is on track. And if you
22 have any specific questions about materials
23 provided, we'd be happy to either answer them or get
24 you answers.

25 VICE CHAIR GIPSON: Thank you.

1 Now, we are on to Item No. 14, which is
2 Report from the Chair.

3 MS. POULOS: Madam Chair?

4 VICE CHAIR GIPSON: And I just --

5 MS. POULOS: Sorry, again. You did not
6 vote to remove Item 12.

7 VICE CHAIR GIPSON: I'm sorry. I noted
8 that we were removing it, and I didn't.

9 COMMISSIONER CARR: Oh, that's right.

10 VICE CHAIR GIPSON: That's my fault.
11 Sorry. I apologize. I put on there that we removed
12 it, and we did not.

13 So we do have to do Item No. 12,
14 Discussion and Possible Action on Acceptance of the
15 New Charter School Applications.

16 You can --

17 MS. POULOS: Madam Chair, Commissioners,
18 as I stated earlier, in your discussion about the
19 agenda, this is an item that has, at least, for the
20 past two years, been on your agenda and is again on
21 your agenda after we had received the submissions.
22 You'll note it's a month earlier this year, as we
23 have moved up the submission deadline to align with
24 the statute, which is the June 1st deadline.

25 In the materials, based on your requests

1 and your statements, we did provide information
2 about whether schools attended all of the required
3 trainings that you have indicated in your
4 application are required. You'll see that there are
5 two schools that did not attend all of those.

6 In addition, for informational purposes,
7 because we did not make any recommendations, we just
8 simply wanted to make sure you had information about
9 the applications that have been received, or the
10 submissions that have been received, we did have --
11 and you've already seen, because those applications
12 have been provided you -- that one of the
13 applications, the Albert Einstein Academy Charter
14 School, failed to submit five of the six required
15 appendices. One of those includes a budget
16 document.

17 The other school that had a submission
18 problem was the Students That Aspire to Teach
19 Charter School, which provided a budget document in
20 a modified form in a .pdf; and as a result of that,
21 it did not correctly display the required
22 information, and so no budget information is
23 available for that application.

24 And so we've provided you the proposed
25 motions that were provided last year and did not

1 make any recommendations, but mostly wanted to
2 provide those as an informational item.

3 COMMISSIONER CARR: Madam Chair?

4 VICE CHAIR GIPSON: Commissioner Carr?

5 COMMISSIONER CARR: So remember in the
6 past -- in the past, you know, we've had discussion.
7 And I believe our conclusion was if an application
8 came in incomplete, or at least partially
9 incomplete -- and I'm not saying we're going to turn
10 them down right now -- but we didn't allow them to
11 add it later; right?

12 COMMISSIONER SHEARMAN: That's right.

13 VICE CHAIR GIPSON: Correct. Correct.

14 COMMISSIONER CARR: Okay. Just wanted to
15 clarify that, that if we don't have this information
16 now, then that's it.

17 VICE CHAIR GIPSON: Absolutely.

18 COMMISSIONER CARR: Okay. Good.

19 VICE CHAIR GIPSON: Yeah. This isn't a --
20 you know, you get to now submit --

21 COMMISSIONER CARR: Right.

22 VICE CHAIR GIPSON: -- on your own time
23 line. Whatever has been submitted is what has been
24 accepted.

25 COMMISSIONER CARR: Okay.

1 COMMISSIONER SHEARMAN: Turned in by the
2 deadline.

3 VICE CHAIR GIPSON: Correct. And there
4 will be no further submissions allowed --

5 COMMISSIONER CARR: Okay. Okay.

6 VICE CHAIR GIPSON: -- or accepted.

7 COMMISSIONER CARR: Good.

8 COMMISSIONER SHEARMAN: Well, there's
9 really no action to take, is there?

10 VICE CHAIR GIPSON: No, no.

11 COMMISSIONER SHEARMAN: So we have this
12 information.

13 VICE CHAIR GIPSON: There's nothing to
14 vote on, because they're all going; so -- okay.

15 MS. POULOS: Madam Chair?

16 VICE CHAIR GIPSON: So --

17 MS. POULOS: I would propose that you vote
18 to accept them, because that has been your practice
19 in the past years. And I don't know if you want to
20 continue that.

21 VICE CHAIR GIPSON: See, and I don't think
22 that's -- I could be wrong, because I'm still a
23 neophyte here. But I believe the only votes that
24 have taken place are to not accept when -- in the
25 instance last year, when the school violated the law

1 without the NOI.

2 But I don't -- I don't recall voting to
3 accept the remainder of the applications. I don't
4 think it's something we vote on.

5 COMMISSIONER CARR: I keep thinking that
6 we have; but I'm going by my memory.

7 COMMISSIONER TOULOUSE: Madam Chair, when
8 in doubt, it doesn't hurt to do a motion. I don't
9 remember doing it.

10 VICE CHAIR GIPSON: It will establish a
11 precedent.

12 COMMISSIONER TOULOUSE: I don't remember
13 doing it, either. But, again, I have less time than
14 Commissioner Carr, but more time than you do. And I
15 don't remember voting, except at the beginning when
16 they put them in. And it's -- you know, it doesn't
17 have the notification to the school district. Other
18 than that, I thought we let them go on.

19 COMMISSIONER CARR: Katie has something.

20 MS. POULOS: Madam Chair, Commissioners, I
21 can pull the minutes and let you know. You may not
22 be interested; you may not want to do that. I don't
23 know if that's a precedent you want to change.

24 VICE CHAIR GIPSON: I'm concerned with
25 starting a precedent if we do vote and we haven't

1 previously.

2 COMMISSIONER CARR: But if we have
3 previously --

4 VICE CHAIR GIPSON: Then we need to do it;
5 but, you know, I've only done this through one
6 process. But I don't recall last year voting on the
7 other applications, just the one.

8 COMMISSIONER SHEARMAN: I remember clearly
9 voting not to accept the one.

10 VICE CHAIR GIPSON: Correct, correct.
11 Yeah.

12 COMMISSIONER SHEARMAN: But I don't
13 remember -- why do we have to vote to accept them?
14 Because by law, we have to accept them.

15 VICE CHAIR GIPSON: Right. That's my
16 point.

17 COMMISSIONER SHEARMAN: Unless they
18 violated the law.

19 VICE CHAIR GIPSON: You have to accept the
20 applications; so -- and they've already been
21 accepted. So we're actually voting to accept
22 something that's already been accepted.

23 MS. POULOS: Madam Chair?

24 VICE CHAIR GIPSON: Did you get all that,
25 Cindy? You know, I don't get it.

1 MS. POULOS: On Page 100 of the meeting
2 minutes from July of last year, Commissioner Bergman
3 made the following motion: "I move that the Public
4 Education Commission accept the applications of the
5 following prospective charter schools." And then
6 listed. That motion was seconded by
7 Commissioner Carr, and then it was unanimously voted
8 on.

9 COMMISSIONER CARR: There you go. I
10 thought we did; but I'm not sure.

11 COMMISSIONER SHEARMAN: Memory is hard.

12 VICE CHAIR GIPSON: It is. It is.

13 COMMISSIONER CARR: That's why we have
14 minutes.

15 VICE CHAIR GIPSON: So I will entertain a
16 motion to accept the applications, reluctantly,
17 because I don't think we need to do it.

18 COMMISSIONER ARMBRUSTER: You have a
19 question over here.

20 COMMISSIONER TOULOUSE: I will do the
21 motion.

22 VICE CHAIR GIPSON: Okay. Thank you.

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 move that the Commission accept the applications, as
25 presented by the time limit, from the Albuquerque

1 Einstein Academy Charter School, Hozho Academy,
2 Students That Aspire to Teach Charter School, and
3 Willow Springs Academy.

4 COMMISSIONER CARR: Second.

5 MS. POULOS: Madam Chair, you may want to
6 fix the motion, because it accepted the "Albuquerque
7 Einstein Academy." It's the Albuquerque Albert
8 Einstein Academy.

9 COMMISSIONER TOULOUSE: Albert Einstein.
10 You see, you made us wait. I change the motion.
11 I'm sure you will accept my change for the second.
12 It's the Albert Einstein Academy.

13 COMMISSIONER CARR: You will note that the
14 Albuquerque Einstein Academy is not as smart.

15 COMMISSIONER TOULOUSE: Possibly smatter,
16 but we have no way to judge.

17 VICE CHAIR GIPSON: Shall we get into the
18 Students That Aspire to Teach?

19 COMMISSIONER SHEARMAN: Let's don't.

20 VICE CHAIR GIPSON: Which would be who?

21 COMMISSIONER SHEARMAN: I call the
22 question.

23 VICE CHAIR GIPSON: Commissioner Peralta,
24 a roll-call vote, please.

25 COMMISSIONER PERALTA: Commissioner Pogna?

1 COMMISSIONER POGNA: Yes.
2 COMMISSIONER PERALTA: Commissioner
3 Toulouse?
4 COMMISSIONER TOULOUSE: Yes.
5 COMMISSIONER PERALTA: Commissioner
6 Armbruster?
7 COMMISSIONER ARMBRUSTER: Yes.
8 COMMISSIONER PERALTA: Commissioner
9 Conyers?
10 COMMISSIONER CONYERS: Yes.
11 COMMISSIONER PERALTA: Commissioner
12 Peralta votes "Yes."
13 Commissioner Shearman?
14 COMMISSIONER SHEARMAN: Yes.
15 COMMISSIONER PERALTA: Commissioner
16 Chavez?
17 COMMISSIONER CHAVEZ: Yes.
18 COMMISSIONER PERALTA: Commissioner Carr?
19 COMMISSIONER CARR: Yes.
20 COMMISSIONER PERALTA: Commissioner
21 Gipson?
22 VICE CHAIR GIPSON: Yes.
23 COMMISSIONER PERALTA: Madam Chair, that
24 is a nine-to-zero vote.
25 VICE CHAIR GIPSON: Thank you. Now, we're

1 on to Item 14, which is Report from the Chair. I
2 only have one item that I want to make the
3 Commission aware of. Apparently, I attended the
4 LESC meeting on Tuesday -- Wednesday -- on Wednesday
5 of this week. And Wednesday -- it was a three-day
6 session; but Wednesday was devoted to the topic of
7 charter schools.

8 And it is an ongoing topic for the LESC
9 through the remainder of this year. They indicated
10 on Wednesday that they were going to be extending an
11 invitation to the PEC to speak.

12 They are -- I don't have any information,
13 concrete information, except for what they indicated
14 verbally. But there is apparently going to be an
15 authorizers panel that they are going to have at
16 their July meeting, which is July 13th. I believe
17 it's July 13th -- is it -- 13th or 14th, somewhere
18 around there, in Los Alamos.

19 So more information, I don't have. So we
20 have been moving in a positive fashion to try to
21 obtain data from the schools and hopefully make
22 schools more accountable and be able to accurately
23 answer to the Legislature and the public about the
24 quality of the charter schools.

25 And there have -- without a doubt, there's

1 been discussion that frameworks haven't been
2 graded -- or scored -- and that charters are not
3 performing well. And we need good, clear data to
4 offer everyone involved in this discussion that
5 the -- what charters are performing, how they are
6 performing, how they are moving forward.

7 The contract that had been negotiated with
8 Julia Barnes for the contract negotiation also has a
9 substantial amount of money remaining that will
10 expire on the 30th of June. And that money goes
11 back to the General Fund. It doesn't go to CSD; it
12 doesn't go to PED; it doesn't go to us.

13 So what I am planning on asking is that
14 that money be used so that there can be data
15 gathered and collated so that we can present, at
16 that meeting, a clearer picture of where the schools
17 have been, where they are going, hopefully, where
18 they are moving forward.

19 So that's what I'm planning on doing is
20 asking for at least part of that money to be used,
21 instead of it just going by the wayside.

22 COMMISSIONER SHEARMAN: Who do you ask?
23 Who do you request that money from?

24 VICE CHAIR GIPSON: That's a good
25 question. I'm going to ask it, I guess, of CSD --

1 and.

2 MS. POULOS: Madam Chair, Commissioner
3 Shearman and Commissioners, we learned that you
4 would be presenting at the LESC on Wednesday, too.
5 And I just haven't had the opportunity to write the
6 e-mail to ask you what support you need.

7 So that is on my list of "to-dos" to ask
8 you what support you will be requesting, and that
9 way, we can coordinate throughout PED to make sure
10 we are able to provide information to support you.

11 COMMISSIONER SHEARMAN: What I'm hearing
12 Patti say is some really in-depth data mining from
13 several years ago up through the current. And I --
14 with the workload you all have right now, looking at
15 when that LESC meeting is, I'm not sure, truly, you
16 have -- and your staff have the time to do what I
17 believe -- because we talked about this a little.
18 The data we're looking for --

19 MS. POULOS: Madam Chair, Commissioners,
20 it would be to coordinate. And my question to you
21 would be what do you need, so we can coordinate the
22 support that you're requesting?

23 VICE CHAIR GIPSON: I actually have
24 written up a short synopsis of the request. So I
25 can give that to you before I leave. And if any of

1 you have any other questions -- okay? -- because I
2 know we're on a short time frame here with that
3 money expiring, number one. Okay?

4 Any questions? Comments? Concerns?

5 Then I will call on the Coalition to offer
6 us an update. As they're moving forward, I'm sorry.
7 I forgot.

8 I would like to recognize the fact that
9 Commissioner Armbruster was recognized at the
10 Kennedy Dinner.

11 COMMISSIONER ARMBRUSTER: It's called a
12 JFK Dinner, because he was the first sitting
13 president to ever visit Los Alamos. The second
14 sitting president was Clinton. Otherwise, no one
15 else comes.

16 VICE CHAIR GIPSON: Well, we would like to
17 congratulate you for being recognized for the time
18 and effort and tireless hours you put in.

19 COMMISSIONER ARMBRUSTER: Thank you.

20 VICE CHAIR GIPSON: For all the high pay.

21 MS. ROSKOM: Chairwoman Gipson and members
22 of the Commission, first of all, congratulations to
23 all of the new officers.

24 Congratulations, Commissioner Ambruster,
25 for your recognition.

1 So I just wanted to start by reiterating
2 what Director Poulos told you about the
3 collaboration with the PED on the CSP grant. We're
4 hoping that that will be -- in fact, Katie "knows"
5 that we're going to be awarded that grant; so we
6 should all feel her same optimism about that. We
7 look forward to some collaboration with the PED when
8 that grant is awarded, which I understand we should
9 know about in the early fall.

10 Okay. As Commissioner Gipson told you, at
11 the LESC meeting this last week, where you were
12 invited to participate with them next month, Kelly
13 and I were invited to participate and do -- and
14 testify to them this last meeting. And we'll be
15 doing that again, I think, all summer every month.

16 But we gave them information about the
17 committee work that we're doing right now, which
18 I'll just recap briefly for you right now.

19 And I think you've heard this before,
20 what -- if you have any questions about our
21 progress, that's what we're really here to report
22 on, where we are with each of these committees.

23 I'm starting with the Alternative
24 Accountability Committee, a/k/a "Accountability
25 Committee." The purpose of the work we're doing in

1 this committee is really to look at modifications to
2 the report card process, the A-to-F report card, to
3 try to capture some of the successes of our SAM
4 schools currently, and maybe even look at the SAM --
5 the Supplemental Accountability Model -- looking at
6 deepening that, broadening that, defining it, making
7 it more transparent, creating some processes around
8 how does one apply to be such a school, what does it
9 mean to be such a school.

10 We are working in collaboration with the
11 PED and with LESC on all these initiatives so that
12 by the end of the summer, hopefully, we have got
13 language for actual proposals that either get
14 written into bills to be looked at for next year, or
15 perhaps rule or regulation that we would work with
16 the PED on.

17 So that was our Alternative Accountability
18 Committee.

19 We continue to work with business managers
20 and school leaders from around the state looking at
21 funding disparities, inequities. We've been -- the
22 Vigil Group -- I don't know if they're still here --
23 no, they left -- has produced a very interesting
24 document that we presented -- actually, Senator
25 Ivey-Soto presented -- at the LESC meeting, who is

1 on our funding committee, and is also on the
2 advisory -- he's an adviser to the LESC committee.

3 What we now have and we presented there
4 was a spreadsheet that shows the bottom-line
5 per-pupil funding of every school and every district
6 in the state that includes all funding sources. It
7 includes capital; it includes private funding; it
8 includes all funding sources. And the bottom line
9 shows that the district schools' per-pupil funding
10 is, on average, \$10,000 more than the charter school
11 funding.

12 So there was quite a debate about this at
13 the LESC the other day, whether or not we should be
14 looking at the capital, whether we should just be
15 looking at SEG funding. But it's really opened up a
16 conversation, and that's what we were hoping to
17 accomplish.

18 Let's look at the bottom line. What is
19 the funding, so that from there, we can look at some
20 solutions and some fixes to address the inequity
21 issues, which, if you'll recall from the last
22 session, really boiled down to the Small School Size
23 Adjustment, which will come up next year. In fact,
24 our Senators and Representatives on that committee
25 pretty much guarantee that it will come back next

1 year.

2 Our third committee is looking at
3 facilities, various solutions that schools are
4 coming up with, some of them very creative. We seem
5 to be seeing that schools are finding ways to access
6 funding for schools with the help of different
7 foundations.

8 La Raza Fund came and spoke to a number of
9 schools. That was a meeting that we hosted. We had
10 schools from around the state come and speak with
11 them a couple of weeks ago.

12 And we are trying to facilitate a
13 partnership with APS, whereby a group of schools
14 would volunteer to pool their HB 33 fund together to
15 try to leverage loans, larger amounts of money to
16 get some public buildings built. And that includes
17 state and district schools within APS boundaries.
18 There are 58 of those schools.

19 So this could conceivably be a model that
20 other district authorizers adopt.

21 And then the only other thing I wanted to
22 mention, and I think Kelly a couple of things to
23 mention -- we may have told you this before. But
24 since we're talking about calendars, we want to make
25 sure you have our fall conference on your calendars.

1 It will be October 26, 27, and 28, at the same venue
2 where we were last year. And of course, you will
3 all be given free passes, and we encourage you to
4 come.

5 If you'd like to do anything other than
6 just attend, if you'd like to be on a panel or have
7 an opportunity to speak, you should let us know,
8 because we are busy planning on that conference.

9 VICE CHAIR GIPSON: I'm sorry. Did you
10 say the 26th, 27th, 28th of October?

11 COMMISSIONER ARMBRUSTER: Yes.

12 VICE CHAIR GIPSON: Okay. That's also the
13 NACSA conference.

14 MS. CALLAHAN: Madam Chair, I believe the
15 NACSA conference is at the front end of the week. I
16 think there's an overlap on the 26th, maybe the
17 27th.

18 MS. ROSKOM: That's right, because we went
19 through that with --

20 MS. CALLAHAN: Right. So I think there --
21 so I think the overlap is on a Wednesday.

22 MS. ROSKOM: That's correct.

23 COMMISSIONER SHEARMAN: Are you talking
24 about the one in Atlanta? It's the 24th through the
25 27th.

1 VICE CHAIR GIPSON: 24th through 27th.

2 MS. CALLAHAN: So there's some overlap.
3 But we're doing all day Friday, as well. So come
4 and -- come on down. Just fly into Albuquerque
5 and -- and you know what? That's hard, because
6 usually, it's the week before that the --
7 previously, it's been the third week of October,
8 which, unfortunately --

9 COMMISSIONER ARMBRUSTER: We can ask them
10 to change --

11 MS. CALLAHAN: Yes. They have 5,000
12 people coming.

13 So I -- we apologize for that. But, you
14 know, we are focusing -- our theme this year is
15 "Champion Charter School Excellence."

16 And it seems appropriate, during an
17 Olympic year, that we talk about "champion" and
18 using it as a support; but also as an active, that
19 we are looking at really focusing on that
20 excellence.

21 And I think the work that you all are
22 doing right now with the high performing definition,
23 I think all of this work that we're doing with our
24 committees, I think this is all going to align,
25 ultimately, to provide that direction for

1 accountability that we're all after, that the
2 charter schools performance is especially important,
3 becoming stewards of public money, and, most
4 importantly, stewards of our students.

5 And so -- and so "Champion Charter School
6 Excellence" is the theme this year.

7 And just one other thing that I wanted to
8 talk about. The Coalition is in a partnership with
9 a project with the Colorado League of Charter
10 Schools and the U.S. Department of Education. They
11 are doing a broad study about facilities and charter
12 schools and what is the -- what -- how do schools
13 receive funding, how do schools leverage money that
14 they need to get.

15 And I believe it's about ten states that
16 they've reviewed. They invited Albuquerque, both
17 State and district charter schools. They didn't
18 want to do the whole state yet. I've been nagging
19 them. So I'm hoping that they're going to let us do
20 the whole state. They're very open to it.

21 So the first phase is going to be
22 Albuquerque schools. And then hopefully, we'll be
23 able to do a report. So essentially, what we've
24 done is we've surveyed all the schools in
25 Albuquerque, State and district charter schools, on

1 how they've managed to get into a building, specific
2 to our laws, deadlines, et cetera. They're going to
3 help us do an analysis and possible recommendations
4 that could be looked at.

5 And so looking at maybe some other states,
6 maybe there's ideas that we can share with the
7 Legislature. We would share this report with you.

8 That should be coming out sometime in
9 September. I've looked at the other state reports.
10 Very telling. And so this is a way to synthesize
11 the data that's coming in.

12 Unfortunately, others are doing whole
13 states; but we're going to do Albuquerque, and
14 hopefully, next phase will be the entire state. So
15 we'll see this whole -- all the data and information
16 about that report.

17 And so I think it's really valuable, and
18 we appreciate that they asked us.

19 And then lastly, we want to work with the
20 PEC on anything that we can do in terms of assisting
21 and representing the schools. I think, Katie, that
22 the questions that you asked about that academic
23 performance, we have a lot of the same questions.
24 And so how do we -- how do we ensure that the
25 schools are getting the right information and that

1 it all aligns with the work that we're doing?

2 And so I really appreciate the opportunity
3 for us to be at the table representing the schools
4 and, hopefully, having the schools there at the work
5 session, as well.

6 So -- but as always, we appreciate being
7 at the table with you all. Again, my
8 congratulations to the new officers, and we look
9 forward to continuing the work in July. We will be
10 on the road with you. And so if there's anything
11 that we can do, as the Coalition, we are definitely
12 ramping up the work that we're doing with schools
13 and want to ensure that the message about excellence
14 is portrayed on every level.

15 And so we are -- we are here to assure you
16 that that's happening. So we do appreciate your
17 support, and we are going to end with that, so you
18 guys can get on the road. Thank you.

19 VICE CHAIR GIPSON: Thank you. And I
20 appreciate it. And I hope that -- we're going to
21 come out with some good, clear information from all
22 this data collection. And that we -- you know,
23 we're in the same position that we're looking to put
24 forward excellent schools and being able to make
25 quality decisions on all of those schools. And I

1 think this is a good step in the right direction.

2 MS. CALLAHAN: Absolutely looking forward
3 to it.

4 VICE CHAIR GIPSON: I do not have a sheet
5 for Public Comment. So I do not know if anyone
6 signed up. So we'll get that in a second.

7 I'll open it up, while we're getting the
8 sheet, for any Commissioners' comments.

9 COMMISSIONER CHAVEZ: Yeah. So you
10 know -- I was just thinking. It might not -- I
11 think it would be good if we could collectively do
12 something, send a message to Commissioner Bergman.
13 He did put a whole lot of hard work -- his heart and
14 his soul into the Commission; right? I'm assuming
15 that none of us has a handy card.

16 But what I'm thinking is if somebody has a
17 blank sheet of paper, we could write something on
18 it, and I could get a card and send it to him.

19 VICE CHAIR GIPSON: That's a good idea.
20 I -- I sent him a card thanking him for his time.
21 But I thought, you know, it would be nice if it was
22 something that looked a little more official than
23 just a card I casually picked up, you know.

24 COMMISSIONER CHAVEZ: Or if somebody has
25 another idea, you know?

1 COMMISSIONER CARR: Normally, you know,
2 I'm sorry Vince couldn't be here to say goodbye.
3 But the -- but normally, you know, we recognize the
4 Commissioners, usually, at the end of their term in
5 December. Maybe -- I mean, maybe we shouldn't wait
6 to do that for him, you know, and maybe we should do
7 something for him.

8 COMMISSIONER SHEARMAN: Well, we generally
9 do a plaque.

10 COMMISSIONER CARR: And I was thinking we
11 could wait and maybe he could come in December.

12 VICE CHAIR GIPSON: Do you want me to see
13 if he -- what's December?

14 COMMISSIONER CARR: You know, I don't know
15 what's going on with him. And I worry -- I would
16 like to give it to him sooner.

17 VICE CHAIR GIPSON: Sooner? I understand.

18 COMMISSIONER CARR: I was trying to --

19 COMMISSIONER CHAVEZ: Yeah, I agree with
20 that. I think if we could do something sooner than
21 later? Time has already passed, right?

22 VICE CHAIR GIPSON: I'll be in touch with
23 Beverly to check on the plaque and see if there's
24 something that -- you know, even with some kind
25 of -- maybe there's some kind of -- I don't know --

1 notecards or whatever that they use that can come
2 out. And I will work on either getting something
3 via e-mail from each of you or something that we can
4 send out to him.

5 COMMISSIONER CARR: Okay.

6 COMMISSIONER SHEARMAN: Let me just --
7 Carmie just reminded me last year, we did plaques
8 for the departing Commissioners. Carmie got those
9 for us. But remember, we have to pay for them. We
10 have no money.

11 COMMISSIONER CHAVEZ: Yeah. It's okay.

12 COMMISSIONER SHEARMAN: We took up --
13 everybody chipped in to do that; so just -- Carmie
14 did a really nice job last year of getting them.
15 And I forgot that. I'm sorry.

16 VICE CHAIR GIPSON: So Commissioner
17 Toulouse, if you could check on that for us?

18 COMMISSIONER TOULOUSE: Madam Chair, I
19 have no problems. I would like to know what amount
20 of money we're looking at, because they come -- what
21 I did last year is I used, actually, a -- the NMAA's
22 discount at the trophy place that's run by a man who
23 graduated from high school with my sister and
24 brother-in-law. So we could probably do that again.

25 COMMISSIONER SHEARMAN: Do you remember

1 how much they were?

2 COMMISSIONER TOULOUSE: I honestly don't.
3 I know you helped pay for them. But somewhere in
4 the range of \$45 or so was about -- and we got the
5 ones in the shape of the State of New Mexico and --

6 VICE CHAIR GIPSON: Nice.

7 COMMISSIONER TOULOUSE: But we did get a
8 good deal. It's still there. It's still his shop.
9 I still -- and so we -- if I have some idea of what
10 you -- how much you want me to go for, I can go over
11 and we can work on the wording of it and get
12 something ordered.

13 VICE CHAIR GIPSON: Do we want to leave
14 that under \$100 -- anything under \$100, and that
15 leaves it open?

16 COMMISSIONER CARR: I contributed about
17 \$20 last time.

18 COMMISSIONER ARMBRUSTER: Yeah, several
19 people.

20 COMMISSIONER CARR: Ah. Okay.

21 COMMISSIONER ARMBRUSTER: So I'm sorry.
22 Is Carmie going to go ahead and order it, and then
23 we'll pay you back, or --

24 COMMISSIONER TOULOUSE: Yes, I will order
25 it and let people know what the cost is, and I will

1 pay him when I pick it up, and we can all get
2 back -- my credit cards have enough money on them,
3 so I can -- and I'll just let everybody know what
4 the amount is. Yeah.

5 VICE CHAIR GIPSON: Okay. Thank you for
6 reminding us of that. Thanks. Anyone --

7 COMMISSIONER CARR: I wanted to say
8 some -- I mean, Bev -- this is what I remember,
9 Gilbert. Do you remember -- I remember Carolyn and
10 I coming on in January of 2009. It seems like I
11 remember Vince and you coming on in February. Real
12 short -- I thought it was 2009. I thought you were
13 right shortly after.

14 COMMISSIONER SHEARMAN: 2008 to 2012, to
15 2016.

16 COMMISSIONER CARR: No, we actually held
17 office from 2009 to 2011.

18 VICE CHAIR GIPSON: So you started January
19 in the odd year, because the election was in 2008.

20 COMMISSIONER PERALTA: My election year
21 was in 2010.

22 COMMISSIONER CARR: But then Vince came
23 on -- seems like Vince -- Vince was already here.
24 Seems like he came on in February, like, the month
25 after. But that's what I kind of remember.

1 COMMISSIONER SHEARMAN: I think he was --

2 COMMISSIONER CARR: Or maybe he was
3 already in January, too. I couldn't remember for
4 sure. It's only been a few years.

5 But we served together a long time. And
6 Vince and I didn't agree on everything; but most of
7 the time, we did agree. And really -- and I just --
8 you know, I'm going to miss having Vince around. I
9 was figuring he would finish out this year. And --
10 but, you know, I just wanted to put that out there
11 and put it on the record and just to say that he
12 will be missed.

13 VICE CHAIR GIPSON: Thank you.

14 COMMISSIONER CARR: Okay.

15 VICE CHAIR GIPSON: Commissioner Conyers?

16 COMMISSIONER CONYERS: Are we doing PEC
17 Comments?

18 VICE CHAIR GIPSON: Yes.

19 COMMISSIONER CONYERS: Okay. I wanted to
20 mention that actually, it's two weeks ago today, I
21 attended the New Mexico School Board Association Law
22 Conference. Commissioner Peralta was there, as
23 well. And I did attend a very good breakout session
24 on charter schools. The emphasis was on the
25 district-authorized charter schools; but they did a

1 very good job on that.

2 The other thing I wanted to say -- I want
3 to thank the Commissioners and the CSD Staff. Over
4 the past year and a half, I've been dealing with
5 illness, cancer. And I had some tests the last two
6 weeks and met with my doctor this past week. He
7 said there's no signs of cancer.

8 (Applause.)

9 COMMISSIONER CONYERS: So I appreciate
10 your support and prayers. I still have treatment.
11 And I don't know if I want this on the record or
12 not. But my -- I'm still -- I say the treatment
13 leaves me without much energy.

14 And some of my so-called friends, and even
15 my wife, said, "Well, have you looked in the mirror
16 lately? You're getting older, you know."

17 I said, "I know that. I'm well aware of
18 that."

19 But I still blame part of it on the
20 treatment.

21 So anyway, thank you, all.

22 VICE CHAIR GIPSON: Thank you.

23 Anyone else? Commissioner Toulouse?

24 COMMISSIONER TOULOUSE: Madam Chair, this
25 is totally unrelated to the PEC, except that a good

1 part of the texting I've been doing today is I have
2 a cousin, Liz C'De Baca, whose house is burned in
3 the fire. And I have been texting with her. She
4 has the unofficial notice -- she hasn't gotten the
5 official notice. And I've been dealing with her and
6 trying to get her in touch with other people who can
7 help.

8 So that's a good part of what I've been
9 doing today. But I would like good thoughts. She's
10 an artist. She got all of her supplies out, but not
11 all of her work. She paints santos. And so she had
12 to leave some of those behind to get the paints and
13 the things out.

14 So I would just like some good thoughts.
15 And if anybody's interested in any she's done, let
16 me know one-on-one, and I'll send you a couple of
17 photographs of some of her work. She does the old
18 New Mexico traditional style. But I just want good
19 thoughts, please, from somebody you may not know;
20 but she's one of mine. So, thank you.

21 VICE CHAIR GIPSON: Unfortunately, there
22 are many people who are affected at this point in
23 time by that fire. So our thoughts -- we'll keep
24 good thoughts out.

25 Anyone else? We did not have any public

1 comment?

2 MS. POULOS: No, ma'am.

3 VICE CHAIR GIPSON: Okay. With that said,
4 I will entertain a motion to adjourn.

5 COMMISSIONER CARR: So move.

6 VICE CHAIR GIPSON: (Pounds the gavel.)

7 (Proceedings adjourned at 2:57 p.m.)
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 Santa Fe, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on July 1, 2016.



Cynthia C. Chapman, RMR-CRR, NM CCR #219
BEAN & ASSOCIATES, INC.
201 Third Street, NW, Suite 1630
Albuquerque, New Mexico 87102

Job No.: 5845L (CC)

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

**BEAN
& ASSOCIATES, Inc.**
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.state.nm.us

HANNA SKANDERA
SECRETARY OF EDUCATION

SUSANA MARTINEZ
Governor

VISITORS ATTENDING PUBLIC EDUCATION COMMISSION JUNE 17, 2016

Please Sign-in

Name (Print)	Representing
Darrell Garcia	SAHQ Academy
Dave Beach	SAHQ Academy
Charlotte Rode	SAHQ Academy
Maria Rubio	Willow Springs Academy
Martha Costa	Carinos Charter School
Kelly Callahan	NMCS
Corea Raskin	"
Patrick T. Mann	Holbu Academy
Adriana M. Vigil	Taco International
Dynelle Vigil	Taco International School
Mike [unclear]	Los Montanos, N.S.
[unclear]	SWA Aeronautics
Tom Geane	Six Directions
Natasha Geleew	Six Directions
Corina [unclear]	EX NISN
George Austin	Turquoise Trail CS expansion
WILLIAM DAVIS	LMSHS
[unclear]	
Tracy Carlen	
Mike Darrido	
Sunny Lin	LEC
Seth Saavedra	NISN
Mackenzie Webb	TVA, SAHQ
Michelle Tudor	Gilbert L. Sosa Charter High School
MICHAEL VICK	TVG
Leanne Salazar	Albert Einstein Academy
Vernon Jaramillo	Carinos Charter Sch.
Tori Stephens-Shawn	ACE Leadership HS
Garl A. Grady	NACSA



