

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
OPEN PUBLIC MEETING
VOLUME ONE

December 14, 2017

9:00 a.m.

Jerry Apodaca Education Building - Mabry Hall
300 Don Gaspar Street
Santa Fe, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219
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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 4 MR. GILBERT PERALTA, Vice Chair
 5 MS. KARYL ANN ARMBRUSTER, Secretary
 6 MR. R. CARLOS CABALLERO, Member
 7 MR. JAMES CONYERS, Member
 8 MR. TIM CRONE, Member
 9 MS. DANIELLE JOHNSTON, Member
 10 MR. DAVID ROBBINS, Member
 11 MS. TRISH RUIZ, Member
 12 MS. CARMIE TOULOUSE, Member
 13
 14 STAFF:
 15
 16 MS. KATIE POULOS, Director, Charter School Division
 17
 18 DR. ICELA PELAYO, Deputy Director,
 19 Options for Parents and Families
 20 MR. DAVID STEVENS, Assistant Attorney General
 21 Counsel to the PEC
 22
 23 MS. BEVERLY FRIEDMAN, NMPED Custodian of Records,
 24 Liaison to the PEC
 25

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1 THE CHAIR: I'm going to call to order
 2 this meeting of the Public Education Commission. It
 3 is Thursday, December 14th, and it is 9:08 a.m.
 4 And I'm going to ask Commissioner
 5 Armbruster to do a roll-call vote, please. Roll
 6 call. Just a roll call. We're not voting whether
 7 we're here or not.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Robbins.
 10 COMMISSIONER ROBBINS: Present.
 11 COMMISSIONER ARMBRUSTER: Commissioner
 12 Toulouse.
 13 COMMISSIONER TOULOUSE: Present.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Armbruster is here.
 16 Commissioner Conyers.
 17 COMMISSIONER CONYERS: Present.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Peralta.
 20 COMMISSIONER PERALTA: Here.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Gipson.
 23 THE CHAIR: Here.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Johnston.

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 5 New Mexico Flag
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1 COMMISSIONER JOHNSTON: Present.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Crone.
 4 COMMISSIONER CRONE: Here.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Ruiz.
 7 COMMISSIONER RUIZ: Present.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Caballero is not yet here.
 10 So we have nine.
 11 THE CHAIR: So we have nine present, which
 12 gives us a quorum of five for a vote. Thank you
 13 very much.
 14 And I will ask Commissioner Armbruster to
 15 lead us in the Pledge of Allegiance and I'll do the
 16 Salute to New Mexico.
 17 (Pledge of Allegiance and Salute to the
 18 New Mexico Flag conducted.)
 19 THE CHAIR: We are now on to Item No. 2,
 20 which is the approval of the agenda.
 21 And do I have any corrections?
 22 MS. FRIEDMAN: May I make the
 23 announcement?
 24 THE CHAIR: Yes, thank you.
 25 Mrs. Friedman, off to the right on the corner here

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<p>1 has a separate sign-in sheet for anyone from the 2 schools who wish to speak. I will inform and/or 3 remind the schools, because I've had some discussion 4 with schools about this process, that there is 5 15 minutes -- 10 -- I know we talked about this, 6 and -- 7 MS. FRIEDMAN: Madam Chair, there are -- 8 for the school comments, there are 15. 9 THE CHAIR: Right. 10 MS. FRIEDMAN: And for public comment, 11 there are five minutes. 12 THE CHAIR: There's five, right. So 13 anyone who is directly related to the school falls 14 into that 15 minutes. Anyone who is not directly 15 related -- and that means parent, student -- has 16 the -- fills in the remainder five minutes. 17 So each school will have to divide out 18 their 15 minutes amongst their folks that wish to 19 speak. 20 So I would recommend that you get 21 yourselves together, get your themes together and 22 have your folks that wish to speak on whatever you 23 wish to cover. But it is limited to 15 minutes for 24 the schools' comments and, once again, five public. 25 So Mrs. Friedman has the sign-in sheets</p>	<p>1 THE CHAIR: If not, I'll entertain a 2 motion. 3 COMMISSIONER TOULOUSE: (Indicates.) 4 THE CHAIR: There's a motion by 5 Commissioner Toulouse. 6 COMMISSIONER ROBBINS: (Indicates.) 7 THE CHAIR: A second by Commissioner 8 Robbins. 9 All in favor? 10 (Commissioners so indicate.) 11 THE CHAIR: Opposed? 12 (No response.) 13 THE CHAIR: Hearing no opposition, the 14 motion passes. 15 We are now onto 3A, Approval of the 16 Transcript for PEC Work Session, November 16th, 17 2017. 18 Are there any corrections to those 19 minutes? 20 (No response.) 21 THE CHAIR: Seeing none, I'll entertain a 22 motion. 23 COMMISSIONER RUIZ: (Indicates.) 24 THE CHAIR: There's a motion by 25 Commissioner Ruiz.</p>
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<p>1 individually for each school. So if you -- if 2 people from the school wish to speak or those from 3 just the general public wish to speak, please come 4 see Mrs. Friedman and sign up. 5 Thank you. 6 COMMISSIONER RUIZ: Madam Chair? I would 7 like to recommend that we take a Moment of Silence 8 for Aztec. The kids go back to school today. It is 9 their option. They were actually offered the option 10 of attending today with counseling or coming back 11 after the first of the year. And I would just 12 request that we honor that school and community in 13 taking a Moment of Silence. 14 THE CHAIR: Certainly. And I appreciate 15 your reminding us of that. I did read about it, and 16 it just slipped my mind. If we could, at this point 17 in time, as we begin to discuss a lot of issues 18 about schools, we keep those students, parents, and 19 the entire community of Aztec in our minds today, 20 and we'll take a Moment of Silence. 21 (Moment of Silence conducted.) 22 THE CHAIR: Thank you. So we are back to 23 Item No. 2, Approval of the Agenda. 24 Are there any corrections to this agenda? 25 (No response.)</p>	<p>1 COMMISSIONER CRONE: (Indicates.) 2 THE CHAIR: A second by Commissioner 3 Crone. 4 All in favor? 5 (Commissioners so indicate.) 6 THE CHAIR: Opposed? 7 (No response.) 8 THE CHAIR: Hearing no opposition, the 9 motion passes. 10 3B, approval of the transcript for the PEC 11 meeting on November 17th, 2017. 12 Do we have any corrections to those 13 minutes? 14 (No response.) 15 THE CHAIR: If not, I'll entertain a 16 motion. 17 COMMISSIONER CONYERS: (Indicates.) 18 THE CHAIR: There's a motion by 19 Commissioner Conyers. 20 COMMISSIONER ROBBINS: (Indicates.) 21 THE CHAIR: A second by Commissioner 22 Robbins. 23 All in favor? 24 (Commissioners so indicate.) 25 THE CHAIR: Opposed?</p>

<p style="text-align: right;">Page 10</p> <p>1 (No response.) 2 THE CHAIR: Hearing no opposition, the 3 motion passes. 4 3C, approval of summary minutes for 5 November 17th, 2017. 6 Are there any corrections to those? 7 (No response.) 8 COMMISSIONER ARMBRUSTER: (Indicates.) 9 THE CHAIR: If not, there's a motion by 10 Commissioner Armbruster. 11 COMMISSIONER CONYERS: (Indicates.) 12 THE CHAIR: A second by Commissioner 13 Conyers. 14 All in favor? 15 (Commissioners so indicate.) 16 THE CHAIR: Opposed? 17 (No response.) 18 THE CHAIR: Hearing no opposition, the 19 motion passes. 20 We are on to Item No. 4, which is the Open 21 Forum. And the Open Forum today is limited to items 22 other than the schools that are up for renewal, 23 because they will be given time. 24 And Beverly's going back to see. So while 25 she's doing that, can we talk about a consent</p>	<p style="text-align: right;">Page 12</p> <p>1 change or the move would be to 1905 20th Street 2 Northwest, that's actually 1905 Mountain Road, 3 Northwest. 4 Otherwise, the rest all stays the same, 5 including the documentation -- 6 (Commissioner Caballero enters.) 7 MS. POULOS: -- that they have provided. 8 And I will let Dr. Pelayo talk to you 9 about the documentation that they've provided and 10 any concerns we have that's outstanding. 11 DR. PELAYO: So in your packet, you will 12 notice that there was a revision. We did receive 13 the minutes, the signed minutes for the meeting that 14 approves the lease. So we amended, or revised, the 15 recommendation and proposed motion language. All 16 documents, as we can see, are included in the 17 packet. 18 MS. POULOS: And, Madam Chairwoman and 19 Commissioners, on Page 3 of 3 in the materials, you 20 will see that there are some proposed amendment -- 21 sorry -- proposed motions for you, if you would like 22 to use those. 23 THE CHAIR: Right. 24 Okay. Good morning. 25 MS. VERONICA TORRES: Good morning,</p>
<p style="text-align: right;">Page 11</p> <p>1 agenda, which isn't on our agenda? But this is just 2 a chat. Do you think we're close? 3 MS. POULOS: (Indicates.) 4 THE CHAIR: Just -- yeah. 5 Okay. The three people that have signed 6 up for this are from schools that are up for 7 renewal. So maybe they signed up prior to my making 8 the announcement. 9 So these three individuals, I'm going to 10 ask to please see Mrs. Friedman and put your name on 11 with the individual schools. 12 There is no one else on this -- on this 13 sign-up sheet that is not from a renewal school. 14 So we are on to item No. 5, charter 15 amendments. And I believe -- is there a correction 16 on an address, I think -- 17 MS. POULOS: Madam Chair? 18 THE CHAIR: -- or something? 19 MS. POULOS: Madam Chairwoman, 20 Commissioners, yes. On the first item, which is the 21 amendment request from Tierra Adentro for their 22 facility change, the school has requested to change 23 from their current physical location on Central 24 Avenue in Albuquerque. 25 The form I originally identified, that the</p>	<p style="text-align: right;">Page 13</p> <p>1 Commissioners. 2 THE CHAIR: Is there anything else the 3 Charter School Division wants to add? 4 MS. POULOS: I think we've been able to 5 get all the documentation. And I will say this 6 motion language was written prior to that, which is 7 why it does say with the condition that they submit 8 all required documentation. 9 THE CHAIR: But they have. 10 MS. POULOS: But at this point, we have 11 received that. 12 THE CHAIR: All right. Good morning. 13 MS. VERONICA TORRES: Good morning. 14 THE CHAIR: Whatever you wish to add for 15 us. If nothing, I'll open it up for Commissioners' 16 questions. It's up to you. 17 MS. VERONICA TORRES: Madam Chair, I don't 18 think we have anything -- members of the 19 Commission -- to add any additional information as 20 of now. I think we can open it up to all of you. 21 THE CHAIR: Commissioners, any questions? 22 COMMISSIONER TOULOUSE: Madam Chair, I 23 don't have a question. I have a statement that in 24 the past, I have not voted on this school because of 25 my daughter's association with the International --</p>

1 or with the National Flamenco Institute. She's now
2 with UNM Medical School, so I can vote. So when
3 it's time, I would like to make the motion.

4 THE CHAIR: Okay.

5 COMMISSIONER TOULOUSE: So if we're ready,
6 I will do it now; but --

7 THE CHAIR: Commissioner Johnston?

8 COMMISSIONER JOHNSTON: Thank you,
9 Madam Chair.

10 Just briefly, you're moving right away.
11 It's happening. Can you just fill me in, just very
12 briefly, two minutes, on what's going on? You're
13 very courageous.

14 MS. VERONICA TORRES: So my name is
15 Veronica Torres, and I'm the executive director of
16 Tierra Adentro Charter School.

17 MS. THERESA ARCHULETA: My name is Theresa
18 Archuleta, principal of Tierra Adentro.

19 So in the past few years, we've had lots
20 of crime happen in the area. And as we've expanded,
21 we -- our actual enrollment had increased, if you
22 look at the data. But it's actually decreased now.
23 We're right in the middle of our construction. And
24 we do feel the ART construction will be beneficial
25 to our students in the future; but right now, during

1 through all of this. You know, we've had
2 teachers -- we have a homeless situation in our area
3 that's been really bad for our students and our
4 staff. We need to get out of there. So that's why
5 this is happening so quickly.

6 COMMISSIONER JOHNSTON: I think it's
7 wonderful. And then my next question -- and it's
8 probably answered but I bogged down by trying to
9 read the lease and all of that. It appears you have
10 a very sympathetic, empathetic landlord. Has the
11 landlord fixed the bathroom?

12 MS. VERONICA TORRES: It's happening as we
13 speak. So, yeah, construction inside is happening
14 right now to fit our programming. As you notice,
15 it's formerly a charter, Alice King. So it's
16 already occupan- -- I think that's in your data.
17 They've revising some of it to fit our program and
18 fixing any tiles that were on the floor.

19 COMMISSIONER JOHNSTON: And thank you.

20 MS. VERONICA TORRES: Thank you.

21 THE CHAIR: Seeing no other questions,
22 Commissioner Toulouse?

23 COMMISSIONER TOULOUSE: I move to approve
24 the amendment presented by Tierra Adentro to move
25 location to the address we have stated, and to do it

1 the construction, it has not been beneficial.

2 So the reason, why we're able to move so
3 quickly is because the -- the owner of the new
4 property where we're going has offered to pay off
5 our lease for the next six months. That is why
6 we're able to afford it. So our governance council,
7 our community, our staff have urged us and have come
8 together and mobilized to make this move happen.

9 We do have a three-week winter break
10 intercession anyway; so this allows us to be able to
11 do that. So that is why -- I mean, right now, we
12 have students in the midst of finals today. Today
13 is their last day for finals. Tomorrow is makeup.

14 But we have a packing party going on at
15 the school, as well. And so many parents have
16 offered to help. And I do want to put a plug out
17 there for the prison services industry. They also
18 move schools, hospitals. They're -- it's an amazing
19 program. And it's actually pretty inexpensive.

20 So it -- that's a big plug for them for
21 anybody else that may need to move. We're able to
22 afford it because of that, as well.

23 So this is -- this is why we're able to do
24 something. We have a great team, a great community.
25 All of you, the PED, has been very supportive

1 immediately.

2 Thank you.

3 COMMISSIONER JOHNSTON: I second.

4 THE CHAIR: There's a motion by
5 Commissioner Toulouse, a second by Commissioner
6 Johnston. There is no one abstaining; correct?

7 Okay. Commissioner Armbruster -- is there
8 any discussion? Oh, yes. I'm sorry. Will the
9 record please note that Commissioner Caballero is
10 here?

11 COMMISSIONER ARMBRUSTER: Okay. So if we
12 have no abstentions, Commissioner Toulouse?

13 COMMISSIONER TOULOUSE: Yes.

14 COMMISSIONER ARMBRUSTER: Commissioner
15 Peralta?

16 COMMISSIONER PERALTA: Yes.

17 COMMISSIONER ARMBRUSTER: Commissioner
18 Conyers?

19 COMMISSIONER CONYERS: Yes.

20 COMMISSIONER ARMBRUSTER: Commissioner
21 Johnston?

22 COMMISSIONER JOHNSTON: Yes.

23 COMMISSIONER ARMBRUSTER: Commissioner
24 Gipson?

25 THE CHAIR: Yes.

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1 COMMISSIONER ARMBRUSTER: Commissioner
2 Caballero?
3 COMMISSIONER CABALLERO: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Crone?
6 COMMISSIONER CRONE: Yes.
7 COMMISSIONER ARMBRUSTER: Commissioner
8 Armbruster votes "Yes."
9 Commissioner Robbins?
10 COMMISSIONER ROBBINS: Yes.
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Ruiz?
13 COMMISSIONER RUIZ: Yes.
14 COMMISSIONER ARMBRUSTER: It's a
15 ten-to-zero vote. The motion passes.
16 COMMISSIONER TOULOUSE: Madam Chair, I'd
17 like to make a statement, just because I had
18 grandsons who were at Alice King. They left because
19 the landlord was so unwilling to work with them.
20 And he had all these plans to immediately do
21 something else.
22 It's been empty a year. I think you got a
23 really good deal because he realized that the market
24 wasn't what he thought it was going to be in that
25 area. And I am glad you snapped it up and that he's

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1 being as helpful to you as he was not to them.
2 Thank you.
3 MS. VERONICA TORRES: Thank you.
4 THE CHAIR: Happy moving.
5 MS. VERONICA TORRES: Thank you.
6 THE CHAIR: Okay. The second and final
7 one.
8 DR. PELAYO: Madam Chair, Commissioners,
9 the next charter amendment is Item 5B. And this is
10 for La Tierra Montessori School of Arts and
11 Sciences. They do have two amendment requests.
12 I'll speak about them together; although there is
13 proposed language for each of these.
14 THE CHAIR: Is there anyone from -- I saw
15 you.
16 MS. CHRISTIE BERG: Good morning.
17 DR. PELAYO: So the first request is on a
18 operational structure change to their contract.
19 Currently, it states that the length of day is seven
20 hours with -- I'm sorry -- yes, seven hours.
21 Six-and-a-half hours exclusive of lunch, and that
22 the length of the school year is 107 days, for a
23 total of 1,106-and-a-half hours.
24 They would like to request a change due to
25 miscalculation, because 170 times 6.5 is 1,105. So

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1 that's the change they have there.
2 The second amendment request is for
3 removing the name of a partner in the contract.
4 That is a change to the educational program. And so
5 they just want to remove the partner's name to leave
6 it unnamed.
7 And so those are the two proposed changes
8 that they are making. And we do have proposed
9 language there.
10 THE CHAIR: Right.
11 Okay. Good morning. Could you please
12 identify yourself for the record?
13 MS. CHRISTIE BERG: Good morning.
14 Christie Berg. I'm the Head Learner of La Tierra
15 Montessori School of Arts and Sciences.
16 MS. JULIE ANN HILL-CLAPP: Hi. Good
17 morning. My name is Julie Ann Hill-Clapp. I'm the
18 governing council president for La Tierra Montessori
19 Charter School.
20 THE CHAIR: Is there anything you would
21 like to add before --
22 MS. CHRISTIE BERG: I included the
23 rationale in the amendment, and I think it explains
24 itself. We are open to questions, if need be; but
25 we don't have -- I don't have anything else to add.

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1 THE CHAIR: Okay. Any questions?
2 Concerns?
3 I'll add that I do have the concern about
4 changing the material terms; but I understand that
5 you're kind of hamstrung with this.
6 So it -- and the hour-and-a-half is an
7 hour-and-a-half. But I understand.
8 MS. CHRISTIE BERG: The reason that I'm
9 even proceeding with this is because on our site
10 visits, we get written up every time because it
11 doesn't add up correctly. And it's because it
12 wasn't originally created correctly; so --
13 THE CHAIR: Yeah. And it's more the
14 partnership that -- changing the material terms.
15 And I know that's the second -- but I'm just
16 blending them all together in a common discussion.
17 So -- but I get why you need to do it. So -- so we
18 are looking first at the amendment for instructional
19 hours.
20 COMMISSIONER ARMBRUSTER: You're
21 separating the two.
22 THE CHAIR: I think we are. They're two
23 separate, yeah. So I need a motion on the
24 instructional hours first.
25 Commissioner Ruiz?

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1 COMMISSIONER RUIZ: Madam Chair, I move to
 2 approve the amendment request presented by La Tierra
 3 Montessori to amend the material -- the material
 4 terms of its contract to change the length of the
 5 school year, and, specifically, correct the
 6 miscalculation of the total number of instructional
 7 hours in the school year, where the school year is
 8 170 days, with each day consisting of no less than
 9 six-and-a-half hours of school-directed
 10 instructional programming, not including lunch, and
 11 yielding a total of 1,105 instructional hours over
 12 the school year.
 13 COMMISSIONER PERALTA: Second.
 14 THE CHAIR: There's a motion by
 15 Commissioner Ruiz, a second by Commissioner Peralta.
 16 Any further discussion?
 17 COMMISSIONER ARMBRUSTER: Are there any
 18 abstentions?
 19 Okay, we will vote.
 20 Commissioner Johnston?
 21 COMMISSIONER JOHNSTON: Yes.
 22 COMMISSIONER ARMBRUSTER: Commissioner
 23 Toulouse?
 24 COMMISSIONER TOULOUSE: Yes.
 25 COMMISSIONER ARMBRUSTER: Commissioner

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1 THE CHAIR: It's a ten-zero vote. The
 2 motion passes. Thank you so much. Happy holidays.
 3 COMMISSIONER ARMBRUSTER: We have to do
 4 the second one.
 5 THE CHAIR: Oh, I'm sorry. I'm dismissing
 6 you, 'cause -- so now we have the second amendment,
 7 which is to remove the partnership from the
 8 contract.
 9 COMMISSIONER JOHNSTON: I'll make that
 10 motion.
 11 THE CHAIR: Commissioner Johnston?
 12 COMMISSIONER JOHNSTON: Madam Chair, I
 13 move to approve the amendment request presented by
 14 La Tierra Montessori to amend the material terms of
 15 its contract to remove the specifically named
 16 partner from its -- for its art program.
 17 THE CHAIR: Is there a second?
 18 COMMISSIONER ARMBRUSTER: (Indicates.)
 19 THE CHAIR: There is a second by
 20 Commissioner Armbruster.
 21 Is there any discussion?
 22 COMMISSIONER ARMBRUSTER: Are there any
 23 abstentions?
 24 Okay. Here we go.
 25 Commissioner Crone?

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1 Ruiz?
 2 COMMISSIONER RUIZ: Yes.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Conyers?
 5 COMMISSIONER CONYERS: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Caballero?
 8 COMMISSIONER CABALLERO: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Armbruster votes "Yes."
 11 Commissioner Robbins?
 12 COMMISSIONER ROBBINS: Yes.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Gipson?
 15 THE CHAIR: Yes.
 16 (Audience interruption.)
 17 COMMISSIONER ARMBRUSTER: Sounds like a
 18 bad vote.
 19 Commissioner Peralta?
 20 COMMISSIONER PERALTA: Yes.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Crone?
 23 COMMISSIONER CRONE: Yes.
 24 COMMISSIONER ARMBRUSTER: It's a
 25 ten-to-zero vote.

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1 COMMISSIONER CRONE: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Armbruster votes "Yes."
 4 Commissioner Peralta?
 5 COMMISSIONER PERALTA: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Robbins?
 8 COMMISSIONER ROBBINS: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Gipson?
 11 THE CHAIR: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Toulouse?
 14 COMMISSIONER TOULOUSE: Yes.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Johnston?
 17 COMMISSIONER JOHNSTON: Yes.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Caballero?
 20 COMMISSIONER CABALLERO: Yes.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Conyers?
 23 COMMISSIONER CONYERS: Yes.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Ruiz?

<p style="text-align: right;">Page 26</p> <p>1 COMMISSIONER RUIZ: Yes. 2 COMMISSIONER ARMBRUSTER: Ten-to-zero 3 vote. 4 THE CHAIR: Happy Holidays. The motion 5 passes. 6 MS. CHRISTIE BERG: Thank you 7 Commissioners. Thank you, Madam Chair. Thank you, 8 CSD. 9 THE CHAIR: We are on to Item No. 6, 10 Report from Options for Parents. 11 MS. POULOS: Madam Chairwoman, 12 Commissioners, I wanted to start -- normally, this 13 is a pretty quick report; and it will be today, 14 also. But I did want to start with just a little 15 update from the Public Education Department. 16 As you know -- or I imagine you know. I'm 17 sure you've heard in the news. Last week, the 18 Public Education Department did release the list of 19 schools that have been identified for -- I believe 20 it's more rigorous intervention, as well as 21 comprehensive support and improvement and targeted 22 support and improvement. 23 I think it's important just for you to 24 note that there were no charter schools identified 25 for more rigorous intervention. The schools that</p>	<p style="text-align: right;">Page 28</p> <p>1 We'll see how that plays out. 2 I do also just want you to know that 3 schools identified for comprehensive support and 4 improvement are schools that are in the lowest 5 performing 5 percent of Title I schools or schools 6 that have a four-year graduation rate below 7 67 percent for two of the last three years. 8 As we talk about some of our renewal 9 schools today, we will be flagging for you that some 10 of those schools have been identified on that list, 11 and then also are schools identified as schools in 12 need of targeted support and improvement. And those 13 are schools that have at least one low performing 14 subgroup. 15 So, again, we're seeing -- kind of taking 16 subgroups of students out and seeing if there's any 17 big performance gaps in that school for that 18 student. 19 So, yeah, we'll be talking about that 20 today. I did just want to flag that for you so that 21 you are aware that that's been going on. 22 THE CHAIR: So I guess I have at least one 23 question. If the decision was to turn it around 24 into a charter school, would the notification have 25 to be done by the January date so that we would</p>
<p style="text-align: right;">Page 27</p> <p>1 were identified, there were three in Albuquerque 2 Public Schools and one in Dulce Public Schools. 3 One of the options that those schools have 4 is the -- or those districts have -- is the option 5 to turn around that low performing school with a 6 district, something we're really actually excited 7 about that idea. 8 And the way that has been presented to 9 them is a couple of things: 10 One, if they choose to close that school 11 as it is now and give that facility over to a school 12 that has already been approved, either by a local 13 district or by the Commission, in this case, we know 14 that there are three schools potentially opening in 15 Albuquerque next year that would be serving similar 16 grade levels. So it's an interesting idea for the 17 district to think about is that partnership. 18 The other option they do have is to kind 19 of go through an RFA process on an expedited 20 timeline, or on a regular charter timeline, to 21 identify someone who has a track record of success 22 to come in and be -- to apply for a charter, and if 23 they're awarded the charter, then to actually 24 operate that school. 25 So I think it's a pretty exciting idea.</p>	<p style="text-align: right;">Page 29</p> <p>1 know? Or -- 2 MS. POULOS: Yes, yeah. 3 THE CHAIR: Okay. 4 MS. POULOS: They would -- and there would 5 be two ways that, again, they could do that. Either 6 if the district -- so it wouldn't be up to the PEC. 7 But if the district chose to have an expedited 8 process that would allow them to be approved and 9 then open in the fall, they could do that. Or if 10 the district were, instead, wanting to make a 11 commitment to go to the RFA process and then commit 12 to closing at the end of the subsequent year and 13 opening as a charter in the year after that, they 14 could choose to do that, too. 15 And then that entity could potentially 16 either apply to the PEC or to the district. But in 17 the expedited, we wrote it, understanding that that 18 would need to be a district activity. 19 THE CHAIR: But, regardless, it's -- the 20 January date still holds. 21 MS. POULOS: Yes, absolutely. 22 THE CHAIR: Okay. All right. Thank you. 23 MS. POULOS: All right. So then the other 24 item that I wanted to talk to you about -- and we 25 normally do this just as kind of that big -- we've</p>

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1 provided you all the material about governance
2 changes.

3 As I've told you, we're trying to get to a
4 better reporting system where we can really figure
5 out how to work together on some of the governance
6 concerns that we have.

7 Currently, we have four schools that we do
8 not have documentation for to support the fact that
9 they have five board members, meaning, based on our
10 documentation and information, they're operating
11 with fewer than five board members.

12 One of those, actually, I believe we just
13 got paperwork from last night -- or yesterday. And
14 that's the one that's second on these materials that
15 we handed out to you. That's Alma d'Arte Charter
16 School, otherwise identified specifically for
17 today's agenda; but also DEAP. Our understanding is
18 that currently, they are below five members, based
19 on information we have, meaning they may have a new
20 board member but they have not provided notification
21 to -- in the documentation necessary for that fifth
22 board member.

23 THE CHAIR: Is this since the hearing, the
24 loss? Or is there somebody here from -- I don't
25 think there is anybody here from --

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1 keeping someone on just so that it looked on paper
2 like they had quorum, when they really -- the person
3 wasn't participating.

4 MS. POULOS: Potentially. I think that's
5 something that maybe we're not going to talk about
6 here.

7 THE CHAIR: Right.

8 MS. POULOS: But it's also a concern that
9 we have a couple of schools that are almost
10 exclusively holding meetings by telephone at all
11 times.

12 THE CHAIR: Oh. Got you.

13 MS. POULOS: And then they're really
14 struggling to have a clear connection that people
15 can hear, and members are falling on and off the
16 calls.

17 So it's something we want to think about
18 with you on how to address that, because we're
19 certainly concerned about the quality of governance
20 for all of our schools. And having a board that's
21 not going to meet in person, that when they're
22 meeting on the telephone isn't able to hear one
23 another, and then they're constantly losing quorum
24 is a concern for us.

25 THE CHAIR: Right. because OMA is very

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1 MS. POULOS: I don't think there is.

2 THE CHAIR: So do we know -- is this
3 someone that they lost since the hearing?

4 MS. POULOS: Do you know that?

5 MS. LAUREL PIERCE: It's confusing. The
6 minutes indicate that they were in the process of
7 removing a member --

8 THE CHAIR: For lack of participation?

9 MS. LAUREL PIERCE: -- for lack of
10 attendance. But they lost quorum prior to making
11 that motion. So they decided to keep them on the
12 board, as I understand.

13 And it did happen -- I want to say around
14 the time of the hearing. I need to look back at the
15 points and find out exactly the time period. But
16 there's some confusion as to the number of board
17 members that they currently have.

18 THE CHAIR: I think that might have been
19 part of the hearing materials, I think maybe? I
20 can't remember.

21 MS. POULOS: It looks to me like it
22 happen- --

23 THE CHAIR: I remember seeing that in
24 relation recently of a school; so it must have been
25 DEAP. So that there was a concern that they were

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1 clear on that in terms of the clarity of the
2 transmission. And I know with a certain
3 Commissioner, it becomes difficult with telephone
4 transmission when we're on the -- so that as we
5 branch out of the metropolitan areas, it becomes
6 very much a concern that electronic connections are
7 lost often. And that's problematic of New Mexico,
8 unfortunately.

9 COMMISSIONER JOHNSTON: Yes. And
10 Madam Chair, if I may, I'm looking at my notes from
11 the hearing. And I asked several clarifying
12 questions to get to that five and never -- never was
13 able to satisfy it myself; so --

14 THE CHAIR: Right. Right. Thank you. I
15 was pretty sure that was -- that it did come up.
16 Yeah.

17 MS. POULOS: Madam Chairwoman, again,
18 Alma d'Arte is another one. While they have
19 notified us that there is new board membership,
20 there is a new fifth board member, I do want to
21 stress to the Commission our concern, because that
22 school appeared to be, based on the information we
23 had, without five members for almost 12 entire
24 months, with a one-month reprieve within that time
25 period where they had a fifth board member.

<p style="text-align: right;">Page 34</p> <p>1 So it is pretty concerning to us. And, 2 again, I think -- we'd really like to brainstorm 3 with the Commission to determine what the Commission 4 would like to do. Is there some sort of standard 5 Corrective Action Plan we want to start using when a 6 school is unable to meet its governance obligations? 7 We take that very seriously. I think you know that. 8 Also, Six Directions Indigenous School, 9 where we, again, only had information on four 10 members listed. We've kind of had indications that 11 there is potentially a fifth member, but, again, 12 have not been able to receive any documentation on 13 that fifth member. And all of that documentation is 14 really also important, again, as these schools are 15 acting as boards of finance, because that 16 documentation includes affidavits from individual 17 members identifying that they understand their 18 obligations as boards of finance. 19 So that's why we take this pretty 20 seriously, as we are bringing it to you. 21 And then, lastly, we did have notification 22 that the Taos Integrated School for the Arts had had 23 some changes; but we don't have the documentation, 24 again. I believe that they have indicated to us 25 they do have five members. But that documentation,</p>	<p style="text-align: right;">Page 36</p> <p>1 complying? 2 MS. POULOS: Absolutely. Yeah. 3 THE CHAIR: So -- good morning. 4 MR. MARK HARTSHORNE: Good morning, 5 Madam Chair, members of the Commission. I am Mark 6 Hartshorne, the Chief Administrative Officer and 7 Principal at Alma d'Arte Charter School. It's a 8 pleasure to tell you that Dr. Godfrey Crane was 9 voted for -- was approved by council vote this past 10 Monday night. He thus becomes the fifth council 11 member at Alma d'Arte. And we are very, very 12 pleased to have him with us. 13 Dr. Crane did complete the initial seven 14 hours of training for council members at the recent 15 New Mexico Coalition of Charter Schools conference. 16 Minutes -- preliminary minutes from that meeting of 17 Monday night were remitted to Charter Division staff 18 via e-mail on Tuesday. 19 And Council President Gene Elliott is 20 following up with the appropriate documentation, 21 particularly around the Board of Finance, insuring 22 that once again all the signatures are there, all 23 the documentation that we are required to provide is 24 completed with accuracy and fidelity. And that is 25 occurring as we speak.</p>
<p style="text-align: right;">Page 35</p> <p>1 to us, is very, very important for the reasons I 2 stated. 3 We also have six schools that are 4 currently out of the compliance with this annual 5 report requirement that the Commission may recall we 6 put into policy kind of at the beginning of the 7 year, which was we asked that schools -- or stated 8 in policy -- that schools needed to notify the 9 Commission at the beginning of each fiscal year how 10 many board members they would have and board seats 11 they would have so that the Commission would be able 12 to monitor more effectively whether they were 13 filling any vacancies within the 30 days, or, you 14 know, 45 days, or getting that 30-day extension. 15 So we do have six schools that have not 16 submitted that report or have submitted reports that 17 are unclear. 18 And Laurel does an amazing job of trying 19 to clarify -- 20 MS. LAUREL PIERCE: We have more schools 21 than that that have not reported. 22 THE CHAIR: Okay. 23 Can I just ask -- because I have a little 24 to add about that. But can we just let Alma speak, 25 and then we can go back and do the issue about not</p>	<p style="text-align: right;">Page 37</p> <p>1 We share the concerns regarding council 2 membership. I personally feel very fortunate that 3 in the ten years that I've been principal at Alma, 4 to have had the membership on the council that we 5 have had, the existing four members, plus Dr. Crane 6 now, are long-term members of the Alma d'Arte 7 governance council. And up until this past ten 8 months or so, we had essentially no movement on or 9 off the council. And that was, I think, a source of 10 strength for the school, as well. 11 Over that ten months, we have had two 12 occasions -- and I believe to the best of my 13 recollection, three times -- where we had the fifth 14 person in line and prepared to come onboard and 15 prepared to accept and participate, and, for one 16 reason or another, did not complete the commitment 17 that they made to us. So it has been a source of 18 frustration to us, as well, that we seem to be 19 continually in the hunt for that fifth member and is 20 sharing our obligations there. 21 Again, my personal comment is that with 22 Dr. Crane on board, we are not going to be facing 23 that issue anymore, and, again, in particular, 24 because he -- he made the commitment and attended 25 the training before he was even approved to be on</p>

<p style="text-align: right;">Page 38</p> <p>1 the -- on the council. So it demonstrated to me 2 that this person is serious about being a council 3 member, participating, receiving the training, and 4 contributing to the ongoing success of the school. 5 THE CHAIR: Commissioners, any questions? 6 Comments? Concerns? 7 COMMISSIONER CABALLERO: Madam Chair? 8 THE CHAIR: Commissioner Caballero? 9 COMMISSIONER CABALLERO: Yes. I'm just 10 curious about what are the concerns of prospective 11 board members that causes them to change their mind 12 and not -- not participate. 13 MR. MARK HARTSHORNE: Commissioner 14 Caballero, I'm not sure I know what to tell you 15 there. Certainly, we -- and when I say "we," not 16 only myself, but the members, the long-standing 17 members of the council -- absolutely are committed 18 to the investment that it takes on the part of a 19 council member to function well, the time 20 investment, the commitment to provide that kind of 21 direction and involvement with the school, the 22 commitment to insure that the training hours are met 23 and not to simply comply with the training hours, 24 but to go beyond those hours in terms of training 25 and understanding about charter schools.</p>	<p style="text-align: right;">Page 40</p> <p>1 existing students. Then, of course, someone in that 2 capacity, if they need to go through the application 3 process and be vetted, that would certainly be a 4 talking point in terms of can you come in and make 5 non-biased, unbiased decisions, you know, regarding 6 our school. 7 I think, again, with the -- for lack of a 8 better term, the right person on board who could do 9 something like that, I think that would be a very 10 healthy thing to bring to the table. 11 The J. Paul Taylor school, of course, 12 which we love having them right next door to us in 13 their year-old facility and are very close with 14 them, their governing council has, for years, had 15 multiple parents on their board. And it's never 16 proven an issue to them. 17 So in terms of expanding the pool of 18 potential candidates to serve on our board, that 19 discussion is taking place, as well, that we can 20 open it potentially to parents of existing students 21 and have a wider pool of people with interest that, 22 again, could serve in that capacity and do it very, 23 very well. 24 So, again, I want to reiterate, we feel, 25 having complete membership with committed, invested</p>
<p style="text-align: right;">Page 39</p> <p>1 I personally think a possible factor in 2 the community of Las Cruces is that we have multiple 3 charter schools. And so the pool of people within 4 the town may be somewhat diluted -- okay? -- across 5 the five or six charters that are there. 6 An item of discussion that we have had is 7 opening potential council membership to parents of 8 existing students. And, heretofore, the concern in 9 not doing that centered on a possible conflict of 10 interest. If a council member was voting on a 11 particular aspect of operation of the school, would 12 they vote -- would that color how they might vote on 13 a particular issue. 14 When I was principal at Las Cruces High 15 School for eight years in the late '80s -- excuse 16 me, late '90s and early 2000s -- at that time, every 17 single board member in Las Cruces had either 18 graduated from Cruces High, worked there, had 19 children there or grandchildren there, or a 20 combination of all those factors. And I never 21 personally felt, in their actions as a member of the 22 board in that entire district, that it colored their 23 decisions one way or the other. 24 So I proposed to the council the 25 possibility of opening membership to parents of</p>	<p style="text-align: right;">Page 41</p> <p>1 people, trained for the purpose -- again, quality 2 people that are in there. We are very dedicated to 3 that. Again, I've felt very fortunate in the last 4 ten years with the council people we've had. And we 5 have experienced considerable distress over the 6 recent coming-and-going. 7 We know we need the five members and we 8 want quality people and repeatedly thought we had 9 them. Again, the indicators with Dr. Crane are -- 10 who knows? It might change tomorrow, guys; but I 11 don't think so, okay? I mean, it looks -- in truth, 12 this person appears to be exactly the kind of person 13 we've been repeatedly searching for and is going to 14 provide that commitment and that dedication to the 15 cause. 16 COMMISSIONER CABALLERO: Thank you. 17 THE CHAIR: And I'll just re- -- I'll add 18 in that I know it's -- I think many, if not most, of 19 our schools have -- many have requirements that at 20 least two board members have to be a parent or 21 whatever. 22 And I was at a governance council meeting 23 in -- I believe it was August of this year. And 24 much to the chagrin of the head of their governance 25 council, who happened to be one of those parent</p>

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1 seats, they literally publicly were stating, "My
2 child graduated in May. I thought my term was over.
3 I don't know why I'm dealing with this. I'm done,"
4 you know. So it's -- you know, it's, like, okay.

5 So it's -- it's a balance that there -- it
6 has to be -- and you're right. I've -- dealing with
7 boards of education for most of my career, you do
8 question how unbiased the decisions are that many
9 that sit on them are making, because they've got
10 that intrinsic interest of their children,
11 grandchildren, or, unfortunately, grudges that they
12 hold from when they worked at the district.

13 So you never know what's influencing
14 behind there. And I'm sure Commissioner Robbins,
15 who sat there, can -- can attest to that, that it's
16 one of those difficult things. But it does offer --
17 if you get the right blend, it does offer that other
18 window that opens for a healthy discussion.

19 So it's something that people are always
20 wondering. How do we get that good mix, and how do
21 we get those good people? And I also find with a
22 university there, there should be a good pool. But
23 I'm also seeing that often programs are looking for
24 internships, and it's an hourly requirement in a
25 program. So they're really not there for the good

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1 think a lot of people, they have very busy lives.
2 We have many single-parent families. People are
3 torn. It's difficult.

4 But I would reach out to the business
5 community, reach out to those; because they're the
6 people that have to hire the students that are going
7 to be going to your schools later on and graduating,
8 hopefully, and staying in the community. Because
9 that's how we build our communities.

10 So I would reach out and maybe hit them on
11 the fact that it's in their own self-interest to
12 participate in these endeavors and actually
13 understand the time commitment.

14 When I ran, we were told about eight to
15 ten hours a week. And I said, well, I was spending
16 15 to 20 to 25 hours a week, because I was one of
17 the people that liked to read.

18 MR. MARK HARTSHORNE: If not more, I can't
19 imagine.

20 COMMISSIONER ROBBINS: All the material
21 and attend the meetings. And it is a significant
22 commitment. And I think that has to be understood
23 on the front end.

24 So I would just give those suggestions of
25 the type of people to reach out. The business

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1 of the school; they're there for their credit hours.
2 And then they're done.

3 So that's -- that's also not healthy, as
4 well. So it's very difficult.

5 Commissioner Robbins?

6 COMMISSIONER ROBBINS: Well, I'll -- I
7 appreciate your comments. I was on the APS --
8 Albuquerque Public Schools -- for four years. And
9 at the time, I didn't have any really close friends
10 who were employees. I had never worked at the
11 school. I had no children or grandchildren in the
12 schools. And people would ask me, "Well, why do you
13 want to be on the Board?"

14 And I said, "Well, I have to hire people
15 in this community." I have seen, over the last
16 several years, a decline in issues in the community
17 dealing with the schools. And I wanted to
18 contribute something from my experience. And having
19 taught at the University of New Mexico in the
20 Anderson Schools, I saw a decline in the ability of
21 some students taking graduate and undergraduate
22 classes. That was a concern. And that's why I got
23 involved.

24 That's -- hard to find those people,
25 maybe, say. I don't want to say I'm unique. But I

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1 community, really -- they need to have a commitment,
2 and not just, "What's in it for me," but what's in
3 it for them or their future employees.

4 MR. MARK HARTSHORNE: Absolutely. Thank
5 you.

6 THE CHAIR: Thank you. Okay. So --

7 MS. POULOS: Okay. I will speed this one
8 up.

9 So there are six schools. And I was
10 misspeaking -- so I got myself squared away -- that
11 were out of compliance with the annual report. That
12 is, they've submitted an annual report. They've
13 said, "It's going to have this many members." And
14 then they're not actually having that many members;
15 they're not filling it.

16 They may have more members than they
17 stated or fewer members. So just a concern for us
18 that, again, we're kind of not getting to the place
19 where they are clarifying, "This is how many we
20 have. We'll make sure all of those are filled."

21 THE CHAIR: So let me just ask for
22 clarifications. Is that in addition to the three
23 that initially came -- is that in addition to the
24 three that are simply -- that are not complying,
25 period?

1 MS. POULOS: Yes. And, in fact, if we
2 flip over --
3 THE CHAIR: So I just need a little
4 clarification. So there's nine schools, total.
5 MS. POULOS: There is more. There is
6 more.
7 THE CHAIR: Okay.
8 MS. POULOS: Let me start actually with
9 the good news. There are 51 percent of our charter
10 schools that are in compliance, which is good news.
11 THE CHAIR: Do we have more than three
12 that aren't, at this moment in time?
13 MS. POULOS: That have just not provided
14 the report at all?
15 THE CHAIR: Uh-huh.
16 MS. POULOS: It's 16 percent. Laurel,
17 what does that calculate out to?
18 MS. LAUREL PIERCE: I think it's on there,
19 10 or 11.
20 MS. POULOS: 10 or 11.
21 THE CHAIR: So it's grown from --
22 MS. POULOS: Yes. We hadn't gotten the,
23 "I'm not going to do it letters" from the other
24 ones. Only from the eight -- or, sorry, from the
25 three. The other eight are just silently not doing

1 it, rather than telling us they're not going to do
2 it. But you do then see we've got 11 that have
3 failed to submit and provide documentation, right?
4 So that list is there for you. And we,
5 again, haven't gotten a report, or the report didn't
6 come with the supporting documentation.
7 THE CHAIR: Okay. So I -- just so that
8 the Commission knows, this was originally an agenda
9 item. And Mr. Stevens from the Attorney General's
10 Office was on leave, so that I couldn't get any
11 clarification from him until day before yesterday.
12 So we had a discussion. And I'm going to
13 put forward the recommendation that a letter come
14 out from us.
15 MS. POULOS: Okay.
16 THE CHAIR: And that compliance for a week
17 before. And if they do not respond to us by that --
18 I guess the end of the first week of January would
19 be -- that they'll come before us at the January
20 meeting.
21 MS. POULOS: Excellent. We will do that.
22 Laurel is taking those notes. And we will get that
23 notification out.
24 THE CHAIR: Right.
25 MS. POULOS: Would you like to sign that?

1 Or would you --
2 THE CHAIR: I'd like to sign it.
3 MS. POULOS: Perfect. So we'll send that
4 draft to you shortly.
5 THE CHAIR: Great. Great.
6 COMMISSIONER CABALLERO: Madam Chair, a
7 clarification on the compliance. I thought I heard
8 that schools that have more members than what they
9 propose to have would also be in noncompliance.
10 Now, I see not having at least the minimum
11 as critically noncompliant. The others just failed
12 to report. Can we differentiate in that letter?
13 THE CHAIR: And let me clarify. The
14 letter that I'm referring to is schools that are
15 refusing to give us the information.
16 COMMISSIONER CABALLERO: Okay. All right.
17 THE CHAIR: So this is, "We're not doing
18 this."
19 COMMISSIONER CABALLERO: Okay.
20 THE CHAIR: Which is different than
21 they're out of -- they're potentially -- and I agree
22 with you that it's important for us to know, but if
23 you've got more -- yeah. But these are schools that
24 are just refusing to for the policy that we have
25 passed. So I apologize if I wasn't clear on that,

1 okay?
2 COMMISSIONER CABALLERO: Thank you,
3 Madam Chair.
4 THE CHAIR: Sure. Okay. So we are --
5 MS. POULOS: Sorry. Just one more last
6 item on our update; because I've been trying to do a
7 good job of this.
8 You know the team's been growing.
9 THE CHAIR: You're taking up more room.
10 MS. POULOS: They are. It's very
11 exciting.
12 In our front row, we have Lakeisha Cotton,
13 who joined us recently. And she is exclusively
14 working on the side of support and technical
15 assistance.
16 And then next week, we do have another
17 member joining on Monday -- oh -- Karen also joined;
18 but she's not with us right now.
19 So there's another team member that you
20 don't see who also just recently started. And then
21 we have Megan Shannon starting with us the next
22 week.
23 We're excited to grow the team. We have,
24 I think, two vacancies left that we will continue to
25 work to fill.

<p style="text-align: right;">Page 50</p> <p>1 THE CHAIR: Okay. All right. Before we 2 move on to Item No. 8, which is digging into the 3 renewal applications, can we take a ten-minute break 4 before we start plowing into this? 5 I'm going to ask Commissioners to also 6 think about the lunch break. I think we're going to 7 have to do a working lunch. We can't take time out 8 to, you know, go out and come back, because it'll 9 just take too much time. 10 So if you think about whether you want to 11 order something or run over across the street and 12 bring it back -- so think about that on your break, 13 and we can decide that. 14 So we'll take a ten-minute break. 15 (Recess taken, 10:00 a.m. to 10:16 a.m.) 16 THE CHAIR: Okay. I'm going to bring us 17 back into order. And we are now on to Item No. 8, 18 Discussion and Action on Renewal Applications. And 19 the first school on the agenda is Anthony Charter 20 School, up front and present for us. 21 So I will remind those from the school, 22 when it is your turn, to please identify yourself 23 for the record. 24 But we will let Charter School Division 25 first.</p>	<p style="text-align: right;">Page 52</p> <p>1 specific root causes; but, rather, they were things 2 that were required in contract, in their contract, 3 or in law, things like implementing RTI, which is 4 required for all schools and can't really be 5 considered an improvement action. Those efforts 6 really appeared to be in the beginning stages to 7 improve, right? They're a kind of feeling-out 8 stage, not a really well-developed systematic stage 9 that you would expect from a school at the point 10 where they are in their term. 11 And we've seen that, because the school's 12 demonstrated a downward trend in nearly all measures 13 on their school report cards. So it would also be 14 hard for us to say that they were demonstrating 15 substantial progress when the report card is 16 trending downward. 17 And I think that's even more stunning for 18 us at the PED when we look at the schools around 19 nearby in the local district. And you do see that 20 we've given you that information, some comparison 21 information in our report, the preliminary analysis 22 that's on Pages 5 of 171 that continues on in 23 Page 5 -- or might also be identified as Page 2 of 24 18, and, then Page 3 of 18 or 7 of 171, where you're 25 getting to look at that school report card in</p>
<p style="text-align: right;">Page 51</p> <p>1 MS. POULOS: Thank you, Madam Chairwoman, 2 Commissioners. 3 This is always hard to do. This is not 4 something that we at the PED enjoy doing. 5 But after reviewing the school's data for 6 the term of the contract -- and one of the 7 challenges with this school is that this contract 8 was extended, based on an appeal in a previous 9 renewal decision; and so this is a five-year 10 contract that we're looking at. And we're looking 11 across the term of that contract at the school's 12 performance. 13 And based on that, based on a look at the 14 school's performance, a site visit, where the team 15 sought to understand what the efforts, actions the 16 school had taken to improve student achievement, to 17 verify those, and to verify compliance with legal 18 requirements, PED has to recommend non-renewal of 19 this charter school. 20 PED has found that the school has not met 21 the Department's minimum educational standards and 22 has been unable to demonstrate substantial progress 23 toward those. 24 Further, the school's improvement actions 25 really weren't -- were not targeted to address</p>	<p style="text-align: right;">Page 53</p> <p>1 comparison to schools in the local school district. 2 And as you look at that, what you see 3 happening is the local school district is 4 increasing, is improving over time. And Anthony 5 Charter School is really not seeing that same trend 6 over this term. 7 And so -- so we -- we landed on -- after, 8 you know, the site visit, it was a full-day site 9 visit -- reviewing all of the information we had 10 about the school's academic performance, coming to a 11 place where we felt we had to recommend to this 12 Commission non-renewal of this charter. 13 In addition to just looking at the school 14 report card and the comparison in that to schools in 15 the local school district, we also looked at the 16 school's charter-specific goals. And, you know, 17 there are some challenges in evaluating their NWEA 18 goals. And we've been talking about that in the 19 context of all goals. 20 But there are a couple of their goals that 21 they just simply could not report on. Those are 22 goals that are there for the school specifically to 23 be able to show their progress in their mission and 24 what they're doing. And that was data that they had 25 not been keeping and were not able to report on,</p>

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1 with data or with documentation to back that up.
 2 And so you'll see on the first page of our
 3 summary -- tried to get you a summary report down to
 4 about four or five pages -- you'll see a table that
 5 shows you that in their letter grades, in their
 6 charter-specific goals, and in their governance
 7 responsibilities and organizational performance, we
 8 did find that they were failing to demonstrate
 9 progress.
 10 You'll see in their audit, we saw that
 11 they were approaching progress. And then,
 12 obviously, this is not a school that's lost its
 13 Board of Finance; so we don't have a problem there.
 14 They're meeting the standard there and in that
 15 financial framework, that self-reported information,
 16 they had self-reported it, and so it indicated that
 17 they were meeting.
 18 Just another few pieces of information.
 19 On the second page of the summary report, you can
 20 see that four-year trajectory. In three out of the
 21 four years that we have for this contract term, this
 22 school has earned a "D" letter grade, and, in fact,
 23 in 2017, that was lower that year than in any other
 24 year.
 25 And then if you look at right underneath

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1 that, we group them and looked at the school in
 2 comparison to similar schools based on the
 3 demographics of the schools. And in many of those,
 4 you know, they're in the bottom half of four out of
 5 the seven indicators.
 6 And so we really see that, you know, we
 7 have some concerns about their academic performance.
 8 You will see, on Page 4 of 4 of that -- of
 9 that summary report, we have proposed motion
 10 language for you. And then behind that, you'll see
 11 the information that's been presented as we've gone
 12 through the renewal process from us to the school
 13 back to us. Those are our initial kind of Part A
 14 performance review.
 15 I think it's notable that when we talked
 16 about the performance review, the school did provide
 17 us a notice -- and I believe that was -- it's in
 18 here -- saying that they did not disagree with any
 19 of the information in that initial summary report,
 20 and then, you know, their responses in some of the
 21 other areas.
 22 So if you have any questions for us, we'll
 23 be happy to answer those. But I think overall, you
 24 have the materials. We've been sending both our
 25 materials and the school's materials to you in real

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1 time. And all of those are here before you today.
 2 THE CHAIR: Thank you. Good morning.
 3 MR. CHARLES WENDLER: Are we ready? I'm
 4 sorry. Yes. Madam Chair, Commissioners, thank you
 5 very much. We're here as Anthony Charter School,
 6 and I'm very honored and privileged to introduce our
 7 team. And I do emphasize that word. I'm the
 8 chairperson. Next to me here is the director --
 9 THE CHAIR: If you could give us your
 10 name?
 11 MR. CHARLES WENDLER: I'm sorry. Charles
 12 Wendler, okay? I'm excited about all this. So if
 13 you'll forgive me for forgetting things here. Jimmy
 14 Gonzales sitting to my right here is our director,
 15 just took on the position in June. Next in line
 16 down here is Ms. Patty Matthews, who is our legal
 17 assistance. And with that, let me kind of get
 18 started off here.
 19 In looking over a cursory view of the
 20 report, I saw that it was divided up into three
 21 major areas. We have, of course, academic, which is
 22 what we're all here for. We see this room full of
 23 people concerned about the academic progress or lack
 24 thereof of our students. And I know that we all
 25 know that New Mexico, unfortunately, is ranked,

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1 depending upon who it is you want to consult, 49th
 2 or 50th out of 50 states, which does not -- is not
 3 acceptable by me or any of us in this room. And so
 4 the one key issue here, folks, that's germane to all
 5 of us is education. I'm no exception.
 6 The second area was finance. I submit to
 7 you our finance at Anthony Charter School is very
 8 sound and has been.
 9 Thirdly and last is the governance or
 10 organizational framework. I can only speak to the
 11 organizational and governance framework since about
 12 actually May or so when I went to the governing
 13 council and with my letter of resignation. And the
 14 other people there said, "But, Mr. Wendler, we want
 15 you to be the president."
 16 And I said, "Wait a minute. Here's my
 17 letter of resignation."
 18 And, Commissioner Robbins, I defer to what
 19 you said earlier about volunteerism. I'm one of
 20 those. I've been a private businessperson for over
 21 40 years. I worked as a professional educator. And
 22 I say it very proudly, for 37 years.
 23 In New Mexico -- I'm a graduate of Western
 24 New Mexico University, got my bachelor's and
 25 master's up there in school administration. I'm a

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1 science and math person, which I taught. I've been
2 at all levels of education, pre-K through adult
3 basic education, even La Tuna federal prison.

4 So I only say this it's not about me,
5 folks. It's about the experience and the background
6 that I have. And I bring that to this table. And
7 that is what I am offering to this charter school
8 and have offered to this charter school. And I'm
9 very upset that we don't have enough people -- like
10 Mr. Robbins and others has said, volunteerism is a
11 dying thing in our great country.

12 And I'll have to tell you, I'm just a real
13 proud, red-blooded American person here who is very
14 proud of our educational system. We've done a real
15 fine job of educating the masses. We're really
16 struggling nowadays to provide that quality
17 education to each and every single individual,
18 because we've taken the Henry Ford approach, as I
19 call it.

20 Charter schools allow us to deviate from
21 that Henry Ford approach, that mass production
22 model, to individualize. A charter school like
23 Anthony, smaller in size -- most of them are, as I
24 understand. And I'm real new at this, okay? But
25 from my experience, and what I've learned is as you

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1 One of the issues and policies we had to
2 deal with upfront was nepotism. And another one was
3 grievance procedures. We saw that upfront. And I
4 think we've done a good job of addressing those.

5 So we have made progress. The governing
6 council has made progress. Those two big items out
7 of the three, we've got two-thirds of it done.

8 I think at this point -- well, I don't
9 think. I know we have. If I'm not the chair, well
10 then, I shouldn't be the chair if I can't say that
11 legitimately before you folks, okay?

12 So, yeah, I'm the volunteer. I could walk
13 right out the door right now and get in my RV and my
14 Jeep and go on down the road. That's my American
15 dream.

16 But, no, I can't do that. I'm a
17 grandfather, too. My wife is a counselor. She came
18 from Mexico, the right way. And so she and I have
19 had a lot of discussions about all these things.
20 We've got English Language Learners down there,
21 Title I kids, so on and so on. So I could go on and
22 on with this, folks.

23 So, anyway, that's in my heart, and that's
24 why I'm here. And I'll turn it over to
25 Mr. Gonzales. Thank you very much for listening. I

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1 truly individualize as best you can -- and, of
2 course, with the Henry Ford approach, you can't do
3 that; but with the charter school approach, you can
4 start getting into that.

5 I have visited the Anthony Charter School.
6 Mr. Jimmy Gonzales is someone who I place a
7 tremendous amount of trust and faith in. He's a
8 great communicator. And, folks, let me tell you --
9 without governance -- and it's unfortunate that I
10 think that the reviewing team did not really give
11 due diligence to the governance council.

12 We unfortunately did our number-one job,
13 and that was to hire, fire a director. And as any
14 team, any organization, you look to your leadership
15 first. And we saw that there was a need. And it
16 wasn't about me. It was about these other folks who
17 said, "Mr. Wendler, will you be the president?"

18 "No, I'm the chair. Don't call me
19 'president.'" That kind of scares me.

20 And so here we are changing the direction
21 of our school with a new director. And one of the
22 things that we've analyzed, the other thing that
23 we're responsible for doing is setting policies.
24 And if you'll look back in the records, we've done
25 that. And we're working on that very diligently.

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1 appreciate it.

2 MR. JIMMY GONZALES: Good morning,
3 Madam Chair, esteemed Commissioners, Public
4 Education staff and Charter School Division staff.

5 My name is Jimmy Gonzales. I'm the head
6 administrator at Anthony Charter School. And I --
7 we all appear before you here today to address some
8 of these issues that were brought up with -- with
9 the audit findings, you know.

10 And really, the point of this, as a
11 school, as an entity, we disagree with the fact that
12 Anthony Charter School did not meet the academic
13 performance target for various reasons.

14 One, the Charter School Division
15 acknowledges that we have a three-year average of a
16 "C." Our performance framework states that we meet
17 the standards if we have a "C" and we submit an
18 improvement plan. Anthony Charter School submitted
19 an improvement plan with no feedback or objection
20 from the Charter School Division or the Public
21 Education Commission.

22 Additionally, we had no notice from the
23 Public Education Commission or Charter School
24 Division that we were in danger of non-renewal at
25 any time, which is a requirement of our contract.

<p style="text-align: right;">Page 62</p> <p>1 Anthony Charter School -- we acknowledge 2 that we've only partially met student performance 3 goals that are stated in the charter; however, we 4 believe it's important to recognize that we met the 5 two most important goals, our reading and math 6 goals. And along those lines, we also disagree with 7 the fact that the Charter School Division states 8 that we overstated our outcomes. 9 Okay. So, really, in the charter school 10 site visits from 2015-2016, 2016-2017, they never 11 mentioned that they had any disagreements with our 12 assessments and performance or even disagreement 13 with how we interpreted how that goal was measured. 14 The Charter School analysis of our renewal 15 application is the first time we learned that the 16 Charter School Division disagreed with our 17 assessment. Whether they consider it rigorous 18 enough or not is not necessarily for the Charter 19 School Division to decide. 20 Our contract actually provides that the 21 performance goals are to be pre-negotiated each year 22 of the contract. However, this didn't happen. So 23 consequently, if the Public Education Commission or 24 Charter School Division disagreed with the level of 25 rigor or method, the way things were calculated</p>	<p style="text-align: right;">Page 64</p> <p>1 out to be more of a blended learning approach, where 2 we use technology to support our students in the 3 classrooms, you know. And -- you know. 4 And, really, I think I'm not necessarily 5 understanding, you know, how it is that the Charter 6 School Division says we don't address root causes. 7 You know, I mean there could be lots of root causes, 8 you know. We address the root causes that are 9 within our control legally, you know. I mean, aside 10 from maybe even going to -- I'm -- you know, I mean 11 we deal with poverty as best we can. But the school 12 can't necessarily be the end-all cure-all save-all; 13 but we will try to do so, you know. 14 And so quite -- and I -- despite all this, 15 there are some -- some -- some positive points. One 16 is the Charter School Division agrees that we've met 17 the material terms of our contract financially, as 18 Mr. Wendler indicated. We are sound, you know. And 19 most recently, we have been forthcoming in reporting 20 changes to our governance council, you know. 21 And I think it would be fair to say in the 22 transition administration, there are obviously some 23 pieces of information that didn't get quite make it 24 into the mix of things, you know. Quite frankly, I 25 can say that as far as evaluations go, Mr. Wendler</p>
<p style="text-align: right;">Page 63</p> <p>1 according to how the terms of the contract -- the 2 requirements of the contract, they should have let 3 us know before now and before it recommended 4 non-renewal. 5 Pardon me one minute here. 6 Our graduation rate has increased from 61 7 to 63 percent, you know. And, really, it's -- 8 that's in context in the sense where it is. We 9 don't have -- one year, we might have a large 10 graduating class; one year, we might not have a 11 large graduating class. 12 Consequently, if there are circumstances 13 that are beyond the school's control, you know, 14 we -- some kids slip through the cracks, you know. 15 And we are aware of our obligation, you 16 know, to -- I guess, to bring academic performance 17 up in implementing intervention strategies. You 18 know, for this year we have actually included a 19 great deal of technology to help students along with 20 the issues that they've been having as far as making 21 them active readers, you know. We've been using 22 this new assessment data to help guide our 23 instruction. 24 And, you know, every class is going to 25 be -- we're really taking more of a -- it's turning</p>	<p style="text-align: right;">Page 65</p> <p>1 can attest that the previous administrator was 2 evaluated. I myself have been evaluated once this 3 year. And, once again, Mr. Wendler can attest to 4 that, you know. 5 And so essentially what I'm asking for is 6 this: You know, I -- I ask that we be granted a 7 prayer of relief for a five-year renewal, but, of 8 course, with conditions related to our academic 9 growth. 10 Thank you. 11 MS. PATTY MATTHEWS: Madam Chair, what 12 time do we have? Are we timed? 13 MS. FRIEDMAN: You have four minutes. 14 MS. PATTY MATTHEWS: Thank you, 15 Ms. Friedman. Okay. 16 Members of the Commission, my name is 17 Patricia Matthews. I'm the attorney for the school. 18 Most folks aren't used to speaking in public, so I'm 19 going to sort of play a little cleanup, like 20 shortstop, or whatever that baseball term would be. 21 But I'd first like to emphasize something, 22 I think, that gets lost in the mix here. And I'll 23 go into it in more detail. 24 But there -- if you'll note in the 25 recommendation and in the preliminary reports, the</p>

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1 Charter School only identifies one legal ground for
 2 non-renewal. And those of you who have been on the
 3 Board for a long time understand that the Charter
 4 Schools Act calls for -- gives only four grounds --
 5 there's actually five, but the facilities question
 6 is not at issue here -- for non-renewal.

7 The one cited by the Charter Schools
 8 Division is at 22-8B-12(K)(2), that says that the
 9 charter school failed to meet or make substantial
 10 progress toward achievement of the Department's
 11 standards of excellence or the student performance
 12 standards identified in the charter contract, one or
 13 the other.

14 The charter school does not dispute --
 15 Ms. Poulos made the case -- that they did not meet
 16 their student performance standards, as set in the
 17 contract. But certainly, reading and math scores, I
 18 believe they've met those goals.

19 But I will turn to the other question,
 20 which is the academic -- or the Department's
 21 standards of excellence.

22 What I think is important -- and I've seen
 23 it in all five of the evaluations that went forward
 24 done by the Charter Schools Division -- is that the
 25 Charter Schools Division is attempting to impose

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1 additional indicators and targets that were not
 2 negotiated with this Commission.

3 This Commission agreed to one indicator
 4 with regard to the Department's standards of
 5 excellence, and that was the letter grade. If the
 6 school made the letter grade, then they met that
 7 standard.

8 This charter school has a "C" average.
 9 They met -- and they submitted an improvement plan.
 10 I'm sorry that's unfortunate that the Commission did
 11 not have the opportunity to review or assess whether
 12 or not the improvement plan was to their acceptable
 13 standards. It just wasn't presented to you, and
 14 that's no fault of the charter schools.

15 But they did submit an improvement plan.
 16 They have a "C." They met that -- they met that
 17 first standard. And so there is effectively no
 18 legal ground to deny this charter school's renewal.
 19 So they have not violated any provision of law that
 20 would require -- or that would allow you or give you
 21 grounds to deny the charter.

22 I want to make it clear, because the
 23 Charter School Division has spent a tremendous
 24 amount of time and commitment in their analysis to
 25 go through the various indicators -- or the various

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1 subfactors that make up the school letter grade.
 2 Each -- each of the reports, you will see various
 3 discussions about comparing this charter school to
 4 other charter schools, not just locally, but
 5 statewide, and whether or not they're performing up
 6 to those standards.

7 Then they talk about the lower -- the
 8 Q3 --

9 MS. FRIEDMAN: One minute.
 10 MS. PATTY MATTHEWS: -- thank you,
 11 Ms. Friedman -- Q1 and Q3 growth standards, and all
 12 of the indicator -- or the separate factors.

13 If you recall, the Commission agreed that
 14 they would take all of those and roll them into the
 15 letter grade and look at that, not at the
 16 subfactors.

17 If that's what the Commission was going to
 18 do, then they had an obligation to negotiate every
 19 single one of the subfactors that make up the school
 20 grade and/or the subfactors that you find at
 21 22-8B-9(1). So the point that I would really like
 22 to hone in on is the fact that the school did make
 23 that performance goal by having the average of a
 24 letter grade of "C."
 25 The other problem that I have is with the

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1 disregard of the contractual requirements that say
 2 that the charter school is supposed to receive its
 3 site visit report within 60 days of its site visit.
 4 That is not happening. And because it's not
 5 happening, the Commission does not receive
 6 information from the Charter Schools Division in
 7 order to then notify the charter, which is also a
 8 term of the contract, that they are in danger.

9 COMMISSIONER PERALTA: Thank you. Your
 10 time is up. Thank you.

11 MS. PATTY MATTHEWS: And danger, I think,
 12 worked.

13 THE CHAIR: Okay. I guess for everyone's
 14 clarification, we need clarification. Because this
 15 process got, for want of a better word, mucked up --

16 COMMISSIONER TOULOUSE: Hijacked.

17 THE CHAIR: -- through the courts. And
 18 that was before I was on the Commission. I think it
 19 was the year before I came on is when the legal -- I
 20 guess that's when it went to District Court.

21 MS. PATTY MATTHEWS: I can give you a
 22 background, Madam Chair, if that would be helpful.

23 THE CHAIR: I'm going to tell you what I
 24 remember from when I came on was when information
 25 was requested. It wasn't that the Charter School

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1 Division wasn't communicating it to us; it was that
 2 they didn't have it because PED Legal had it. And
 3 apparently, they negotiated the terms of that
 4 contract, and we were not party to -- the PEC was
 5 not party to any of it.
 6 So it literally just got -- it got mired
 7 in that -- in District Court. And we were
 8 without -- through no fault of CSD in being able to
 9 communicate that -- it was no one knew where it was.
 10 And PED -- apparently, it was in PED Legal's. And
 11 we were not -- to my knowledge, we were -- I think
 12 maybe one time last year, it was finally that a
 13 contract was -- but I don't even know if anyone from
 14 the PEC signed that contract.
 15 MS. PATTY MATTHEWS: Madam Chair?
 16 THE CHAIR: I don't know that. But I
 17 don't want to get into that. But I know that the
 18 PEC was not any part of the negotiations as statute
 19 says we are. We were not part of the negotiations.
 20 But it was not through CSD's unwillingness to
 21 communicate the information. PED Legal had the
 22 information and did not communicate to us.
 23 MS. PATTY MATTHEWS: May I just respond?
 24 Is that a question or --
 25 THE CHAIR: Hold on. I'm just giving you

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1 my -- what I understand of the process since I've
 2 been on.
 3 Commissioner Toulouse, Commissioner
 4 Peralta, and Commissioner Conyers were on the
 5 Commission during that time.
 6 Commissioner Toulouse?
 7 COMMISSIONER TOULOUSE: Madam Chair, the
 8 Commission is at a real disadvantage here, because
 9 we were never even provided any documentary evidence
 10 from the decision that PED Legal came to. I never
 11 saw it.
 12 We were simply -- and we kept trying to
 13 get information, and we were -- months after the
 14 fact, were informed, "Oh, well, Dan Hill did a
 15 contract."
 16 We asked for copies. We were never given
 17 any copies. I never saw them.
 18 We did request that the school set up a
 19 time with us to negotiate a performance framework.
 20 We did that twice; and both times, the school said
 21 they didn't have to. Somehow it was already done by
 22 Mr. Hill. No, I mean, I'm saying what was told to
 23 us. But the school -- we did request of the school
 24 to meet with us, and were denied by the school.
 25 So that's what it -- I mean, that's what

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1 I'm going on. There was no -- we were not informed.
 2 MS. PATTY MATTHEWS: I think the school
 3 has a right to respond so that you understand, from
 4 our perspective -- and I think Ms. Poulos is caught
 5 in the middle. I'm not blaming the Charter Schools
 6 Division.
 7 COMMISSIONER TOULOUSE: Neither are we.
 8 THE CHAIR: Some of this was actually
 9 before even Ms. Poulos was --
 10 MS. PATTY MATTHEWS: Neither am I. From
 11 our perspective, the Court enjoined moving forward
 12 with closing the school. That's what the injunction
 13 was about. And instead of going to hearing on the
 14 matter, the Secretary at the time decided that she
 15 would negotiate a resolution through a settlement.
 16 We did all of the background work. We
 17 presented the contract, which is just your contract
 18 with an addendum; all right? And -- regardless of
 19 what it says. And we presented the performance
 20 frameworks. And that was the terms of the
 21 settlement.
 22 We gave that to the Department. We never
 23 heard another word, either. And I will tell you, I
 24 continued to ask for information from Mr. Hill,
 25 understanding what -- where that put everybody in

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1 the process. But I don't think that is a reason to
 2 penalize the school by closing it because there's a
 3 misunderstanding about what its obligations were.
 4 They went forward in good faith, performed
 5 under the contract they understood they were bound
 6 to, and that's where I think we are today.
 7 I -- I am so sorry that that -- this has
 8 happened; but it was outside of the control of this
 9 school. We acted in good faith. We did what we
 10 were supposed to do. It was -- the Secretary
 11 literally just never signed the contract. That is
 12 what happened. And I bet Ms. Poulos probably
 13 doesn't have a signed agreement, either; so...
 14 THE CHAIR: And, you know, at this point
 15 in time, who's got a -- who does or doesn't have a
 16 signed agreement. And I want to say, from my
 17 perspective, whatever that was -- and it was
 18 frustrating, because I do remember. It was when I
 19 came on that the requests were made twice.
 20 MS. PATTY MATTHEWS: We were never asked
 21 to meet. I'll be -- if we were, I would have been
 22 the individual. And Mr. Hill represented to me --
 23 this is what he represented to me -- that he asked
 24 you, the Commission, whether or not they wanted to
 25 sit down and negotiate the contract terms, which we

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1 thought was appropriate. And they -- they told us
2 you refused.

3 So it went both ways. And I -- we're
4 caught in this quagmire of a prior discussion that
5 was not trans- --

6 THE CHAIR: And I will assure you from my
7 perspective that whatever happened in regards to
8 that isn't tainting what I'm looking at now.

9 MS. PATTY MATTHEWS: Okay.

10 THE CHAIR: I can assure you from me that
11 that's -- that's water under the bridge. It is what
12 it is. But I'm now looking at this from a clean
13 slate in terms of the materials that are presented
14 here before me.

15 But it -- there is that frustration that's
16 there. But I wanted everyone to be kind of clear,
17 as clear as we can be about what did happen.

18 COMMISSIONER TOULOUSE: And, Madam Chair,
19 I know that the request was made from this
20 Commission. I don't know how you didn't get it,
21 because we made it sitting here; it would be in past
22 records. And it's true; because if it had gotten to
23 you, it would have been nice. And if you had just
24 then sent us a copy of what had been negotiated -- I
25 know the Secretary is no longer here; Mr. Hill is no

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1 But I think we have to look at today where
2 we are. And I just wish we had seen it. And I know
3 it was very frustrating. I know I asked. Mr. Hill
4 never came in here again and talked to us. He never
5 once said to our Executive -- our Executive
6 Committee were people that communicated with us
7 clearly all the time, as our Chair does. They were
8 never asked if they wanted to see it; so -- because
9 definitely I know that Carolyn Shearman would have
10 set, "Yes, we need to see it." There's no way that
11 that woman would have let it go without reviewing
12 that document.

13 And so I think we're now having to
14 basically start over at step one.

15 THE CHAIR: Okay.

16 MS. POULOS: Madam Chairwoman?

17 THE CHAIR: Did I hear -- okay.

18 MS. POULOS: It's not -- and I just
19 want -- because I think it's important to be clear
20 on this. It is not in your materials and your
21 ongoing action tracker, because that's been updated.
22 But I'm pulling up a tracker, that tracker of
23 ongoing actions from last October 2017 -- or
24 sorry -- '16. And in that, the notes are pretty
25 clear.

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1 longer here. You know, we don't -- and it's hard
2 for me to see whether you met the terms of a
3 contract I've never seen and that was never signed
4 or voted on or approved by this Commission.

5 So it's, like, I don't know how I'm going
6 to vote at this point. I honestly don't. It's
7 starting all over again with something that I went
8 through five years ago and looked at. And I -- you
9 know, I -- everybody's been set up, I think, from
10 both sides. And the people who may or may not have
11 done it aren't here.

12 Plus, you have a new head of the school.
13 You have all of these things new. And it's just an
14 incredibly frustrating experience to be in, which,
15 from my standpoint, is why we should have our own
16 staff, our own budget, and be separated. But that's
17 not going to happen until there's new Legislature.
18 But I might as well put that on the record, too. I
19 won't be on the Commission next year; but that's
20 something I'm going to push for when there's a new
21 Governor and a new Secretary and would hope
22 everybody here would help with that.

23 Completely -- I know it's a political
24 statement. But, again, a year from now, I will be
25 much freer to do that.

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1 In September of 2016, this Commission
2 voted to have a subcommittee of the PEC engage in a
3 negotiation process with the school to establish
4 2015 through '16 framework goals for this school.

5 The very next bullet is after this vote,
6 the school's attorney contacted CSD and stated that
7 the settlement agreement negotiations included a
8 performance framework, and negotiations with the CSD
9 would not be -- with the PEC -- would not be
10 appropriate.

11 So I want -- I just want that on the
12 record, so that you know you did have that
13 communication, and that was the response.

14 I think we're talking past each other. I
15 think we're talking about two different things,
16 about whether the PEC was engaged in the initial
17 conversations. And that's a very different
18 conversation; right? So I think it's just important
19 to be really clear about that.

20 THE CHAIR: Okay.

21 Beverly, do you have the list of --

22 MS. FRIEDMAN: There are no speakers for
23 this school.

24 THE CHAIR: Okay. All right. Is there
25 anyone not related to the school that has signed up

<p style="text-align: right;">Page 78</p> <p>1 for public comment? 2 (No response.) 3 THE CHAIR: No? I guess not. Okay. 4 Commissioners, we are open for questions. 5 And I guess I have a new question that was brought 6 up through something that was said during the 7 school's presentation, that you've moved to a 8 blended learning model. So I just -- I guess I have 9 a question if there is -- if there has been a change 10 to the educational plan since the -- since the 11 school has been approved, because I -- so that's a 12 question I have. 13 MR. JIMMY GONZALES: Well, Madam Chair, as 14 far as us moving toward an official blended learning 15 methodology, it would seem that's what it is. It's 16 moving toward, not necessarily that we have. But 17 all indications show that's the direction it is 18 heading, because of our use of technology and how it 19 is we've incorporated it into the classrooms on a 20 daily basis. 21 THE CHAIR: Okay. So then my question is 22 because there were concerns that were brought up 23 through the renewal application about the difficulty 24 of students taking tests on the computers; so I 25 guess I -- because I made a note here. Because</p>	<p style="text-align: right;">Page 80</p> <p>1 help express their answers. 2 And so consequently, a big part of the 3 issue was the high degree of frustration our 4 students encountered during the testing, now having 5 to change platforms after two years. 6 THE CHAIR: Okay. So I guess my question 7 was when -- when were you aware that it would -- the 8 test was going to be taken solely on computers? I 9 don't think that was -- should have been a surprise. 10 MR. JIMMY GONZALES: Right. Well, 11 Madam Chair, you know, I mean, I can't necessarily 12 speak to that. But what I can say is, you know, 13 once again, I just -- the only thing I can really do 14 is reiterate the frustration. What we are doing 15 now, however, is since we haven't been incorporating 16 more technology into the classrooms, we're making 17 sure that the students are actually practicing these 18 platforms, that they can be a little bit more 19 well-versed into how it is they perform on these 20 assessments. 21 THE CHAIR: Okay. And I-- 22 COMMISSIONER ARMBRUSTER: Madam Chair? 23 THE CHAIR: I was looking through this. 24 What's your retention rate with students? 25 MR. JIMMY GONZALES: Our retention rate,</p>
<p style="text-align: right;">Page 79</p> <p>1 apparently, there was an indication that you are not 2 aware, I guess, in -- was it 2017? -- that the PARCC 3 would have to be taken online and that a significant 4 number of the students did not take -- take it 5 online? Was that not the problem? 6 MR. JIMMY GONZALES: Well, Madam Chair, if 7 I may, prior to the first computer administration of 8 the PARCC, the previous two years, the test had been 9 taken paper-and-pencil. The shift was made to take 10 the PARCC online. 11 THE CHAIR: Right. 12 MR. JIMMY GONZALES: And so the students 13 are used to testing online through Discovery 14 Education in the sense that where it is. The 15 Discovery Education test is a simpler test, in the 16 sense that it doesn't have as many requirements as, 17 say, the PARCC test does as to what it is the 18 students are required to do with the actual 19 information on the screen. 20 Now, part of the issue that we encountered 21 was that our students didn't necessarily have the 22 computer -- the adequate computer skills necessary 23 to deal with seven- and eight-part questions where 24 it is they're having to click different -- different 25 buttons, if you will, on the screen to help -- to</p>	<p style="text-align: right;">Page 81</p> <p>1 it's -- well, I would say it's -- it's probably in 2 the 70 percent range, to be perfectly fair. We do 3 have students that transfer in and out. 4 THE CHAIR: Right. So I guess my concern 5 was when we're looking at some of the Discovery 6 scores and so on, how many of the same students are 7 we looking at? 8 MR. JIMMY GONZALES: Right. 9 MS. POULOS: Madam Chairwoman, if you're 10 looking for that data, it's the -- Page 39 of 171, 11 or also noted as Page 15 of 20 right above that. 12 It's Chart 19, Page 39 of 171. 13 And you'll see over the period, this is 14 percentage of Anthony Charter School students 15 remaining enrolled from enrollment to end of year. 16 So that's talking about within the school year, how 17 many -- what percentage of their students do they 18 retain. 19 We use that -- the student information 20 system data that's transferred into our S.T.A.R.S. 21 system to calculate that. And what we do is look at 22 the student ID codes associated with enrollments and 23 then the student ID codes associated with 24 withdrawals and find what percentage stayed enrolled 25 until the end of the year. Again; Page 39 of 171.</p>

<p style="text-align: right;">Page 82</p> <p>1 It's also noted right above that -- it's 2 Page 15 of 20. And on the next page, you'll see on 3 Chart 20 that it's the recurrent enrollment. That's 4 how we're using to say the percentage of students 5 that remain enrolled between years, meaning they 6 finish the end of the year and do they come back and 7 stay enrolled at the beginning of the year. 8 And we see there that in 2015, that was 9 58 percent; 2016, 71 percent; 2017, 82 percent. So 10 that is on the rise. And I think the important 11 thing to note about that is it is on the rise. And 12 so these numbers are not very low in comparison with 13 a lot of our schools. 14 COMMISSIONER CABALLERO: Madam Chair? 15 THE CHAIR: Commissioner Caballero? 16 COMMISSIONER CABALLERO: I look at that 17 data. But I also look at the percentage of new 18 students a school gets. And I remember seeing 19 some -- some percentages that were quite high of new 20 students. 21 And so my question is where -- where is 22 the majority of those students coming in? Middle 23 school or high school? 24 Because if I look at the -- if we're 25 looking at how the school is doing, that will impact</p>	<p style="text-align: right;">Page 84</p> <p>1 frustrating to me that this is something that's 2 still being identified as an issue with the school 3 and the fact that you've got lack of focusing on 4 lowest performing students. 5 This is year eight of this contract. So, 6 you know, I'm beating up on the -- on the new 7 people. But that is also frustrating on our part, 8 because it's not your fault. But time and time 9 again, we're having too many new folks standing in 10 front of us and saying, "It wasn't on my watch. And 11 we just came on board, and here we are, and we're -- 12 you know, we're dealing with this." 13 But it seems like by year eight, these are 14 things you should have figured out that you needed 15 to address with this school. And that -- that's -- 16 that's where my frustration is, that we're -- you 17 know, we're identifying this now as things that we 18 haven't done. But over the terms of these two 19 contracts now, this should have been done. And 20 that's where I really am perplexed. And I guess 21 that's more statement than a question. 22 COMMISSIONER CABALLERO: Yes. And I would 23 be perplexed, also, Madam Chair, is that in their 24 document, Page 17, they say, for mathematics, 25 80 percent of students were English Learners, which</p>
<p style="text-align: right;">Page 83</p> <p>1 either, overall, the school, and then areas of the 2 school with that enrollment of new students. 3 What -- what is that percentage of new 4 students? 5 MR. JIMMY GONZALES: Well, I -- I -- 6 Commissioner Caballero, as far as the percentage of 7 students enrolled, I would have to say -- I can't 8 exactly put a distinct figure on it right now. 9 However, we do have a quite a few new enrollees at 10 the beginning of every year. And most of those come 11 into the middle-school grades. 12 And so, essentially, our population is 13 growing; however, it is growing more in the 14 middle-school grades. 15 THE CHAIR: I'm going to -- to focus on -- 16 it's actually Page 22 of the renewal application. I 17 don't know where -- where you're identifying 18 indicators that reflect some of the areas of 19 weaknesses. 20 And I think part of my frustration is 21 you're actually in year eight. And you identify 22 things like limited support for students 23 experiencing distractions caused by family issues. 24 And I know the area well. I'm from the -- 25 I'm from Cruces; so I know the area well. It's</p>	<p style="text-align: right;">Page 85</p> <p>1 it's an anchor on charter schools. And of those, 2 60 percent of those are new students to that school. 3 And so my concern is -- and I'm from 4 El Paso; so I'm familiar with the area. Gadsden and 5 Anthony and this school can be compared. But I 6 don't think that the demographics are the same as 7 was pointed out earlier by our director that the 8 rest of the schools are the same demographically. 9 Maybe they're Hispanic. 10 But when you get to Gadsden school and you 11 get to that Anthony, the level of poverty is much 12 more extreme. The -- when you have a community of 13 high numbers of immigrants, it's a magnet for -- for 14 new immigrant families, because they feel safer, 15 they feel protected, they feel that they can be 16 successful amongst other immigrant families. So 17 it's a natural magnet. 18 I grew up in such a -- in the same type of 19 community, where at the beginning of the year, it 20 was not the same students -- maybe 20 or 30 percent 21 of the original students at the beginning of the 22 year were left. The rest were new. 23 And so we're looking at a school that, if 24 we were able to test -- and, yeah, they make -- they 25 analyze those that were there for the whole year,</p>

<p style="text-align: right;">Page 86</p> <p>1 and we look at those numbers. But when you look at 2 the amount of percentage of new students that are 3 coming in, it's -- it's -- unless the school makes 4 it a policy of not accepting new students and let 5 them do whatever they want to do in the public 6 schools, then they could -- they could really do 7 fairly well. But once they admit them, it becomes 8 the responsibility of the school.</p> <p>9 But it's -- they're weighted down. I 10 don't know how to treat it. But they are weighted 11 down, because I experienced it as a child.</p> <p>12 THE CHAIR: Well, I'll just remind the 13 Commissioner that they can't pass policy not to take 14 students in, because they are a public school. 15 That's not something we want to suggest, because 16 they do have -- that's the frustrating part of all 17 public schools. You have to open -- and rightfully 18 so -- you open your doors to everyone who walks in, 19 charters only slightly different, because if you 20 have your cap and you've met your cap, then you are 21 full. With a traditional public school, it becomes 22 a little -- they can't do that.</p> <p>23 But with a charter, they can say no, 24 because, "'There's no more room in the inn' at this 25 moment in time, because we've reached our cap."</p>	<p style="text-align: right;">Page 88</p> <p>1 where -- that's where I'm coming from right now, 2 that there are -- that there are traditional public 3 schools in the area that have figured it out or are 4 certainly in a better position of figuring it out.</p> <p>5 So I'm -- you know, that's where I'm at at 6 this moment in time. You know, personally, I -- and 7 I hate to say this, because I think there is a need 8 for an option in that area. And I've spoken -- you 9 know, I have. I spoke with the previous 10 administrator any number of times. And I don't 11 think there's been a tremendous reach-out by the 12 school even to other -- the rest of the charter 13 community in Cruces for any suggestions or 14 recommendations.</p> <p>15 But, you know, I'm at a point where I 16 am -- I truly hesitate for another five years with 17 this to try to figure it out. I think it should 18 have been figured out by now. Especially given the 19 difficulties in the last renewal decision, I think 20 it should have been on the radar that this -- you 21 know, that something needed to be fixed, and not 22 now.</p> <p>23 And I've said my piece. Commissioner 24 Armbruster?</p> <p>25 COMMISSIONER ARMBRUSTER: I will admit</p>
<p style="text-align: right;">Page 87</p> <p>1 But otherwise, we take all. And I do 2 believe that the demographics of this school are the 3 same as Gadsden's. They are.</p> <p>4 COMMISSIONER CABALLERO: Yes.</p> <p>5 THE CHAIR: They are. That is true. And 6 I understand. I taught in a school that was -- we 7 had a lot, a lot of them. And it is, it's 8 exceptionally frustrating.</p> <p>9 My overarching frustration is that it 10 doesn't appear that this school has created any 11 infrastructure to deal with that change over this 12 eight-year time period, that in this renewal 13 application, they come forward and say, "We -- we 14 lack this support."</p> <p>15 It shouldn't have taken eight years and 16 this renewal to figure this out. That's my 17 frustration, that this isn't, "Oh, we didn't know 18 this about ourselves." You should have known this 19 about yourself.</p> <p>20 So that's -- and I feel that that's why 21 you're in this position, because you've gone through 22 these eight years and not done anything to try to 23 figure this out.</p> <p>24 And I hesitate to say let's give you 25 another five to try to figure this one out. That's</p>	<p style="text-align: right;">Page 89</p> <p>1 that I have a number of things to say, and I'm only 2 going to say part of them now, and I'll save part of 3 them for later.</p> <p>4 In a sense, I want to take the 5 responsibility off of the principal or head learner, 6 whatever -- I never can get those straight -- 7 because you have teachers there who should know what 8 to do. And if they're not doing what they should be 9 doing, they should have been trained in what to do.</p> <p>10 If I were to look at New Mexico in 11 general, with the exception of -- I don't know -- 12 maybe 20 schools or something -- maybe 50, I don't 13 even know; not that many -- but our students are 14 poor, they're disadvantaged, they're 15 non-English-speaking, or at least 16 non-English-speaking in academic terms, which is 17 different from the two.</p> <p>18 MR. JIMMY GONZALES: Right.</p> <p>19 COMMISSIONER ARMBRUSTER: And so I don't 20 believe that Anthony is any different from most of 21 the schools.</p> <p>22 I appreciated your comment, 23 Commissioner Caballero, because I understand that 24 immigrants go to be comfortable, of course. But at 25 the same time, they're leaving. So they're not</p>

1 staying in this school. And they have a choice of
2 several schools around who are actually academically
3 doing better than Anthony is doing.

4 So, to me, I don't know -- maybe you can
5 address in a quick question -- a quick answer -- how
6 many of your teachers have turned over in the last
7 three or four years, what percentage.

8 MR. JIMMY GONZALES: Well, Commissioner
9 Armbruster, we have -- we have three new teachers
10 this year.

11 COMMISSIONER ARMBRUSTER: Out of how many
12 is that?

13 MR. JIMMY GONZALES: Three out of eight.

14 COMMISSIONER ARMBRUSTER: And so five have
15 been there for a while, I'm assuming.

16 MR. JIMMY GONZALES: Yes.

17 COMMISSIONER ARMBRUSTER: So as a former
18 teacher -- many of us here have been former
19 teachers -- it's really up to the teachers, also, as
20 to what to do. And in the -- the new framework
21 kinds of things, what we're really looking at is
22 what are the adults' actions, because I can't
23 control parents who are on drugs. I can't control
24 children in poverty. I can't change any of those
25 things. As much as I would like to do that, I

1 working against us, that there's no doubt about
2 that, you know. And quite frankly, the actions that
3 were taken in the past yielded marginal results.
4 That's why it is we're making these changes to try
5 and make up for these past -- for the past lack.

6 COMMISSIONER ARMBRUSTER: And, of course,
7 what we are -- our charge is to not say, "What are
8 you going to do in the future"; but, "What has been
9 done in the past?" And it's -- you know, it's a
10 heart-wrenching situation always, always, for
11 everyone.

12 But in looking at, you know, tons of data
13 here, and seeing -- so if you do something and it
14 doesn't work, did you reach out to other charter
15 schools who are doing better? Or to the traditional
16 public schools, who are clearly doing more than you
17 are? And I'm sorry, because I'm asking you, and you
18 weren't even there. So I'm -- I am aware of that.
19 But it doesn't seem much, as Commissioner Gipson
20 said. It's like you've had eight years to get it
21 together, so to speak, and it hasn't been successful
22 for whatever reason.

23 And I don't know that I can pinpoint one.
24 But I would be hesitant to say, "Oh, sure, let's
25 give you even another three years to get it

1 can't.

2 So our emphasis is really on what is it
3 the adult actions that are being taken to help these
4 children and -- and what can they do to improve
5 their academic performance, regardless of what their
6 background is. And so I'm now going to ask you this
7 question, is when Anthony first got their "D's" and
8 "F's," what actions did adults take to improve the
9 instruction for all students? And what was the
10 outcome of that?

11 MR. JIMMY GONZALES: Well, Commissioner
12 Armbruster, you do have those responses in the
13 application, where it is we implemented certain
14 things -- well, part of our charter, of course, is
15 the "Consejos" class was one, where it's an advisory
16 period, where we deal with socio-emotional issues
17 that the kids might be having.

18 But even that class has shifted in certain
19 respects in that where it is at one point in time,
20 it was taking on an academic intervention role, as
21 well, you know. And so -- you know. And part of,
22 you know, what we've been doing lately, once again,
23 is incorporating more technology. You know,
24 we're -- we're trying to do the things that we can.

25 We know that we have certain circumstances

1 together"; because we're looking at past
2 performance. And we have no guarantee that would
3 indicate that this school is a viable school, is a
4 viable alternative.

5 It's great to have alternatives; but if
6 it's not doing better, then it's not a good
7 alternative. It's taking more money, money that
8 could go to traditional public schools to make them
9 have smaller class sizes or whatever. And that's my
10 point.

11 COMMISSIONER CABALLERO: Madam Chair?

12 THE CHAIR: Commissioner Caballero?

13 COMMISSIONER CABALLERO: Yes. When you
14 look at the -- and it was pointed out the trajectory
15 of students that have remained in the school. You
16 saw that there's a high percentage of those students
17 have remained. And if you were to compare the
18 school with Gadsden, which is the only school really
19 with the same type of student, it's extreme poverty,
20 a lot of first learners, all the indicators -- and
21 you also look at the special ed. You have English
22 Learners, special ed. I mean, how -- how more
23 difficult? And it's not a low number. It is not a
24 low number.

25 And when you look at Gadsden's middle

1 school, it is very high. It is very high. If I
2 were a parent in Anthony, and I -- I saw the charter
3 school as an option, I would send my middle-school
4 child to Gad- -- to the charter school. And so
5 especially if any child, when he or she started, was
6 not doing well at the public schools, then I would
7 shift over.

8 And so the magnet schools, which was the
9 original intent of providing parents an option for a
10 better education, you will see that a lot of parents
11 shifted their kids to the middle school.

12 And so the charter school got weighted
13 down, and the public school did very well, I mean,
14 by leaps and bounds, by a high, high percentage.
15 And you look at their history and you'll see that it
16 was astronomical.

17 What did they do to get like that from one
18 year to the next? Well, when, you have 10, 15, 20,
19 or whatever number of kids that really needed help,
20 and the parents sought the help of a charter school,
21 that charter school is going to be weighted down
22 until those kids get into high school. And so now
23 we see that in the high school; they are already
24 showing high performance.

25 But in the middle school, where -- where

1 not. Chaparral has immigrants, but it's very mixed
2 of middle class, Hispanic, not even first -- zero
3 immigrant community. You have a good mix; so
4 they're able to be a much better community and more
5 integrated in terms of the kids in the schools.

6 So it's not the same. You can't -- you
7 can't -- I have friends that retired from Gadsden.
8 And they never left. But they can tell you, the one
9 thing they would say is, "Estan muy pobrecitos."
10 They're just very, very poor. And their frustration
11 until they retired was that how does a teacher
12 handle all the challenges of a very poor family?

13 And you cannot solve their economic
14 situation. You cannot. Even if they do the
15 "Amanecer," or whatever program, psychological
16 thing, I mean, their -- I have friends who were
17 very, very good students and had to -- had to quit
18 in seventh and eighth grade. They had no choice.

19 MR. CHARLES WENDLER: May I respond?

20 THE CHAIR: It's really not a question.

21 MR. CHARLES WENDLER: No, I know. But if
22 I could --

23 THE CHAIR: So -- (indicates.)

24 COMMISSIONER ARMBRUSTER: I just have to
25 say, about special ed, I --

1 they're getting all -- all the -- we used to call
2 ourselves "the Escape" [ph], "the scrap." And I
3 was in part of that "Escape." And we called
4 ourselves that because we were from Juarez. And we
5 could hardly speak English. And our only strength
6 was mathematics.

7 We were -- we managed to stay in and do
8 well. And most of my friends from Juarez are
9 engineers, because we were so good with mathematics,
10 because Mexico is by leaps and bound in math.

11 But we couldn't -- there was no language
12 learning classes. We were all pushed into special
13 education the first year. It was horrible being in
14 special ed, not only because of the lack of
15 instruction, but because of the abuse by other
16 students because we were in special ed.

17 And so just to point out, when you look
18 at -- at the data, try and analyze that, it's a real
19 small community. Anthony is that type of community.
20 So the shift from -- from one school to the next,
21 either experiencing a high influx of students -- you
22 know, that's where they're coming from. And we have
23 to see that they're not the same as Santa Theresa.
24 You can't compare to Santa Theresa. And we may
25 think that we can compare to Chaparral; but it's

1 THE CHAIR: That it's not fun being in it.

2 COMMISSIONER ARMBRUSTER: -- some of us
3 are the Queen here. And that is my field. And,
4 well, it isn't -- well, it is. But I taught in that
5 for 39 years. And I do agree that there are good
6 and bad, just like there is everything else.

7 But I think you need to remember that when
8 we look at these scores of students, they're
9 compared to other students who are exactly like they
10 are and had the same scores. And that, for me, took
11 a lot of -- really? It was very difficult. So
12 we're not comparing different students; we're
13 comparing students who did the same.

14 MS. POULOS: Madam Chairwoman and
15 Commissioners, I do just want to give you a little
16 bit of extra information that may be helpful.
17 Commissioner Caballero was talking about looking at
18 the grade levels in the different grade levels. In
19 fact, in the lower grade levels, their proficiency
20 grades are higher, and they drop as those grade
21 levels get higher. So I think that's an important
22 piece just to be aware of.

23 THE CHAIR: Commissioner Conyers?

24 COMMISSIONER CONYERS: Just kind of a
25 question for the principal. And at various times

<p style="text-align: right;">Page 98</p> <p>1 I've worked as a principal and CEO. And I notice 2 that the -- one of the issues -- you had mentioned 3 that you had been evaluated, and the predecessor; 4 although it says here there is no proof. It said an 5 annual report had not been submitted.</p> <p>6 I always worked very hard to make sure I 7 got everything in on time. For one reason, it made 8 me feel good to be done with it. But the other 9 thing is you start appearing on people's radar when 10 you get red-flagged, and so then they start looking 11 more closely.</p> <p>12 And is there -- can you explain that, why 13 those things didn't get done, or --</p> <p>14 MR. JIMMY GONZALES: Well, Commissioner, 15 it's no disrespect; but I think that might be a 16 question I could probably defer to our attorney, if 17 I may?</p> <p>18 COMMISSIONER CONYERS: Okay.</p> <p>19 MS. PATTY MATTHEWS: Mr. Conyers -- 20 Commissioner Conyers, members of the Commission, 21 it's not because I know anything legally special. 22 There was a transition in the summer. And 23 it was abrupt. And although there's evidence in the 24 minutes, there's the evaluation document to 25 demonstrate that the former administrator was</p>	<p style="text-align: right;">Page 100</p> <p>1 of people got together to form this charter school, 2 very idealistic, high ideals, wanted to do something 3 for these students. In the eight years that the 4 school has been in existence -- and I want to 5 believe in my heart that many things, many 6 interventions have been tried. But the data shows 7 me that the students are not -- have not 8 demonstrated, on their performance assessments the 9 success of any of these interventions. And that's a 10 concern to me, because charter schools are there as 11 options.</p> <p>12 Now, at the same time, the school district 13 has experienced some success with their 14 interventions. I can't -- I can't, with the 15 information that I have, determine whether that is 16 based on the fact that there's been -- that students 17 who need interventions have left and gone to 18 Anthony, and so you have absorbed the most 19 challenging. But even if you have, that is what 20 you -- that is -- for what you exist is to accept 21 those and to rise to those challenges. I do not 22 see, in the time that the charter has existed, the 23 ability to meet these challenges, in your current 24 form.</p> <p>25 Closing a charter school, voting -- having</p>
<p style="text-align: right;">Page 99</p> <p>1 evaluated. Because of the transition in the summer 2 and Mr. Gonzales -- thank you -- drinking water from 3 a firehouse for the first few months, it slipped 4 through the crack to get it there. It just didn't 5 happen. I agree with you.</p> <p>6 But I think it's fair to have that 7 explanation. They had met that requirement in prior 8 years. But things happen, and this is what happened 9 in this instance.</p> <p>10 COMMISSIONER CONYERS: Okay. Thank you.</p> <p>11 THE CHAIR: Commissioners, any other 12 questions?</p> <p>13 Commissioner Johnston?</p> <p>14 COMMISSIONER JOHNSTON: Thank you, 15 Madam Chair.</p> <p>16 I have many questions and thoughts. The 17 overall concern I have in reviewing the documents 18 provided is the consistent academic downward trend 19 of -- that's reflected in student performance on the 20 assessments. That makes me, as an educator, sad.</p> <p>21 We have spoken here as a Commission about 22 the kinds of students that come from an area like 23 the one, I guess -- and each area is unique, I can't 24 say. But there are challenges.</p> <p>25 When the charter school -- when the group</p>	<p style="text-align: right;">Page 101</p> <p>1 one vote out of this, for me, is -- requires a lot 2 of thought and reflection. Desiring to make the 3 most positive for students -- this is not about -- 4 my mind is not about with the grownups. My mind 5 is -- my emotions lie with the students. It's going 6 to be a jar for the students that have been there 7 who have depended on it. But those students -- by 8 the same token, you share the data with the students 9 about their performance, don't you?</p> <p>10 MR. JIMMY GONZALES: We do, yes.</p> <p>11 COMMISSIONER JOHNSTON: So they know that 12 they're not achieving. They may think they're not 13 smart because they're not achieving like everybody 14 else. And that's not fair to them. Because these 15 children are impacted by their circumstances, but 16 they need not be products of their circumstances 17 when they grow up.</p> <p>18 And so maybe it's time for the adults to 19 regroup and say, "Okay, this charter school served 20 its purpose." Maybe we need to look forward and 21 have some planning time and some thinking time, and 22 we need to go through that process again.</p> <p>23 That's been a lot of words. But I've been 24 thinking -- I even wrote to ask you a question. And 25 I don't expect an answer, because we've talked about</p>

<p style="text-align: right;">Page 102</p> <p>1 this a lot. But I wanted to ask you what conditions 2 you, as the head of school, would impose on the 3 school -- on the charter if it were renewed. I'm 4 not really sure what conditions those would be. 5 I see in education we have a huge tendency 6 to react instead of be proactive because of time. 7 There is never enough time. Charters are there to 8 take risks. Anthony has taken some risk. There is 9 risk in change, in moving forward. But the 10 methodology that has been applied at Anthony Charter 11 School over eight years, you've not been able to 12 find something that would make you an exciting 13 alternative for these students who are struggling. 14 And they deserve that. 15 And so I really -- and I really -- I have 16 a lot of respect for your attorney, for Ms. Matthews 17 and for her legal expertise. And she's absolutely 18 right on with legal grounds. But then it becomes 19 almost an ethical issue, as educators. Because you 20 can be legal and not meet the needs of the students 21 because you can't -- you can't get to that 22 methodology, and you don't have the time, and 23 everything you're trying is not working the way it 24 should. 25 I -- and, again, I have great respect for</p>	<p style="text-align: right;">Page 104</p> <p>1 school done during the length of the entire contract 2 to move the school on. But the answer was, "This is 3 what we're doing in this current school year," so 4 that we don't have any clarity as to if anything has 5 been done in the past, whether it worked or not, you 6 know. "This is what we attempted. It didn't -- we 7 regrouped." That four years have been ignored in 8 that response. 9 And that's frustrating on my part, because 10 the only thing I'm being given a glimpse at is four 11 months with no data to look at. And we've got four 12 years that we've -- we don't have anything in that 13 response. And that's very frustrating for us, to 14 not be able to see what the correct response to a 15 significant piece of this renewal application, what 16 have you done over the course of the length of this 17 contract to try to improve the school. 18 And I say "you"; but I mean the school. 19 And whether you're the new person there or not, you 20 should have that information available to you to 21 show what the school has done to meet the needs of 22 the students through the term of this contract. 23 COMMISSIONER JOHNSTON: Madam Chair? 24 THE CHAIR: Commissioner Johnston. 25 COMMISSIONER JOHNSTON: Thank you. I'd</p>
<p style="text-align: right;">Page 103</p> <p>1 Ms. Matthews. I say that truly. That's humility on 2 my part. And I want -- you have great legal 3 expertise. But it's time for the governing council 4 and the administration and the teachers to regroup 5 and think hard. Because every -- every day -- and 6 I'll take that; I wasn't at the last meeting -- but 7 every day we go forward with leaving these students 8 behind as underperforming when these families -- and 9 these students are their most valuable, valuable, 10 valuable asset in this life -- and they're not 11 performing. And it's getting worse. 12 So we can't do that. We just can't. So 13 thank you, Madam Chair. 14 THE CHAIR: And I guess I just need a 15 little point of clarity here. With the renewal 16 application, on Page 23, the statement is, 17 "Individual and school-wide actions have been put 18 into place in the current school year." 19 And I -- my understanding was -- and it 20 should have been for the term of the contract. Yes? 21 MS. POULOS: (Indicates.) 22 THE CHAIR: Yeah. So that was -- because 23 I had underscored that and highlighted that, because 24 that was, once again, another concern, that this was 25 supposed -- the question is addressing what has the</p>	<p style="text-align: right;">Page 105</p> <p>1 like to make a motion. 2 THE CHAIR: Certainly. 3 COMMISSIONER JOHNSTON: Madam Chair, I 4 move to deny the renewal application presented by 5 Anthony Charter School because the school has failed 6 to meet and has not demonstrated substantial 7 progress towards the Department's standards of 8 excellence and the student performance standards 9 identified in the charter contract. 10 The school has earned three overall "D" 11 grades on the State's A-through-F grading report in 12 the last four years. 13 The school was ranked in the bottom half 14 in four of five academic categories of the most 15 recent A-through-F school grading report when 16 compared to similar schools across the state. 17 The school has not demonstrated the 18 implementation of improvement efforts that are 19 effectively improving student achievement. 20 The school has failed to provide evidence 21 demonstrating it has met the five terms of 22 conditions -- condition in all years of its charter 23 contract. 24 And the school has failed to demonstrate 25 the governing board is able to meet its governance</p>

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1 responsibilities, such as complying with annual
2 reporting and training requirements.
3 COMMISSIONER PERALTA: Second.
4 THE CHAIR: There's a motion by
5 Commissioner Johnston and a second by Commissioner
6 Peralta.
7 Discussion?
8 (No response.)
9 THE CHAIR: Seeing none, Commissioner
10 Armbruster, roll-call vote, please.
11 COMMISSIONER ARMBRUSTER: No abstentions?
12 Is that correct?
13 So, Commissioner Ruiz?
14 COMMISSIONER RUIZ: Yes.
15 COMMISSIONER ARMBRUSTER: Commissioner
16 Conyers?
17 COMMISSIONER CONYERS: No.
18 COMMISSIONER ARMBRUSTER: Commissioner
19 Toulouse?
20 COMMISSIONER TOULOUSE: No.
21 COMMISSIONER ARMBRUSTER: Commissioner
22 Armbruster votes "Yes."
23 Commissioner Peralta?
24 COMMISSIONER PERALTA: Yes.
25 COMMISSIONER ARMBRUSTER: Commissioner

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1 recommendations, so that we look at these
2 independently, as well as with the CSD
3 recommendations that come in after the fact.
4 And it can come pretty close to assuring
5 that every one of us has read all pieces of this
6 application, of the renewal application.
7 So it is -- it is absolutely done with a
8 heavy heart, these decisions, as Commissioner
9 Johnston said, because we do understand the impact
10 that this has on the lives of folks.
11 So we appreciate your -- your time here
12 today. Thank you.
13 MR. JIMMY GONZALES: Thank you.
14 THE CHAIR: And as the next school is
15 gathering itself, we'll take a shorter break;
16 hopefully, less than ten.
17 (Recess taken, 11:33 a.m. to 11:58 a.m.)
18 THE CHAIR: Okay. We're going to
19 reconvene, bring us back to order. We're not
20 reconvening.
21 And I appreciate the difficulty of this
22 large group of people. And I apologize for some
23 people having to stand. I know it's got to be very
24 difficult. And we've got some concerns about
25 moderating the temperature in the room.

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1 Johnston?
2 COMMISSIONER JOHNSTON: Yes.
3 COMMISSIONER ARMBRUSTER: Commissioner
4 Caballero?
5 COMMISSIONER CABALLERO: No.
6 COMMISSIONER ARMBRUSTER: Commissioner
7 Robbins?
8 COMMISSIONER ROBBINS: Yes.
9 COMMISSIONER ARMBRUSTER: Commissioner --
10 never mind. Just one second.
11 Commissioner Gipson?
12 THE CHAIR: Yes.
13 COMMISSIONER ARMBRUSTER: Commissioner
14 Crone?
15 COMMISSIONER CRONE: Yes.
16 COMMISSIONER ARMBRUSTER: The vote is six
17 to three. The motion passes.
18 THE CHAIR: No. Who did not vote? One,
19 two, three, four -- seven-three. Seven-to-three.
20 It passes.
21 The motion carries seven-to-three. I want
22 to assure everyone here in the audience that the
23 Commission takes this incredibly serious. We've
24 spent more than a month with these renewal
25 applications, going through them before the CSD

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1 But I will also remind people that we do
2 have a court stenographer here, so that it becomes
3 difficult when we've got a large room and noise
4 going on. So I will ask people to please make sure
5 that your electronic devices are silenced and that
6 we try to keep all noise to a minimum so that we
7 don't have distractions with those folks that are
8 trying to present information to us, and that our
9 court stenographer can hear clearly all of this
10 information, because this is a record that we often
11 do have to reflect back on.
12 So thank you once again, and thank you all
13 for your patience. As I said before, these are
14 concerns and issues that we take very seriously, so
15 that we don't want to cut a school off without
16 getting the full picture. So we appreciate you
17 hanging in there with us during this lengthy
18 process.
19 So we are on to our second school now on
20 our list. And I will remind those that are before
21 us -- and this is B, Taos International School --
22 to, please, when it's time for you to speak, for you
23 to introduce yourself for the record.
24 Director?
25 MS. POULOS: Madam Chairwoman,

<p style="text-align: right;">Page 110</p> <p>1 Commissioners. Again, as I said, as we introduced 2 the last recommendation, this is hard for us to do. 3 This is not a part of the work that we enjoy doing. 4 It is a necessary part of the work. And as you see 5 before you, we again are recommending the 6 non-renewal of this school. 7 And that's because -- a couple of things; 8 right? When we look again at that academic data, 9 when we dig in -- and you will note that we only 10 have three years of academic data. This was a 11 school that sort of even prior to its opening; 12 right? Normally, our schools have six or nine 13 months when they plan to open their school and get 14 everything ready. And the school wasn't ready to 15 open at that point, had to have an additional what 16 we call "planning year" before they were able to 17 open. 18 And then, you know, in the first year of 19 performance, you know, came out at the beginning 20 with some pretty challenging academic performance. 21 And that trend has continued and, in fact, has 22 demonstrated declines. 23 The school ultimately has failed to meet 24 and has been unable to demonstrate substantial 25 progress toward both the Department's minimum</p>	<p style="text-align: right;">Page 112</p> <p>1 conducted their site visit and talked with their 2 board members, we had a real concern about the 3 governance. We asked about what the school 4 governance was doing, the audit committee was doing 5 to oversee the correction of prior year audit 6 findings. And we were told that they didn't have 7 prior year audit findings. But they did. 8 So we really are concerned about the 9 ability of this school, not just on its academic 10 performance, but also just overall governance. 11 Sorry -- 12 THE CHAIR: That's okay. 13 MS. POULOS: I think one thing that I do 14 want to point out, I mentioned to you earlier today 15 that there was that list released by the Public 16 Education Department of schools that have been 17 identified for more rigorous interventions or for 18 comprehensive or targeted support and improvement. 19 This is a school that was identified for 20 targeted support and improvement. And that happens 21 if at least one subgroup of students is -- is 22 identified as a very low performing subgroup of 23 students. So when you kind of take that subgroup 24 out and look at their performance, would they fall 25 in the lowest 5 percent, those same performance</p>
<p style="text-align: right;">Page 111</p> <p>1 expectations, educational standards, and the 2 standards, the performance standards that are in the 3 contract. 4 The school's improvement actions weren't 5 targeted to address specific root causes. They were 6 generalized actions. They were actions that were 7 required in their contract or, in law; again, things 8 like implementing RTI, or implementing effectively a 9 bilingual dual-language program. And, really, at 10 the beginning of their fourth year of operation, 11 they appear to be in the beginning stages -- the 12 beginning stages of improvement efforts. 13 And, you know, more importantly, when we 14 look at the academic data, they've demonstrated a 15 downward trend in their growth of their students. 16 And when we compare them to similar schools, there's 17 about 134 other schools that they were grouped 18 with -- and when we compared them to other 19 K-through-8 dual-language programs, there was a 20 clear pattern of underperformance. And their own 21 reporting on their school's specific goals 22 demonstrates that they have not met or made progress 23 toward meeting those goals. 24 And I will say one last thing, on just 25 kind of overall performance. As we look at --</p>	<p style="text-align: right;">Page 113</p> <p>1 standards for the CSI schools. And this is one of 2 those schools. 3 You'll see on our table that on the 4 Department standards of excellence, we did see that 5 they were failing to demonstrate progress on those 6 charter-specific goals. We did see approaching 7 progress, but, again, not making substantial 8 progress; obviously, on the audit, for the reasons 9 that I described and other reasons, failing to 10 demonstrate progress; on their material terms, 11 approaching progress. 12 They are working toward that IB 13 certification; but, in fact, this -- this event -- 14 renewal request included an amendment to actually 15 take out the IB language. And that was one of the 16 terms, that this would be not an IB-esque school, 17 but an IB-approved school. And it's concerning that 18 at renewal, when they should really be at that point 19 of being IB-approved, they're asking to remove that 20 from their mission. 21 And then failing to meet the progress on 22 both organizational performance and governance 23 performance. And, obviously, again, you see -- you 24 see our reasons there. 25 And so we have made the recommendation,</p>

<p style="text-align: right;">Page 114</p> <p>1 again, to deny this application. And there is 2 motion language for you on Page 3 of 121. On the 3 page before that, I just do want to highlight again 4 that this school has consistently had "D"s for their 5 academic performance, but falling to an "F" in the 6 most recent year. And that's concerning after 7 implementing what they believe to be improvement 8 actions.</p> <p>9 You'll recall they came before the 10 Commission last year and asked to change their 11 instructional hours so that they could provide more 12 professional development. And after that, a year of 13 doing that, we, in fact, saw a decline.</p> <p>14 And so I think based on the historical 15 record, based on the performance, we're really 16 seeing that this is a school that's not able to meet 17 those expectations and isn't able to make progress 18 toward those performance expectations. And, again, 19 I think that's clear in their own data, too. And 20 you see that interspersed throughout, where some of 21 their own data indicates that a majority of their 22 students went down in their own -- in their own 23 data; right?</p> <p>24 You can look on Page 8 of 121 and see a 25 chart that they provided to us showing a smaller</p>	<p style="text-align: right;">Page 116</p> <p>1 ready.</p> <p>2 MS. NADINE VIGIL: My name is Nadine M. 3 Vigil. I am the head administrator and director for 4 Taos International School. I have been in education 5 for 43 years.</p> <p>6 Good morning, Madam Chair, Commissioners, 7 members of the Commission. I would like to thank 8 each and every one of you for being here this 9 morning and giving us the opportunity to come before 10 you on behalf of Taos International School.</p> <p>11 I would first like to start off by saying 12 Taos International School, myself, community, 13 parents, students, disagree with the recommendation 14 of non-renewal that the PED has now presented to 15 you.</p> <p>16 As you all know, every child and every 17 family in New Mexico is unique. There is no one 18 size school fits all or educational model that works 19 for everyone. Taos International School's 20 educational plan is based on the principles and 21 philosophies of the dual-language model and the 22 International Baccalaureate program. 95 percent of 23 the students currently in third grade have been 24 enrolled since kindergarten with us. This is the 25 group that will be a true reflection of Taos</p>
<p style="text-align: right;">Page 115</p> <p>1 number of students in their -- their classes that 2 went up than the number that went -- went down or 3 stayed the same.</p> <p>4 So I think you can see also, again, on 5 Page 11, where we look at them in comparison to 6 similar schools. And you see that percentile rank 7 in comparison to 130 schools. They're at the very 8 bottom, the bottom 1 percent, the bottom 2 percent, 9 the bottom 8 percent, the bottom 3rd percent.</p> <p>10 So this is definitely, for us, a big 11 concern academically. Their growth continues to be 12 a negative growth, and that which is saying that 13 those students are achieving less than expected in 14 comparison to their academic peers.</p> <p>15 If you have any questions for us, we're 16 happy to answer those.</p> <p>17 THE CHAIR: Good morning, and welcome. 18 MS. NADINE VIGIL: Good morning. 19 THE CHAIR: I'll just remind you, if the 20 green light isn't on, the mic is not on. So you 21 just have to press that.</p> <p>22 COMMISSIONER ARMBRUSTER: Once. 23 THE CHAIR: And just leave it. Okay. 24 MS. NADINE VIGIL: Good morning. 25 THE CHAIR: Go ahead whenever you're</p>	<p style="text-align: right;">Page 117</p> <p>1 International's successes.</p> <p>2 All of the other students from fourth 3 grade to eighth grade we have inherited from the 4 other schools. They have tried other options in our 5 community and has not worked for them. They have 6 come to us because they have either been bullied or 7 they were a bully, or because they have staff that 8 does not care.</p> <p>9 Our school cares. We are there for our 10 children. They arrive at two to three grade levels 11 below academic grade levels; but yet, they, too, are 12 showing significant growth through the short-cycle 13 assessments being administered.</p> <p>14 Currently, our enrollment consists of 15 205 students with waiting lists in most of the 16 grades. We have the largest Hispanic population 17 compared to any other state charter school in Taos. 18 We are honoring their heritage and making sure 19 students are growing up and learning their language 20 and keeping their traditions and cultural life. 21 Taos International School is a safe haven for our 22 students.</p> <p>23 We have 90 percent Hispanic population. 24 Taos Charter and other State charter schools within 25 our community has 50 percent. Anansi, another</p>

<p style="text-align: right;">Page 118</p> <p>1 charter, has 50 percent, and TISA has 68 percent. 2 The majority of the Hispanic population has chosen 3 to come to TIS. We really reflect the Hispanic 4 community of Taos. 5 Native-American, Asian-American, 6 African-American, and Caucasian populations are also 7 what makes TIS a true international school. 8 With that, I would just like to say that 9 keep in mind the students that are at our school are 10 safe and happy. That is one of our logos, "Safe and 11 happy," and they are. They are. They feel they are 12 important, they are cared for, and they are striving 13 to be successful. And we, as a staff, insure that 14 with them. 15 With that, I'm going to show you a little 16 PowerPoint that we have. I know we have to go 17 quickly. And we'll just show you slides. And these 18 are features that Taos International School offers. 19 Our vision and mission is blurry; so I 20 think you already have all of our vision and mission 21 with you. 22 This is our staff. They are all Highly 23 Qualified, Bilingual, TESOL and/or Modern and 24 Classical Languages Endorsed. We have staff that 25 have Language Arts endorsements and Math</p>	<p style="text-align: right;">Page 120</p> <p>1 Response To Intervention. This is done 2 throughout the whole school, K through eighth. We 3 also do a "Walk in the PARCC" on Friday mornings. 4 Music and art is part of our program. 5 This is our lunch program. This is all 6 farm-grown. We serve organic breakfasts and lunches 7 to all our children, and it's all free. 8 After-school enrichment programs include 9 IXL in the evenings, in the afternoons, from 4:00 to 10 5:00. We also have a dance program and a mariachi 11 program. We have a science club, an art club, and 12 also a writing club. All these clubs, all these 13 extra enrichment programs are assisting us in 14 student achievement. 15 We have a non-traditional PE program. We 16 have tae kwon do; we have gymnastics and soccer. 17 These are our Students in Action. This 18 will be our class of 2029. 19 Our playground, we have a state-of-the-art 20 playground. It has been approved by CES. They came 21 in, installed it for us. It is wonderful for our 22 students. 23 Community service learning is another big 24 part that we do at our school. We bring in the 25 community. We have the Abuelita program. It's the</p>
<p style="text-align: right;">Page 119</p> <p>1 endorsements. Special ed staff, we are totally 2 Highly Qualified staff. 3 This is our facilities. We have a 4 wonderful landlord that has built a school for our 5 children in our community in Taos. 6 This is a map of our facility. 7 This is our Early Childhood building. 8 The first building you saw houses fourth 9 through eighth grade, and with a multipurpose room 10 and music room and art classrooms. 11 This is our 90/10 Dual Language model. 12 These are our students in there. If you're familiar 13 with our 90/10 Model, this is the model that we 14 utilize; goes from K through eighth grade. 15 This is our International Baccalaureate. 16 These are some of our students receiving the 17 certificates for being one of the attributes, for 18 performing or showing that they are IB students. 19 Technology. We have Promethean boards, 20 computers for every student. Every student from 21 fourth through eighth grade has a computer of its 22 own. iPads are for kindergarteners through third 23 grade. 24 Again, Promethean boards. A computer lab 25 that we have to house our children.</p>	<p style="text-align: right;">Page 121</p> <p>1 foster program that we have at our school. They 2 come in and assist with our students. 3 We have other community members that come 4 in; for example, the healthy eating IB unit. We 5 have some dental assistants that come in. We have 6 nutritionists that come in to speak with us. 7 We also have the agriculture on the other 8 side with our farmhouse cafe that delivers our food 9 where our students are allowed to go to the farm and 10 help pick the vegetables and bring them in, wash 11 them, and help cook. 12 So we have a lot of wonderful things going 13 on at our school. 14 With that, we will go on to the data. We 15 just wrote it like this. But Mr. Rotman, who is our 16 seventh-grade teacher, plus also our data analyst 17 that helps us with data at the school, he will now 18 give his presentation on our data. 19 MR. BRENDAN ROTMAN: Good morning, 20 Honorable Commissioners, Madam Chair. My name is 21 Brendan Rotman. I'm originally from Taos, 22 New Mexico. I have ten years' experience teaching. 23 Like Mrs. Vigil said, I'm the seventh-grade homeroom 24 teacher. I do sixth, seventh, and eighth-grade 25 math, as well.</p>

<p style="text-align: right;">Page 122</p> <p>1 So my job, first and foremost, is to go 2 over our data. Our school is growing at an 3 incredible rate, as you guys can see by the numbers. 4 Last year, while we did have a little bit of a 5 downturn from the earlier two previous years, we've 6 hired five new teachers, including myself. 7 I have a Master's degree. I'm bilingually 8 endorsed. My specialty is mathematics. And we have 9 brought the numbers for the midyear. We have a few 10 different numbers for you to look at. If you look 11 up there, we also have graphs that you could see. 12 The first number is our kinder through 13 second Istation results. At the beginning of the 14 year, we had 51 percent of our kinder through 15 second-graders reading at grade level. Now at 16 midyear, we've gone up to 74 percent. 17 Third year, beginning of the year, same 18 data. Istation, we had 23 percent at grade level. 19 We now have 35 percent grade level. 20 Now, when it comes to our MAP's growth, 21 which is an indicator of how well we will do on the 22 PARCC this year, K-through-5, we had 41 percent meet 23 their projected growth in mathematics. 71 percent 24 of our students in K through 5th showed some kind of 25 growth.</p>	<p style="text-align: right;">Page 124</p> <p>1 when it comes to academics. 2 We use this data. We collaborate on a 3 weekly basis. We do things like individual 4 behavioral plans, educational plans, use it to move 5 our students into small-group, differentiated 6 instruction. 7 And the last thing that I'll close with is 8 that Taos historically has had problems with 9 education. The three schools that really are our 10 comparable schools all generally receive grades 11 between "D" and "F" and kind of back-and-forth. So 12 if you choose to not renew our school, our 13 217 students -- or 210 students -- will be forced to 14 go to those schools that are not performing. 15 In my estimation, at the end of the year, 16 we'll be performing and having a lower letter grade 17 than what we will have at the end of this current 18 educational year. 19 Thank you for your time. 20 MS. FRIEDMAN: Five minutes. Five 21 minutes. 22 MS. ROE ZICCARELLO: Good afternoon, PEC, 23 esteemed PEC members. My name is Roe Ziccarello. I 24 am the IB coordinator for PYP and MYP. I am also 25 the music teacher. But I have taught education, K</p>
<p style="text-align: right;">Page 123</p> <p>1 Our math data in sixth through eighth, 2 which is what I'm responsible for, we had 80 percent 3 of our students making growth, and 60 percent of 4 them met their projected growth for the midyear. 5 Now turning to our reading data in MAP's. 6 Fourth and fifth grade, we had 56 percent 7 met their projected growth. 95 percent of students 8 made growth in that grade level. MAP's reading for 9 fifth grade, 56 met projected growth; 88 percent 10 made growth. 11 Sixth grade, overall, sixth through eighth 12 grade, which is my colleague, Ms. Bemis is in charge 13 of language arts in sixth through eighth grade, we 14 had 88 percent of our students making growth. 15 69 percent of those students had met their midyear 16 projected growth. 17 So as I said before, we think that these 18 numbers -- based on these numbers, we're going to 19 have a large increase in our letter grade at the end 20 of this year. And I implore the Committee to give 21 us another chance so myself and my colleague, 22 Mr. VanEvery, who is sitting at the table here, 23 Mrs. Bemis, who I have mentioned, Ms. Gallegos and 24 Ms. Branchal, who are our five teachers, will have 25 an opportunity to show what we can do for the school</p>	<p style="text-align: right;">Page 125</p> <p>1 through 8, for the past 24 years. 2 I have to tell you that as an IB 3 coordinator, we have spent the last three years 4 working very fervently to create the IB curriculum, 5 which is actually 36 units going through fifth grade 6 and then 16 units for sixth through eighth grade. 7 And I have to tell you that in writing 8 these units collaboratively, they are truly 9 student-driven and inquiry-based. And putting them 10 together is part of us becoming an IB school. 11 Currently, we are a candidate school. And 12 so that's why we had to take the name out of the 13 mission statement, because we're not allowed to use 14 it. But we're a candidate school; and we're coming 15 up for authorization in March of 2018. 16 I have absolutely -- I am, beyond a shadow 17 of a doubt, showing that we will be approved as an 18 IB candidate school; and then the following year, 19 2019, that we will be an IB candidate school -- an 20 IB-authorized World School in our Middle Years 21 program. 22 And we have -- this is our very first year 23 as a K-8 school. We have just been growing all this 24 time. So finally, we're in the perfect position 25 with the right teachers and the right -- the right</p>

<p style="text-align: right;">Page 126</p> <p>1 staff to actually move forward in being able to have 2 an IB school that is also aligned with PARCC, that 3 is also aligned with our bilingual program. 4 And so I wholeheartedly request that you 5 renew our license. And I'd like to close in saying 6 a phrase that was inspired to learn through our 7 Mandarin Chinese teacher. (Spoken Chinese), which 8 translates as, "Miracles happen for those willing or 9 daring to try." 10 Please give us a chance to keep trying. 11 Thank you. 12 MS. NADINE VIGIL: I would like to clarify 13 some of the information that was included in the 14 charter school recommendation report, along with the 15 analysis report. 16 On Page 2 of the recommendation report, 17 the PED states that TIS has utilized the DIBELS 18 assessment as our Spanish language reading 19 assessment. That is incorrect. TIS has never 20 administered the DIBELS. That is an English-Spanish 21 reading assessment. We administer the IDEL. That 22 is a Spanish reading assessment that we use for our 23 dual-language students. 24 Also, it also says that we chose to -- we 25 chose to highlight specific grade-level performance,</p>	<p style="text-align: right;">Page 128</p> <p>1 They talked about the recent travel 2 reimbursement, that it was not in compliance. The 3 report states it was not readily available. What 4 that means, I don't know. All it took was my office 5 manager to walk from the room where they were at, go 6 get the binder to give it to them. They wouldn't 7 look at it; but all paperwork is in place. 8 No staff has ever been in contact with 9 students until background checks are in place. 10 Additional procedures have been put in 11 place also to ensure that a second review has taken 12 place on all payroll deductions. 13 Documentation on audit findings is 14 provided to the governing council. 15 Agendas, minutes and sign-in sheets are 16 evidence and were never requested by the PED team 17 that came for our audit committee. I have that all 18 in place. All this has been taken care of. 19 In the three years of operation, Taos 20 International has never been in the negative 21 financial -- financially, has always had a 22 significant carryover. 23 The educational plan, Taos International 24 provided evidence of compliance in all areas during 25 listed -- during the summer. They're all right</p>
<p style="text-align: right;">Page 127</p> <p>1 that we did not give them the right information that 2 they were requesting. 3 We did that; but we also chose to 4 highlight specific grade performance. 5 Another thing that it states is that -- 6 well, what I want to clarify is that the Spanish 7 language reading assessment changed to Istation. 8 And, yes, we did say, on 2016-'17, that we fell far 9 below standard because it was the first time that we 10 assessed that assessment. And we accredit 11 everything to that. 12 But now as you see our data as you see 13 with our Istation, it has gone tremendously up. We 14 are showing overwhelming data with that. Overall, 15 middle-school grades are making a lot of progress 16 also. The Woodcock [incomprehensible], we have met 17 that indicator every three years that we have been 18 in operation. We have met it every year. 19 A Corrective Action Plan -- Page 3 of the 20 Summary of Financial Compliance. A Corrective 21 Action Plan template was provided by PED to us. 22 This template was evident -- evidence was provided 23 to PED that showed compliance in the three areas 24 that are reflected on the -- on the report before 25 the site visit.</p>	<p style="text-align: right;">Page 129</p> <p>1 here. 2 Governance responsibilities, we have two 3 governing council members right now that have met 4 the eight, instead of the one that was listed on the 5 report. The others have attended the eight-hour 6 training but received seven hours' credit. I am 7 working closely with Ms. Laurel Pierce so that we 8 can make sure that we are in compliance with this in 9 getting that extra one hour. 10 MS. FRIEDMAN: Madam Chair? 11 MS. NADINE VIGIL: The petitions of 12 support. In the report -- 13 THE CHAIR: Time is up. Can we get the 14 list? 15 MS. FRIEDMAN: Yes. 16 THE CHAIR: Thanks. There are -- there 17 are -- depending on whether you consider that -- 18 there are anywhere from 12 to 14 people that have 19 signed up, because some people signed up on one 20 line. I guess they're from one family. 21 So there's 15 minutes. You have 22 approximately a minute apiece to speak. 23 And the first person -- we're going to ask 24 them to come up here. Might be the easiest. And I 25 will remind each individual to identify yourself for</p>

1 the report.

2 But the first person on the list is Joanna
3 Baryza.

4 FROM THE FLOOR: You got it right. That's
5 a first.

6 My name is Joanna Baryza. My son is a
7 first-grader at Taos International School. I had
8 something a lot longer; but I made it smaller.

9 I ask you today to extend the charter for
10 Taos International School. The school is just
11 beginning to thrive at four years young. If you
12 look at the support from the community and parents
13 that are here to advocate for this school, that
14 should say a lot.

15 Please look at the three boys in the fifth
16 row right there. They have been together since
17 preschool. Three different kindergartens is what
18 they chose. And we are back together, because two
19 of us chose poorly in terms of the school for our
20 child.

21 So I really want you guys to listen to the
22 parents advocating for our kids.

23 THE CHAIR: Next is Aline Robertson.

24 FROM THE FLOOR: Hi. My name is Aline
25 Robertson. Thank you for taking the time to hear us

1 daunting one. Give us a chance to prove by renewing
2 our charter. In my opinion, you should have given
3 Enos three "Triple 'Fs'". Let me tell you why we
4 moved.

5 My child was in the bilingual education
6 program. And as he showed me his Spanish
7 definitions, I perused over them and affirmed him
8 with what a good job he had done. As I read what he
9 had actually written down, I was appalled.

10 The definition was the verb "beber," which
11 means "to drink." The sentence that my second-grade
12 teacher gave him to write down, from the public
13 school, was, "Bebo vino con sus amigos in el barre."

14 If anybody doesn't speak Spanish, raise
15 your hand. I'll be happy to translate. That means,
16 "I drink wine in the bar with my friends."

17 My second-grader, from the public school
18 system, which you would send him back to.

19 So I finally made the switch to a school
20 that understands my hopes as a parent, my child's
21 needs as a developing person, and looking at the
22 whole picture, not just testing results. If you all
23 decide to close the TIS after its first "F," then
24 you need to take a long, hard look at all of our
25 public schools because you'll be shutting them all

1 today.

2 I'm a mom to a seven-year-old
3 second-grader with an IEP. We transferred to TIS
4 less than two months after this school year began.
5 We came from Enos Garcia, which is a public school,
6 which left a gaping hole in my son's education and
7 his emotional quotient.

8 Among many issues that face the larger
9 public schools are majorly overcrowded classrooms,
10 unsupported teachers, and a total lack of
11 communication with parents and staff.

12 In the past five years, Enos Garcia has
13 received two "F"s, two "D"s, and a "C." Ranchos
14 Elementary, another public school closely in
15 location, has received one "F," three "D"s and a
16 "C," all this after being established for decades.

17 So why, after four years, would you even
18 consider closing TIS for its very first "F" in its
19 infancy? The testing was not a true representation
20 of the entire school population. Surely, you all
21 realize the children transferring into TIS are
22 products of the public school so far, and it will
23 take time to bring their education level up to what
24 it should be.

25 This is not an impossible task, but a

1 down shortly after this one.

2 Think about our children and their
3 education and what you would do for your family.

4 Thank you all for your time.

5 THE CHAIR: Thank you.

6 (Applause.)

7 MS. FRIEDMAN: Two minutes. Two minutes.

8 THE CHAIR: This is school's comments.

9 This is not public comment.

10 COMMISSIONER CABALLERO: So at the end of
11 those five, just add ten.

12 MS. FRIEDMAN: Okay.

13 THE CHAIR: Next on the list -- and I
14 guess this is where -- and we gave -- because the
15 other school didn't have -- this is, I think, where
16 there was a miscommunication. Because my
17 understanding was there was 15 minutes from folks
18 from the school that could speak outside of their
19 presentation. And that's honestly what I
20 communicated to them.

21 MS. NADINE VIGIL: Yes.

22 THE CHAIR: Because I have to be fair.

23 That was my understanding. They had their
24 presentation time. And then folks from the school
25 could speak for 15 minutes, and five for public.

<p style="text-align: right;">Page 134</p> <p>1 That was -- so that's my error. 2 Well, they're not -- 3 COMMISSIONER TOULOUSE: No. I'm saying 4 they're -- 5 THE CHAIR: -- from the school. My 6 understanding was that was an additional 15 minutes 7 beyond the school's presentation time. 8 COMMISSIONER TOULOUSE: I agree. 9 THE CHAIR: And I thought that was what we 10 had always done before. So I don't want to slight 11 them because that's what I communicated to them. 12 MS. NADINE VIGIL: Thank you. 13 THE CHAIR: So the next on the list is 14 Edna Peña. 15 FROM THE FLOOR: Madam Chair, 16 Commissioners? 17 MS. FRIEDMAN: Twelve minutes now. 18 THE CHAIR: There's 12 minutes now, total. 19 FROM THE FLOOR: My name is Edna Peña. 20 I'm a former teacher, principal, and school 21 administrator with -- well, bilingual director for 22 the Mesa Vista Schools. 23 I've seen the impact that Taos 24 International School has made in the community. And 25 that's what prompted me to become a board member.</p>	<p style="text-align: right;">Page 136</p> <p>1 failing in the public school system last year. And 2 him being at Taos International School this year, 3 I've seen a major improvement in my son, not only 4 academically, but also emotionally. 5 He is -- his attitude is exceptionally 6 amazing now. Last year, I did not even want to wake 7 him up to go to school. He hated to go to school. 8 And now he loves going to school every day, does not 9 want to miss going to school or even the 10 after-school program. He is in love with his 11 school, and so am I. 12 I am very impressed with Taos 13 International School. Thank you. 14 THE CHAIR: Thank you. 15 (Applause.) 16 THE CHAIR: And next is Michael and Evie 17 Trujillo. 18 FROM THE FLOOR: Good morning. Well, the 19 pressure is on. One minute. No disrespect to how 20 you guys run your thing, you know, your time and all 21 that. But you allow 15 minutes. And, you know, 22 your -- what we have is -- what we have -- well, in 23 a second here, let me -- whew. 24 Anyway, what -- the point I'm trying to 25 make is the choice you make today is going to affect</p>
<p style="text-align: right;">Page 135</p> <p>1 And I am one of the newest board members. So I'm 2 not that familiar with what's -- with everything 3 that's going on; but I'm sure planning to -- to find 4 out. 5 I've spoken with students and -- that have 6 come from other schools, and they're very happy at 7 this school. They -- they -- they don't feel 8 bullied there. They feel -- what they have said is 9 that they feel respected, which is more than they 10 were getting at other schools. 11 And I just want to ask, please give this 12 school another chance to -- to prove themselves. 13 Thank you. 14 THE CHAIR: Next is Dominic Brumfield. 15 FROM THE FLOOR: Hi. I'm Dominic 16 Brumfield. And I like the Taos International 17 School, because we have a lot of respectful 18 teachers, and we have a good dyslexia therapist. 19 THE CHAIR: Thank you so much. 20 Nicole Martinez. 21 FROM THE FLOOR: Good afternoon. My name 22 is Nicole Martinez. And my son is six years old. 23 He is a kindergarten student at Taos International 24 School. 25 I chose this school because my son was</p>	<p style="text-align: right;">Page 137</p> <p>1 250 families and approximately 40-plus salaries. So 2 what I'm trying to advocate is, you know, let's give 3 them a chance. If you want to chop anything, chop 4 those meters out there. 5 THE CHAIR: Which we do not own. 6 FROM THE FLOOR: But back to the point. 7 You know, I'm a proud father of two kids who I chose 8 to -- to be at charter school. And it was a choice. 9 The other option is the public school system. And 10 that is -- you know, that has its flaws. My wife 11 has been an EA there for a number of years. And 12 there's just -- there's more nurturing here. 13 There's love and caring, and there's value in this 14 school. 15 So today, I ask, with utmost respect, to 16 give it, you know, another four years, or three 17 years, whatever your time frame is; because, you 18 know, there was a lot of effort put in, I mean, by 19 the teacher, by Ms. Nadine, by the landlord. He 20 probably pumped in a million dollars into that 21 building, you know, of his own pocket, believing in 22 the school. 23 So I just respectfully ask, you know, that 24 your choice today will -- will have value, and you 25 make the right choice will be to keep it open.</p>

<p style="text-align: right;">Page 138</p> <p>1 Please do. 2 THE CHAIR: Thank you. Next is Wayne 3 Huang. 4 FROM THE FLOOR: HI, everybody. I don't 5 have too many words. Every weekend, she always asks 6 me. "When can I go to school again?" 7 That's it. 8 (Applause.) 9 THE CHAIR: Next is Melanie Baca. 10 FROM THE FLOOR: Hello, Board of 11 Directors. My name is Melanie Baca. And I just 12 want -- I stand before you today to speak on behalf 13 of Taos International School. 14 If you're familiar with Taos's community, 15 it has struggled in the past to uplift and nourish 16 the minds of our youth. That has been quite a 17 problem for some time now. 18 As an advocate for Taos's community since 19 my youth, this issue has been of big concern to me. 20 The youth have succumbed to many disadvantages and 21 downfalls because of it, examples like drug and 22 alcohol abuse and lack of jobs, until Taos 23 International sprouted. 24 Suddenly, we're seeing our children and 25 our community, because of the school's passion to</p>	<p style="text-align: right;">Page 140</p> <p>1 schools in our community can make you feel welcome 2 and part of something bigger than your own self. 3 The solidarity. 4 Children, again, are confident in 5 themselves, that working together is a lesser 6 challenge for them, and teachers work alongside the 7 parents to keep their students on track. 8 Familiarity. 9 Students are in a family-oriented 10 environment. You don't see that in any of the other 11 public schools or any of the other charter schools, 12 for that matter; because I've had two children who 13 I've had to pull out of other charter schools and 14 public schools because I was very displeased with the 15 experience. 16 The discipline. 17 Taos International offers physical 18 education classes like tae kwon do, soccer, 19 gymnastics, which ultimately encourages the students 20 to have more discipline. They listen better, and 21 they're learning, focused more. 22 Team building. 23 Students step in to assist their peers 24 rather than stand by; so we're seeing a lot less 25 bullying here, and I love it.</p>
<p style="text-align: right;">Page 139</p> <p>1 empower and teach our children to learn and desire 2 to make a difference in the world. It's a 3 tremendous change in our children. We're seeing 4 more students exhibit confidence in learning, and 5 making mistakes are less of an issue, and they're 6 feeling less shame when they make mistakes because, 7 rather than shaming them, the teachers are 8 encouraging them and teaching them that mistakes are 9 important to improve. 10 Why we parents care? 11 Taos International has been an outstanding 12 experience for my child and our family. Not only 13 are they teaching multiple languages, which 14 states -- research states broadens the mind and 15 implements higher education learning, teachers are 16 also empowering our children, again, to love to 17 learn. Through inquiry-based teaching, many 18 students are demonstrating quite impressive critical 19 thinking skills, as well as self-confidence in their 20 choices and thinking processes. I can confidently 21 state that Taos International is without a doubt 22 shaping the future leaders of our community. 23 Benefits of being part of the school is 24 community. 25 We're not -- you know, not very many</p>	<p style="text-align: right;">Page 141</p> <p>1 While there may be more -- may be more 2 advantages at Taos international that they provide 3 the students and families, the school gives an 4 upper-hand advantage where higher education is 5 concerned, something not many elementary or primary 6 schools are capable of providing nowadays. Because 7 of this, we parents want to see this school thrive 8 and survive, for that matter. 9 Our favorite aspect of the school is 10 rather than forcing the students to memorize 11 information for a test -- because we all know test 12 anxiety is real -- teaching -- we're teaching them 13 to understand the concepts. And ultimately, that's 14 the most valuable form of learning, especially when 15 they go to college. 16 Most importantly in such a beautifully 17 diverse world that we live in today, Taos 18 International instills the attributes in our 19 children such as communicators. They're sharing 20 ideas and listening far better than any other 21 schools. 22 Their principle. They have integrity. 23 Our kids are exhibiting curiosity and the love of 24 learning. They're open-minded and understanding 25 that people think differently and are still valid.</p>

<p style="text-align: right;">Page 142</p> <p>1 They're thinkers; they're balanced. Their 2 willingness to learn different things is so 3 impressive. And they're courageous, again, because 4 they're not afraid to learn, and they're not afraid 5 to speak up in class. I remember getting made fun 6 of when I knew the answer to a question. They're 7 not. And that is a good thing. 8 Reflection. 9 Most of these kids can actually reflect 10 back when they make mistakes and understand where 11 they went wrong and understand how to move forward 12 with a better choice. 13 So as a whole, Taos International creates 14 a positive kick-start in our children's education, 15 life, and career. Therefore, I ask kindly today 16 that you renew this school, because they deserve it. 17 And so do our families. We finally have a school in 18 our community where we can enjoy the experience our 19 kids are learning. And while, yes, in four years, 20 they are still young, they've been growing, and 21 their growth has come to its kick-start. 22 So now we're here. They're starting to 23 improve. And I can only see a greater future for 24 them nearby. 25 Thank you.</p>	<p style="text-align: right;">Page 144</p> <p>1 stuff. 2 And it is very important for the community 3 for this charter to survive, because, you know, in 4 college -- like, my kids, you know, they had to go 5 to college to really learn Spanish. Unfortunately, 6 they didn't get that at the public schools, which 7 these guys provide. 8 But what's nice is Taos International is 9 about the children, not the politics. And I think 10 that they need a second chance. 11 I can move on. But the thing is the 12 community is going to have a big hole in their heart 13 because there's not going to be a place for the 14 children to learn. 15 THE CHAIR: Thank you. 16 (Applause.) 17 THE CHAIR: Next is Zite Romero, Santiago 18 and Alejandro Vigil. 19 There's about a minute left? 20 MS. FRIEDMAN: A minute. 21 FROM THE FLOOR: My name is Santiago 22 Vigil. I want our school to stay open because this 23 is one of the only schools that has IB. 24 FROM THE FLOOR: My name is Alejandro 25 Vigil. And I want this school to stay open 'cause</p>
<p style="text-align: right;">Page 143</p> <p>1 (Applause.) 2 MS. FRIEDMAN: They have two minutes. 3 THE CHAIR: There's two minutes left. 4 Okay. And I apologize. I think I've got 5 the last name, "Gonzales"; but I can't read the 6 first name at all. So I'm -- and I'm not even -- we 7 think it's "Gonzales"; but we're not even sure. So 8 I apologize. 9 FROM THE FLOOR: That would probably be 10 me. 11 THE CHAIR: And I've read a lot of bad 12 essays; so... 13 FROM THE FLOOR: Unfortunately, I'm not a 14 doctor. But my kids are both going to be doctors, 15 yeah. 16 I'm the landlord. And, you know, let me 17 tell you -- 18 THE CHAIR: Could you please identify 19 yourself for us for the record? 20 FROM THE FLOOR: I'm the mystery man here, 21 Francisco Cordova. 22 And, you know, Nadine came to me with the 23 dream of her educating kids; because they -- you 24 know, she was a principal for years. And they 25 dismantled, kind of like, her bilingual program and</p>	<p style="text-align: right;">Page 145</p> <p>1 it's IB. 2 FROM THE FLOOR: I'm Zite Romero. I'm 3 their mother. And they've been there since 4 kindergarten. And I would like that you would 5 please give them the opportunity to prove to you how 6 awesome these students are, and how amazing these 7 teachers are because they care, they love, and they 8 expect things from our kids that us, as parents, 9 expect from them, and they are going beyond those 10 expectations. 11 They are passing them; but they're not 12 getting the chance to prove to you, because they're 13 asking that you close the school. And I'm asking 14 that you don't, because my sons are awesome, and 15 they're going to prove to you guys that this school 16 is worth it. I mean, all the students are awesome. 17 THE CHAIR: Thank you. 18 (Applause.) 19 THE CHAIR: Carla Romero. Time's up? 20 Okay. Thank you. 21 There's five -- did anyone sign up for 22 public comment? No? Outside of the school. 23 MS. FRIEDMAN: No. 24 THE CHAIR: No. Okay. All right. Got 25 you.</p>

1 All right. Commissioners, questions?
 2 COMMISSIONER CONYERS: I have one.
 3 THE CHAIR: Commissioner Conyers?
 4 COMMISSIONER CONYERS: Yeah. You said you
 5 had a waiting list. I was curious how many people
 6 are on your waiting list, if you have an estimate
 7 or --
 8 MS. NADINE VIGIL: Yeah. For our middle
 9 school, the sixth, seventh, eighth grade, there is a
 10 waiting list; because right now, we're at capacity,
 11 which is 20 students, each one. So we have at
 12 least -- in seventh grade, for sure, we have seven
 13 students waiting for be called. Sixth grade, we
 14 have five. And eighth grade, we have four. That's
 15 where we have our waiting list, for the middle
 16 school.
 17 The other grades are at capacity or are
 18 below a little bit. But we do have those waiting
 19 lists in those middle-school grades.
 20 COMMISSIONER CONYERS: Okay. Thank you.
 21 THE CHAIR: I'm going to address a similar
 22 concern. In fact, it was a little more difficult
 23 for me to find it. The question in the renewal
 24 application, what you have done over the course of
 25 this contract to make improvements, I had to get the

1 Director to kind of ferret it out for me, because I
 2 didn't see that as a specific response.
 3 And it appears that the only -- that's
 4 addressed in a -- in a sentence for this current
 5 year, what you've done.
 6 So I -- you know, I address that concern.
 7 One of the nuances of being a charter is
 8 that you do have this short term to prove yourself.
 9 And the question in that renewal application is what
 10 have you done over the course of this time to
 11 address any of the shortcomings from the previous
 12 year that had been identified.
 13 And the question doesn't appear to be
 14 answered in the renewal application. There's just,
 15 "What we're doing this year." And that concerns me;
 16 so...
 17 MS. NADINE VIGIL: Okay. What we have
 18 done is we did make our -- lengthen our school day,
 19 where we go from 8:00 to 4:00. We have our
 20 after-school enrichment programs. We have
 21 after-school tutoring, also. And we have
 22 restructured our RTI. It's school-wide. And we
 23 have an hour each morning that we do RTI.
 24 We do a "Walk in the PARCC" for the older
 25 kids, fourth grade up. We also do "Get on the Train

1 with Istation," one day a week for that.
 2 But the RTI program, we analyze our data,
 3 and we group our students accordingly to their
 4 ability. And we have teachers that take those
 5 certain students and work with them closely. That
 6 is one of the big things that we are seeing. And we
 7 started that since before; but we're seeing better
 8 results now.
 9 We also -- again, like Mr. Rotman
 10 mentioned earlier, we have new teachers that have
 11 been hired. I have more teachers around for a
 12 better fit. I have identified teachers, and they
 13 are on an improvement plan. So those are things
 14 we've done.
 15 PD. More professional development we're
 16 offering for our teachers.
 17 We've also implemented study hall, where
 18 students need that extra work. They come in for
 19 study hall.
 20 Collaboration time, we have it totally
 21 throughout our grade levels; plus, we also do it as
 22 a whole school.
 23 And with our 90-day plan that we have
 24 submitted to the State, that, too, is going to
 25 assist us. Our focus areas with the 90-day plan,

1 our data-driven instruction, our observation and
 2 feedback cycles, and also embedding PD. So we are
 3 now in the process of having that improved.
 4 And those are the things that we have done
 5 so that we can do student achievement and better our
 6 school. We have seen a lot with the data we
 7 presented now. It's the beginning of the year and
 8 the middle of the year where we're at right now, and
 9 our students are showing growth or are at projected
 10 growth. And right now, the way it sits, they have
 11 already met what they should -- where they should be
 12 at the end of the year.
 13 So we have seen, through all these other
 14 things that we've done, that we are moving forward.
 15 Our students are achieving. They're making great
 16 student achievement.
 17 THE CHAIR: And, once again, my concern is
 18 more of that is what's been implemented in this
 19 current school year and not the question -- and
 20 there was a concern raised about -- and I understand
 21 the time limitations. We have had this application,
 22 your responses, for -- more than a month? Easily
 23 more than a month.
 24 So that a full answer to that question on
 25 what we've done over the past four years, so that we

<p style="text-align: right;">Page 150</p> <p>1 have the opportunity to digest that over this time, 2 and not because I'm -- I still have a serious 3 concern over what has been -- what has been the 4 process over the previous four years to get you to 5 today. 6 And I don't see that. I see the responses 7 being what we're doing now in this current school 8 year. And this is -- this is -- this, hopefully, 9 had been a process. 10 So that is disconcerting to me. 11 MS. NADINE VIGIL: The first year, 12 Madam Chair, we started with kindergarten, first, 13 and sixth grade. 14 THE CHAIR: I understand that. 15 MS. NADINE VIGIL: We started with the RTI 16 and the PD and all the things we have done. We have 17 done that. 18 We also -- and the first one -- the first 19 year with our sixth grade, our whole data, PARCC 20 test, was based on 14 students. But there is where 21 we started working on them. 22 She was the teacher with those 14 23 students, sixth grade. We did receive a "D." Out 24 of the 14 students, eight of them were on IEPs. So 25 we started moving them since then. And, again, like</p>	<p style="text-align: right;">Page 152</p> <p>1 know that. 2 But I would have presumed that that would 3 have been something that the founders would have 4 been able to know when they were establishing the 5 school, whether it should be called an IB school. 6 MS. ROE ZICCARELLO: We're a candidate 7 school. We can say that. That's what we can say. 8 MS. NADINE VIGIL: In response to that, 9 when we wrote our mission statement at the beginning 10 when we were starting, because we were going to be 11 IB, we were encouraged by our liaison that I had 12 from here, from the Charter School Division, to 13 include the IB language. Come to know with the IB 14 organization, when they came to us to do their first 15 consultation with us, they told us, "You cannot use 16 the language at all." At all. Logos, phrases, 17 anything, because it's all copyrighted, until we are 18 considered an IB -- IB World School. 19 So we did get our candidacy that we have a 20 little phrase they allow us to use. But the IB 21 language could not be in the mission statement. The 22 mission statement, with the amendment we have also 23 provided for you, it is not going to alter our 24 educational program. All we're doing is taking out 25 the IB language, because by legalities, by legally</p>
<p style="text-align: right;">Page 151</p> <p>1 you mentioned, we did have RTI. We had our little 2 study hall. We did have PD, also, there. And 3 that's what we've done. 4 We've improved. We've restructured those 5 items that I just talked about for now. 6 MS. ROE ZICCARELLO: May I address that, 7 too? And as we are creating an IB curriculum, we 8 have had to write units. So we're making an actual 9 shift in our curriculum; because we are finding out 10 that to teach the IB curriculum, which is -- the 11 strengths are in social studies and science and 12 civic awareness and global citizenry, it's a shift 13 in how we teach things and how we are conducting 14 ourselves, especially as we add grades every year. 15 And it's been a little tricky. We had to 16 write fourth- and fifth-grade units. We didn't even 17 have fourth and fifth grade yet. So it's been a 18 process for us as far as what is required of us as a 19 charter school, and also as to also to meet the 20 requirements of the IB program. 21 THE CHAIR: And I guess I do have 22 questions and concerns over the IB program; because 23 I -- I'll be honest. I don't know about the 24 legality of whether they can or cannot call 25 themselves an IB program if they're not. I don't</p>	<p style="text-align: right;">Page 153</p> <p>1 we cannot use their language. 2 So our educational program, I want to make 3 sure, understand, please, that we are not altering 4 it in any way. The amendment that we have submitted 5 that you have a copy of states we are still doing 6 inquiry-based learning, which is a component of IB, 7 as you read the mission statement. Spanish and 8 English, the students will be acquiring languages. 9 That is our dual-language program, Spanish and 10 English. Plus, we are also adding Mandarin Chinese. 11 Social skills are being promoted through the IB 12 attributes and attitudes. 13 We are not changing our educational plan 14 by no means. We are just removing the IB language, 15 because we have been told by the organization we 16 cannot use their language until we are considered an 17 IB World School. So by no means are we changing 18 our -- our educational plan. 19 MS. PATTY MATTHEWS: And, Madam Chair, 20 members of the Commission, I'd just like to remind 21 you, Ms. Fox just whispered in my ear about 22 Cien Aguas International. They were also described 23 as an International Baccalaureate program and came 24 to you and said, "We have to take it out of the name 25 of the school and remove references to it until we</p>

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1 become legally identified."

2 So there is precedent for you to
3 acknowledge that change. So I just wanted to put
4 that on the record.

5 THE CHAIR: Thank you.

6 COMMISSIONER TOULOUSE: Madam Chair?

7 I'd like to point out, too, that Mesa Del
8 Sol was another one. Both of those schools have now
9 gone to APS; but they both tried. Now, Cien Aguas
10 found that for elementary grades, they just could
11 not afford what it cost to send the teachers and do
12 all of that training. So they dropped -- they kept
13 "International" in their name, but they dropped any
14 attempt to be "Baccalaureate." I'm not sure where
15 Mesa Del Sol ended up, because they left us and
16 moved to APS. But we do have a precedent for
17 dealing with this with at least two other schools.

18 THE CHAIR: And that -- the name of it is
19 the least of the issues.

20 COMMISSIONER TOULOUSE: But what I'm
21 saying is the IB part of it.

22 MS. NADINE VIGIL: What we are getting at
23 is we are, by no means -- I want to make sure it is
24 understood -- we are not altering our -- our
25 educational plan. As per the CSD, the PED, they

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1 budgetary, you know, concerns and address that.

2 MS. NADINE VIGIL: Yes. With that point,
3 ma'am, we have put in for professional development.
4 We are purchasing IXL, which is a program that we
5 use to enhance our students' learning. We are
6 purchasing also Imagine, which is also for our EL
7 students.

8 So we have technology. We have computers
9 that we have for everyone, as I mentioned before.
10 We have iPads. We have software. All those things
11 we have put in place for student achievement.

12 COMMISSIONER TOULOUSE: Madam Chair?

13 THE CHAIR: Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: I have a question.
15 Do you now have all of the grades, K through 8? Or
16 are you still missing a couple --

17 MS. NADINE VIGIL: We have all, K through
18 8.

19 COMMISSIONER TOULOUSE: This is your
20 first. So you would not have had grades last year
21 and the year before from the others.

22 MS. NADINE VIGIL: Exactly. Exactly.
23 Yes, we have two classes per grade up through K
24 through 3, and then fourth through eighth is one
25 class per grade.

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1 have made motion to deny our amendment because we
2 are going to be altering our educational plan. We
3 are not.

4 THE CHAIR: Well -- and in all honesty, we
5 are not dealing with the amendment at this moment in
6 time. So I don't want to conflate the two. If the
7 amendment comes up, we'll deal with that. My
8 concern was the programming more than the name
9 itself and the amendment change.

10 And I -- I'll be honest, I've got concerns
11 about the potential for cherrypicking the testing
12 data that came. It appeared that it wasn't
13 full-school; it was handpicked grades. It seemed --
14 it seemed a little sketchy, the information that
15 came forward that was presented to us.

16 So I'll just -- I'll put it out there that
17 that's -- I have a concern. I'll be honest, you
18 know. I'm -- I'm conflicted at this moment in time;
19 so -- Commissioner Ruiz?

20 COMMISSIONER RUIZ: Madam Chair -- and
21 I -- of course, the other concerns about the grades
22 and what you've done and haven't done. I wanted you
23 to speak specifically to how you have targeted your
24 financial resources to address the shortcomings in
25 the school grades; because you should be making

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1 COMMISSIONER TOULOUSE: But this is your
2 first year.

3 MS. NADINE VIGIL: This is our first year
4 of complete K through 8.

5 COMMISSIONER TOULOUSE: Now, I have
6 another concern, being a retired public employee,
7 not in education, but where I see that for two
8 years, on the financial piece, no contributions were
9 made for the retirement health care?

10 MS. NADINE VIGIL: That was for one of our
11 employees. And Miss Justine Vigil from the Vigil
12 Group is here. That was for one employee. Justine?

13 COMMISSIONER TOULOUSE: I was just reading
14 it. The way this reads, it sounds like none of your
15 employees were --

16 MS. NADINE VIGIL: It was just for one.
17 That audit finding was taken care of.

18 COMMISSIONER TOULOUSE: Thank you very
19 much for that; because it does read in here that way
20 that it was no one. Thank you.

21 MS. NADINE VIGIL: It was just one
22 employee.

23 THE CHAIR: Commissioner Johnston?

24 COMMISSIONER JOHNSTON: Thank you,
25 Madam Chair. Follow-up to Commissioner Ruiz'

1 question. You prioritized. But when I look at --
2 at your financial statement, the school -- you
3 omitted the charter -- in the charter renewal
4 application, the budget analysis form. It was left
5 blank. What happened there?

6 MS. NADINE VIGIL: Yes, it was. And that
7 was -- I think it was miscommunication with our
8 budget person. And when I -- when it was brought to
9 my attention, I did address it immediately. I
10 did -- I did mark down what things we were -- we had
11 bought, what we were doing, what we were using our
12 monies for. But I think it was something that,
13 again, was a miscommunication. But the things that
14 I mentioned a while ago to Commissioner Ruiz, those
15 are the things that we put in there.

16 COMMISSIONER JOHNSTON: And how did you
17 determine those areas, your professional
18 development, to prioritize?

19 MS. NADINE VIGIL: We prioritize when we
20 have our meetings. We do a needs assessment of what
21 it is that we need to be trained on. And dual
22 language; of course, the conference we sent our
23 teachers to that one; IB, we also do that one.
24 Plus, we also have other types of trainings.

25 Right now, we have some EL trainings to go

1 decline in performance on the assessments and the
2 goals of IB, I guess it's -- as you speak to it, if
3 you could align how you're prioritizing to -- for
4 those standards that --

5 MS. ROE ZICCARELLO: Well, when we first
6 started, we had four classes. Then the second year,
7 we actually improved, if you look at the data. The
8 third year, which is our last year, we declined.
9 And it's because as we add classes and we're trying
10 to stay in alignment and all be on the same page as
11 far as we have new people that have to be trained
12 for IB -- and so it's been a challenge, as an IB
13 coordinator, especially; because I don't know what
14 I'm doing. I'm still learning now, and I have
15 people that I have to go to and say, "Explain to me
16 how to do this, that, and the other thing." And
17 then I have to turn around and dispel [verbatim]
18 that information to other people.

19 So that part has been challenging,
20 honestly. In all honesty, when I look at IB and
21 realize how I've changed as a human being, how I've
22 changed as an IB person in trying to espouse these
23 wonderful principles and goals and attitudes and get
24 that to the kids, I've actually improved as a human
25 being, as a teacher, just in the three years I've

1 to that I'm going to send teachers to. The WIDA.
2 All those types trainings that deal with our student
3 achievement, as well, we work on. Strategies,
4 instructional strategies, the GLAD strategies; all
5 those are identified as a team, as a school.

6 COMMISSIONER JOHNSTON: The concern -- one
7 of the concerns I have is -- is looking at the goal
8 of being an IB school. What does "IB" mean to you?
9 What's your definition of being an IB school?

10 MS. NADINE VIGIL: I'll talk a little bit,
11 and then you go.

12 MS. ROE ZICCARELLO: Go ahead. You go.

13 MS. NADINE VIGIL: To make it clear, IB is
14 not a stand-alone program. IB is integrated into
15 all the content areas we teach. We develop the
16 units that are inquiry-based. And then we also have
17 their character-building program, which is the
18 attributes and the attitudes.

19 But through the IB units is where all our
20 teaching is coming through. Of course, it's all
21 aligned with the Common Core standards and with the
22 principles and philosophy of IB. So with that, I'll
23 let our IB coach speak.

24 COMMISSIONER JOHNSTON: Well, it really
25 is -- it's almost a paradox to me; because with the

1 been working at it. And that's why I feel so
2 strongly about it. That's why they put me in this
3 position.

4 COMMISSIONER JOHNSTON: Thank you.

5 THE CHAIR: Commissioner Robbins?

6 COMMISSIONER ROBBINS: Well, other
7 Commissioners have said this before. But I'm kind
8 of torn right now.

9 The results have not been adequate,
10 especially in the last year. But there is
11 tremendous support from the parents and the
12 students. I've received probably three or four
13 dozen e-mails, letters. I appreciate that they
14 appeared to be heartfelt and not just a
15 cut-and-paste. People did respond, and I read
16 those.

17 But I'm really concerned about the
18 organizational structure, the shift in some of the
19 performance metrics.

20 IB is rigorous performance and outcomes.
21 It really is focusing on outcomes, preparing
22 students with a very rigorous educational program.
23 It's not the -- it's not a program that says, "We
24 hope to do better"; but it's a program that says,
25 "We're going to do better. And the students are

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1 going to do better."

2 Most students like the schools they go to,
3 unless they're being bullied and things like that.
4 And many, many parents, in my experience, have
5 supported failing schools because they like the
6 schools. It's in their community; they go there for
7 activities and things like that, and they want to
8 support their students.

9 But that, in and of itself, is not going
10 to result in the education and the proper education
11 of the students that are attending that school.
12 That's why I'm torn.

13 Participation is important. Support from
14 the parents is important. But for the State to
15 continue to charter a charter school, it has to be
16 performing well. And that's why I'm torn. And so
17 right now, I really can't say which way I'm going to
18 vote on this renewal. I'll have to make a vote here
19 shortly; but it's very difficult.

20 And I just want you to know that in all
21 the people who have come here -- and I would imagine
22 most of the people in the audience here are here to
23 support TIS. And I appreciate the time that you've
24 taken to wait through since 9:00 this morning, many
25 of you.

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1 The school has not demonstrated the
2 implementation of improvement efforts that are
3 effectively improving student achievement. And the
4 school has failed to demonstrate that the governing
5 board is able to meet its obligations to oversee
6 financial oversight, including oversight of audit
7 findings.

8 COMMISSIONER CABALLERO: Madam Chair, I
9 understand that we get the motions. But I -- I feel
10 very uncomfortable, even in the last one, that --

11 THE CHAIR: We don't have a second to this
12 motion yet; so --

13 COMMISSIONER CABALLERO: All right. But I
14 do want to speak to the wording of the motion.

15 COMMISSIONER CRONE: I'll second.

16 THE CHAIR: There's a --

17 COMMISSIONER CABALLERO: So I feel
18 uncomfortable talking about the financial or
19 organizational of a school, when nothing -- I
20 haven't heard anything substantial on that. I think
21 it behooves us to remove that from our motion. It's
22 not going to do anything, other than it will clarify
23 what we intend to pass on. But, you know, just
24 getting the -- that's it.

25 THE CHAIR: And I'll respond from my

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1 So thank you.

2 MS. NADINE VIGIL: In response to that --

3 THE CHAIR: No. It's -- that was a
4 statement he made.

5 MS. NADINE VIGIL: Oh, okay.

6 THE CHAIR: Thank you.

7 Commissioner Ruiz?

8 COMMISSIONER RUIZ: Madam Chair, I'm
9 prepared to make a motion.

10 THE CHAIR: Okay.

11 COMMISSIONER RUIZ: I move to deny the
12 renewal application presented by Taos International
13 School because the school has failed to meet and has
14 not demonstrated substantial progress toward the
15 Department's standards of excellence and the student
16 performance standards identified in the charter
17 contract.

18 The school earned a three-year average of
19 "D" on the State's A-through-F school grading
20 report, earning an overall grade of "F."

21 Taos International School was ranked in
22 the bottom 5 percent in three of four academic
23 categories on the most recent A-through-F school
24 grading report when compared to similar schools
25 across the state.

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1 perspective on that, that the renewal application
2 deals with both the organizational and the
3 financial; so that we have, I believe, substantial
4 information on academic, organizational, and
5 financial from the school, from the CSD analysis,
6 from the site visits.

7 So maybe it hasn't been presented publicly
8 today. But truthfully, the piece of today is a
9 very, very small portion of this renewal process,
10 and that we have electronic copies, hard copies and
11 a disk of the renewal applications that we've had an
12 opportunity to pore through over a fair amount of
13 time right now, so that -- and that's part of the
14 renewal process is to consider all three pieces.
15 And I believe we have enough information on all
16 three pieces. If someone else does not feel that,
17 we can discuss that.

18 Thank you.

19 Is there any further discussion on the
20 motion?

21 If not, we'll take a roll-call vote.

22 COMMISSIONER ARMBRUSTER: Commissioner
23 Gipson?

24 THE CHAIR: Yes.

25 COMMISSIONER ARMBRUSTER: Commissioner

<p>Page 166</p> <p>1 Conyers? 2 COMMISSIONER CONYERS: No. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Toulouse? 5 COMMISSIONER TOULOUSE: No. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Robbins? 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Armbruster votes "Yes." 11 Commissioner Peralta? 12 COMMISSIONER PERALTA: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Johnston? 15 COMMISSIONER JOHNSTON: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Caballero? 18 COMMISSIONER CABALLERO: No. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Ruiz? 21 COMMISSIONER RUIZ: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Crone? 24 COMMISSIONER CRONE: Yes. 25 COMMISSIONER ARMBRUSTER: Again, the vote</p>	<p>Page 168</p> <p>1 to do, but much easier than the other 2 recommendations. PED has recommended a two-year 3 renewal for Horizon Academy West, with conditions. 4 And those conditions are that the school 5 implement an NMDASH continuous improvement plan that 6 results in raising and maintaining performance at or 7 above an overall grade of "C" in each year in the 8 term -- the renewal contract term, correcting all 9 noncompliance related to organizational performance 10 framework indicators, such as the rights of English 11 Learners, instructional performance framework 12 indicators, sorry -- instructional hours, recurrent 13 enrollment, management accountability, special 14 education and governance prior to the 2018-'19 site 15 visit, and then implementing corrective action so as 16 to earn no repeat findings, material weakness 17 findings, or significant deficiencies on the 18 2017-'18 annual audit. 19 The reasons for this recommendation, 20 including the shortened term and the conditions, is 21 I think on that summary at the bottom of the page 22 there, you'll see that as we again did our 23 comprehensive review looking at the data from the 24 school and from the school report card for the term 25 of the contract and looking at the school's</p>
<p>Page 167</p> <p>1 is seven-to-three. 2 THE CHAIR: Motion passed. Thank you very 3 much. And I want to thank everyone, once again, who 4 was here for the time. 5 Commissioners, I believe lunch has 6 arrived. 7 FROM THE FLOOR: I have a question for 8 you. If you're closing down the school, is it 9 possible -- 10 THE CHAIR: I'm sorry. Public comment 11 is -- 12 FROM THE FLOOR: I have a question. Can 13 you make not sending your kids to school legal? 14 Because I ain't sending my kids to no other school. 15 (A recess was taken at 1:12 p.m., and 16 reconvened at 2:03 p.m., as follows:) 17 THE CHAIR: Thank you for your patience 18 and thank you for indulging us some time. We are 19 now on to 8C, Horizon Academy West, which is the 20 last -- got your gloves on -- which is the last 21 school in your binder for today. The other two 22 schools are in the large packet that's -- okay. 23 Director? 24 MS. POULOS: Madam Chairwoman, 25 Commissioners, again, it's certainly not easy for us</p>	<p>Page 169</p> <p>1 improvement actions and the results of those 2 actions, we see that the school is "Approaching 3 progress." 4 And the reason for that "Approaching 5 progress" rather than "Making substantial progress" 6 is we did see an increase from the first "D" -- 7 to -- I believe that was a "B," and then we saw it 8 fall. So we saw some improvement; but then that was 9 not maintained. Also, seeing that the school is 10 approaching the standard on -- or approaching 11 progress on governance responsibilities, and then 12 meeting the standards on its goals, as well as 13 demonstrating progress in many of the other areas. 14 Just a couple of things that I want to 15 highlight for you. Obviously, on the second page, 16 you can see the three -- sorry -- four-year 17 trajectory of the school letter grade being a "B," a 18 "D," a "C," and then, again, a "D." You can also 19 see the school's performance in each of the 20 categories in comparison to similar schools. And 21 you see that the school really is in the bottom 22 half, if not the bottom third, in a good number of 23 those. 24 And I think a couple of other things. 25 Just looking at the school's most recent PARCC data,</p>

<p style="text-align: right;">Page 170</p> <p>1 when we look at the proficiency rates, they are 2 higher at the lower grade levels, and they drop as 3 the grade levels increase. And we certainly look to 4 see that not drop, but, instead, increase as the 5 school has an opportunity to serve students for a 6 longer period of time. 7 On the second report, kind of the 8 preliminary analysis, which is the document that's 9 indicated to have 12 pages, you do see comparative 10 performance to local schools. And you see that 11 there is a mixture over time. 12 And, again, I think one of the important 13 things that we do want to talk about is the school's 14 demographics, which are not in that report; they're 15 in the next report. But those demographics do 16 indicate that the school's population is a little 17 bit different; not substantially, but a little bit 18 different than the local APS demographics. And I 19 think it's -- they're of note. And that is Page 10 20 of the 107, or 43 of 458 in Chart 11 and Chart -- 21 sorry, those are proficiency rates. That's not what 22 I was looking for. 23 Enrollment. There we go. 11 of 17, 44 of 24 158. You do see that, again, there's a slight 25 difference in our subgroups on the Chart 15, where</p>	<p style="text-align: right;">Page 172</p> <p>1 But, again, I think, you know, we hark 2 back to last year. We made a similar recommendation 3 with similar schools that had this performance, 4 where we do see clearly there's the capacity. I 5 think we just need to get to the place where we're 6 working on systematizing what's working and what's 7 not, stop doing what's not working, continue doing 8 what's working to be able to maintain those 9 successful results. 10 And we'd like to see the school continue 11 to do that. And that's the reason for our 12 recommendation of that two-year renewal. 13 THE CHAIR: Thank you. 14 Good afternoon. And let me just remind 15 you to please identify yourself for the record. 16 MS. CYNTHIA CARTER: Good afternoon -- 17 let's see if this is on -- 18 THE CHAIR: The green light has to be on. 19 MS. CYNTHIA CARTER: Good afternoon. 20 Madam Chair, members of the Commission. My name is 21 Cynthia Carter, and I am the director of Horizon 22 Academy West. And joining me is Olivia Flores, the 23 assistant director; Deanna Cordova, the business 24 manager. 25 We have in the audience Storm Gonzales and</p>
<p style="text-align: right;">Page 171</p> <p>1 you see that the school does have a lower percentage 2 of English Learners. The school has a lower 3 percentage of students with disabilities, and the 4 school has a lower percentage of economically 5 disadvantaged students than the local APS. 6 So I think that's important to recognize 7 as we're also looking at those low-comparison 8 schools. 9 I know there has been one question from 10 the school about how we have calculated the 11 retention of students across the year and between 12 years. I think I've explained that to you. But 13 what we do is we use the data that is in S.T.A.R.S. 14 from their student information system, look at the 15 students, especially for the recurrent enrollment 16 who were enrolled at the end of the prior year and 17 how many of those were enrolled at the beginning of 18 the current year. 19 Again, I think we've talked about this, 20 even in our last meeting even had a conversation -- 21 maybe that was at the conference this past 22 weekend -- had a conversation about the fact that 23 some of that data may not be as clean as we thought 24 it was; so that's something that we want to work 25 with all the schools to make sure we're working on.</p>	<p style="text-align: right;">Page 173</p> <p>1 Carrie Rodriguez, president and vice president of 2 Horizon Academy West's governing council, and Patty 3 Matthews, our attorney for Horizon Academy West. 4 I'm not a public speaker. I get really 5 nervous. Please bear with me. I'm going to read my 6 script, what I have to say. 7 Horizon Academy West has been open since 8 2003. This will be our third renewal. The last two 9 renewals were approved for a five-year term without 10 conditions. 11 During the last four years, not once has 12 the CSD notified us, as required by our contract 13 with the PEC, that our overall performance was 14 unsatisfactory. 15 As we stand before you today, we are 16 stunned by the recommendation of a two-year renewal 17 with conditions from the Charter Division, which was 18 completely unexpected. 19 Furthermore, CSD has not established or 20 concluded that Horizon has violated any grounds for 21 which an authorizer can deny renewal pursuant to the 22 Charter Schools Act. 23 As to our academic performance the CSD's 24 preliminary report states that we are making 25 substantial progress towards the Department's</p>

<p style="text-align: right;">Page 174</p> <p>1 standards of excellence, which is consistent with 2 the fact that our overall grade for the four years 3 is -- of this charter term is a "C." 4 According to our contract with PEC and our 5 performance framework, we have met Academic 6 Standard 1.a. 7 CSD acknowledges that we met our student 8 performance goals, as stated in our charter. 9 Consequently, Horizon Academy West has met all of 10 the performance goal requirements. 11 As to our organizational indicators, we 12 disagree with CSD that we have noncompliance issues 13 that warrant limiting our charter term for two 14 years, and, in fact, contend that these findings are 15 erroneous and hyper-technical. 16 The requirements of our contract for the 17 school, to be provided notice of unsatisfactory 18 performance and the opportunity to resolve issues, 19 has never happened. We have never been notified 20 that our five-year renewal term was in jeopardy; yet 21 CSD, based on scant, inconsistent, and inaccurate 22 reasoning, has made a recommendation that is just 23 short of recommending non-renewal. 24 I would like now to rebut the CSD's 25 criticisms of our organizational performance plans.</p>	<p style="text-align: right;">Page 176</p> <p>1 First, we have not changed the number of 2 hours during the term of our charter. And of note 3 is the fact that CSD's April 1st, 2016, site visit 4 report states that a review of instructional 5 schedule and calendar indicates that the school has 6 1,012 hours of instructional schedule. 7 Therefore, the school exceeds the required 8 990 instructional times [verbatim]. Thus, I want to 9 make this very, very clear that Horizon Academy West 10 has always exceeded the required instructional 11 hours, which is verified by CSD last year during the 12 site visit report. 13 CSD disagreed with our PED budget analysis 14 approved calendar -- calculations despite the fact 15 that we had deduction for the lunch period. CSD 16 insisted that the school deduct both recess and 17 lunch, a requirement inconsistent with state law. 18 The school complied with CSD's requirements. We 19 still are exceeding the school hours. 20 Recurrent enrollment: The school has 21 always followed the performance framework questions 22 to calculate the recurrent enrollment. In the final 23 recommendation at Page 11, the CSD acknowledges that 24 the school met this goal. 25 Management accountability: CSD concedes</p>
<p style="text-align: right;">Page 175</p> <p>1 Horizon strongly disagrees that CSD's 2 criticism actually warrants a conclusion that we are 3 out of compliance with any provision of our charter 4 contract or our performance framework, as stated. 5 The rights of the English Language 6 Learners: CSD stated that there are two student 7 files missing a Home Language Survey and five 8 missing W-APT screeners. The CSD does not contend 9 that the surveys and screenings were not completed; 10 only that they were not located in a student file. 11 The school corrected CSD's concern 12 immediately with a procedure in place, and it was 13 verified with the CSD during the October 11th, 2017, 14 renewal site visit, as noted on Page 11 of the 15 Revised Preliminary Analysis. 16 Finally, even if this information was not 17 placed in the correct location, CSD cites no law or 18 regulation that provides the failure to put a 19 document in a current folder constitutes violation 20 of a student's rights, as described in federal and 21 state law. Therefore, we disagree that we are 22 violating the rights of EL students. 23 Instructional hours: The CSD noted that 24 the school was not meeting the instructional hours 25 reporting required by its performance framework.</p>	<p style="text-align: right;">Page 177</p> <p>1 that Horizon provide board minutes to demonstrate 2 the governing -- governing body met 2016-'17 and 3 completed the director's evaluation. CSD also 4 contends that simple failure to upload the 5 evaluation to the Web EPSS indicates that the school 6 did not meet this particular indication. 7 Neither Horizon's contract, nor its 8 performance framework, provide that the school will 9 not meet this target if it doesn't upload a document 10 into the Web EPSS. 11 The school provided evidence that the 12 governing board provides a written evaluation of the 13 head of school that holds the head of school 14 accountable for performance expectations, which is 15 the standard articulated in the performance 16 framework. That is all that is required by the 17 contract and performance framework. 18 Consequently, Horizon Academy West has met 19 this goal. And to date, there are two written 20 evaluations from the last two years that are 21 uploaded currently into the Web EPSS. 22 Special education: CSD noted that the 23 school, in 2015-'16 -- one IEP received from another 24 school had not been accepted or modified during the 25 30-day time frame. Additionally, one IEP did not</p>

<p style="text-align: right;">Page 178</p> <p>1 have a signature. CSD was incorrect about the 2 signature and has immediately put the procedure 3 [verbatim] to formally accept and receive IEPs. 4 This was done two-and-a-half years ago. Horizon has 5 met the special education goals on monitoring visits 6 to date. 7 The governance: The governance council 8 did have one member that did not attend one year of 9 trainings. However, all the other years, he has 10 received his trainings. Because the member did not 11 comply with his trainings for the most recent year, 12 he stepped down. As of today, we have verified that 13 four of five have met their training requirements 14 for the school year 2018, even though they 15 technically have a full academic year to do so. 16 The important issue is whether the 17 governing body acted to hold members accountable. 18 Had HAW's council permitted that member to continue 19 without training, that would indicate failure to 20 comply. However, he's no longer a board member. 21 As to our financial performance, I'm going 22 to have Ms. Deanna Cordova, our Business Manager, 23 speak to the CSD's criticisms. 24 MS. DEANNA CORDOVA: Good afternoon. In 25 regards to the audit condition, the school doesn't</p>	<p style="text-align: right;">Page 180</p> <p>1 Ms. Matthews will now address legal concerns about 2 the charter school recommendation. 3 MS. PATTY MATTHEWS: Ladies and gentlemen. 4 I apologize. But I, too, will read because of the 5 timing issues. 6 I have presented to the Commission -- and 7 it has been distributed -- a full legal -- a 8 memorandum addressing the primary issues, given the 9 amount of time we had to do that. 10 First, we contend that the Charter Schools 11 Division has added performance indicators and 12 targets that were not negotiated between the 13 parties. The most significant concerns is about the 14 academic indicator numbered 1.a, an indicator that 15 is identical in the PEC contracts with all schools. 16 The indicator is simply stated, quote, "Is 17 the school meeting acceptable standards according to 18 the New Mexico A-through-F grading system?" 19 According to the performance framework, a 20 school meets that standard if the school earned a 21 letter grade of "C" and submitted an improvement 22 plan, which is the case for Horizon Academy. 23 Indicator 1.a in the contract does not contemplate 24 or require that each individual factor that 25 comprises a part of the school grade, slash, rating</p>
<p style="text-align: right;">Page 179</p> <p>1 understand why the PED has recommended to implement 2 corrective action so as to earn no repeat findings, 3 material weakness findings, or significant 4 deficiencies on the 2017-'18 annual audit as a 5 condition for renewal. 6 In the previous four years, the school has 7 only had one year with repeat findings. In Fiscal 8 Year 2015, there were two. And by Fiscal Year 2016, 9 they were both cleared. 10 One of those findings, the school 11 disagreed with, and the auditors did not reissue the 12 finding in Fiscal Year 2016, because they found that 13 there was no noncompliance that could be legally 14 substantiated. 15 The other was a timing issue that could 16 not be resolved, as we were made aware of the matter 17 five months into the fiscal year. All of the 18 findings in the last four years have been the lowest 19 severity on the scale of Generally Accepted 20 Government Auditing Standards and the New Mexico 21 State Auditor's office requirements. There have 22 been no findings to -- that rise to the level of 23 material weaknesses, nor significant deficiencies. 24 Even so, the school takes all findings 25 seriously and strives to correct any issues found.</p>	<p style="text-align: right;">Page 181</p> <p>1 be met or exceeded; rather, the parties agreed to 2 this indicator to -- for this indicator to use the 3 overall school grade to measure the school's 4 progress toward meeting the NMPED's Standard of 5 Excellence, which is not defined. The PEC defined 6 it the way they understood it. And that's where 1.a 7 comes from. 8 CSD, however, has imposed new and 9 non-negotiated indicators and targets on the school 10 by disaggregating the individual factors of the 11 school grade and by evaluating the school's 12 performance on each of them. Because CSD's analysis 13 of the subfactors consumes the overwhelming majority 14 of the recommendation analysis, it is clear the 15 CSD's methodology was -- has unilaterally attempted 16 to change the negotiated framework, in violation of 17 the terms of their contract -- of the contract with 18 the Commission. In this school's case, it met the 19 terms of the negotiated and agreed-upon Indicator 1. 20 And, in addition, CSD has largely ignored 21 the contract terms in Section 22-8B-12 with 22 regarding to monitoring and oversight obligations of 23 the Authorizer. Sections 22-8-12D, and through F, 24 of the Charter Schools Act, contemplates that the 25 school shall be given prompt notice of</p>

<p style="text-align: right;">Page 182</p> <p>1 unsatisfactory performance and a meaningful 2 opportunity to cure that issue. 3 Unless the school is recalcitrant and 4 refuses to take steps to correct the problem, 5 corrected unsatisfactory performance should not be 6 used against the school during the renewal review 7 process, as the CSD attempts to do so in its 8 analysis and recommendation. This is especially 9 true, where, as here, CSD has ignored the statutory 10 time frames and requirements for oversight. 11 As to a two-year renewal, this is very 12 important. Horizon has not violated any provision 13 of law that would give the PEC grounds to deny 14 renewal. CSD's recommendation effectively 15 constitutes an automatic non-renewal if the school 16 does not receive a "C" at the end of the first year 17 of its term of the next charter of a two-year 18 charter. 19 The Charter Schools Act states that the 20 renewal terms are for five years, unless the parties 21 agree. Horizon does not agree that this two-year 22 term is justified. Restricting this school to a 23 two-year charter will harm its solid reputation in 24 the community, as acknowledged by the Charter 25 Schools Division, and will unnecessarily alarm</p>	<p style="text-align: right;">Page 184</p> <p>1 The CSD's recommendation to the PEC is in 2 stark contrast to the feedback we received from CSD 3 during the renewal of a site visit on October 11th, 4 2017. At the end of the day, the Deputy Director 5 met with our team and shared that after observing 6 our school program, that she felt like going back 7 into the classroom, which she had not felt like 8 doing for a very long time. 9 Furthermore, she commented on the strength 10 of our compliance issues and that we could easily be 11 a school of a "B" or an "A." Horizon Academy West 12 agrees and is committed to improving its school 13 grade. 14 Madam Chair and Commissioners, all of 15 these issues identified to the CSD do not justify a 16 two-year renewal. The conditions that are 17 recommended have already been remedied. The school 18 has an improvement plan in place. The school took 19 action quickly to resolve all issues, no matter how 20 minute. 21 We understand that our academic 22 performance has room for improvement. However, we 23 strongly disagree with CSD's recommendation and 24 assessment of our school's overall performance. We 25 kept our promise to the PED, despite CSD's refusal</p>
<p style="text-align: right;">Page 183</p> <p>1 teachers, staff, parents, and, mostly, kiddos, that 2 their school is on shaky grounds and may not exist 3 in two years. 4 This recommendation is made without any 5 evidence that limiting the charter to a two-year 6 term will result in a particular identified outcome. 7 The PEC can accomplish a two-year charter by simply 8 revoking the charter if the school fails to perform. 9 CSD's recommendation is contrary to the intent of 10 the law, which anticipates a five-year renewal term 11 if the school did not violate any of the terms of 12 the law in 22-8B-12K. 13 And I'm going to let Ms. Carter finish the 14 summary. 15 MS. FRIEDMAN: You have two minutes. 16 MS. CYNTHIA CARTER: And to summarize our 17 response to CSD's evaluation of our charter, Horizon 18 has met all standards related to the contractual 19 obligations with the Public Education Commission. 20 The CSD did not and cannot identify a single basis 21 for recommending that the school not be awarded a 22 full five-year contract pursuant to 22-8B-12. There 23 is simply no grounds in the law that -- or our 24 contract that justifies curtailing our contract to 25 two years with conditions cited.</p>	<p style="text-align: right;">Page 185</p> <p>1 to follow the contractual agreement. 2 Finally, Horizon Academy West would also 3 like to comment on what appears to be arbitrariness 4 in the ratings shown in the Evaluation Summary on 5 Page 1 of the PED's recommendations. If you were to 6 put a simple point-rated system into these 7 recommendations, Horizon exceeds the average rating 8 of all renewal schools before you today. 9 With all due respect, Horizon Academy West 10 requests that the Public Education Commission 11 approve its application for a five-year term without 12 conditions. 13 THE CHAIR: Beverly, was that the timer? 14 MS. FRIEDMAN: That was the timer. 15 MS. CYNTHIA CARTER: I'm done. 16 THE CHAIR: Thank you. And we have one 17 person that has signed up for comment. And that is 18 Carrie Rodriguez. 19 FROM THE FLOOR: I don't need a 20 microphone. Hi. My name is Carrie Rodriguez. And 21 I am in a very unique place, where I get to 22 represent my school as a governing council member 23 and as well as a parent. And I am not a biased 24 parent. I promise. 25 So just basically wearing the governing</p>

1 council hat, I just really -- my concern is that
2 two-year renewal. We are going to be based on one
3 full school year. And that's concerning, you know;
4 it really is.

5 And just -- you know, we have met our
6 targets. We -- based on our contracts, on our
7 performance framework, HAW is -- "HAW" is our
8 school -- Horizon -- we call it "HAW."

9 So very transparent. We're transparent.
10 Our parents know what's going on. We know what's
11 going on with our finances. If someone comes in, we
12 can present it to them. I am just so proud of that
13 transparency that our school has.

14 The minute findings that we've had, oh, my
15 gosh, they are that. They are just findings that
16 are quickly taken care of. It's not going to take
17 us a school year to get them done. It's just --
18 it's amazing, in seeing other charters and what's
19 going on and what I'm seeing today, I am so proud of
20 our school and of our Business Manager and how those
21 findings come about and how they have not come
22 about.

23 Another thing, we have no material
24 violations. That's just amazing. In my eyes, and
25 as a parent and a governing council member, that is

1 because it's, like, "We worked on this." And it's,
2 like, "Oh, we didn't get this." But you got
3 yourself together, and you tried to figure it out,
4 and you thought you were on the right track. And I
5 felt like I'm going up and -- oh, but we fell a
6 point-and-a-half short. So it was heartbreaking.

7 I see that you've -- I guess my
8 frustration, which has to certainly be yours, is you
9 think you've got it. And you've got the tools in
10 your -- and you think you're doing the right thing
11 to try to get yourself on track, and it's just -- it
12 just never seems to quite be there.

13 So I guess my only question -- and I don't
14 know whether you can answer it now, because I know
15 you've tried, you know, to stick your thumbs on,
16 "This is -- this is what it is." And I guess that's
17 certainly our frustration and has to be yours.

18 So I don't know whether -- 'cause you've
19 certainly made changes. And they're not -- you
20 know, and -- you know, we all think we're doing the
21 right thing, and it's -- but I appreciate the fact
22 that you gave us that journey through, and we have a
23 clear vision of what was attempted to be done during
24 that time period; so that I know it's there. It's
25 just a matter of -- it all coming together.

1 just amazing. I am very appreciative and thankful
2 for the CSD for holding more schools up to these
3 high standards, because I have high expectations for
4 my kids; and my kids, as a parent hat, at our
5 school.

6 My eighth-grader. My fifth-grader who
7 left Horizon, went to the middle school, APS public
8 school, at a tenth-grade level. My fifth-grader is
9 at an eighth-grade level. She will be going to
10 middle school eighth grade. My third-grader right
11 now is performing at a sixth-grade level,
12 comprehension, reading, and math. They're amazing.

13 I am just coming to you today. I know
14 those stats can mean nothing. But this two-year
15 renewal, I just completely, as a governing council
16 member, disagree with it; because we are showing
17 progress. We are showing compliance. Our -- Page 1
18 of that PED -- or that CSD recommendation -- proves
19 that.

20 So thank you so much for hearing me out.
21 I so appreciate it.

22 THE CHAIR: Thank you. And I want to
23 thank you, because I was able to take the journey
24 through the four years of your contract through
25 this. And it was almost like a roller-coaster,

1 I'm going to say that I have difficulties
2 with two years. And that's for a number of reasons.
3 I've had -- especially at the NACSA conference, had
4 long conversations with folks about such a short
5 term; because it happened last year, and it was
6 concerning to me.

7 And it's equally as concerning this year.
8 Outside of a legal issue, it's just concerning.
9 Because in a two-year process, we're really only
10 giving these folks one year to try to show us,
11 because the next year, they're back doing this
12 application again; so that what are they doing?
13 Spending time on trying to improve the school or
14 digging into this exhaustive -- and I know it's
15 exhaustive -- application process. And it's
16 exhaustive for a reason, because we want to get that
17 picture.

18 I don't think we can get a clear picture
19 with a year. I just don't. And that's what a
20 two-year renewal ends up being. It's a, "Here's a
21 year. Turn it around."

22 And it was concerning to me this year. I
23 went to the NACSA conference with those concerns,
24 and I didn't find anyone to tell me that two years
25 was a reasonable turnaround time, you know. And

<p style="text-align: right;">Page 190</p> <p>1 there's many authorizers that it's all or nothing. 2 And that has not been the case with us. We have 3 done -- prior to last year, we've done shorter terms 4 of three years, three or five. And I know there's a 5 legal issue that maybe we can get helped out with. 6 But that's my -- I'm kind of an 7 all-or-nothing at this point in time. So I'm -- 8 Commissioner Ruiz? 9 COMMISSIONER RUIZ: Madam Chair? And, 10 like you, I also have a concern with a year not 11 giving sufficient time to show growth or 12 improvement. However, by the same token, I'm not 13 comfortable with five years. You've had a "B," a 14 "D," a "C," and a "D." Perhaps a three-year might 15 be better than the two-year renewal. 16 I -- I really can't see a five-year at 17 this point, because of the grades. But I could see 18 a three-year, because that would give you some time 19 to show growth or improvement in your school. 20 MS. CYNTHIA CARTER: Would you like me to 21 respond to that? Or do you have a question? Can I 22 respond to that? 23 So we had a "B." And as you know, for the 24 first year, when we had a "B," the whole process of 25 gathering data was in a different assessment,</p>	<p style="text-align: right;">Page 192</p> <p>1 And I just -- because I know of -- I've 2 seen the school; I've been in there; I've seen your 3 staff and what have you. And so if and when 4 Commissioners are done with their questions and 5 comments, I would like to propose the motion, 6 Madam Chair. Thank you. 7 THE CHAIR: Commissioner Toulouse? 8 COMMISSIONER TOULOUSE: Madam Chair, I 9 agree that five years is what we need. I -- I just 10 think, especially with elementary school kids, PARCC 11 is not always the best way to go. These kids are 12 still playing on computers. They still, many of 13 them, don't have them at home or have the kind of 14 access to them that you get when you get to 15 mid-school and high school. And I agree that one -- 16 everybody dipped the first year of PARCC. 17 I don't see any reason to shorten this 18 term at this point, because I think they're on the 19 right track, because I see that they're continually 20 evaluating and making changes and adapting and not 21 keeping staff members that are a problem and 22 changing things within their scope of what their 23 contract says. 24 And what -- when I would give a shorter 25 term to a school is when I don't see them making</p>
<p style="text-align: right;">Page 191</p> <p>1 basically. It wasn't PARCC. 2 Then we dropped to a "D" with our first 3 year of PARCC. We brought -- we wrote an 4 improvement plan. We followed that improvement 5 plan. We brought it up to a "C." If you notice, we 6 were just not even a half-a-point away from a "C" 7 this -- this -- this term. 8 And, really, to tell you the truth, we had 9 a rogue employee. And from the teacher evaluation 10 system, he had 6 points out of 70 for student data. 11 Needless to say, he is no longer with our school. 12 So we are still continuing to take action, 13 showing -- and I really believe that that could have 14 been the reason why we stayed stagnant in our grade, 15 because from -- from -- there were just a few points 16 away from where we were. So that's what I have to 17 say about that. 18 THE CHAIR: Commissioner Peralta? 19 COMMISSIONER PERALTA: Thank you, 20 Madam Chair. I, too, have been through the time 21 frame -- the path that you've gone down. And I 22 understand that a lot of schools, there are dips 23 along the way. And, you know, I personally feel 24 that this is a good school. And I've always 25 believed that.</p>	<p style="text-align: right;">Page 193</p> <p>1 those changes, when I see them taking their approach 2 and continuing to push it forward without adapting, 3 without changing, without looking for that. That, 4 to me, then you get a shorter term to see if you can 5 still make it work. But when you're still trying it 6 and trying it and trying it, I think that shows a 7 school that needs five years to keep on going. So 8 that's my feeling. 9 THE CHAIR: Can I just ask? Are you using 10 NMDASH right now? 11 MS. CYNTHIA CARTER: No. We have an 12 improvement plan in place that is actually your 13 template that we have utilized. And so we have hit 14 every target. We've looked at our data as a school. 15 Our school had shown that one of our basic problems 16 was our Q1 students. And so we are focusing right 17 now on our Q1 students, the lowest 25 percent of 18 every classroom. So it does fall under more than 19 just the Q1 listed and the State gives you. 20 Also, at this point, I'd like to let you 21 know that the CSD had talked to you about the 22 priority schools, giving schools -- listing schools 23 on improvement. We are not on any of those lists, 24 not one. 25 THE CHAIR: Okay. And just so you know,</p>

<p style="text-align: right;">Page 194</p> <p>1 that's kind of been a conversation, because that got 2 very confusing as to who. So we really haven't 3 recently had a conversation about the improvement 4 plans from priority schools, because it got lost in 5 terms of, you know, what was happening, and there 6 wasn't good communication.</p> <p>7 So from our perspective, that has not been 8 a piece of our conversation for quite a while, 9 because there began to be confusion as to what was 10 happening with those improvement plans and who 11 actually had one, so that we have not had recent 12 discussions about that.</p> <p>13 MS. CYNTHIA CARTER: Okay. Well, just so 14 you know, we have submitted our improvement plan. 15 So we are in compliance with what we needed to do 16 when we dropped a grade.</p> <p>17 THE CHAIR: Okay. Thank you. 18 Commissioner Johnston?</p> <p>19 COMMISSIONER JOHNSTON: Thank you, 20 Madam Chair. I have some -- a couple of questions. 21 But I need to do an introduction so I'm sure I'm in 22 the right place.</p> <p>23 The conditions that were recommended by 24 the Charter School Division, the condition of 25 New Mexico DASH, continuous improvement plan, the</p>	<p style="text-align: right;">Page 196</p> <p>1 But no variance is minor when it's an 2 accountability matter. And when I saw that you had 3 cash and checks collected on August the 20th that 4 weren't deposited until September the 10th, I 5 gasped. I went -- to me, that could be considered 6 minor on the face; but we all know that that's 7 pretty major, because that's not our money. That 8 belongs to the State.</p> <p>9 Internal, for travel expenditures that 10 violated accepted rules because of purchase orders 11 not being created, on the surface, that's minor, a 12 purchase order. But we all know that that's major. 13 Granted, that was 2014. And it has improved every 14 year up to the 2016 audit. And you were 15 under-collateralized at the bank by \$62,000. On the 16 surface, that doesn't seem -- that's an oversight. 17 But when you really think about it, that's the 18 reason that condition was brought before you.</p> <p>19 When you look at an IEP that's late when 20 it comes, if you have one IEP, on the surface, that 21 seems minor. But in the lives of all of the 22 students who are in that Q1 who may have IEPs or 23 differences in learning, we have to slow down and 24 look at those things. That's the second finding. 25 And then the utilization of New Mexico</p>
<p style="text-align: right;">Page 195</p> <p>1 Chair asked you that question, and you responded, 2 and you did say that you do have that improvement 3 plan in place.</p> <p>4 MS. CYNTHIA CARTER: Correct.</p> <p>5 COMMISSIONER JOHNSTON: We -- you talked 6 about your Q1. And the second condition is 7 non-compliance related to the organizational 8 performance framework indicators, the rights of 9 English Learners, special education, that you had 10 spoken to the site visit and the IEP that was out of 11 date.</p> <p>12 And Condition 3, corrective action so as 13 to earn no repeat findings on your audit.</p> <p>14 Three conditions that we've really kind of 15 spoken to. And you have -- but you have spoken to 16 the areas where you have had to direct some work 17 with your Q1 students, your lowest performing 18 students, the signature on the IEP.</p> <p>19 I -- I guess what took my breath away 20 first -- and, granted, this was 2014 in your audit. 21 But there were funds -- that was your very first 22 year. But you had -- you had background checks that 23 were -- and, individually -- and I agree with you. 24 I'm a licensed School Business Official. On the 25 surface, these seem like minor variances.</p>	<p style="text-align: right;">Page 197</p> <p>1 DASH, proactively pursuing that, as everybody seems 2 to be doing now. And I'm a little bit out of touch 3 with New Mexico DASH because I've been here since it 4 came into being. But it's your accountability 5 system.</p> <p>6 You have a great school. You have a good 7 school. I agree that two years really puts an onus 8 on you. I'm not certain -- and I'll be real honest. 9 I might take five years, if you -- you said that you 10 wanted no conditions and a five-year renewal. And I 11 want you -- I urge you to be very careful when you 12 say, "We don't want any conditions." Because every 13 school needs conditions, because we fall short 14 because we are human. And the things that you spoke 15 to that appear minor in the singular have huge 16 impact on your ability to deliver to students.</p> <p>17 You know, what do you feel about 18 conditions? I don't know. But I see the 19 seriousness. And I see exactly why Charter School 20 Division placed those three conditions. But I'm not 21 sure that three years is fair. I might go for five 22 with conditions. I don't know. You need to tell 23 me.</p> <p>24 MS. CYNTHIA CARTER: Well, first of all, 25 I'd like to say that Horizon Academy West, no matter</p>

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1 how minute they may seem, that we take them very
2 seriously. And as you have noted, that in the
3 financials, we have gradually increased and have
4 gotten better and better. And to this date, I can't
5 speak of our last audit finding. But I can tell you
6 that it's even better than what you see.

7 So with that piece, do you want to add
8 anything about the financials, Deanna?

9 MS. DEANNA CORDOVA: For the background
10 checks -- because that was a repeat finding -- I was
11 not there. But I know it was a timing issue. One
12 of the employees had already left before they could
13 get that background check on file; so that's the
14 reason why that one was a repeat. Although, it is
15 not a significant deficiency, nor a material
16 weakness, we do realize that we need to have those
17 in the file. But that's why it was a repeat. We
18 just couldn't get it from the previous employee.

19 The travel request, not having purchase
20 orders, we have in policy that we do not require
21 purchase orders for travel. We have a travel
22 request form that they fill out. And those forms
23 were filled out. I actually left that fiscal year.
24 I took off a year. So I wasn't there during the
25 audit. So I'm not sure if just the Business Manager

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1 general conditions on all schools with five-year
2 charters, that they do certain financial standards,
3 et cetera. They certainly wouldn't be opposed to
4 generalize it.

5 I think it felt like -- they felt like
6 they had addressed these conditions. And that's why
7 they felt like these conditions weren't warranted.

8 So I want to make that clear to the
9 Commissioners, that they certainly would absolutely,
10 you know, be willing to discuss things that you're
11 concerned about in the context of a condition.

12 COMMISSIONER JOHNSTON: Okay. Thank you.
13 Because my concern is that you have done very well,
14 and it's easy when we do well to become complacent.
15 And you have done well, and then you've corrected
16 it. And then you've done well, and you've not done
17 so well, and you've corrected.

18 And I think you need -- we all need to
19 take a breath and remember that this charter
20 renewal, it's important to the students who are
21 there. And so the activities of the adults are very
22 important, and that that Q1 is very near and dear to
23 my heart, and the protection of those. And you are
24 very fortunate as a school in that you have low
25 numbers in those areas, so that more attention can

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1 didn't relay that information that it was part of
2 the policy. But that finding should not have been
3 in there.

4 As far as the deposits, we take the
5 deposits very seriously. We don't wait the
6 24 hours; we deposit it the same day. But as far as
7 that one instance, I think what happened was there
8 was a bag created for the deposit. There was a
9 meeting. The bag was left in the cabinet and just
10 locked. But they forgot about it, because there was
11 a meeting, the person went home and just completely
12 forgot that the bag was there.

13 Luckily, there wasn't a large amount. But
14 we do take those things seriously. So I know I'm
15 saying they're not material weaknesses nor
16 significant deficiencies. I don't want to sound
17 like, "Oh, they're not a big deal." But we take
18 them all seriously.

19 MS. PATTY MATTHEWS: Commissioner
20 Johnston, I just want to make clear, the school's
21 position on its conditions is because the
22 conditions, as they were determined and worded, were
23 based on things that they had concluded and removed.
24 If -- if it is a question of -- and I think there
25 are -- I think actually in the past, you have put

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1 be paid to those students. And so that's why.

2 MS. CYNTHIA CARTER: Okay. And then your
3 question about the IEP. I just want to restate that
4 we have always followed -- once the IEP came, we
5 always followed that. CSD wanted us to have a
6 meeting to accept or amend the IEP within 30 days,
7 which we do not find in statute.

8 COMMISSIONER JOHNSTON: Okay. So when
9 would you accept or amend the IEP? Because there's
10 a child connected to that IEP.

11 MS. CYNTHIA CARTER: As soon as we can.
12 We have a process in place that as soon as we get
13 that, we start a meeting, and we accept or amend.
14 We hope that it's before 30 days.

15 COMMISSIONER JOHNSTON: You hope.

16 MS. CYNTHIA CARTER: Yes.

17 COMMISSIONER JOHNSTON: What is in
18 statute? There's not anything? There's not the
19 60-day?

20 MS. CYNTHIA CARTER: It says to follow the
21 IEP until you can have that meeting.

22 MS. PATTY MATTHEWS: They follow the IEP
23 until there is a requirement to have a meeting. If
24 there is a 30-day period, it's in a policy. It's
25 not in statutes or law, which is the standard under

1 the performance framework.

2 COMMISSIONER JOHNSTON: But, again, I
3 would say absolutely within the context of the
4 standard, but what is in the best interest of the
5 student. And when someone says, "As soon as we
6 can," as a parent, I get frantic. So that's -- do
7 you have a policy?

8 MS. CYNTHIA CARTER: And that's just the
9 point. When trying to reach parents, getting them
10 in their timeline, getting them here; because we try
11 to act on that as soon as possible.

12 COMMISSIONER JOHNSTON: Okay. And do you
13 have a policy?

14 MS. CYNTHIA CARTER: Yes, ma'am.

15 COMMISSIONER JOHNSTON: And what does your
16 policy state?

17 MS. CYNTHIA CARTER: We put in policy --
18 after it was noted by CSD that this was an issue for
19 them, we put in policy that it would be as soon --
20 the policy for it, within the 30 days, for sure.

21 COMMISSIONER JOHNSTON: Thank you very
22 much.

23 COMMISSIONER CABALLERO: Yes.

24 THE CHAIR: Commissioner?

25 COMMISSIONER CABALLERO: Go ahead. Go

1 THE CHAIR: This year is this contract.

2 COMMISSIONER ARMBRUSTER: But they're
3 still working on improvement.

4 MS. CYNTHIA CARTER: Even though we're
5 working on improvement, when we go up for renewal
6 again, that year would not be in our data, because
7 we only show the data for what the renewal term is.
8 So we would -- so this year would not be on there.

9 COMMISSIONER ARMBRUSTER: Thank you for
10 explaining that. But I do want to note, too, to my
11 fellow Commissioners, that even though the "D" grade
12 for this year was only a .5 or something like
13 that --

14 FROM THE FLOOR: It was 1/16 of a point.

15 COMMISSIONER ARMBRUSTER: -- it included
16 five bonus points. And that's going to go away for
17 everybody. But just -- the true picture is it's
18 really more than a .16, because you're adding not
19 just points to a grade, but for all of it.

20 In addition, you know, I'm thinking this
21 school really needs to look at some systems and have
22 a way of really going through it. I think that
23 sometimes the renewal process -- although, I can
24 only imagine how arduous it is with the other
25 7,982 things that you need to do that day, it helps

1 ahead.

2 COMMISSIONER ARMBRUSTER: Before I start
3 too much -- so the teacher for whom we want to
4 attribute the lower scores, that person has not been
5 here all school year.

6 MS. CYNTHIA CARTER: Not this year.

7 COMMISSIONER ARMBRUSTER: I just wanted to
8 make sure of that.

9 I think what I want to say is that, you
10 know, getting into New Mexico DASH is probably a
11 really good thing, because it helps you do this.
12 And I think one of the things I noted when I was
13 reading your -- whatever -- one of these, this one,
14 is, that, you know, you have a lot of things that
15 you didn't say that poverty was the reason that we
16 didn't. And that's part of what New Mexico DASH is
17 doing. What can adults do, because you cannot
18 change the home. We'd like to; but you can't. So I
19 like the fact that you can do that.

20 And I want to just point out, even though
21 I'm -- would probably be leaning to a third year.
22 But what -- if you had two years, you have this year
23 to show improvement and 2018, because we haven't
24 gotten those scores or taken the test, right? And
25 then you have next year to do that.

1 you kind of put your ducks in a row.

2 "Well, we need to look at this. We're
3 going to do this."

4 "We look at this. We need to do that."

5 So I think that was a good thing, and I'm
6 not wanting you to have to redo this every year.
7 But I think that my inclination is to extend it for
8 three years rather than two, with the conditions of
9 improvement, as was stated by CSD on one of these
10 pieces of paper I have.

11 THE CHAIR: Commissioner Robbins?

12 COMMISSIONER ROBBINS: Thank you. I think
13 my comments are similar to what Commissioner
14 Johnston had to say in terms of the financial
15 findings. But I also -- so I'll ditto those.

16 I also am concerned about the trend of the
17 scoring, the grades. If Horizon Academy West is
18 below average, that's a concern. We want all of the
19 charters to be above average. We want them to be
20 better than the schools that they're comparing
21 themselves to in the community and within the state.
22 That should be something -- I know that individuals
23 strive for; but it should actually be shown in
24 results.

25 So I also agree that a two-year term is

<p style="text-align: right;">Page 206</p> <p>1 too short. I think there needs to be conditions. I 2 think the conditions that they have -- that CSD has 3 enumerated in the recommended proposal seem 4 reasonable, considering the number of audit findings 5 and the type of findings that have transpired over 6 the last couple of years. 7 Again, it doesn't say you don't have any 8 findings. It just says you don't have any repeat 9 findings. And given that you're looking with one 10 entity that you have a little bit more control over. 11 And I would appreciate the -- you know, the Business 12 Manager and you, Ms. Carter, to really stay focused 13 on staying on top of those things and making sure 14 that people realize that just because you didn't 15 have a finding before doesn't mean an auditor won't 16 find it in the future. 17 It's one thing that my staff -- lots of 18 times they say, "Why do we have to change what we're 19 doing? We haven't had a finding on that." 20 I say, "Because you don't want a finding 21 in the future." 22 Thank you. 23 THE CHAIR: Thank you. 24 Commissioner Caballero, did you have your 25 hand up?</p>	<p style="text-align: right;">Page 208</p> <p>1 But I think they're good enough to go for the five 2 years. 3 It's tough enough being a charter school 4 without having to be just three years. Two years is 5 a recipe for failure for any school. Three years is 6 just barely enough. But I think they're good enough 7 for the five. I agree with Commissioner Toulouse 8 that that's what they should be. 9 THE CHAIR: As a point of clarification, 10 we generally like to list the conditions, so that if 11 there is an appeal, it narrows the appeal process 12 down so that it's not this broad-based appeal that 13 when a letter goes out as to why a school was not 14 renewed or they were renewed with conditions, so 15 that it does help to clarify the appeal process for 16 us. 17 COMMISSIONER CABALLERO: May I respond to 18 that, Madam Chair? 19 THE CHAIR: Sure. 20 COMMISSIONER CABALLERO: The conditions 21 are like an albatross around somebody, because it's 22 part of your five-year contract. And you don't -- 23 you don't need that. But that's why I insist that 24 we need to be careful in the motion, because it's 25 the motion that you vote on that's very, very</p>
<p style="text-align: right;">Page 207</p> <p>1 COMMISSIONER CABALLERO: Yes. 2 THE CHAIR: Okay. 3 COMMISSIONER CABALLERO: Thank you. I 4 disagree with a three-years'. I think that -- I 5 don't see this school doing that bad to deserve a 6 three-years'. I think they're good enough for five. 7 You're looking at a school who had 8 findings in the past. And all the schools have 9 findings. The main thing that we need to look at is 10 the repeat, the no change of behavior, the no change 11 of systems. You're looking at a school that has 12 strived to change and adapt to good standards. 13 And I'm neutral on the conditions. But 14 what I feel about the conditions is that all those 15 conditions that we put specifically are already part 16 of our standards. They are required by law and 17 statute. Every single charter school has to face 18 those conditions. Why do we feel like we need to 19 put specifics in there? I -- I, personally, don't 20 understand. But I think the school is good enough 21 for the five years. 22 If the majority of -- of my fellow 23 Commissioners feel like there's got to be 24 conditions, okay. I mean, even if there weren't any 25 conditions, those conditions are set in statute.</p>	<p style="text-align: right;">Page 209</p> <p>1 critical, that the conditions just stay on and 2 plague the school for five years. 3 The appeal is not going to be based so 4 much on the conditions as they are on the motion. 5 Yes, okay, so the conditions are specific, 6 and we throw this and that to make it look even -- 7 stand up in appeal. But an appeal takes a lot of 8 factors, a lot of factors; not what we put or this 9 and that, they're going to take a bunch of stuff. 10 That's why they're tough to -- to advocate and 11 defend. But that has been the way things have been 12 done, okay? 13 THE CHAIR: It's been the legal opinion 14 that's been offered to us over a period of time; 15 so... 16 COMMISSIONER CABALLERO: Okay. 17 THE CHAIR: Commissioner Conyers? 18 COMMISSIONER CONYERS: I have a question 19 for Katie. And maybe I'm the only one that doesn't 20 know this: 21 When I look on the first page under 22 "Ratings," I understand "Meets standards." What was 23 the difference between "Approaching progress" or 24 "Approaching standard" versus "Demonstrates"? Which 25 is better?</p>

<p style="text-align: right;">Page 210</p> <p>1 MS. POULOS: "Approaching" -- and we 2 did -- it's in your renewal application. 3 COMMISSIONER CONYERS: Okay. 4 MS. POULOS: We did create a rubric that's 5 been in that renewal application. The "Approaching" 6 is the middle standard. And it's -- especially for 7 this school, why they were rated that way in 8 relation to the school letter grades is the 9 up-and-down, the inconsistency. And so the language 10 from that rubric is that it identifies measurable 11 successes; but the successes are inconsistent and 12 not maintained over time. 13 And so that's really why we landed on that 14 "Approaching progress" rather than "Demonstrating 15 progress." 16 COMMISSIONER JOHNSTON: Madam Chair? 17 THE CHAIR: Commissioner Johnston? 18 COMMISSIONER JOHNSTON: I have one 19 question that I forgot to ask. Teacher retention. 20 And there must be a reason, because it's so 21 significant that you went from, in 2016, for 22 example, a retention of 88.9 percent down to 2017 23 and a retention rate of 71 percent. 24 What happened there? What did you all do? 25 MS. CYNTHIA CARTER: First of all, we had</p>	<p style="text-align: right;">Page 212</p> <p>1 place practices for -- to be utilized. It was an 2 all-year process. 3 COMMISSIONER ARMBRUSTER: And it was the 4 first year this teacher was there? 5 MS. CYNTHIA CARTER: No. So he had -- the 6 employee had just -- we saw a drop in data, student 7 data. So we acted upon that. 8 COMMISSIONER ARMBRUSTER: And my second 9 question -- and maybe it's in this 4,000 sheets I 10 have here. On the report card from last year, what 11 was the lowest performing -- the grade of the lowest 12 performing students? The Q1. Is it here? 13 THE CHAIR: It is. But you couldn't ask 14 me to find it. But I know I've read it. 15 COMMISSIONER ARMBRUSTER: I thought I had 16 it. 17 MS. POULOS: Commissioner Armbruster? The 18 improvement of the lowest performing students for 19 the 2017 report card is an "F." 20 COMMISSIONER ARMBRUSTER: Oh, thank you. 21 Sorry. There it is. 22 So I guess my comment to my fellow 23 Commissioners is that when we talk about the 24 condition which was to implement the New Mexico DASH 25 continuous improvement plan that results in raising</p>
<p style="text-align: right;">Page 211</p> <p>1 several employees that retired. We had one that 2 was -- needed to move on. We had one -- so -- this 3 was my question to CSD when they calculated this. 4 Because if you have an employee that is a teacher 5 and then is promoted within the system, as we did, 6 that they became an administrator or a testing 7 coordinator or something versus that, a different 8 role, then that's counted as a loss and against the 9 school. 10 COMMISSIONER JOHNSTON: Yeah. It 11 certainly -- it's a double-edged sword; but that's 12 the way it's done everywhere. 13 Thank you. I thought there were some 14 reasons. 15 THE CHAIR: Commissioner Peralta? Motion? 16 COMMISSIONER PERALTA: Are we done? 17 COMMISSIONER ARMBRUSTER: Could I just ask 18 two quick questions? 19 THE CHAIR: Yeah. 20 COMMISSIONER ARMBRUSTER: I just have two 21 questions. So when this teacher who was less than 22 effective was there, how soon did you intervene to 23 help? 24 MS. CYNTHIA CARTER: It was all year. All 25 year, we had meeting after meeting. We had put in</p>	<p style="text-align: right;">Page 213</p> <p>1 and maintaining performance at or above the overall 2 grade of "C," I feel that it has to be that the 3 lowest performing students, because they have 4 actually less special education children than 5 other -- than their peer groups -- that that needs 6 to be -- that cannot be an "F." 7 Does that make sense, what I'm saying to 8 you? 9 THE CHAIR: But I think -- and correct me 10 if I'm wrong -- that that is embedded in the NMDASH 11 is that improvement. Yes? 12 MS. POULOS: Madam Chairwoman, 13 Commissioner -- Chairwoman, Commissioners. 14 So the NMDASH -- and I think the reason 15 that we, really, for anyone that we're recommending 16 conditions, recommend the condition that they use 17 NMDASH. And as you heard the school state, they're 18 not using NMDASH. They're using that other one, the 19 one-page template. 20 The reason we do recommend NMDASH is, 21 quite honestly, technical assistance on how to 22 improve. It helps you go through the improvement 23 planning process and the continuous improvement 24 cycle and really asks those deep questions. 25 It may be that through that deep</p>

<p style="text-align: right;">Page 214</p> <p>1 questioning, they land on the Q1. It may be that 2 they don't. It's really about helping target the 3 school leadership in on the areas of highest need. 4 So I think it's important to kind of 5 reflect on that. One thing that I do just want to 6 say, because we've talked about that Q1 measure, 7 sometimes we get a little uncomfortable with that Q1 8 measure because it could be that they have a 9 positive growth score, but they're getting a low 10 grade. 11 In this school, they do have, for that Q1, 12 a .02, which is positive; but it's very close to a 13 zero growth score for math. But for reading, it is 14 negative .47. So I think just, kind of, there's 15 that lingering question about what's behind that 16 data is that negative growth index. 17 THE CHAIR: Okay. Thank you. 18 Commissioner Peralta? 19 COMMISSIONER PERALTA: Thank you, 20 Madam Chair. So at this time, I would like to 21 propose a motion. And I would move to approve the 22 renewal application presented by Horizon Academy 23 West for a term of five years with the following 24 condition: 25 That the school implement an NMDASH</p>	<p style="text-align: right;">Page 216</p> <p>1 Toulouse? 2 COMMISSIONER TOULOUSE: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Crone? 5 COMMISSIONER CRONE: No. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Conyers? 8 COMMISSIONER CONYERS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Caballero? 11 COMMISSIONER CABALLERO: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Robbins? 14 COMMISSIONER ROBBINS: No. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Gipson? 17 THE CHAIR: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Ruiz? 20 COMMISSIONER RUIZ: No. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Johnston? 23 COMMISSIONER JOHNSTON: No. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Armbruster, "No."</p>
<p style="text-align: right;">Page 215</p> <p>1 continuous improvement plan, which will be monitored 2 twice annually by the CSD and results in raising and 3 maintaining performance at or above an overall grade 4 of "C" in each year of its renewal contract term. 5 COMMISSIONER TOULOUSE: Second. 6 THE CHAIR: There's a motion by 7 Commissioner Peralta, a second by Commissioner 8 Toulouse. 9 Is there any discussion? And I guess I 10 only have one question. The "monitored twice by" -- 11 is that a site visit monitoring? Or is that -- I 12 guess I need clarification on what that monitoring 13 would be. Would that be site visits? 14 MS. POULOS: That would be site visits 15 looking at the documents. 16 THE CHAIR: That's what I thought it was. 17 But I wanted to make sure that it wasn't some 18 technical -- okay. All right. Thank you. 19 Commissioners? If not, we'll take a 20 roll-call vote. 21 COMMISSIONER ARMBRUSTER: One second. 22 Just write what I'm writing down. Okay. 23 Okay. Commissioner Peralta? 24 COMMISSIONER PERALTA: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p style="text-align: right;">Page 217</p> <p>1 So we have a five-five split; so -- 2 THE CHAIR: We've never had this happen 3 before. 4 COMMISSIONER RUIZ: So, Madam Chair, if we 5 have a split, do we try a new motion? Or can I make 6 a new motion? Or what's the protocol? 7 THE CHAIR: You know, I have to look at 8 our rules; because I honestly -- this is the first 9 time a split has ever come. So I can't answer that 10 without a cheat sheet. 11 COMMISSIONER CRONE: We need a new 12 district so we have a non-even-numbered Commission. 13 THE CHAIR: We need an odd-numbered 14 Commission, not just odd Commissioners. 15 Let's take a five-minute break, and we'll 16 figure this out. 17 (Recess taken, 3:05 p.m. to 3:10 p.m.) 18 THE CHAIR: We're out of recess. And 19 we're entertaining a new motion. 20 COMMISSIONER RUIZ: Madam Chair, I'll make 21 a new motion. 22 I move to approve the renewal application 23 presented by Horizon Academy West for a term of 24 three years with conditions, because although the 25 school has failed to meet and has not demonstrated</p>

<p style="text-align: right;">Page 218</p> <p>1 substantial progress toward the Department's minimum 2 educational standards, the school has earned a "B" 3 and a "C" in two of the last four years, which 4 demonstrates the school has the capacity to meet the 5 performance standards, and the school has achieved 6 above-average performance in academic indicators in 7 the A-through-F school grading system when compared 8 to area schools.</p> <p>9 As a condition of this renewal, the school 10 must implement a New Mexico DASH continuous 11 improvement plan which will be monitored twice 12 annually by the CSD that results in raising and 13 maintaining performance at or above an overall grade 14 of "C" in each year of its renewal contract term, 15 correct all noncompliance related to organizational 16 performance framework indicators, i.e., rights of 17 English Learners, instructional hours, recurrent 18 enrollment, management accountability, special 19 education, and governance, prior to the school's 20 2018-2019 site visit from CSD, and implement 21 corrective actions so as to earn no repeat findings, 22 material weakness findings, or significant 23 deficiencies on the 2017-2018 annual audit.</p> <p>24 COMMISSIONER CRONE: Second. 25 THE CHAIR: There's a second by</p>	<p style="text-align: right;">Page 220</p> <p>1 question on the table. But what I'm hearing the 2 Commissioners doing is renegotiating the contract 3 terms for the next term.</p> <p>4 Is that what we're doing? 5 THE CHAIR: No, I don't -- I sort of 6 understand what you're doing; because you're right. 7 When we start putting on a condition that 8 they -- that they reach a certain benchmark, that is 9 part of what's done in negotiations. That becomes 10 embedded in their contract for the performance 11 framework. That the Q1 growth will be "X," that 12 that's not a -- a condition for the renewal, but, 13 absolutely, that becomes part of the negotiations 14 that -- that goes on with the school.</p> <p>15 COMMISSIONER ARMBRUSTER: Okay. And I -- 16 okay. And I didn't make that an amendment. So it 17 was just my talking.</p> <p>18 THE CHAIR: We're discussing whether we 19 can support something for conditions. And maybe I 20 misinterpreted, because I read -- I listened to that 21 and heard, "I want that as part of the conditions." 22 COMMISSIONER ARMBRUSTER: You are correct. 23 And I'm listening to what the rest of you are 24 saying, and I'm taking it back. 25 How's that? Got it.</p>
<p style="text-align: right;">Page 219</p> <p>1 Commissioner Crone. 2 Discussion? 3 I have concerns with all the -- with all 4 the conditions.</p> <p>5 COMMISSIONER TOULOUSE: Madam Chair, so do 6 I. I can't vote on this motion with all of those 7 conditions.</p> <p>8 THE CHAIR: No. Me, either. I'll be 9 honest. I have no issue with the NMDASH. But I 10 think the school has demonstrated that it has fixed 11 those other conditions; so I have concerns with the 12 list -- you know, I didn't have concerns with the 13 requirement for the NMDASH, because I think that 14 covered the -- and allowed the school to fix those 15 deficiencies, as noted. But I -- that broad list of 16 conditions, I've got concerns with.</p> <p>17 COMMISSIONER ARMBRUSTER: Madam Chair? 18 THE CHAIR: Uh-huh. 19 COMMISSIONER ARMBRUSTER: And I, again, 20 push that I don't want to see the Q1s, because they 21 have a very low number of special ed students as 22 well as ELL. And so the bottom 25 percent, I feel 23 has to be higher than an "F." 24 MS. PATTY MATTHEWS: May I ask some 25 clarification question? I know there's not a</p>	<p style="text-align: right;">Page 221</p> <p>1 COMMISSIONER JOHNSTON: Madam Chair, may I 2 ask, just -- because this is a point of order. If 3 we wanted to amend -- 4 THE CHAIR: We could do a friendly 5 amendment. 6 COMMISSIONER JOHNSTON: How do we do that? 7 THE CHAIR: Someone offers a friendly 8 amendment. 9 COMMISSIONER RUIZ: Madam Chair, I will 10 entertain -- I'm fine with a friendly amendment of 11 removing those two and just leaving NMDASH. 12 THE CHAIR: Okay. So I will offer a 13 friendly amendment, reluctantly, for a three-year 14 renewal, with the condition that the school -- is it 15 "adopt" or "implement" -- the NMDASH system, and 16 that there be two -- how was it worded? -- site 17 visits? Or two monitoring visits? What was the -- 18 annual visits? Two annual visits? Was that the 19 wording? 20 MS. POULOS: It says, "Implement NMDASH 21 continuous improvement plan, which will be monitored 22 twice annually by CSD, that results in..." -- 23 THE CHAIR: So that the friendly amendment 24 is to implement the NMDASH system, which CSD will 25 monitor with two yearly visits.</p>

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1 MS. PATTY MATTHEWS: Is that in addition
2 to the two site visits?

3 THE CHAIR: No, no. That was the
4 clarification that I asked for with the first motion
5 was that two site visits -- or was it two other,
6 like -- and it's two site visits.

7 COMMISSIONER JOHNSTON: And, Madam Chair,
8 do we --

9 THE CHAIR: Not four site visits.

10 COMMISSIONER JOHNSTON: Madam Chair, do we
11 have to have a second for an amendment?

12 THE CHAIR: Yes.

13 COMMISSIONER JOHNSTON: I'll second.

14 THE CHAIR: And then we vote on it, yes.

15 COMMISSIONER JOHNSTON: Then I'll second.

16 THE CHAIR: This is a friendly amendment
17 by Commissioner Gipson and a second by Commissioner
18 Johnston.

19 MS. PATTY MATTHEWS: Madam Chair, when can
20 we ask questions about what all this means; because
21 there is some confusion about when NMDASH would go
22 into effect.

23 What if the school letter grade for this
24 year is a "B"?

25 So those are some of the questions. Is

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1 THE CHAIR: Correct. The only thing that
2 we could ask is that they obtain the training this
3 year, so that they would be able to implement NMDASH
4 for the first year of the new contract, so that the
5 condition for NMDASH is part of the new contract,
6 not part of this current year, but that the --
7 because training is required in order to implement
8 NMDASH.

9 So that the recommendation would be that
10 the -- if they could avail themselves of that
11 training this year, they would be able to implement
12 NMDASH for the start of the '18-'19 school year,
13 which is the first year of the new contract.

14 MS. PATTY MATTHEWS: And I want to make
15 sure I understand the motion, because I believe
16 Commissioner Ruiz found that the school has failed
17 to meet the academic standards, as set in the
18 statute. I just want to make sure that that was
19 your finding, and that's what the basis for the
20 three-year renewal is. Is that correct?

21 COMMISSIONER RUIZ: It's the exact motion
22 that we read initially. The only thing that's
23 different with the amendment is that the last two
24 conditions have been dropped.

25 MS. PATTY MATTHEWS: All right.

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1 that something we would negotiate during the
2 contract?

3 THE CHAIR: Right. But my understanding
4 is schools can implement NMDASH --

5 MS. CYNTHIA CARTER: If they're a "C" or
6 below, I believe.

7 THE CHAIR: Am I correct? Yes, I'm
8 incorrect? Or --

9 MS. POULOS: No. Yes, yes. They can be
10 implemented by any school. To -- this year, in
11 order to access the system, schools needed to go to
12 two trainings -- or maybe it was three trainings.
13 This school, I don't believe, has attended those
14 trainings. So I think the only thing that we would
15 have to do is work with our Priority Schools
16 Bureau --

17 THE CHAIR: To get the training.

18 MS. POULOS: -- to get that training set
19 up. And so I would --

20 MS. PATTY MATTHEWS: So we're imposing
21 conditions on the current-year charter.

22 THE CHAIR: No, we are not. We are not.

23 MS. POULOS: Madam Chairwoman, I would say
24 that would happen, then, with the beginning of the
25 new charter term.

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1 COMMISSIONER RUIZ: Do I need to reread
2 that?

3 MS. PATTY MATTHEWS: Effectively, you
4 found the school violated the law. That's what I
5 want to make sure that you've made clear. Thank
6 you.

7 THE CHAIR: Can we recess for five
8 minutes?

9 MS. PATTY MATTHEWS: Yes.

10 THE CHAIR: Thank you.

11 (Recess held, 3:20 p.m. to 3:24 p.m.)

12 THE CHAIR: We're out of recess,
13 hopefully.

14 Okay. Commissioner Ruiz?

15 COMMISSIONER RUIZ: Madam Chair, I'd like
16 to withdraw the motion.

17 THE CHAIR: And whoever seconded?

18 COMMISSIONER CRONE: I did the first
19 round.

20 COMMISSIONER JOHNSTON: And I seconded
21 your amendment.

22 THE CHAIR: All right. Okay. So you need
23 to withdraw your second, I do believe.

24 COMMISSIONER CRONE: I withdraw my second.

25 THE CHAIR: Okay. And I'm going to

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1 withdraw my friendly amendment.
2 COMMISSIONER JOHNSTON: And I'll withdraw
3 my second.
4 COMMISSIONER RUIZ: And, Madam Chair, I'll
5 make a new motion to clarify all this.
6 Okay. I move to approve that -- the
7 renewal application presented by Horizon Academy
8 West for a term of three years, and that they
9 implement New Mexico DASH, and CSD will monitor with
10 two visits.
11 THE CHAIR: Do I have a second?
12 COMMISSIONER CRONE: Second.
13 THE CHAIR: There's a motion by
14 Commissioner Ruiz and a second by Commissioner
15 Crone.
16 Any discussion?
17 COMMISSIONER ARMBRUSTER: I --
18 THE CHAIR: Commissioner Armbruster?
19 COMMISSIONER ARMBRUSTER: I am reading the
20 original several. And I think that part of the
21 condition was, on the New Mexico DASH, that would
22 result in raising and maintaining performance at or
23 above an overall grade of "C."
24 THE CHAIR: And I think the discussion has
25 been that would be part of their negotiations.

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1 either.
2 COMMISSIONER CABALLERO: It's all right.
3 COMMISSIONER ARMBRUSTER: I'll call you in
4 just about a minute.
5 Commissioner Peralta?
6 COMMISSIONER PERALTA: Yes.
7 COMMISSIONER ARMBRUSTER: Commissioner
8 Armbruster votes "Yes."
9 Commissioner Conyers?
10 COMMISSIONER CONYERS: Yes.
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Gipson?
13 THE CHAIR: Yes.
14 COMMISSIONER ARMBRUSTER: Commissioner
15 Ruiz?
16 COMMISSIONER RUIZ: Yes.
17 COMMISSIONER ARMBRUSTER: Commissioner
18 Johnston?
19 COMMISSIONER JOHNSTON: Yes.
20 COMMISSIONER ARMBRUSTER: Commissioner
21 Caballero?
22 COMMISSIONER CABALLERO: I'm sorry. I had
23 to get a coffee fix. The answer is "Yes."
24 THE CHAIR: Okay. That will be a ten-zero
25 vote. The motion passes ten-zero. Thank you for

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1 COMMISSIONER ARMBRUSTER: Okay.
2 THE CHAIR: Any further discussion?
3 We have a second? Yeah.
4 Commissioner Armbruster?
5 COMMISSIONER ARMBRUSTER: Commissioner
6 Toulouse?
7 COMMISSIONER TOULOUSE: I will vote "Yes,"
8 but reluctantly, because I disagree with the three
9 years. But I will vote in order to renew the
10 charter.
11 COMMISSIONER ARMBRUSTER: Did I lose
12 somebody? Never mind. Sorry. I just -- I'll do
13 that.
14 Commissioner Crone?
15 COMMISSIONER CRONE: Yes.
16 COMMISSIONER ARMBRUSTER: Commissioner
17 Robbins?
18 COMMISSIONER ROBBINS: Yes.
19 COMMISSIONER ARMBRUSTER: Commissioner
20 Caballero?
21 Oh, maybe I'll come back. I'll come back
22 to you. It's okay.
23 THE CHAIR: And I apologize. I did not
24 realize --
25 COMMISSIONER ARMBRUSTER: And I didn't,

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1 your patience.
2 We are -- so for the rest of the
3 Commissioners, do you need a break before we move on
4 to the next school?
5 COMMISSIONER JOHNSTON: It would help me,
6 yes, ma'am, to have a break.
7 THE CHAIR: So as the next school is
8 moving into place, we'll take a short break.
9 (Recess taken, 3:18 p.m. to 3:40 p.m.)
10 THE CHAIR: After a recess, I did tell the
11 folks from Connections Academy that they could go
12 home for the day, that we would not get to them.
13 We'll get to Media Arts, and then we'll come back
14 tomorrow and do Connections and the remainder of the
15 agenda, which should not be long. So we should be
16 out of here at a reasonably early time -- yeah, I
17 would think -- tomorrow.
18 COMMISSIONER JOHNSTON: The sun might
19 still be up.
20 THE CHAIR: The sun might actually be
21 up -- no, I don't know if the sun will still be up
22 when I get home; but it'll be close. I'll be close
23 enough to home that it'll be okay.
24 So with -- with that -- I saw Commissioner
25 Crone.

<p style="text-align: right;">Page 230</p> <p>1 COMMISSIONER CABALLERO: Should I get him? 2 THE CHAIR: Here he is. Okay. 3 So thank you for your patience with us. 4 Oh, it's glossy pretty paper. That's what you get 5 from a media arts school. You get fancy stuff. 6 MR. JONATHAN DOOLEY: Press the button. 7 Oh, it's my voice. 8 THE CHAIR: So we appreciate your 9 indulgence with us here today and hanging in there 10 with us till this late time. 11 So we are on to Item No. D, which is Media 12 Arts Collaborative Charter School. I always forget 13 the "Collaborative." 14 MR. JONATHAN DOOLEY: We like to say 15 "collaboration" is our middle name. 16 THE CHAIR: That's very good. So, 17 Director? 18 MS. POULOS: Madam Chairwoman, a much 19 easier recommendation here at the end of the day. 20 PED is recommending a five-year renewal 21 term for Media Arts Collaborative Charter School 22 with conditions. We do think, especially based on 23 what we saw at the school, but, most importantly, 24 about the list that just came out, the comprehensive 25 support and improvement schools and the school being</p>	<p style="text-align: right;">Page 232</p> <p>1 cycle, continuous improvement cycle, to make sure 2 that what they're doing is effective, having the 3 outcomes that they wanted to have and making 4 adjustments as necessary. 5 There's also a few other things 6 non-compliance-related that we would like to see 7 corrected prior to the next site visit. 8 And then we do have a concern about -- you 9 may take umbrage with this -- a concern about the 10 level to which those student-focus terms are being 11 implemented in their charter, based on the site 12 visit. And I think -- and I can let Dr. Pelayo take 13 over, because she was on the site visit, and I 14 wasn't. But I think our concern there was that as 15 we went into the classrooms, we didn't really see 16 the integrated media literacy and project-based 17 learning in all of our core subject areas. And so 18 that's something that we would like to see. 19 I think also we didn't observe 20 implementation of AP courses and internship 21 opportunities for all students, which, again, is 22 part of those material terms, and we would like to 23 see those implemented with fidelity. 24 So those are the reasons that we -- we 25 have made the recommendation for the conditions.</p>
<p style="text-align: right;">Page 231</p> <p>1 on that list, the three-year -- I'm sorry -- 2 four-year graduation rate for 2016-'17 was 3 37 percent. And that's hard. 4 So, you know, the school does have and has 5 maintained an overall "C" grade in almost every 6 single year of the last -- well, sorry. Actually, 7 it's -- let's see. We've got I believe a "C," "D," 8 "C," "C." 9 MR. JONATHAN DOOLEY: Excuse me. "B," 10 then "C." 11 MS. POULOS: This is confusing. 12 MR. JONATHAN DOOLEY: Thank you. 13 MS. POULOS: Thank you. So it's -- so, 14 again, this school has only earned one "D" letter 15 grade, and they are in an upward trajectory. So we 16 are seeing that performance moving in the right 17 direction, staying in the right direction. But 18 certainly, that -- sorry -- four-year graduation 19 rate, and their five- and six-year graduation rates, 20 frankly, do raise concerns for us. 21 And so we absolutely want to see those 22 improve, and we think that the NMDASH system is a 23 great way for them to target in and figure out what 24 exactly needs to be done and then really focus their 25 efforts there and then enter into that continuous</p>	<p style="text-align: right;">Page 233</p> <p>1 Again, on academic performance, the school has been 2 at a "C" or above in three out of the four years. 3 And this is absolutely the -- from the schools we've 4 seen today, the most consistently meeting those 5 standards and expectations. 6 And so you see that our proposed motion is 7 there. And this school does also have some 8 amendment requests; so we will need to take the time 9 to discuss that. 10 Just as we're looking at the school's 11 performance in comparison to the other local 12 schools, the track record on that is mixed. The 13 track record on comparative performance is also 14 mixed. So I think there are some reasons that we 15 are making that recommendation that the improvement 16 plan be part of this five-year renewal term. 17 But ultimately, I think based on that 18 academic performance, we feel comfortable making 19 that recommendation. 20 THE CHAIR: Thank you. Good afternoon. 21 And please identify yourself. 22 MR. JONATHAN DOOLEY: My name is Jonathan 23 Dooley. I am the principal of Media Arts 24 Collaborative Charter School. This is my first year 25 as principal there. My first -- we brought with us</p>

<p style="text-align: right;">Page 234</p> <p>1 not only our board president and our Business 2 Manager, I also want to recognize Marvin and Patty 3 Gladstone. They were founders of the school; 4 they're behind me. And Glenna Voigt, former 5 principal of our school. 6 My journey with MACCS began when the 7 charter renewal began. My daughter attended MACCS. 8 So I was a parent there. And I saw the wonderful 9 things the school was able to do for my daughter. 10 She had a high interest in film. She was able to 11 pursue that interest. She's pursued the film 12 industry. She's been on stage in the Albuquerque 13 area. She's actually made a Hollywood short. She's 14 this close to a Screen Actors Guild card. 15 (Indicates.) 16 One thing that my daughter really 17 experienced -- I'm talking as a parent here, because 18 this is what our school does. She graduated last 19 year, and the kids left with over 450 credit hours 20 of dual credit, which means my daughter was able to 21 take a gap year, which is great. I'm glad the 22 lottery has been extended, so my daughter has a gap 23 year, and she's exploring many of her options. 24 And when you addressed the AP program, 25 it's because we have a really vibrant dual-credit</p>	<p style="text-align: right;">Page 236</p> <p>1 film, is it a musical? Is it a drama? Is it a 2 comedy? 3 Media is so pervasive in our society. 4 That was why our school is so important for our kids 5 to become media literate and to be responsible and 6 to be informed. And now that Congress is passing 7 Net Neutrality, they're talking about that, even 8 more so. It's important for our kids to be involved 9 in that discussion. And we have had students at our 10 school involved in that. 11 Students have done community outreach 12 projects, media outreach, media classroom projects. 13 In fact, every year of the term, we have met our 14 performance framework when it comes to media -- 15 classroom media outreach and also in the community. 16 One thing we had trouble with was the 17 internships. One -- I think going through this as a 18 new principal, I was able to see the data, and I was 19 able to recognize that our internships have not been 20 very good; but we have now improved that. 21 In the past four years, we had only nine 22 kids do internships. That's okay. You could gasp. 23 Right now, we have ten kids right now with 24 internships. So in one semester, we have already 25 surpassed what we did for the past four years.</p>
<p style="text-align: right;">Page 235</p> <p>1 program at our school. And we have the -- and 2 that's what makes up for the AP. Kids do -- are 3 able to take the AP test, and we make arrangements 4 for them to do that. 5 But also I came on last year as an 6 assistant principal at the school. And one thing I 7 saw right away was the rigor and the engagement. 8 And then right away, we started doing the 9 observations, graphing the results with the 10 teachers, having those critical conversations with 11 them about rigor and engagement. 12 Also was the project-based learning. 13 Going into classroom observations, when the team 14 came out to see us, I said, "Yeah, we know. That's 15 exactly right. You're correct. We need to really 16 work on that," being our project-based learning. 17 And when you mentioned about the 18 graduation rate, we're taking care of that, as well. 19 And I want to share that as time elapses. 20 But right now, what I'd like to ask each 21 and every one of you, can you remember -- can you 22 recall a favorite film of yours? What is your 23 favorite movie? I know Star Wars is coming out, the 24 new one. 25 Me -- if you think about your favorite</p>	<p style="text-align: right;">Page 237</p> <p>1 That's exciting, really exciting. 2 I know that in reading with our 3 performance framework -- let me backtrack. With 4 media studies, we've done well there. Every year of 5 the media, we've been able to meet or exceed our 6 performance framework. 7 When it comes to presentations of 8 learning, which involves a semester-long -- could be 9 science fair, it could be an area that the students 10 research, when we've done that, we've met it every 11 year. The graduates have been able to complete one 12 to three presentations of learning. 13 But our charter says project-based. So 14 we'd like to be wall-to-wall. It's a delivery 15 system that we have at our school. And I've been 16 emphasizing that with the teachers. 17 When it comes to reading, we dipped at 18 first; but then over the charter term, we're now 19 meeting and exceeding our performance framework. 20 Now, let's talk about math. Math, when 21 the charter renewal started, charter term, we 22 weren't doing very well. So we started targeting 23 the areas that the kids needed help, and we 24 skyrocketed. We went from "Falls far below" to 25 "Exceeding" -- or -- yeah -- to "Meeting" and</p>

1 "Exceeding." That's incredible.
 2 Then last year, we dipped a little.
 3 So what were we doing? And that's
 4 something great about our staff. They get together.
 5 They talk about, "What we can do to help our kids?"
 6 We have early warning goal teams that we put into
 7 place on a regular basis to talk about what students
 8 are doing to succeed. This is what's incredible
 9 about our staff. We are seeing the improvements
 10 now, right now, in our school. We're not waiting.
 11 We're seeing them now.

12 So this is an exciting time for our
 13 school. The energy is there. Having the visit, the
 14 preliminary analysis, looking at this data, I've
 15 told people, "This is the best and worst thing for a
 16 new principal. I know everything about the school.
 17 You can't tell me what's not there. I have a
 18 barometer. I can navigate where the school is
 19 going." That's exciting.

20 Right now, let's think ten years ago, when
 21 Media first started. This is Mike Trujillo. He's
 22 our president and also founder. He's going to tell
 23 you what sparked a school such as Media Arts
 24 Collaborative.

25 MR. MIKE TRUJILLO: Thank you. Good

1 know, under the umbrella of all media arts, which is
 2 print journalism, radio, film, production,
 3 television production, video games, which is,
 4 really, you know, animation, web design, those types
 5 of things, under our media arts umbrella.

6 So it's a very unique school in that
 7 regard. And the curriculum is, well, for lack of a
 8 better term, very fun; but it's also very important.
 9 It's a vital piece to what New Mexico and this --
 10 the film industry is here in the state.

11 Just real quickly, I'll give you a quick
 12 overview of what -- how diverse our board is and how
 13 many people -- you know, the diversity in regards to
 14 Media Arts and how many people on this board really
 15 care for what this mission is.

16 We have actors, artists. We have a lawyer
 17 which is always important. Journalists.
 18 After-effects expert. Community organizer. A
 19 former PSB TV engineer. A radio talk-show host,
 20 which is what I fall under. And a college educator.
 21 We want to use all of our resources and our
 22 connections to the industry to help the students
 23 with more frequency.

24 Future opportunities. We -- as Mr. Dooley
 25 talked about, internships. We have recently formed

1 afternoon, Madam Chair, esteemed Commission Members.
 2 I appreciate this time and opportunity. As Jonathan
 3 mentioned, I am currently the governance council
 4 board president and one of nine founders of the
 5 Media Arts Collaborative Charter School.

6 Real quickly, what the spark was, the way
 7 the school was created -- just to give you a little
 8 bit of background -- I don't want to spend too much
 9 time on that. Historically, we were one of the
 10 first -- or we were the first State-chartered school
 11 here in the State of New Mexico. We consider that
 12 very significant, and we are very proud of that.

13 We were born out of a community media
 14 center, where we taught the community how to make
 15 their own television programs in the Albuquerque
 16 area, metropolitan area. And a group of many
 17 visionaries got together and decided, "Well, why not
 18 create a high school with a curriculum of media
 19 arts, especially with the influx of the film
 20 industry being here, entrenched in the State of New
 21 Mexico?"

22 And our view and our vision with that was
 23 to provide jobs in that medium and keep these folks
 24 in the State of New Mexico, primarily, to, you know,
 25 enhance the economy for the state, as well as -- you

1 an internship committee with our internship
 2 director, with also three other board members, who
 3 will work with the school's coordinator to help find
 4 mentorships and internships, because that's really
 5 key, core to our charter and to our curriculum.

6 The school is expanding its advisory board
 7 to include board members to ensure that media is
 8 making more of a presence in all of our classrooms,
 9 as well. And from what we've seen from Mr. Dooley,
 10 we are confident that the educational components of
 11 the school will be moving forward in the right
 12 direction.

13 We as a board do want to support that and
 14 help ensure that the mission of our curriculum is a
 15 strong -- is very strong.

16 And, lastly, we do appreciate the
 17 opportunity to continue MACCS serving the community
 18 that it has created. The process has created a new
 19 spark. Everybody is reinvigorated and very excited
 20 in the process and the future of what this school is
 21 about. And we do recognize some frailties that we
 22 really want to enhance and work on.

23 It's still a work-in-progress, but we are
 24 very, very confident in what we have created, and,
 25 again, want to share that with the community and

<p style="text-align: right;">Page 242</p> <p>1 share this with our future visionaries out there, 2 directors, television hosts, radio hosts, print 3 journalists, what have you. 4 Thank you very much. 5 MR. JONATHAN DOOLEY: Thank you, Mike. I 6 feel like I'm back -- I used to do a radio show for 7 NPR, way back many, many years ago. I loved it. I 8 feel like I'm back there, should have the earphones. 9 Do you remember a favorite song -- 10 speaking of media, a favorite song? Like Over the 11 Rainbow, okay? Que Sera Sera; remember that? 12 Remember that song "Do you Know Where You're Going 13 To"? Movie, Mahogany? Diana Ross? 14 Okay. I see some faces. Hey, thumbs up. 15 Well, we know where we're going to. Nice 16 segue; right? 17 Three years ago, we brought in with the 18 Southern Regional Education Board of High Schools 19 That Work grant. That was a phenomenal grant. 20 We're still with them; we're going to continue that 21 relationship, even though that grant will be gone 22 next year. 23 What that grant gave us was to define who 24 we are and helped the kids enter a pathway. Three 25 career pathways. You have the catalog in front of</p>	<p style="text-align: right;">Page 244</p> <p>1 And one thing that's great, the teachers 2 are into dialogue. They want to. They know that 3 this is what our mission is. And doing wall-to-wall 4 project-based learning is exactly what we're here 5 for. 6 I've always been a project-based learning 7 teacher myself. Now I'm at a school that has that 8 as part of their mission. It's exciting. Rather 9 than me as an instructional coach or as a principal 10 or as a teacher trying to do that in a classroom, I 11 have a school where everybody is on board. That's 12 exciting. 13 Another thing I mentioned earlier, we have 14 the internships. And I mentioned that. The board 15 is behind this. They're excited about the 16 internships. And the person behind it is expanding, 17 and we're growing in that capacity. 18 Also, having -- working with the kids in 19 the lowest quartile, that's very important. Our 20 population of kids with IEPs and 504s is greater 21 than it is in APS. I think that's because people 22 come to our school knowing that they get that 23 one-to-one. They get that attention to that. 24 And we'll be done with our early warning 25 systems. Our goal teams is able to look at the data</p>
<p style="text-align: right;">Page 243</p> <p>1 you. 2 One is programming and design, like 3 graphic and gaming and all of that. One is visual. 4 And the other is film-making. 5 The students pick a pathway that they're 6 going to follow through with the -- at -- as they're 7 in high school. At the end of this, when they 8 graduate, they receive certifications, such as Adobe 9 or Microsoft. That's exciting. They can take that 10 and go in to work, or they can go on to college, or 11 they can take a gap year, like my kid did. 12 But what's exciting is that the kids have 13 a purpose. And those have been really defined. 14 One thing the High Schools That Work has 15 done is I'm in the classrooms. I'm dialoguing the 16 teachers about best practices. We're keeping our 17 eye on the project-based. We're keeping an eye on 18 media. 19 I just had a conversation with our science 20 coordinator for our science fair, which happened a 21 week before last, about making our science, the 22 usual boards that they put up, how can we put media 23 into it? Maybe they could use their pathway in 24 order to realize what it is they're doing with 25 science?</p>	<p style="text-align: right;">Page 245</p> <p>1 from the classroom, the Response To Intervention, 2 look at the scores, look at how the kids are 3 behaving, take that. And also, what can we do in 4 the classroom? And if it doesn't work, what can the 5 teacher do, and what can we do as a school to help 6 that student succeed? 7 It's very important that we bring up the 8 graduation rate. We know that sometimes the coding 9 in the S.T.A.R.S. system needs to be cleaned up a 10 little bit. We're aware of that. We're also 11 thinking if we have kids that stay with us four 12 years, we give them the purpose of a career pathway, 13 we also give them the support and the mentorship 14 from kids who are seniors and juniors. We have 15 leadership programs; we have community classes. 16 When we have those kids come in as freshmen, follow 17 through and stay with us, there's more of a likely 18 chance that they find us as the learning community 19 that we are that they will stay and graduate with 20 us. 21 It's phenomenal the direction we're 22 taking. One thing that's really great is the fact 23 that we get to review that on a yearly basis with 24 the Charter School Division, and we get to review 25 that five years with you. And we appreciate this</p>

<p style="text-align: right;">Page 246</p> <p>1 opportunity to make sure that we are headed in the 2 right direction, that we're not veering off course, 3 and we really appreciate that. 4 So as I see my time is up, thank you very 5 much, and I welcome your questions. 6 THE CHAIR: I think -- 7 MS. FRIEDMAN: You've got two minutes. 8 THE CHAIR: You have two minutes. 9 MR. JONATHAN DOOLEY: So what's your 10 favorite book? Am I talking too fast? I'm from the 11 Midwest. I've always been told I talk too fast, to 12 bring it down. 13 This is really an exciting time for our 14 school. I think, as a parent, when I talk to 15 parents, I've been in their shoes. And that's 16 what's wonderful about it. When parents come in, 17 and they have concerns about their students or their 18 success, and they look at me and say I don't know, 19 yes, I do. I know exactly what it's like. 20 And it's exciting when you're walking 21 around the school, and you're seeing kids wanting to 22 share the media component, when you see 23 middle-school kids behind thousands of dollars in 24 equipment because they believe in it, and they want 25 it to happen.</p>	<p style="text-align: right;">Page 248</p> <p>1 ownership of everything. 2 MR. JONATHAN DOOLEY: Thank you. 3 THE CHAIR: And that's all we can ask, and 4 that you're asking -- you're asking questions. 5 You're -- you're -- you're looking to improve. And 6 I appreciate that. 7 I simply will ask you if you want to 8 address any of the -- the items in terms of the 9 concerns about not integrating the media arts into 10 the classroom that was -- that was addressed by the 11 site visit -- 12 MR. JONATHAN DOOLEY: Yes, exactly. 13 THE CHAIR: -- and the project-based 14 learning not -- 15 MR. JONATHAN DOOLEY: Well, that's 16 something that I think, when I came in last year, it 17 was kind of a new set of eyes. And even as a parent 18 and a project-based teacher, I would ask, "Why 19 aren't they doing more of the delivery system of 20 project-based?" 21 And then having a dialogue with the 22 teachers. And what it is, it takes small steps to 23 lead toward that. And the way I see it is we're 24 having a conversation with a science teacher about 25 bringing media into her program or having a</p>
<p style="text-align: right;">Page 247</p> <p>1 We've also been -- we have a gallery. Our 2 art teachers and our photography teachers have their 3 artwork displayed. They are industry people 4 involved in our school. They also have 5 involvement -- they have -- the students have 6 gallery shows. And sometimes the students share 7 their -- sell their work, which is phenomenal. 8 Thank you. 9 MR. MIKE TRUJILLO: 30 seconds. 10 MR. JONATHAN DOOLEY: 30 more seconds? 11 This is like radio. Thank you very much. 12 THE CHAIR: Thank you. I just wish I was 13 talking to somebody who was enthusiastic about their 14 school. That's the first thing I want to say. 15 MR. JONATHAN DOOLEY: You're a good 16 audience. 17 THE CHAIR: I'm going to say, similar to 18 the school that just came before us and the fact 19 that I appreciate the fact that we had a look at the 20 full journey of this charter contract through the 21 materials that were presented, so that we're not 22 just talking about, "Oh, gosh, we found this out, 23 and, here, this is the quick fix that we're trying, 24 and this is what we're doing this year, and let's 25 not look at what we haven't done," you take</p>	<p style="text-align: right;">Page 249</p> <p>1 conversation with -- it could be the Spanish 2 teacher, who has taken hold of that this year and 3 has the kids writing their own novelas and actually 4 performing them and filming them down in our 5 production studio. That's phenomenal. 6 And I think what it is is that having the 7 team come out and mention that gave us a springboard 8 to have that conversation with teachers, that it's 9 not only that they saw that, but that is part of who 10 we are. 11 And revisiting -- we did a lot of practice 12 with the mission statement. I worked with the 13 parents and the governing board and the staff and 14 the leadership council. Do we know the mission? 15 And that -- and when I was studying 16 this -- this has been my journey since June. And 17 believe me. To see all of you here, this is 18 something that I was just anticipating in June, but 19 here we are. 20 I -- collecting the data was quite a task, 21 because it was all out there; but then we had to 22 bring it together. And that's when we saw that the 23 internships were not as strong as they were. But 24 the kids were graduating with a lot of dual credit. 25 They were graduating with media studies. We were</p>

1 really strong with the community media part and the
2 classroom media part. But it's making it to where
3 it's not just here and there; but it's ongoing.

4 Like the project-based, it starts from day
5 one when the kids enter the classroom. We learn as
6 we research. I even told the teachers, "This is --
7 the kids will let you know what it is they need to
8 learn, instead of you assuming that you're going to
9 tell them what they need to learn."

10 Because these kids come in with
11 brilliant -- with their technology. They know what
12 to do. It's for us to help them navigate and make
13 sure they get what they need from us.

14 THE CHAIR: Commissioners?

15 Commissioner Toulouse?

16 COMMISSIONER TOULOUSE: Madam Chair, I'm
17 just wondering, what is the problem with the
18 graduation rate? Do you have kids dropping out?
19 Are they going to jobs? Are they going to somewhere
20 else? Or are they just not completing that last
21 year?

22 MR. JONATHAN DOOLEY: Well, our retention
23 rate is around 77 percent, 78 percent. And we find
24 that to be very hopeful. We're surprised, too.
25 We're wondering -- we're starting to look at how the

1 to jump.

2 So we're just -- we think we're starting
3 with the focus of the freshman class and the
4 mentorship program, a tutoring program, so the kids
5 see the success. Wall-to-wall PBL; because some
6 kids do say, "This is -- this feels like another
7 school."

8 It's a media school. It should be
9 wall-to-wall. There should be media incorporated
10 into everything the students do.

11 So this renewal gives us a chance to
12 energize that and say, "This is what we're doing."

13 And I'm the type of person that says, "I'm
14 going to do it; because if you call me out on it,
15 I'm going to make sure I've done it."

16 COMMISSIONER CABALLERO: Madam --

17 THE CHAIR: Commissioner Caballero?

18 COMMISSIONER CABALLERO: Yes. Just --
19 I've known about the media school for a long time.
20 And I wasn't sure how that would be pulled off.
21 Because the first thing that comes to mind is a lot
22 of money for -- for equipment, and also people with
23 that type of skill. You don't find them easy.

24 Maybe -- maybe -- I don't know enough
25 about New Mexico to -- to -- to assure myself. But

1 data is coded in S.T.A.R.S. We're talking about
2 creating that cohort of a freshman class that's
3 going to be really strong, having that whole wing,
4 where they come and learn about the purpose of
5 media.

6 One thing we're exploring and actually
7 putting into place, we actually have an application
8 process. We're adding to that an interview process,
9 to where kids are coming, and their parents.

10 We're a media school. We're
11 college-and-career-ready. This is what we focus on.
12 This is what we're about.

13 So when people do make an informed choice
14 to become part of our learning community, they go,
15 "Okay, great. This is good. This is what they're
16 going to be doing." As you go from year to year to
17 year and you graduate, you're going to stay with our
18 school.

19 We're trying different ideas. One thing
20 great is I have a staff that really wants to
21 increase that. We look at that graduation rate. We
22 say, "We've got to get that up." Because,
23 honestly -- I'll be truthful with you -- that if we
24 come back in five years and this graduation rate is
25 still there, I don't want that to happen. I want it

1 how do you -- does it require a lot of equipment?
2 Or -- and how do you get it done?

3 MR. MIKE TRUJILLO: Yeah. One of the
4 unique things about the school and the way it was
5 birthed, as I mentioned, from a community-based
6 media outlet, is it does require a lot of equipment.
7 I mean, that's -- those two are hand-in-hand. And
8 that's what you'll see in the film industry. And we
9 have to be on top of, you know, the latest equipment
10 almost all the time.

11 And things change rapidly from month to
12 month, really. And sometimes we have equipment for
13 a year or two that's, for lack of a better term,
14 obsolete. But what we have found is there is such a
15 huge desire.

16 And if you look at a lot of the students
17 that are interested in going to the Media Arts
18 Collaborative Charter School, maybe a lot of them
19 have been born with an iPad in their hand, or
20 they're gamers, or they're interested in creating
21 with their telephone. And what we do is we provide
22 the equipment.

23 We also provide the philosophy in
24 film-making and in television production and in all
25 of those that fall under the umbrella.

1 So you would be surprised. It does seem
2 like it would be crazy expensive, and, you know,
3 very rigorous to keep up. But we've been able to
4 monitor that and to do that. And I think we do have
5 enough of our staff that's put in place.

6 We have a very fantastic media coordinator
7 who works with industry people, also with our intern
8 coordinator and people around and everybody from,
9 like, the level of the governance council to all the
10 staff that has that desire.

11 So as -- again, I feel the question sounds
12 like it's, "How rigorous is this?"

13 It is. But we have been able to maintain
14 it without, you know, losing our behinds on
15 equipment. But they do walk hand-in-hand,
16 definitely, the technological aspect, as well as the
17 philosophical aspect of media.

18 Did that answer your question?

19 COMMISSIONER CABALLERO: Yes. Thank you.

20 THE CHAIR: Commissioner Johnston?

21 COMMISSIONER JOHNSTON: Thank you,
22 Madam Chair. I need you to explain more what is
23 your current student population, total number of
24 students?

25 MR. JONATHAN DOOLEY: Total number of

1 on to a fifth year.

2 COMMISSIONER JOHNSTON: Okay. But your --
3 those who graduate in the fourth year, your
4 percentages are just really, really -- 35 percent
5 lower when compared to the State average, and
6 30 percent lower than the local district APS.

7 When are you losing them? I mean, do they
8 stay with you a year? There has to be -- with that
9 number of students, you should almost know who's
10 gone by name.

11 MR. JONATHAN DOOLEY: True. Yes.

12 COMMISSIONER JOHNSTON: Do you know where
13 they go, what they do?

14 MR. JONATHAN DOOLEY: That's another thing
15 with tracking the students. We find out where they
16 go. So far, what we've had at the school is when
17 the students leave, they say, "I'm going to APS,"
18 or, "I'm going to another charter school."

19 We want to create an exit survey to send
20 out and send back to us, so we can maybe improve.
21 It may be some reason academically. The student
22 came in with a high interest in music, and we didn't
23 have really a music program; so that's why they
24 left. I know I did an interview this week for a
25 student who actually does want to get a degree in

1 students is 248.

2 COMMISSIONER JOHNSTON: How many seniors
3 do you have?

4 MR. JONATHAN DOOLEY: I believe it's 25.

5 COMMISSIONER JOHNSTON: Is that about --

6 MR. JONATHAN DOOLEY: Yes.

7 COMMISSIONER JOHNSTON: Is that an average
8 historically?

9 MR. JONATHAN DOOLEY: Yes. Usually, we
10 have 25 to 30 in each graduating class.

11 COMMISSIONER JOHNSTON: And from that,
12 with -- I'm very concerned about that low graduation
13 late.

14 MR. JONATHAN DOOLEY: Uh-huh.

15 COMMISSIONER JOHNSTON: When do you lose
16 them? Do you know what year? How long do you keep
17 them? When are you losing students from that
18 cohort?

19 MR. JONATHAN DOOLEY: I think the recent
20 graduation rate was the most consistent that we've
21 had in the past four years. So when they started,
22 the time of the term was -- began in 2013. Most of
23 those students had stayed with us throughout. Some
24 went on to a fifth year. I think it started with
25 about 30 students; I think about five of them went

1 trombone.

2 And I said, "Well, we're a media arts
3 school. And music is somewhat limited. But if this
4 is your place for a voice" -- and the kid wants to
5 go there because they like the project-based
6 approach. And he says he'll figure out the trombone
7 part.

8 But the point is an exit survey is one
9 thing we really want to implement for the -- for
10 the -- just as we have an interview with the
11 students coming in, we want to make sure if they do
12 leave, that we have a clear idea of why they're
13 leaving and what we could do, if they have any
14 suggestions of what we could do.

15 COMMISSIONER JOHNSTON: Who's your
16 S.T.A.R.S. administrator?

17 MR. JONATHAN DOOLEY: The person who does
18 the S.T.A.R.S.? Is that Karen? Karen Baker
19 Jackson.

20 COMMISSIONER JOHNSTON: Okay.

21 MR. JONATHAN DOOLEY: I'll tell you one
22 thing about the S.T.A.R.S. I've been talking to a
23 few of my -- I've worked at several schools. In my
24 career -- this is my twelfth school -- I've had a
25 lot of different cultures. Most of the people who

<p style="text-align: right;">Page 258</p> <p>1 do S.T.A.R.S. say you really need to have one person 2 on site doing that.</p> <p>3 That's another focus, someone who can 4 actually help us who knows -- the coding is 5 consistent. Because we see that number, and we're 6 kind of -- we're trying to figure out, just like you 7 are, what is going on. And so we're exploring the 8 fact of a S.T.A.R.S. person being trained, somebody 9 coming on campus, the one person to do that.</p> <p>10 We're also looking at when we come -- when 11 it comes to the data, are we really exploring the 12 data? And is that informing -- I heard, in our 13 analysis about adult actions. That's key, because 14 it's -- we're doing this in the classroom. Is it 15 getting the results we want? Are the students' 16 achievement improving?</p> <p>17 Yes, we do these great media things, media 18 projects. We do presentations of learning. Or are 19 the students becoming better writers?</p> <p>20 And that's the question I'm asking, is 21 intentionally, let's monitor how well we're doing. 22 Are we getting the outcome we want, that we're not 23 just doing it because it's fun, but we're making it 24 purposeful for the learning?</p> <p>25 And that comes with the graduation rate.</p>	<p style="text-align: right;">Page 260</p> <p>1 just have to find it.</p> <p>2 MR. MIKE TRUJILLO: I don't know if I can 3 remember.</p> <p>4 COMMISSIONER JOHNSTON: I want to say -- 5 here it is. Your high has been 85.7 of the teachers 6 returning. And your low -- well, this year, you had 7 71 percent.</p> <p>8 What teachers turn over -- what content 9 areas do you have teacher turnover in? Is there a 10 pattern?</p> <p>11 MR. JONATHAN DOOLEY: Math. To make a 12 reference to a film, we call our math kind of the 13 Defense against the Dark Arts, I think because we 14 have a new teacher every year coming in with math. 15 And we know that with the math, because the math 16 scores have been not as stellar as the others, we 17 need to bring in that training.</p> <p>18 In fact, we're having some Carnegie MATHia 19 training when the teachers return; not only the math 20 teachers, but the SpEd teachers want to be part of 21 that, as well.</p> <p>22 Math has been something -- I just found 23 out today that a person who was coming in to fill in 24 a math position is not going to come. Anybody who 25 knows somebody in the Albuquerque area who wants to</p>
<p style="text-align: right;">Page 259</p> <p>1 What are we doing? Right now, we're working with 2 High Schools That Work. I know that my 3 administrative team and I are attending their 4 Graduation Counts. Out of that work with the High 5 Schools That Work people, who I just want to say I'm 6 so glad they're going to stay with us. Because as 7 an administrator, the only administrator, I like 8 having somebody to bounce off ideas who have that 9 overview to see where we're going.</p> <p>10 We've created the application process to 11 make it more dynamic, the exit process. They also 12 mentioned about looking at our data and about 13 helping us muddle through that and see what it is 14 going, what is happening with the graduation rate. 15 So we're getting that support with that.</p> <p>16 COMMISSIONER JOHNSTON: Your teacher 17 retention rate. I had it here; I have to remember 18 it, because -- and I ask that. That's important, 19 because -- to me, because of the -- what I was 20 reading about -- and what you stated about 21 integrating the media arts into the core content 22 areas that you have there at the school and the 23 struggle that that is for some teachers.</p> <p>24 What is -- what is your turnover each year 25 with teachers? Let's see. I've got it here. I</p>	<p style="text-align: right;">Page 261</p> <p>1 work at a media arts charter school?</p> <p>2 All of this -- Mr. Kelly tells me special 3 ed is also an area. But we've maintained a good 4 core of special ed teachers. But bringing somebody 5 in, and they think, "Oh, we want to go someplace 6 else."</p> <p>7 COMMISSIONER JOHNSTON: The project-based 8 learning, teachers who are comfortable with 9 project-based learning? And on top of that, you 10 have the project-based learning, and then you have 11 the media arts that the teachers integrate. How 12 successful do you think you've been in integrating 13 that into just your core content areas --</p> <p>14 MR. JONATHAN DOOLEY: The project-based --</p> <p>15 COMMISSIONER JOHNSTON: -- and the overlay 16 of the media?</p> <p>17 MR. JONATHAN DOOLEY: I think it's getting 18 better. We have a class called "Holocaust and Human 19 Behavior" that's been working with our visual arts 20 teacher to create portraits and narratives about 21 heros from the Holocaust.</p> <p>22 So that's -- and the teachers really want 23 to collaborate. We spend a great deal of our 24 professional development having teachers working, 25 signing up. And I'm monitoring them, and we're</p>

<p style="text-align: right;">Page 262</p> <p>1 having a dialogue about how they're collaborating 2 with essential questions and putting their 3 objectives down and what they're going to be 4 planning ahead. And that evidence is available 5 through lesson plans and curriculum maps. 6 It's to where, also, the -- we have a math 7 teacher, who, unfortunately, is leaving -- that's 8 the one we're trying to -- he's brought in 9 project-based with his noticing slope in the real 10 world, or something about -- I know one teacher 11 brought in, with math, the kids -- it was the 12 workforce math that we have for many of our kids 13 with special needs. 14 They have going out to a restaurant. And 15 they have to spend \$5 at El Taco Tote. The kids are 16 realizing \$5 doesn't get you very much. So they get 17 into this big conversation about, well, people who 18 are not as advantaged, that's all they have to work 19 with. That's why they don't sometimes get the best 20 food to eat. 21 And then a kid says, "Well, my car got 22 stolen. My parents' car got stolen." 23 Then the money doesn't go for food; it 24 goes to fix the car. 25 All this real-world -- that's one thing we</p>	<p style="text-align: right;">Page 264</p> <p>1 instructing, and monitoring English Language 2 Learners. 3 How have you worked on that process? 4 MR. JONATHAN DOOLEY: Actually, we have -- 5 our ELL population has been really low. I think one 6 year -- talking to our testing coordinator -- one 7 year, we did implement -- I think it was the WIDA, 8 because we didn't have any students that qualified. 9 COMMISSIONER JOHNSTON: How did you screen 10 them when they came to the school? How did you 11 identify -- yeah. 12 MR. JONATHAN DOOLEY: Well, to identify 13 them, we asked the other school about the Home 14 Language Survey. And we wait for that to come 15 forward. And if that doesn't happen, we do some 16 digging for the home language and how that -- I'm 17 having a momentary lapse. 18 COMMISSIONER JOHNSTON: That's all right. 19 MR. JONATHAN DOOLEY: No. But what we do 20 is we also teach through observation. Sometimes 21 that could be the students in their second language 22 learning. We are right west of the International 23 District. And I'm involved with the International 24 District Health-- -- Healthy Coalition -- Healthy -- 25 I know it's the ADHCC.</p>
<p style="text-align: right;">Page 263</p> <p>1 want to focus on with our school is the real-world 2 situations that kids have. 3 I envision talking with a few of the 4 teachers and staff and the kids about being in 5 MACCS' studio where the walls are torn down like 6 PIXAR, where everyone collaborated. The kids come 7 to school. They're writing the script in the 8 language arts class, a script that they're going to 9 film a situation comedy in the television 10 production. They're going to have to promote it and 11 get it up on YouTube. 12 They're going to have to maybe do an 13 animation. And our animation teacher would like to 14 have kids come in, as a freshman come in. And by 15 the time they've graduated, they've created an 16 animation filled with music, voiceover, and 17 everything along those lines. 18 So we have these people who have these 19 dreams. As an administrator, my goal is to move 20 things out of the way so they can realize those 21 dreams. 22 COMMISSIONER JOHNSTON: At a very 23 practical level, my last question is, you were 24 struggling with -- I wrote them down -- screening, 25 identifying -- or identifying, screening,</p>	<p style="text-align: right;">Page 265</p> <p>1 And I've mentioned to them about being a 2 part of our community, because I think it would be 3 wonderful if our school did become very diverse and 4 very international. 5 And the next year, we're going to bring 6 Rosetta Stone in, so the kids can learn up to 24 7 different languages, which will be very phenomenal. 8 This summer, I'm going to learn British English. 9 I'll be able to talk like Harry Potter. 10 COMMISSIONER JOHNSTON: How did you 11 identify Rosetta Stone? 12 MR. JONATHAN DOOLEY: The school had 13 explored that a few years ago. It was pretty 14 costly. Some kids wanted to learn Japanese. Some 15 kids wanted to learn a language that wasn't 16 available at CNM through the dual credit. 17 So we thought, "Well, let's revisit that." 18 So we had a person come out, and we found 19 out it's just as cost-wise as it would be if we sent 20 them to CNM. 21 So we have a teacher who has an 22 endorsement in Classical Languages who's going to 23 oversee the kids with this program. We're piloting 24 it this spring. 25 COMMISSIONER JOHNSTON: And so if you have</p>

1 a student who comes in whom you think might be an
2 English Language Learner, how do you -- what's your
3 initial -- what initial assessment do you use?

4 MR. JONATHAN DOOLEY: Well, once again, we
5 try to find the Home Language Survey.

6 COMMISSIONER JOHNSTON: As an assessment.

7 MR. JONATHAN DOOLEY: The WIDA assessment?

8 COMMISSIONER JOHNSTON: A standardized.

9 MR. JONATHAN DOOLEY: A standardized? The
10 WIDA, the access for ELLs? Yeah.

11 COMMISSIONER JOHNSTON: All right. Thank
12 you.

13 THE CHAIR: Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: Madam Chair, very
15 quickly, of your kids who didn't graduate, how many
16 of them went and took a GED instead?

17 MR. JONATHAN DOOLEY: Quite a few.

18 MR. PAT KELLY: We had a big -- Pat Kelly.
19 I'm the Business Manager. I don't know the number,
20 specifically. But there was a wave of kids taking
21 the GED a few years ago.

22 We -- I can't remember if it was two or
23 three years ago, we took out the "D" grade; so we
24 just do "A," "B," "C," and "F." I think that caused
25 quite a few kids to, you know, either find other

1 like yours, they think that, "I've already got some
2 skills. I can go out and work on a film set." You
3 know, "I can do those things."

4 So that's why I wanted to know. Thank
5 you.

6 COMMISSIONER JOHNSTON: Madam Chair, may
7 I --

8 THE CHAIR: Question or --

9 COMMISSIONER JOHNSTON: A comment, if I
10 may -- or ask them --

11 THE CHAIR: Sure.

12 COMMISSIONER JOHNSTON: Thank you,
13 Commissioner Toulouse. Because when you have
14 students in the media arts, they are the ones who
15 will -- will want to move on, and may be prepared to
16 move on. And if they are taking that GED with CNM,
17 they can go into that program immediately if they
18 can score into it.

19 I would urge you to track those students,
20 so that even if it doesn't change -- and it won't
21 change your graduation rate -- it gives you a
22 rationale on your application to identify these
23 students who have completed their GEDs, and then
24 whatever they've moved onto; because that is a first
25 step for them. And you have lots of non-traditional

1 schools or look for the GED, if they were, you know,
2 juniors, seniors that kind of a thing; so...

3 COMMISSIONER TOULOUSE: I know, having
4 grandchildren and all that are getting to that age,
5 that there are some young people who want to think
6 they can get ahead with a GED. And I try to tell
7 people, "That's not the answer, generally," you
8 know.

9 To me, if you're 45 and dropped out of
10 school many years ago, you go get a GED. If you're
11 18, you finish up the diploma; because to an
12 employer -- I know when I worked in the State, I
13 paid a lot more attention to somebody who had a
14 diploma than I did to somebody with a GED when they
15 were young. And when they were older is when I
16 looked at the GED.

17 It's like a college degree doesn't
18 guarantee somebody is a good worker; it shows they
19 can finish something.

20 The high school diploma does that, too.
21 You can't tell that to a 16-, 17-, 18-year-old. I'm
22 not sure somebody could have told me that, either.
23 I started college at 16. Would have been much
24 better off if I hadn't.

25 So I just wondered -- because many schools

1 students there.

2 If you want to major in trombone, the best
3 place you can get is to UNM. And that's really
4 true. And if you're a master musician, you may just
5 be ready, by the time you're a junior, to do that.
6 And that would be an advantage.

7 So I thank you for bringing that up;
8 because with the type of students you serve, you'll
9 always have that low rate. But if you can show how
10 many achieve their GEDs, it gives you a response;
11 so...

12 THE CHAIR: I'll entertain a motion.

13 COMMISSIONER PERALTA: I can do it.

14 I move to approve the renewal application
15 presented by Media Arts Collaborative Charter School
16 for a term of five years, because the school has
17 earned a "C" letter grade in three of the last four
18 years on the State's A-through-F school grading
19 report over the term of its current contract.

20 However, because the school has not
21 demonstrated compliance with all organizational
22 requirements, has been designated a school in need
23 of Comprehensive School Intervention, and has earned
24 an "F" in more than one area of the report card
25 without being able to demonstrate substantial

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<p>1 progress on that measure, the renewal is granted 2 with the following conditions: 3 First, implement an NMDASH continuous 4 improvement plan that results in raising and 5 maintaining performance such that: 6 The school does not earn an "F" in any 7 area of the school report card during the term of 8 the contract. 9 The school's four-year graduation rate is 10 improved and the school exits Comprehensive School 11 Intervention status prior to the next designation 12 period, within three years. 13 Next, correct and abstain from 14 non-compliance related to organizational performance 15 framework, specifically, correcting repeat 16 non-compliance in serving English Learners for the 17 term of the renewal contract. 18 And, finally, to provide evidence of 19 implementation of student-focused terms in each year 20 of the renewal contract. 21 THE CHAIR: I'll second the motion. 22 So there was a motion by Commissioner 23 Peralta and a second by Commissioner Gipson. 24 Any discussion? 25 (No response.)</p>	<p>1 COMMISSIONER PERALTA: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Caballero? 4 COMMISSIONER CABALLERO: Yes. 5 COMMISSIONER ARMBRUSTER: Ten-to-zero, the 6 motion passes. 7 THE CHAIR: The motion passes. 8 Congratulations. 9 MR. JONATHAN DOOLEY: Thank you very much. 10 THE CHAIR: And thanks, once again, for 11 hanging in there with us today. 12 MS. POULOS: Madam Chairwoman, 13 Commissioners? We should do the amendment requests. 14 THE CHAIR: Sorry. Sorry. Forgot. Thank 15 you. And I need to find that in my book. 16 MS. POULOS: It is on Page 5 of 403. 17 Madam Chairwoman, Commissioners, there are two 18 amendment requests in front of you. One is to amend 19 the school-specific indicator targets. 20 Sorry. That's Amendment Two. Let's talk 21 about Amendment One first. 22 That one is to amend the school's 23 contract. The way that it was requested was to 24 change some of the boilerplate language. And I 25 would actually encourage you not to do that, because</p>
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<p>1 THE CHAIR: Commissioner Armbruster? 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Conyers? 4 COMMISSIONER CONYERS: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Ruiz? 7 COMMISSIONER RUIZ: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Toulouse? 10 COMMISSIONER TOULOUSE: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Robbins? 13 COMMISSIONER ROBBINS: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Crone? 16 COMMISSIONER CRONE: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Gipson? 19 THE CHAIR: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Johnston? 22 COMMISSIONER JOHNSTON: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Armbruster votes "Yes." 25 Commissioner Peralta?</p>	<p>1 it is the boilerplate language in the contract; but, 2 instead, to clarify the addresses -- they're at two 3 different addresses -- right? -- physical addresses, 4 of the facility in which they're located. 5 MR. JONATHAN DOOLEY: Oh, I see what you 6 mean. 7 MS. POULOS: So when the school's contract 8 was written, they had a certain location. They 9 added additional space in a building that's right 10 next door; but it has a different address, I 11 believe. And -- 12 MR. JONATHAN DOOLEY: Actually, you know, 13 it's 4401, also. We're just Building 2. It would 14 be Building 2 and Building 1. 15 MS. POULOS: Just the one thing that I 16 want to say, from PED's point of view, is we're not 17 sure we have all the documentation we need on that. 18 We're fine with the amendment; but we would like to 19 ensure that there's all the compliance -- right? -- 20 that it's a safe building for kids, that we have 21 E-Occupancy on all pieces of that facility that are 22 being used by the students, that the NMCI works for 23 all pieces of the facility that are being used. 24 So I think that's the only caveat we would 25 want to put there, is, A, we don't love the way that</p>

1 the request was made. And that's -- I guess --
2 MR. JONATHAN DOOLEY: We're in the process
3 of that. We're getting the space, and we're going
4 to be following through with everything you're
5 requesting.

6 MS. POULOS: Yeah. Just clarifying it's
7 not changing the boilerplate language, but just
8 changing -- like, adding the addresses at which
9 there is facility space being used by students.

10 And then the second amendment request is a
11 request to change targets on their performance
12 framework, because there's an unintentional gap. We
13 can -- again, you can do that. I would say targets
14 are going to be renegotiated, goals are going to be
15 renegotiated with the contract terms; so I'm not
16 sure that needs to happen, because we're at the
17 point where we've now evaluated the contract term.

18 So that's kind of the only feedback I
19 would give you on those. And you can decide how you
20 want to go forward. But there is motion language
21 provided for you, if you'd like to use it, on
22 Pages 6 and 7 of 403.

23 THE CHAIR: So I guess I just need clarity
24 with the first one, because I think I've now become
25 confused on the first one, and I thought I

1 amendment.

2 THE CHAIR: And now I'm going to go to the
3 second one. And my first thought was we're going to
4 be negotiating. So why are we doing this because
5 they're going to change anyway?

6 MR. JONATHAN DOOLEY: Very well.

7 THE CHAIR: Okay?

8 MR. JONATHAN DOOLEY: Just going through
9 all the data, that's -- "Oh, that doesn't make
10 sense." Or, "This is not how it's supposed to be."

11 THE CHAIR: We'll be negotiating for the
12 new contract. So I think that'll all be cleared
13 out.

14 COMMISSIONER TOULOUSE: Madam Chair, then
15 do we ask their board chair to withdraw these
16 amendments?

17 THE CHAIR: Right.

18 MR. MIKE TRUJILLO: So I just request to
19 withdraw these amendments from the Board here.

20 THE CHAIR: Okay. Thank you. All-righty.
21 Thank you so much.

22 MR. JONATHAN DOOLEY: Thank you.

23 MR. MIKE TRUJILLO: Thank you very much.

24 THE CHAIR: Safe travels home.

25 MR. JONATHAN DOOLEY: Can we all do a

1 understood it. Now I'm not sure I understand it or
2 not.

3 Are we chang- -- is this amendment looking
4 to include that space in the Bank of America
5 building that you're currently not using?

6 MR. JONATHAN DOOLEY: Yes. Right now, we
7 use the basement of the Bank of America building.

8 THE CHAIR: But it's not so --

9 MR. JONATHAN DOOLEY: And so we're going
10 to acquire the upstairs north end.

11 THE CHAIR: And I think I would be more
12 comfortable in accepting that amendment and voting
13 for that amendment with the necessary documentation.
14 I'm uncomfortable, because we don't have PSFA
15 information.

16 MR. JONATHAN DOOLEY: Uh-huh. Understood.

17 THE CHAIR: So I would simply ask that
18 when you have all that, come forward and --

19 MR. JONATHAN DOOLEY: Of course, we will.

20 THE CHAIR: But it's -- there's -- there's
21 too many questions that are there. So I would
22 appreciate if you'd pull that amendment at this
23 point in time.

24 MR. JONATHAN DOOLEY: Okay.

25 COMMISSIONER TOULOUSE: Withdraw the

1 selfie? I'm serious. We're a media school.

2 Thank you very much. Thank you.

3 THE CHAIR: We're going to -- we're going
4 to -- we are going to be in recess until 9:00
5 tomorrow morning, when we will take on New Mexico
6 Connections and the remainder of our agenda.

7 (Proceedings in recess at 4:32 p.m.)

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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

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

In testimony whereof, I have hereunto set my hand on January 2, 2018.

Cynthia C. Chapman, RMR-CRR, NM CCR #219
BEAN & ASSOCIATES, INC.
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Albuquerque, New Mexico 87102

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