

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

VOLUME TWO

OPEN PUBLIC MEETING

December 15, 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

Bean & Associates, Inc.

Professional Court Reporting Service

201 Third Street, NW, Suite 1630

Albuquerque, New Mexico 87102

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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 MR. GILBERT PERALTA, Vice Chair
 4 MS. KARYL ANN ARMBRUSTER, Secretary
 MR. R. CARLOS CABALLERO, Member
 5 MR. JAMES CONYERS, Member
 MR. TIM CRONE, Member
 6 MS. DANIELLE JOHNSTON, Member
 MR. DAVID ROBBINS, Member
 7 MS. TRISH RUIZ, Member
 MS. CARMIE TOULOUSE, Member
 8
 STAFF:
 9
 MS. KATIE POULOS, Director, Charter School Division
 10
 DR. ICELA PELAYO, Deputy Director,
 Options for Parents and Families
 11
 MR. DAVID STEVENS, Assistant Attorney General
 Counsel to the PEC
 12
 13 MS. BEVERLY FRIEDMAN, NMPED Custodian of Records,
 Liaison to the PEC
 14
 15
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1 THE CHAIR: Good morning. I'm going to
 2 bring the Public Education Commission back into
 3 recess.
 4 COMMISSIONER TOULOUSE: From recess.
 5 THE CHAIR: From recess. No, I said back
 6 out of recess -- into recess -- it is.
 7 COMMISSIONER RUIZ: It's Friday.
 8 THE CHAIR: Sorry. And it is Friday,
 9 December 15th. And it is 9:03 a.m. And we are
 10 still on Agenda Item No. 8. We are on Item 8E.
 11 And just a reminder that this is part of
 12 this packet that is to the side of your notebook,
 13 that the information for the last two schools were
 14 outside of the notebook. So just so that we're --
 15 we know where we can access our materials.
 16 Good morning, all.
 17 Director?
 18 MS. POULOS: Madam Chairwoman, again we
 19 start the day today with the same comments from
 20 yesterday. This is very hard for us to do. This is
 21 not a part of the job that we like doing at all.
 22 But you will see that the PED has recommended
 23 nonrenewal of this charter school.
 24 And, again, that is after a comprehensive
 25 review, after looking at the history of the school's

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1 data in depth to understand its performance and the
 2 track record and where it's going in that
 3 performance in all areas.
 4 It's also after going to a site visit to
 5 truly understand what efforts have been put in place
 6 over the term of the contract to improve student
 7 achievement and to determine if the school is
 8 meeting all of its obligations under the charter.
 9 And after that comprehensive review,
 10 again, PED has determined that the appropriate
 11 recommendation is non-renewal of New Mexico
 12 Connections Academy; and that is because the school
 13 has failed to meet and has not demonstrated progress
 14 toward the Department's minimum educational
 15 standards and to the student performance standards
 16 identified in the charter. The school is showing a
 17 continued decline over the past three years in both
 18 of those performance indicators.
 19 PARCC proficiency rates have dropped,
 20 while across the state, those are increasing. In
 21 New Mexico Connections, those have dropped from
 22 15 percent in 2015 to 11 percent in 2017. And that
 23 same trend is evident in the school's own data on
 24 its LEAP assessment, showing proficiency rates
 25 falling from 31 percent in 2015 to 24 percent in

1 2017.

2 And in reading, we saw a similar trend in
3 PARCC proficiency rates dropping from a high of 39
4 in 2015 to 18 percent in 2017.

5 Again, the school's LEAP data for reading
6 also shows that same decline, going from 60 percent
7 to 38 percent over the term of the charter.

8 This data demonstrates that any
9 improvement efforts the school has made have been
10 ineffective and have failed to improve student
11 achievement.

12 One of the efforts that the school talked
13 about in great length in its charter renewal
14 application was the efforts it's made to increase
15 the availability of testing sites for families. And
16 even those efforts are demonstrating that they are
17 ineffective, with assessment rates continuing to
18 decline over the three-year term of the charter.

19 You do see that both on the school report
20 card, there is a comparison; so other similar
21 schools serving a population with similar
22 demographics. And we see that, again, out of the
23 schools that they're being compared to, a small
24 group of nine schools, they're falling at the bottom
25 in that comparison.

1 results we want -- are the material terms and the
2 organizational performance framework and making sure
3 that those items are being addressed as they receive
4 feedback from their site visits.

5 We will stand for any questions that you
6 have. Again, it's very hard for us to make this
7 recommendation. It is a large number of students at
8 this school. But, ultimately, we do believe that it
9 is our obligation to make that recommendation.

10 THE CHAIR: Thank you. Good morning.
11 Thank you for your patience and hanging in there
12 yesterday and coming back today; not that you had a
13 whole lot of choice about coming back today. But I
14 appreciate it. And please identify yourselves for
15 the record.

16 MR. MARK BOITANO: Okay, Madam Chair,
17 Members of the Committee. Good morning. My name is
18 Mark Boitano. I'm the board chairman. We have
19 Romancita Arguello, our principal; Sue Fox, our
20 attorney; and we have Board members, parents,
21 teachers, and our Business Manager here with us this
22 morning.

23 We are here seeking renewal of the charter
24 for New Mexico Connections Academy. As a team,
25 we've spent --

1 But we also took a look at other schools
2 with similar programs, online virtual-learning-type
3 programs, and saw the exact same thing, that
4 New Mexico Connections is declining, and in
5 comparison to those schools, performing lower in
6 most cases.

7 We also looked at, you know, their audit
8 efforts. And we did see, as you see on our first
9 page on that chart summarizing, that they are
10 "Approaching progress" to address, but very reliant
11 on the School Business Manager, rather than taking
12 an active role as the audit committee to really take
13 ownership over insuring we don't have those repeat
14 findings or don't continue to have compliance
15 findings.

16 We've talked about the charter-specific
17 goals. And you do see in our report that they have
18 met many of those goals over the term of the
19 charter. But what's important to note is the trend:
20 going down. And there is one goal that they have
21 not met over the last two years, and that goal has
22 continued to demonstrate declines in achievement.

23 The other areas that we do see where we're
24 "Approaching progress" -- but, again, it's
25 inconsistent; we're not seeing the consistent

1 THE CHAIR: I'm sorry. I hate to
2 interrupt. But is the green light on on the mic?

3 MR. MARK BOITANO: Now it is.

4 As a team, we've spent literally hundreds
5 of hours dissecting the recent PED report that
6 recommends non-renewal of our charter. This, along
7 with the history of the PEC denying our initial
8 charter, leads many to believe there is little
9 chance of Connections being renewed.

10 But, hopefully, as you listen to our
11 story, hear our analysis of the facts, and learn how
12 we will improve, you will decide that Connections is
13 providing an indispensable choice to students and
14 families, teachers, charter organizations, and, yes,
15 to even the PEC and PED.

16 We want you to know we take the PED report
17 extremely seriously and appreciate their sense of
18 urgency. Some may be aware I served in the State
19 Senate and helped write the Charter School Act and
20 was a primary sponsor. From the onset,
21 accountability was a prime concern. From day one,
22 I've been on record that underperforming schools
23 should not be renewed.

24 I told our board and staff months ago that
25 in order for us to be renewed, first, I needed to be

<p style="text-align: right;">Page 288</p> <p>1 convinced that our renewal was justified. For what 2 it's worth, I'm convinced.</p> <p>3 Romancita and others will go into more 4 detail about the PED report. But I'd like to talk 5 about the purpose of the Charter School Act and the 6 unique ways Connections meets its original intent.</p> <p>7 When the law was written, there were 8 basically three goals: More autonomy for more 9 accountability; more innovation; and more parental 10 choice.</p> <p>11 The accountability piece is broken into 12 two parts: Student performance and fiscal 13 management.</p> <p>14 In terms of student performance, 15 Connections has two straight years of "F" grades. 16 But we've done much better in past years with fewer 17 students. In year one, with 462 students, we had a 18 "C" grade reduced to a "D" for our failure to meet 19 the 95 percent test requirement. Then in year two 20 with 800-plus students, we had a "B" grade that was 21 reduced to a "C."</p> <p>22 In our first two years of testing, we 23 missed the 95 percent requirement by a two-year 24 total of 12 students.</p> <p>25 Not an excuse, Madam Chair; just an</p>	<p style="text-align: right;">Page 290</p> <p>1 exceptions, our books have been in tip-top shape for 2 the past five years, and there's been no finding 3 that we are not complying with accepted standards of 4 fiscal management. Hopefully, this fact will be 5 considered in our renewal.</p> <p>6 In the short one paragraph stating the 7 purpose of the Charter School Act, the word 8 "innovative" is used three times. Lawmakers hoped 9 that new best practices would help reform 10 traditional education.</p> <p>11 The innovations at Connections is one of 12 the main reasons why I decided to be involved. We 13 are innovative in small ways. For example, one 14 valuable benefit found in the bundled services 15 provided by our vendor, Connections/Pearson, is a 16 professional school recorder who helps with minutes 17 compilation, agenda preparation, and Open Meetings 18 and parliamentary procedure compliance. Parties 19 like the Coalition have indicated an interest in 20 taking this idea and providing similar services to 21 charters who struggle in this area.</p> <p>22 Connections is innovative in big ways. We 23 provide coordinated curriculum communication between 24 teachers and delivery of services from fourth grade 25 to high school. I think we are the only New Mexico</p>
<p style="text-align: right;">Page 289</p> <p>1 interesting data point.</p> <p>2 There are legitimate concerns whether the 3 PED report is an accurate and true reflection of 4 Connections and its merits. These are detailed in 5 our responses to the PED analysis, which you should 6 have in your booklet.</p> <p>7 It's critically important to remember that 8 our contract with the PEC makes a school's letter 9 grade just one part of an equally weighted 10 eight-part performance analysis. You and the school 11 agree there would be seven other measures of student 12 outcomes in the performance category.</p> <p>13 Over the four-year period in which we have 14 data, Connections has met 24 of 32, or 75 percent, 15 of the charter-specific goals outlined in our 16 charter contract. Plus, there is one overriding 17 data point that needs to be considered. In the past 18 five years, we've grown from 462 students to 1,803, 19 and have always had large numbers of new students. 20 Because our data shows the longer a student stays in 21 our system, the better they do, we've rewritten our 22 comprehensive improvement plan and realized we've 23 grown too big too fast, and we must cap our 24 enrollment at a lower number.</p> <p>25 With respect to finances, with a few minor</p>	<p style="text-align: right;">Page 291</p> <p>1 public school that has created performance pay for 2 our teachers. Nearly 400 of our students come from 3 small rural districts, and we have students from all 4 33 counties. We provide dozens of courses that 5 would otherwise be unavailable to these students.</p> <p>6 In terms of instruction, tutoring 7 scheduling, special education services, one-on-one 8 teaching partnership between teachers, students, and 9 learning coaches, and much more, Connections is 10 remarkably innovative.</p> <p>11 I've spoken to numerous parents, and every 12 single one says that Connections' curriculum is 13 extremely rigorous.</p> <p>14 And did I mention the innovative work 15 environment for our teachers who can choose to work 16 from their home or their office? Hopefully, these 17 innovations are considered when you look at our 18 renewal.</p> <p>19 Let's think for a moment about your 20 teachers, the heart and soul of any school. The 21 Charter School Act was very specific in addressing 22 teachers and their instruction methods. It 23 envisioned -- and I quote -- "encouraging the use of 24 innovative teaching methods and the creation of new 25 and more flexible ways of educating children," end</p>

1 quote.

2 Here's what some of our teachers say about
3 the innovations in Connections. And you should have
4 personal letters from 30-plus teachers in your
5 booklet.

6 Amy Earle, a high school teacher, says,
7 "Virtual education is new and different and is often
8 met with skepticism. But I can unequivocally say my
9 students are every bit as connected to me and each
10 other as they would be in a traditional classroom.
11 We're connected in new ways by microphones, chat
12 pods, and video cams."

13 Julie Capon says, "Connections tapped into
14 a real need in our education system. It offers the
15 flexibility of home learning with the professional
16 support of trained educators. The world is
17 changing, and as an educator, I want to embrace that
18 change."

19 Elissa Bohannon, a special education
20 teacher, says, "Some students feel safer in their
21 own homes, those that are bullied, misunderstood, or
22 because of a disability or illness aren't being
23 sufficiently taken care of. Students progress at
24 their own pace and can review challenging topics
25 multiple times without embarrassment. I'm available

1 will make New Mexico proud.

2 MS. ROMANCITA ARGUELLO: Madam Chair and
3 Commissioners of the PEC, thank you for having us
4 today. I am Romancita Arguello, the principal of
5 New Mexico Connections Academy.

6 We know students, or maybe some of us were
7 one, who, for whatever reason, are the square peg in
8 the round hole. It could be illness, differences in
9 learning styles and learning disability or
10 behavioral issues. It could also be high-flying
11 athlete or intellectual looking for a challenge.

12 I have talked with many of our parents
13 about issues they have come across in the
14 traditional school setting. They need this
15 alternative for their students, such as the bullying
16 or medical issues that prevent students from being
17 successful.

18 Parents have come to us because their
19 students travel for competitions and need the
20 virtual platform to take school with them as they
21 travel. Others have needed the flexibility for
22 doctors' appointments.

23 We have homebound students that are
24 getting much more education at home than they would
25 with the brick-and-mortar homebound services.

1 seven days a week, something I never experienced
2 before."

3 Hopefully, our teaching innovations are
4 considered in our renewal.

5 Another purpose stated in the law is to
6 encourage parental and community involvement.

7 One of our teachers said, "I have had more
8 contact with parents and learning coaches than I
9 ever experienced in a traditional setting.

10 16 percent of our students come from a home or
11 private school setting, families traditionally
12 hesitant to engage public schools. And our
13 remarkable growth is proof the charter marketplace
14 sees a need for our product. Hopefully, this fact
15 is considered in our renewal."

16 Madam Chair and members of the Commission,
17 Connections Academy is fulfilling the purpose of the
18 Charter School Act, along with meeting the majority
19 of its charter goals. We are 100 percent on board
20 with the PEC mission to provide a world-class
21 education system and PED's commitment to quality and
22 the sense of urgency. We've shown we can do better,
23 and we will.

24 As our authorizer, we hope to work
25 together to build a world-class virtual school that

1 I have many more stories I could talk
2 about. These are our students. Families come to us
3 when they have exhausted other educational options,
4 when something about the traditional school is not
5 working for them.

6 Today, through our testimony, the
7 testimony of our families, and in answering your
8 questions, our goal is to keep this option available
9 for our kids. We understand that based on two years
10 of school grades, that some of you will be
11 skeptical. There are plenty of complaints and
12 criticism of State accountability metrics. We've
13 outlined our position in that in our response to the
14 CSD's preliminary analysis, which you should have in
15 your materials.

16 In the interest of time, I want to
17 highlight what we are doing well, and, more
18 importantly, discuss how we, with PED and PEC
19 support, will improve our school grade.

20 First, we are doing -- what are we doing
21 well?

22 We are extremely proud that families
23 choose us and are overwhelmingly satisfied with our
24 school. By our parent survey each year as part of
25 our charter contract, last year 91 percent of our

1 families rated us as an "A" or "B." And this has
2 never been below 85 percent. As a school of choice,
3 we value their feedback and, again, are proud that
4 they are satisfied with our school and that the
5 school is meeting their educational needs.

6 Many of these families have finally found
7 their fit, and our enrollment has grown very
8 quickly. While we love welcoming new students, this
9 has strained our resources and performance. Over
10 half of our students enroll after the first day of
11 school; over half of our high school students enroll
12 behind on credits. These are huge populations that
13 we work to catch them up with other students.

14 One metric we've included in our response
15 shows we've had success in this regard. The figure
16 on Page 2 of your response shows that, in general,
17 new students come to us behind; but the longer they
18 are with us, the closer they perform to the average
19 student.

20 This is very important. There are
21 concerns about school growth; but the decline is
22 driven by large new enrollment. The students we
23 have more time with grow in their learning.

24 Finally, and by no means least important,
25 our school has demonstrated strong financial and

1 With plans for continual improvement over
2 the next charter term, we hope that you will believe
3 in us, too, and allow us to continue serving our
4 families for another term.

5 THE CHAIR: There's two minutes left.

6 MS. FOX: Okay. I got it. Thank you.

7 I'm Sue Fox, and I'm the school attorney.

8 And I'd just like to redirect everybody's
9 focus briefly on the school's charter contract with
10 you all, which was negotiated and agreed to back in
11 2013.

12 If we run out of time, I have submitted a
13 memorandum that outlines what I'm -- what I'm going
14 to summarize here briefly.

15 It's important -- this school contract and
16 the charter schools law govern how you are to
17 evaluate this school today. And Ms. Poulos has
18 outlined in her analysis the -- the -- focused on
19 the school grade almost exclusively in urging that
20 you deny their application.

21 However, the charter school contract is
22 very clear that in terms of student performance, you
23 are to look at all eight of the factors equally
24 weighted. The school grade in your charter contract
25 gets no more weight than any of the other seven

1 organizational performance. Our last audit had just
2 three findings.

3 The figure on Page 3 of the same report
4 shows every year, we've met six out of eight of our
5 goals in our contract.

6 We have struggled with the school letter
7 grade; although we did meet it in 2014-'15. This is
8 where we have to do better. However, this is just
9 one of the eight goals.

10 I urge the PEC to consider the school
11 grade, not only the only focus, but with the context
12 of the school's full spectrum of student performance
13 measures. We understand that we have more to do
14 with math. In our improvement plans for this year
15 and last school year, we put our efforts to bring
16 more strategies to bear on challenges related to
17 mathematics. At each grade, or band, we added
18 improvements.

19 In conclusion, these four-and-a-half years
20 have seen incredible enrollment growth from truly
21 special New Mexico families. These families finally
22 have an educational home. They trust us with their
23 challenges, and we accept the challenges. In
24 return, we provide a school they believe in and one
25 that meets its charter goals.

1 factors.

2 Similarly, in terms of comparison to other
3 schools, looking at trend lines, requiring that the
4 school meets all goals every year -- which, by the
5 way, in all the years I've attended these renewal
6 hearings has never been the standard for renewal and
7 shouldn't start now -- comparing schools'
8 short-cycle assessments to PARCC, none of these are
9 valid and agreed-upon measures; nor are they
10 supported in the law in terms of assessing the
11 student performance metric.

12 We have met six of eight of our goals
13 consistently every year. That's not to say that
14 there is not room for improvement. The improvement
15 plan has been submitted. The fact that the CSD does
16 not agree with the improvement plan is something
17 that can -- and the rigor of the goals can be
18 addressed on negotiation.

19 Thank you.

20 THE CHAIR: Thank you.

21 MS. FRIEDMAN: Time is up.

22 THE CHAIR: There is nine people that have
23 signed up for comment, and there's 15 minutes. So
24 you've got a little over a minute apiece.

25 And the first person is Renada Shepperd.

1 FROM THE FLOOR: Hi.
 2 MS. FOX: Let me move out.
 3 FROM THE FLOOR: Hi. I'm Renada
 4 Peery-Galen. Before I get started, there's a lot of
 5 people that came today.
 6 THE CHAIR: I'm sorry. You need to use
 7 the microphone.
 8 FROM THE FLOOR: Hi. My name is Renada
 9 Peery-Galen. Before I get started, I just really
 10 quickly want to acknowledge that a lot of people
 11 came from very far in support of the renewal today.
 12 And I want to give them the opportunity to stand and
 13 show their support to the Commission. Those that
 14 support the renewal for Connections, please stand.
 15 (Audience members stand.)
 16 FROM THE FLOOR: I also want to take this
 17 opportunity, Madam Chair and Members of the
 18 Commission -- Marcos Rodriguez gave me this poster
 19 to give to you today. So I want to give this to you
 20 today.
 21 I have a 17-year-old son that attends
 22 Connections Academy. He's a senior. He is actually
 23 in -- I think, two days ago, New Mexico Kids
 24 Magazine released their January-February edition.
 25 He is in New Mexico Kids Magazine for his support of

1 there is something due every day. He has a quick
 2 check. He has a portfolio. He has a quiz. He has
 3 a test. Teachers are available. They will work
 4 with him. They'll work with him in live lessons on
 5 the phone, whatever is necessary.
 6 I was really shocked to realize that Ryan
 7 came from an "A-B" graded school, ATC, here in
 8 Santa Fe, to Connections. And we actually found the
 9 curriculum more demanding than what he had
 10 experienced at ATC.
 11 I am really proud to tell you today that
 12 earlier this week, he received two acceptance
 13 letters, to UNM and Northwest Missouri State
 14 University. And Northwest Missouri State University
 15 offered Ryan two scholarships based on his academic
 16 achievement and his ACT score.
 17 The one thing that this school has done
 18 for Ryan that he did not get in public school is
 19 that they challenged him academically. They
 20 supported him. And, like many kids, unfortunately,
 21 that have special needs, he was bullied in school.
 22 This school gave him a safe, non-judgmental
 23 environment in which to learn and thrive.
 24 And I really implore you today to vote for
 25 this renewal, because these kids and these

1 House Bill 75 from the last Legislative Session.
 2 House Bill 75 was a bill to limit physical
 3 restraints and seclusion in public schools. Ryan
 4 attended the House Education Committee hearing,
 5 Judiciary House hearing, the Senate Education, the
 6 Senate Judiciary Committee hearing, and he was the
 7 only student that spoke in support of House Bill 75.
 8 All you have to do is look at that article in
 9 New Mexico Kids Magazine and articles in the New
 10 Mexican to know why New Mexico Connections was a
 11 blessing to our family.
 12 Ryan entered into ninth grade at
 13 Connections Academy. And when he entered, my
 14 husband and I did not even know if he could be
 15 college-ready. At the time that he entered into
 16 Connections in ninth grade, he didn't know how to
 17 study for a test. He didn't know how to take notes.
 18 We were really pleasantly surprised and grateful
 19 that the curriculum was very demanding. And we
 20 wanted that for him. We wanted him to be
 21 college-ready.
 22 He had goals. He has loved marine biology
 23 and marine life since he was four years old. Ryan
 24 is autistic, high-functioning. I think the biggest
 25 thing that I can say about their curriculum is that

1 families -- like us, we need these choices. We need
 2 these choices, and these kids need to be able to
 3 have these opportunities. And Ryan would not be
 4 here today without the support of the school and
 5 this opportunity. And I only wish we had this
 6 option sooner for him.
 7 I thank you for listening to me today.
 8 THE CHAIR: The next on the list is Thomas
 9 May. And I'll remind everyone that there's only
 10 15 minutes allotted; so everyone's got less than a
 11 minute now.
 12 MS. FRIEDMAN: You've got 11 minutes.
 13 THE CHAIR: There's 11 minutes left.
 14 FROM THE FLOOR: My name is Thomas May.
 15 I'm 15 years old and in the tenth grade at
 16 New Mexico Connections Academy. I started
 17 New Mexico Connections Academy when it opened, and
 18 there are many reasons why I choose it over a
 19 school -- over other schools.
 20 First, I live in an extremely rural area
 21 which doesn't have a lot of school options in a
 22 30-mile range. To go to a good school similar to
 23 New Mexico Connections Academy, I would have to
 24 drive over an hour each way. That time would be
 25 taken from when I could be working on my school or

<p style="text-align: right;">Page 304</p> <p>1 other interests. In addition, I can take many 2 electives like graphic design and digital 3 photography, which aren't offered at the school near 4 me. These classes are important to me because I'm 5 thinking about these career options. 6 Another reason why NMCA is important to me 7 is because of the pace. I have many health 8 concerns, so it makes it hard for me to work in a 9 normal classroom. This is why I can -- I can do my 10 school work and take care of myself. I am sure that 11 if I was in another school, I would be behind in 12 credits and probably would drop out before I 13 graduate. 14 I started NMCA in the sixth grade. I have 15 gotten to know several teachers. Most of the 16 teachers have made -- all of the teachers worked 17 with me and gave me a positive school experience, 18 when I didn't like school before. Since then, other 19 teachers have taken extra time to work with me and 20 help me understand what I needed to. All of the 21 teachers here are willing to help when I ask them. 22 I wouldn't be able to get this kind of attention in 23 a regular school. 24 I'm hoping to graduate in the Class of 25 2020 from NMCA.</p>	<p style="text-align: right;">Page 306</p> <p>1 it on her own most of the time, which I think is 2 great, because it -- it provides, I think, something 3 for adults -- for adulthood, you know, being able to 4 manage your time, being able to get things done 5 without being told. 6 And we just really appreciate it. Thank 7 you. 8 (Applause.) 9 THE CHAIR: Anna Harb. 10 FROM THE FLOOR: I'll try to read fast. 11 Good morning. I'd like to thank you for allowing me 12 to read my comments today. I do not have the talent 13 or the eloquence for impromptu speaking. 14 Interestingly enough, I found an 15 alternative for achieving my goal of addressing you 16 today. My name is Anna Harb, and I'm not only a new 17 member of the governing council for New Mexico 18 Connections Academy, but I'm a parent and a learning 19 coach. 20 As a GC, I was happy to accept the 21 position, not only because I see the importance of 22 oversight in children's education, but also because 23 of the respect I have for this school, the teachers, 24 their program, and the commitment to their students. 25 Today however I will be speaking to you as a parent.</p>
<p style="text-align: right;">Page 305</p> <p>1 (Applause.) 2 THE CHAIR: Thank you so much. 3 Veshti Roybal and Honey Roybal. 4 FROM THE FLOOR: Good morning. 5 THE CHAIR: Good morning. 6 FROM THE FLOOR: I would like to first 7 thank you for opening this charter for us. I am an 8 un- -- I have not graduated from high school, but 9 I've always wanted to home-school my children. And 10 Connections Academy has enabled me to do so, 11 bringing me great joy to nurture my children in the 12 way that I want to, and I think giving them things 13 that I wasn't able to get from public school and 14 grounding my family tighter together. 15 And I've seen my daughter -- she wrote a 16 note to you guys. And -- excuse my nervousness -- 17 okay. 18 "I like Connections Academy because I can 19 spend more time with my mom and because I have a 20 more flexible schedule and helps me to be more 21 responsible with getting my work done without having 22 to tell me to do and learning to manage my time." 23 Which I think it has created her to be more 24 responsible and, like she said, manage her time. 25 She takes her education very seriously, and she does</p>	<p style="text-align: right;">Page 307</p> <p>1 These comments are in supplement to the two support 2 letters that my son and I wrote to Commissioner 3 Armbruster. 4 My son has attended New Mexico Connections 5 Academy for almost three years. He's in tenth 6 grade. His first year, he announced that it was his 7 favorite year ever. And I thought this was pretty 8 amazing, considering he was in middle school. I 9 think back to middle school, and it was pretty 10 horrible. At that age, kids are neither fish nor 11 fowl, and everything is awkward, minds, bodies, 12 social situations, school. It didn't matter. Yet 13 my son was having a wonderful time and loving his 14 school. 15 And it wasn't because he got to hang out 16 with his friends every day or that he was in 17 football or cheerleading or anything like that. It 18 was because he was learning and being challenged and 19 excelling. What amazed me even more was the fact 20 that this was coming from my son. You see, my son 21 is also on the autism spectrum. His early years 22 were in a brick-and-mortar school. And to say it 23 was challenging was an understatement. I am sure 24 those involved with education, you are very well 25 aware of the complexities of learning and autism.</p>

<p style="text-align: right;">Page 308</p> <p>1 If you don't, you should. 2 Autism carries with it sensory issues. My 3 son -- my son's issues are auditory. With the chaos 4 of the classroom in a brick-and-mortar school, my 5 son couldn't function. And he, along with his 6 education, was suffering. Every day he was 7 subjected to an auditory assault, and he shut down. 8 One of the interesting things he experienced was 9 also a sense of inadequacy that is so common amongst 10 children with challenges, whatever kind it is. It's 11 at this moment a lot of educational systems lose 12 children. 13 He felt it was all his fault, and he just 14 wasn't good enough. I knew something wasn't 15 working. As a parent of a child on the spectrum, I 16 was always observing and fighting to find 17 alternatives and adaptations for the survival and 18 achievement of my son. Isn't it interesting that 19 once again, I find myself fighting for my son's 20 survival through fighting for this school? 21 When we found New Mexico Connections, it 22 was everything we never knew we needed. He was able 23 to focus. It opened up an entirely different world 24 for him of learning, in and out of the classroom. 25 The virtual school environment was a perfect fit.</p>	<p style="text-align: right;">Page 310</p> <p>1 of that future Olympian or Hollywood actor, that 2 feeling of a safe haven for that victim of bullying, 3 or even the feeling of satisfaction of the parent 4 who wants to be more involved in their student's 5 education, so chose NMCA for its virtual 6 environment? 7 Judging student achievement is so much 8 more than test scores and quantitative data, just 9 like New Mexico Connections Academy is so much more 10 than just an alternative school. Even though my 11 school [verbatim] is an only child, I believe that 12 throughout our lives as parents and advocates, at 13 some point, every child is our child. 14 There are roughly 1,800 students at NMCA. 15 Today, every one of those children is mine. And 16 believe it or not, today, every one of those 17 children is yours. As you sit here today about to 18 make your final decisions, please remember the 19 larger picture of student achievement. 20 Thank you. 21 (Applause.) 22 THE CHAIR: There's two minutes left. And 23 there are four people on the list. 24 Sean Chapel. 25 FROM THE FLOOR: Good morning. I</p>
<p style="text-align: right;">Page 309</p> <p>1 As a learning coach, I have observed the 2 coursework, tests, discussions, live lessons, phone 3 calls with teachers, and I believe NMCA's methods 4 definitely contribute to the successful achievement 5 of their students. After all, isn't it progressive 6 student achievement the priority for parents, 7 teachers, schools and its governing bodies? 8 You have determined, however, the 9 opposite. By way of the failing grade you have 10 given NMCA, you feel through quantitative data that 11 the school is failing and, therefore, it is failing 12 its students. You forget, however, that student 13 achievement involves so much more than test scores 14 and quantitative data. Ask any teacher here, and 15 they will affirm that it also involves its 16 day-to-day successes of their students, small and 17 large. 18 There are also so many things you cannot 19 quantify. How do you quantify the confidence and 20 freedom to learn that an autistic child or child 21 with anxieties or ADHD has, or that ability to 22 continue their education for that child dealing with 23 medical issues, or conflicting schedule of those 24 families who travel, that education to virtual 25 school that supports the heavy schedule and passion</p>	<p style="text-align: right;">Page 311</p> <p>1 apologize that our comments are taking up so much of 2 your time. 3 New Mexico Connections Academy is my 4 preferred school. I'm currently a junior in high 5 school. And due to extenuating circumstances, I 6 ended up dropping out spring semester of my 7 sophomore year. I had never done an online school 8 before, and integrating myself into the system did 9 have its challenges; but I'm extremely glad that I 10 did. 11 I'm finally able to take ownership of my 12 own education. I'm finally able to reach my 13 teachers and ask for the help that I need. I have a 14 gifted status on my IEP, which, basically, in a 15 brick-and-mortar high school, makes a lot of 16 teachers think that I need less help than the 17 ordinary student. This is not true. 18 I'm not -- I'm getting challenged in my 19 coursework more than I ever have before, and I am 20 enjoying it. And for the first time in my life, I 21 am getting good grades. And for the first time in 22 my life, I'm working towards my diploma, and I see 23 college on the horizon. I have the ability to grasp 24 my future, and it's because of New Mexico 25 Connections Academy.</p>

<p style="text-align: right;">Page 312</p> <p>1 The best part about it is, is that I can 2 adjust it to fit my schedule. If I have to go out 3 of town for appointments for medical procedures or 4 anything like that, I can. And I don't miss the 5 instruction. I don't miss the help. And I don't 6 miss any part of the lesson that I need. 7 Please consider giving us another charter. 8 Thank you. 9 THE CHAIR: Thank you. 10 (Applause.) 11 THE CHAIR: Brianna Allen. 12 FROM THE FLOOR: Hi. My name is Brianna 13 Allen. I am a student with New Mexico Connections. 14 I first began my educational journey with school 15 starting my freshman year of high school. I am now 16 a sophomore and cannot be any more joyful. 17 New Mexico Connections Academy has helped me grow in 18 my learning. As a result, I have become a more 19 determined, independent high school student. 20 New Mexico Connections goes beyond 21 education, and I have learned valuable skills that I 22 will take with me to college and beyond. I have 23 learned how to stay motivated and driven, how to be 24 disciplined, and how to time-manage and strive for 25 success in my education.</p>	<p style="text-align: right;">Page 314</p> <p>1 grade has been reduced because you haven't met the 2 95 percent, and that the -- that you do have 3 apparently significant challenges with trying to 4 accommodate the testing. 5 And one of my questions is you knew from 6 the get-go that this could potentially be a 7 challenge. And it doesn't seem like you've been 8 able to successfully meet those challenges during 9 this term of this contract. 10 So I have -- I have a concern over that, 11 and I have a question as to how you think you can 12 deal with this obviously ongoing problem. 13 MS. ROMANCITA ARGUELLO: So as I know, 14 this has been a big challenge of NMCA. We've 15 extended our testing sites. We've purchased 16 Chromebooks so that we have those in those sites. 17 All the time to do makeups. 18 We've -- we've missed it this last year. 19 We got 92 percent with all the effort. So we know 20 what we need to do to improve that and get to the 21 95. We weren't that far off. With the amount of 22 students we have now is a challenge. But we've been 23 working on this. 24 We started working on this since we 25 started this school year, and to meet those sites</p>
<p style="text-align: right;">Page 313</p> <p>1 The Monthly College Virtual series, the 2 Chat with a Grad series and the Career Fireside 3 series has encouraged me to think more about 4 colleges I may be interested in attending, possible 5 majors, and future career options. I am delighted 6 to say that this semester, I was able to get college 7 experience through New Mexico Connections Academy's 8 dual-credit program, and I was able to complete five 9 college courses receiving a 3.9 GPA. 10 One way that I'm able to take on so many 11 classes all at once is through the flexible 12 environment that this school provides. I also have 13 to give credit to the teachers and staff of 14 New Mexico Connections Academy. 15 THE CHAIR: Time is up. Thank you. 16 (Applause.) 17 THE CHAIR: So I'd like to spend a little 18 bit of time addressing the challenges with the State 19 testing. 20 I actually was in attendance at the LESC, 21 because it was last year when there was a 22 presentation before the LESC by the -- I guess the 23 then head administrator, referencing that there -- 24 and acknowledging that you've -- you have not met, I 25 don't think, in any of the 95 percent, that your</p>	<p style="text-align: right;">Page 315</p> <p>1 and the requirements to get the 95 percent test 2 participation. 3 THE CHAIR: I guess I just need some more 4 specifics about -- because this is -- this has been 5 going on for four years now. So it's -- it should 6 have been understood -- to me, it should have been 7 understood from the onset of the school, that could 8 be an extraordinary challenge. And it doesn't seem 9 like -- you're still falling short. Over four 10 years, to me, you should have made a significant 11 move towards that 95 percent. 12 MR. MARK BOITANO: Madam Chair, you know, 13 it's a good point. And I think a couple of things 14 need to be considered. Number one is the mindset of 15 the families that enter this school, or any school; 16 because the reality is -- I know one year, we were 17 knocking on doors talking to families to encourage 18 them to test. And some of them just -- you know, 19 some of the home-schooling families felt like maybe 20 the State didn't have the authority to require them 21 to test. So I think a part of it needs to be 22 upfront commitment from families that engage in our 23 school, or any school, that, yes, they will test. 24 The other thing is -- I mean, we -- 25 innovation, you know, is key for what we're doing at</p>

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1 Connections. And there's got to be some way -- I
 2 mean, we live in a world where all professional
 3 licenses require testing. And there's secure
 4 testing on site. And there's secure testing in a
 5 remote location. And we have to find some way, as a
 6 state, to create alternative ways of testing in this
 7 modern age. I mean, we do it for professional
 8 licenses. We've do it for other entities. We have
 9 to find a way to do it.
 10 And we'd like to work with you and the
 11 State to create optional ways of testing.
 12 THE CHAIR: Well, I guess part of me says
 13 maybe the communication wasn't clear enough with
 14 parents that this wasn't home-schooling, that this
 15 is a public school, so that, you know, maybe that
 16 was the challenge; because it's not -- it is
 17 schooling that's happening at home. But the school
 18 is created as a public school. And whether we agree
 19 or disagree with the State testing, it is what we
 20 all have to -- it's a system we live with.
 21 And that's -- you know, we -- we just have
 22 to -- and we can agree to disagree on the test and
 23 so on; but the bottom line is this is -- this is the
 24 system we're in right now. So, you know, I'll be
 25 honest with you. I can't -- I can't see, in the

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1 near future, a way that we're going to -- we -- I
 2 mean, the State -- and I'm -- don't have the
 3 authority to speak for the State. But I really
 4 don't see the likelihood that there's going to be
 5 the ability for individual students to be able to
 6 take those tests at their home and that being
 7 considered a secure site. I -- you know.
 8 So I appreciate that conversation; but I
 9 don't see -- I don't see that happening soon. So I
 10 think we have to -- you know, we have to be
 11 realistic and live with the system that we've got.
 12 And there's -- you know, there's certainly
 13 significant concerns about that.
 14 And do you provide transportation if --
 15 because your mention in the application was trying
 16 to make sure that -- and I apologize if I don't know
 17 the specific from the contract -- if there was an
 18 agreement that students would not have to travel
 19 more than 50 miles to a site. Was that
 20 referenced -- was that mileage referenced
 21 specifically? Or was that just a goal that the
 22 school established?
 23 MS. ROMANCITA ARGUELLO: Madam Chair, that
 24 is a goal that we put that we tried to make happen
 25 so that families are not traveling over 30 minutes

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1 to any site.
 2 So we've expanded our sites. We've had
 3 more staff to go -- so that's why we have
 4 multiple -- more sites. And then we have multiple
 5 times; because one issue that we ran into was the
 6 amount of computers we had available. We were
 7 having to transfer them site-to-site. Now, we have
 8 where we can have testing at multiple sites,
 9 multiple days, and not having to transfer computers
 10 to the multiple sites. So that is one of the things
 11 that we have put into place.
 12 THE CHAIR: Okay.
 13 MS. POULOS: Madam Chair?
 14 THE CHAIR: Oh, I'm sorry. Director?
 15 MS. POULOS: I did just want to direct you
 16 to the data you have on that testing data. It's on
 17 Page 16 of your report. And, again, it does show
 18 what we described, which is that consistent decline.
 19 So, you know, the indication was in the earlier,
 20 they missed it by just a small percentage. It
 21 actually dropped in 2017 to only 88 percent of the
 22 students assessing in that year. So we're seeing a
 23 consistent decline over time.
 24 I do want you to have that data in front
 25 of you. Unfortunately, those charts are not

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1 entirely --
 2 THE CHAIR: That's -- I could -- I looked
 3 at the wrong page.
 4 MS. POULOS: Yeah. Down at the very
 5 bottom, it says 16 of 692.
 6 THE CHAIR: Okay. Thank you.
 7 Also, in your renewal application, you --
 8 there's a chart with a percentage of students
 9 enrolling late by the school year. And there is an
 10 indication that they're performing 54 percent lower
 11 on the math assessment.
 12 How much after day one are you considering
 13 this? Because the statement is, "Students who
 14 enrolled after the first day." But is this -- do
 15 you have a benchmark for that?
 16 MS. ROMANCITA ARGUELLO: No. We -- I
 17 mean, I think what -- because we are continually
 18 enrolling, because we have to continue to enroll
 19 students until we meet our cap. So our enrollment
 20 is always going on. And we have large numbers right
 21 before the 40th-day count, and then we continue to
 22 enroll.
 23 So it's a continuous enrollment, because
 24 we have not met our enrollment cap.
 25 THE CHAIR: Right. But I'm addressing the

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1 statement that you made -- or -- students that
 2 enrolled after the first day are performing
 3 54 percent lower. And my question is, do we have
 4 any indication -- so if I enroll on day two, I'm
 5 still considered a student that enrolled after the
 6 first day of school in that 54 percent.
 7 MS. ROMANCITA ARGUELLO: That, I'm not
 8 sure about; but I could look into that.
 9 THE CHAIR: Okay. All right. And I'll
 10 turn it over to anyone else that wants to ask a
 11 question while I'm going through. Thank you.
 12 MR. MARK BOITANO: And, Madam Chair, if
 13 you don't mind --
 14 THE CHAIR: I'm sorry?
 15 MR. MARK BOITANO: -- on that one, to be
 16 particular, the biggest challenge we have -- and
 17 we've kind of discovered this in the last year --
 18 our enrollment cap is 2,000, and we're not at that
 19 cap. So we need to reduce the cap in our charter.
 20 The biggest problem we have right now is that we're
 21 enrolling people not just the first week, but a
 22 month or two or three into the school year. These
 23 are credit-deficient students. These are high-risk
 24 students. And these, in a major way, impact the
 25 data.

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1 Early on, early on, our population of
 2 students was a little bit different. So please keep
 3 that in mind. We need to reduce the number of our
 4 students.
 5 THE CHAIR: Okay. But you have not come
 6 forward with an amendment to reduce that cap;
 7 correct?
 8 MR. MARK BOITANO: Actually, Madam Chair,
 9 in our -- in our renewal contract, we did propose a
 10 reduced number.
 11 THE CHAIR: I'm sorry. And I'll just --
 12 and I'll just add my own two cents on that, that
 13 just about every school that we have deals with
 14 transitory populations; so -- and I'll -- before
 15 I --
 16 MR. MARK BOITANO: Madam Chair?
 17 THE CHAIR: You made a statement in your
 18 renewal application that a statistically significant
 19 relationship exists between students' household
 20 income level and test performance. And I'll also
 21 say that just about every charter school that we
 22 have and every school in New Mexico deals with
 23 poverty issues and economic issues, so that I don't
 24 find that that's, you know, particularly unique to
 25 your school. It is unique to -- to New Mexico.

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1 MR. MARK BOITANO: Right.
 2 THE CHAIR: But I'm trying to look for
 3 that amendment request.
 4 MR. MARK BOITANO: And, actually, I'm
 5 sorry, Madam Chair. You were right. We -- we
 6 proposed that in our response to the -- the PED's
 7 analysis. We did not propose that in our charter
 8 reapplication.
 9 THE CHAIR: Okay.
 10 MR. MARK BOITANO: But we are agreeable to
 11 that, and it's necessary.
 12 THE CHAIR: And I'm sure you are certainly
 13 well aware of this. As a public school, you can't
 14 say no. And that's -- you know, that's the --
 15 that's the hand every school is dealt. So I'll turn
 16 it over to Commissioner -- I'm sorry?
 17 MS. POULOS: Madam Chair, I do --
 18 THE CHAIR: I'm sorry.
 19 MS. POULOS: Sorry. I just want to make
 20 sure you understand, when the statement is made that
 21 those students that come in after the beginning of
 22 the year bring down our data, those students are not
 23 incorporated into proficiency or growth data. Only
 24 students that are with the school for the full
 25 academic year are incorporated in that data. I

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1 think that's really important to understand.
 2 THE CHAIR: Okay. Thank you for that
 3 clarification.
 4 Commissioner Peralta?
 5 COMMISSIONER PERALTA: Thank you,
 6 Madam Chair. I'm going to reference some bar graphs
 7 that are in our packet here that show Connections
 8 and your comparison of your school to other virtual
 9 schools that are similar to your -- to the
 10 curriculum.
 11 And so can you tell me why is it -- or
 12 speak to why is it that these schools, in general,
 13 overall, are outperforming Connections? And in your
 14 explanation, can you really make mention to your
 15 lowest performing students?
 16 MR. MARK BOITANO: So, Commissioner -- I'm
 17 sorry. What page --
 18 COMMISSIONER PERALTA: So I'm looking on
 19 Page 2 of 19 in our packet. Yeah. It's a bar
 20 graph. It's Chart 1. And it says, "New Mexico
 21 Connections Current Standing Points Compared to
 22 Similar Virtual Schools, 2014-2017."
 23 And in that graph, it indicates that those
 24 virtual schools, overall, are outperforming your
 25 school. And when I look at other graphs pertaining

1 to this topic, when we look at our Q1, our lowest
2 performing students, they're outperforming you each
3 of the last four years.

4 So can you speak to that, or any reason
5 why maybe you're not quite meeting the standards?

6 MR. MARK BOITANO: Commissioner Peralta,
7 we might -- actually, I might ask our vice -- one of
8 our vice principals to -- to answer that. But let
9 me clarify one thing. Blended schools and online
10 schools are different in concept than virtual
11 schools. And so some of the schools in this graph
12 here are virtual schools similar to New Mexico
13 Connections Academy. Others are blended schools or
14 online schools.

15 So we would say that this -- in terms of
16 the population we're being compared to, some are
17 similar; some are not. But in terms of the deep
18 data, I'll ask Craig Lacey [verbatim], one of our;
19 vice principals, to answer the data question.

20 MS. POULOS: Madam Chairwoman? I do want
21 to clarify. The one I don't know about is Taos
22 Cyber Magnet. But eCADEMY is a full-time virtual
23 school. New Mexico Virtual Academy is a full-time
24 virtual school. Pecos Connections is a full-time
25 virtual school. So at least three of those are.

1 COMMISSIONER PERALTA: So you
2 referenced -- and it's been mentioned that the
3 population of students in your academy has increased
4 at a significant rate. Is that -- is the reason
5 because you want to try to get to your cap as soon
6 as possible? Or is it -- what is the reason why you
7 let that really expedite as it did?

8 MR. CRAIG LOCKWOOD: No. I mean,
9 obviously, we would like to reach our cap, because
10 that would help us to stabilize our population and
11 also focus more on student achievement, because we
12 won't be consistently growing. But that was not our
13 intent is not to reach our cap as quickly as
14 possible.

15 We've just become a school of choice that
16 is very popular amongst the students in New Mexico
17 because of the services that we provide to those
18 students. And so they come to us because they have
19 a specific need that we can cater to and, therefore,
20 we're seeing a large growth of population.

21 COMMISSIONER PERALTA: Now, since you
22 mentioned, also, too, that these other schools --
23 and I think Ms. Poulos had mentioned only one school
24 was a blended school; the others weren't. But even
25 then, being the one blended school did show that

1 We'll get information for you on Taos.

2 MR. CRAIG LOCKWOOD: Thank you,
3 Commissioner. I would like to reference your
4 question. One, I was going to reference that many
5 of the models here that we're compared to are
6 blended models, which do have that in-person
7 component, which does make a difference in student
8 performance.

9 And another reason we're probably seeing a
10 decline in our performance is due to our vast growth
11 in our student population. We have grown
12 significantly very quickly, which has caused us to
13 have to incorporate new teachers midyear, midstream.

14 We've got -- when you have growth like
15 that, it's very difficult to be able to put together
16 the resources needed to focus on and improve that
17 achievement. So we've -- we've been encountering
18 many challenges over the years because of the vast
19 growth. And so I think that in comparison to these
20 schools that have a more consistent population, it
21 could bear to those bar graphs there.

22 COMMISSIONER PERALTA: So -- I'm sorry,
23 Ms. Fox. I would like to address the subject he
24 spoke to.

25 MS. FOX: Sorry.

1 they were outperforming Connections. Wouldn't a
2 blended model be something you guys might consider,
3 being the fact that we're seeing a blended virtual
4 academy having some success -- more success than
5 Connections?

6 MR. CRAIG LOCKWOOD: Perhaps that would be
7 something that we could consider, yes. Obviously,
8 we have to have conversations with our board, as
9 well as negotiations with you all in that direction.

10 COMMISSIONER PERALTA: Thank you. No
11 further questions.

12 MS. FOX: And that would --

13 THE CHAIR: Commissioner Crone?

14 COMMISSIONER CRONE: Sir, you -- would you
15 mind repeating what you said about why a blended
16 school performs better, what element?

17 MR. CRAIG LOCKWOOD: I was referencing
18 the -- the element of the in-person component.

19 COMMISSIONER CRONE: Thank you. No more
20 questions right now.

21 COMMISSIONER CABALLERO: Madam Chair?

22 THE CHAIR: I just need a little
23 clarification, because I think I've become confused
24 here, because I hear, on one hand, that you're
25 trying to reach a cap; and then I hear another that

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1 we're looking at maybe reducing your cap. So I'm
 2 not exactly sure what direction the school is
 3 looking to go on.
 4 Are you looking to reach your cap? Or are
 5 you looking to reduce that cap? And if you are
 6 looking to reduce that cap, then my question is, how
 7 do you select what students you're not going to
 8 bring back?
 9 MR. MARK BOITANO: Well, yeah, Madam --
 10 Madam Chair, that's a very, very good question.
 11 THE CHAIR: Thank you.
 12 MR. MARK BOITANO: Because once any
 13 charter school reaches its enrollment cap, they have
 14 a lottery system. And, of course, we can't
 15 discriminate based on any measures whatsoever.
 16 However, what we've learned in our system is the
 17 commitment to the system. The number one reason why
 18 students disenroll is because they don't understand
 19 the system and the commitment that is necessary on
 20 the part of the student and the learning coach.
 21 The number one reason why people disenroll
 22 is they say, "You know what? Actually, it's a
 23 mismatch for us."
 24 So we need to clarify the system. And
 25 we -- we hope we can discriminate based on the

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1 commitment to the system; not on race, household
 2 income, class, any of those things, when we -- when
 3 we are on the lottery system. And I know other --
 4 you know, other charter schools have created some
 5 kind of filters to screen their students prior to --
 6 prior to enrolling in the schools.
 7 THE CHAIR: And I have to correct you here
 8 and -- that is not the case, that there's no --
 9 COMMISSIONER CABALLERO: That shouldn't
 10 happen, Madam Chair. But it does.
 11 THE CHAIR: I don't want to say that's
 12 happening. And if it is happening, it shouldn't be
 13 happening.
 14 This is a public school; so there's no
 15 filters that should exist for a student -- the only
 16 filter allows a sibling to -- preference. But
 17 otherwise, there -- you know, we struggle with
 18 arts-integrated schools that have a population of
 19 students that aren't artistic; so -- and it was
 20 unanticipated or whatever.
 21 But there aren't filters that -- that
 22 would pull someone out of that lottery. So I -- you
 23 know, I will strongly disagree with that statement
 24 and any statement that uses the word
 25 "discriminate."

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1 MR. MARK BOITANO: You're right. You're
 2 right.
 3 You're right, Madam Chair. And, you know,
 4 of course, if there's a teacher -- you know,
 5 teachers' children, as well. As well, siblings and
 6 the children of teachers. Some schools require the
 7 enrollees to say, "We will test." I mean, is that
 8 not an appropriate filter to apply to any
 9 prospective charter school student? I mean, there
 10 are filters like that.
 11 And it's the wrong word. I'm sorry.
 12 You're right. It's the wrong word. But I think
 13 there are filters that we can apply that are
 14 necessary. And that's what we're talking about.
 15 COMMISSIONER ARMBRUSTER: Madam Chair?
 16 THE CHAIR: Commissioner Armbruster.
 17 COMMISSIONER ARMBRUSTER: It's, like, an
 18 overwhelming amount of things I want to say. But
 19 just to address this one really quickly, I don't
 20 think any school, any public school, which charters
 21 are public, as well as traditional public schools,
 22 get to choose whether you can't come in my school
 23 unless you agree to test. I mean, that's true of
 24 all the schools. And there are many parents who
 25 don't want their kids tested; I understand that.

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1 But that's the situation.
 2 On the positive side, I think a number of
 3 what you've done -- and I have read the letters; I
 4 did -- well, e-mails from the people who wrote me.
 5 And as a special ed -- former special ed teacher, I
 6 get that. I see there's a number of reasons why
 7 things are.
 8 But as a Public Education Commissioner, I
 9 believe my duty is to look at all children,
 10 regardless of where they are, whether they're in
 11 your school or any of the other 60-or-so charter
 12 schools that are licensed under the State. And I
 13 have to look at how they are. It doesn't matter
 14 when they come into school, when they -- because
 15 they're not counted in that year's growth, anyway.
 16 But when I see the lowest quartile of
 17 kids -- and I'm not talking about your grade; I'm
 18 not talking about the grade which is lowered. I
 19 understand because of less than 95 percent of your
 20 students taking the test. I'm not referring to
 21 those. I'm referring to subgroups. And they're
 22 still "D"s and "F"s on your lowest and highest
 23 performing students.
 24 That being said, my comment about I have
 25 to look at all students is really important. I

1 absolutely know that for some students, this is the
2 best opportunity. This is the best challenge. This
3 is the most rigorous, which is the best ever for
4 them. I do understand that. And I applaud that.
5 And thank you.

6 At the same time, I can't just look at you
7 guys. I have to look at every child. And if you're
8 not serving every child in that way, then it's just
9 like every other school, period. And that's --
10 makes it very difficult. It does.

11 When you were looking -- you know, these
12 scores are compared -- these ones on these little
13 report cards, they're compared to every other child
14 who had exactly the same score for the last two
15 years as your children had -- I call them
16 "children" -- students -- had. So somehow, whatever
17 it is that you're able to do, which is fabulous for
18 some, isn't fabulous for enough students, because
19 they're not making the grade. They're not
20 progressing as the way that -- that we would expect
21 them to do.

22 This is just, to me -- if I just hold this
23 up, this could be any school at all. This happens
24 to be yours; but it doesn't matter. My feelings are
25 the same. And trust me, there's a written record of

1 COMMISSIONER CABALLERO: I did, too. And
2 I found a list of teachers. I didn't count them. I
3 just found them a little while ago. And I have the
4 same question that the Commissioner has.

5 THE CHAIR: Yeah. I wrote --

6 COMMISSIONER ARMBRUSTER: I apologize if
7 it's in my little notes. That's just why the
8 kids -- that's why I say I didn't find it. That's
9 why you didn't put it in.

10 COMMISSIONER CABALLERO: But the list is
11 not that big, if you have 1,800 students.

12 MS. ROMANCITA ARGUELLO: The list that you
13 are referring to is the list of the letters that the
14 teachers have written of support. And not every
15 teacher wrote a letter of support.

16 THE CHAIR: The list that came in the -- I
17 think the packet from today, that's the list of
18 teachers who there are support letters for.

19 COMMISSIONER CABALLERO: Okay. So --
20 so -- all right. I interpreted it to be all
21 teachers wrote it.

22 THE CHAIR: So do we have just a general
23 sense of what the student-teacher ratio is?

24 MS. ROMANCITA ARGUELLO: Our elementary,
25 we follow -- they run a little bit higher than a

1 this -- regarding lowest profile, lowest quartile
2 students.

3 The other thing I wanted to ask was, in a
4 sense, when you talk about -- and I'll use the word
5 "discrimination," again; I'm not sure it's the right
6 word -- but you're talking about people who have to
7 be in a home-schooled -- in a home with a -- on a
8 virtual school, you have to have another coach
9 there. So in a sense, that is a sort of a qualifier
10 for a lottery. You can't leave ten year-olds in the
11 home by themselves. That's by State law. So in a
12 sense, that is a qualifier.

13 And I'm not exactly sure I'm using exactly
14 the same words. I will ask for your forgiveness.
15 But I think you know what I'm talking about.

16 I do have a couple of just quick
17 questions. So what is the teacher-pupil ratio?

18 And I might say, it might be in these
19 4,000 pages I have here.

20 MS. ROMANCITA ARGUELLO: It is in there.

21 COMMISSIONER ARMBRUSTER: Okay. Then I
22 will bear -- I will ask forgiveness, because I've
23 been reading a lot, and I don't know.

24 THE CHAIR: Yeah. And I looked quickly
25 for it through the renewal application.

1 traditional school does, a brick-and-mortar school.

2 Our special ed does have to follow the FTE
3 caseload. We didn't have to put any waivers in last
4 year for special ed, because we had -- the caseloads
5 were managed in that way.

6 High school does run a little bit higher
7 than a traditional brick-and-mortar because of the
8 virtual; but they're able to do it because of the
9 virtual platform. You're not trying to fit kids in
10 a classroom; it's virtual, so you can have more.

11 But the caseloads as far as for grading
12 and everything like that, the caseloads are not
13 unmanageable for teachers.

14 COMMISSIONER ARMBRUSTER: I will say I'm
15 not positive, again, of how many students you can
16 have. But let's say an elementary -- I'll just use
17 the word 30. I'm not sure you can actually have
18 that many in an elementary classroom. But you're
19 starting with fourth. You're not starting with
20 kindergarten. What would yours be?

21 MS. ROMANCITA ARGUELLO: Ours would
22 probably be -- in our fourth grade, we have probably
23 about 50 students. And we have one teacher -- or
24 two teachers and one special ed teacher for the
25 grade level.

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1 And I wanted to go back to the other
 2 question about, you know, our students' decline, our
 3 Q1 students and our Q4 students. But if you look at
 4 the -- you know, the majority of our students that
 5 come in to us are new. But if we have them for, you
 6 know, two years in a row, they exceed, and they --
 7 they excel, and their scores come up dramatically in
 8 reading and math.
 9 The thing is, is our mobility rate is
 10 quite high. And we know it's -- it's one of the
 11 highest in the state, and because we get families
 12 that are not ready to, you know, make this virtual
 13 transition to us, they're not prepared, they don't
 14 have the background, they struggle, our -- you know,
 15 our curriculum is rigorous.
 16 And unfortunately, they do, you know,
 17 become truant. And we do have -- you know, and
 18 that's why our mobility rate is quite high; because
 19 we do follow the truancy policy. And we have to
 20 withdraw students after we go through all the
 21 measures of truancy. And that's one of the reasons
 22 why we don't --
 23 THE CHAIR: Can I interrupt you for just a
 24 second? I have a question on the truancy policy, as
 25 long as you brought it up. Because you mentioned in

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1 your renewal application that you hold truancy
 2 conferences. Are those conferences held in-person,
 3 or are they online?
 4 MS. ROMANCITA ARGUELLO: They are held
 5 teleconference.
 6 THE CHAIR: Teleconference. Are they done
 7 in the home language, if necessary?
 8 MS. ROMANCITA ARGUELLO: If necessary,
 9 yes, they are. We have translators.
 10 COMMISSIONER ARMBRUSTER: I noticed --
 11 THE CHAIR: I had that open to that page;
 12 so...
 13 COMMISSIONER ARMBRUSTER: That's fine. So
 14 I noticed that one of the governing board, I
 15 think -- I noticed this -- is in Ohio? One of the
 16 governing board?
 17 MS. ROMANCITA ARGUELLO: No, we don't have
 18 any governing boards in Ohio, board members.
 19 COMMISSIONER ARMBRUSTER: So your people
 20 are all here?
 21 MS. ROMANCITA ARGUELLO: Yes, our
 22 governing board is all local.
 23 COMMISSIONER ARMBRUSTER: And "local"
 24 meaning where is local?
 25 MS. ROMANCITA ARGUELLO: New Mexico.

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1 MS. POULOS: Madam Chairwoman,
 2 Commissioner, I think what Commissioner Armbruster
 3 is referencing is Page 155, where it lists an
 4 individual on this governing council contact list,
 5 the Connections Academy Director of Schools.
 6 COMMISSIONER ARMBRUSTER: Okay. That's
 7 what it was.
 8 THE CHAIR: Commissioner Robbins?
 9 COMMISSIONER ROBBINS: Thank you. I have
 10 some comments, and then I have a couple of
 11 questions, if that's okay --
 12 THE CHAIR: Sure.
 13 COMMISSIONER ROBBINS: -- to get
 14 perspective. And I've said this before. My
 15 daughter, we pulled her out of high school her last
 16 year and a half, her almost last two years, because
 17 of issues at the school with certain students. But
 18 we home-schooled her.
 19 But we didn't do what maybe would be the
 20 traditional home-school, where we used textbooks and
 21 things like that. She used an online program. And
 22 we had to stay on top of it and everything, because
 23 the program did require -- this is 16 years ago --
 24 it required weekly log-ins, and they were monitoring
 25 and things like that.

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1 She got her GED. She went to college, got
 2 an associate's degree and was a Registered Nurse,
 3 and came out of school earning about double the
 4 average salary in New Mexico. So I'm very proud of
 5 her. And the fact that she did use an online helped
 6 her accomplish that.
 7 And -- you know. So I think the online
 8 does provide a very clear, different approach. I
 9 think the comments that we've had about the rigor
 10 that this school has in its courses, I think, speaks
 11 also to some of the students maybe not performing as
 12 well.
 13 I think students -- a lot of students
 14 think that, you know, an online class, "Hey, it's
 15 going to be real easy. It's real simple. I'm going
 16 to get into this." And they find out that no, it's
 17 not. It's actually harder. That's one thing I have
 18 found with a lot of -- you can have very simple,
 19 easy online programs, and you can have very
 20 difficult ones. And I applaud Connections Academy
 21 for the rigor that they have in their courses.
 22 (Applause.)
 23 COMMISSIONER ROBBINS: The rural
 24 connectivity is something you definitely have to
 25 work on, because, again with not -- regardless of

<p style="text-align: right;">Page 340</p> <p>1 whatever your cap happens to be, you're going to 2 have issues like who do you select, who do you not 3 select, and how do you meet the needs of those 4 individuals in the rural areas? So I urge you to 5 continue to work on that and everything. 6 With regard to the testing of the 7 students, I'm not aware of anything that Connections 8 Academy did to discourage students from taking the 9 testing. Unlike one of the larger school districts 10 in New Mexico that actually actively put together 11 packages to show their parents how they could not 12 take the tests -- and I'm not aware that Connections 13 Academy or any of the charter schools that we 14 oversee have done that. And I think that the fact 15 that students take an online school; they believe 16 that the testing may not be necessary. 17 When they get into the rigor, and they 18 understand the rigor, they may not have that. Also, 19 the type of students that New Mexico Connections has 20 with regard to income and diversity may not be any 21 different; but usually, people who take on classes, 22 they've either dropped out -- my experience, they've 23 dropped out of school, or they have socioeconomic 24 situations where they can't go to a 9:00-to-3:00 25 type of school. They need schooling either later or</p>	<p style="text-align: right;">Page 342</p> <p>1 that I think you could encourage and possibly use to 2 where the students and the parents of your students 3 are actually signing an agreement. That doesn't 4 discriminate upon anybody. It just -- these are the 5 terms and the issues, that you agree you will take 6 the test, and you will agree you will abide by the 7 requirements that New Mexico Connections Academy has 8 with regard to the requirements that PED or the PEC 9 is placing upon you. 10 And I think that has to be communicated, 11 because I think, as, you know, Chair Gipson said, 12 testing is here. The school grading is here. And 13 we may not like it; but it is State law. 14 Also, in regard to the testing, the two 15 "F" grades were because you didn't meet the number 16 of students taking the test. Again, I personally 17 don't want to hold a school responsible when the 18 parents and/or the students don't take seriously 19 their education, and they don't take the tests. 20 Those students that are -- I mean, there is 21 performance; there is improvement. It's not as good 22 as what some of the other virtual schools have, so 23 you need to work on that. 24 But I think the attendance here, the fact 25 that it does receive very high satisfaction from</p>
<p style="text-align: right;">Page 341</p> <p>1 earlier, because they're required to take care of 2 children or actually have a job to where they don't 3 meet the -- the norm of a traditional school. 4 With that, the differences in performance 5 and things between New Mexico Connections Academy 6 and some of the other online schools is a concern. 7 And I think New Mexico Connections has to address 8 that. They have been extremely aggressive in 9 advertising seeking students. And I think you need 10 to -- your communication, rather than, "This is an 11 easy thing, and your children are going to -- 12 everyone's going to excel," maybe needs to be toned 13 down; because I think it sends the wrong message. 14 And some students come into the school with higher 15 expectations than the reality, that they think that 16 maybe this is going to be easier than what they had, 17 when actually it's harder. 18 You know, magnet schools are able to 19 discriminate. And I'll use that term, because they 20 have a set purpose, and the attendees have to agree 21 to the purpose. 22 In Albuquerque, The Family School, it is 23 blended between in-school and home-school. And the 24 parents have to agree to that with a contract. They 25 actually sign a contract that would be something</p>	<p style="text-align: right;">Page 343</p> <p>1 most of its students and the parents of those 2 students, I think bodes very well for the school. 3 (Applause.) 4 COMMISSIONER ROBBINS: But you do have a 5 ladder to climb. So, you know -- and to go with 6 Chair Gipson, when she said there's a conflict here, 7 "We're going to lower the cap," "We're going to 8 increase the cap," aggressive advertising says 9 you're trying to get to that cap as quickly as 10 possible. So maybe that has to -- I'll reiterate. 11 That message needs to be honed to where you really 12 are communicating what you intend, rather than just 13 increasing numbers. We don't want any school to be 14 looked at, especially innovative schools to be -- 15 without being disparaging to a big-box store, we 16 don't want them to be considered a Walmart of 17 education. Thank you. 18 (Applause.) 19 COMMISSIONER TOULOUSE: Madam Chair, I 20 wasn't sure whether I was going to say anything or 21 not. But I have a couple of concerns. Then I have 22 a question. 23 One of my concerns from the beginning -- I 24 was not on the Commission when there was the 25 original vote on this school. I was on the</p>

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1 Commission when I was compelled by the court to vote
 2 to open.
 3 I separate that feeling -- because I was
 4 new -- from my feeling today. But I have not heard
 5 any explanations from you that I do not hear from
 6 every other school that comes in. We have a lot of
 7 our charter schools, especially the ones, the high
 8 schools and for the career-technical schools, where
 9 they have the same kind of churning over and over
 10 and people dropping in and coming out. They're
 11 still held responsible.
 12 I have a problem when I see a national
 13 Connections Academy listing that includes your
 14 school when our State law says there will be no
 15 for-profit schools in the state.
 16 Now, I understand it's their curriculum,
 17 that you have your local nonprofit. But it looks
 18 like it's a sham to me. But, again, that part is
 19 covered. I can't look there. That's a comment,
 20 that when I see, on the national Connections
 21 listing, this Connections Academy is one of their
 22 schools, it gives the impression to people that it's
 23 part of a for-profit chain.
 24 I have concerns that I haven't heard you
 25 say one thing about following on your students who

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1 question, so, yes, we do -- when a family enrolls
 2 with us, the first thing they get is called a
 3 "welcome call." With that, we explain what their
 4 requirements are. And it's all -- and we always
 5 throw in the testing participation. They're
 6 required to come to State testing.
 7 We let them know there's required to be a
 8 learning coach. And, yes, we do note that they are
 9 home-schooled, because when they enroll their
 10 options, they have to let us know where they come
 11 from; because we always have to request records.
 12 And if they are home-schooled, well, then the
 13 parents have to fill out the record and show us
 14 their home-schooling courses that they took.
 15 And especially for the high school, we
 16 have to give them -- make sure that the credit is
 17 there for them, or they got credit to be able to
 18 graduate.
 19 So we do do that for them once they
 20 enroll. And there is, for families, for students,
 21 they have an on-boarding course that they have to
 22 take that explains all the system to them, and also
 23 the learning coaches have one, as well, that they
 24 take training to learn the platform and what their
 25 requirements are to participate. But we do let them

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1 drop out to see why they dropped out, if they showed
 2 up somewhere else, what they did. We do have that
 3 problem with other schools; but many of them try to
 4 track that. And we do get information from them.
 5 But the question I have, I want to go back
 6 when you mentioned generally that maybe it was
 7 home-schoolers that didn't. When you have a
 8 home-schooler family who comes in and wants to
 9 enroll, is there an education process that's done
 10 with them that they are now in a public school?
 11 Because I also find that, not just your
 12 school -- many of the virtual schools -- have taken
 13 a segment of the population that was not getting any
 14 State money and put it into the State money pool,
 15 which is reducing money. And that's fine. They're
 16 New Mexico students.
 17 But I need to know that those
 18 home-schooling families clearly understand they are
 19 now not on their own doing their own home-schooling,
 20 that they are now a part of the New Mexico public
 21 school system.
 22 So how do you integrate those people in or
 23 explain it to them when they come in? Or do you
 24 even know they were home-schooling families?
 25 MS. ROMANCITA ARGUELLO: To address your

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1 know, you know, "We're not a home school. You are
 2 in the home; but it is a public charter school."
 3 COMMISSIONER TOULOUSE: I mean, I know,
 4 with what Mr. Robbins said, I have two grandsons
 5 that are sixth grade this year. They were both in
 6 charter schools last year. One of them is now in a
 7 mid-school in APS. But one of them has taken PARCC
 8 all along. And he has an IEP, and it has not been
 9 easy for him.
 10 One of them, my daughter was absolutely
 11 opposed to the test, so she opted her son out. He
 12 was threatened in his charter school by his
 13 principal that if he didn't convince his mother to
 14 let him take the test, he would be the one kid in
 15 school who wouldn't take it. Then he would be the
 16 one kid in school who didn't take it, and then there
 17 wouldn't be a pizza party for the whole school, and
 18 how could he live with that.
 19 Turned out that the same speech was given
 20 to a couple of the other kids, one of whose mother
 21 was a district judge in Albuquerque, and that kind
 22 of got stopped in a hurry.
 23 I know there are reasons. I probably
 24 would have, at least the first year, until I knew
 25 how the test went, opted my kids out, because I

<p style="text-align: right;">Page 348</p> <p>1 think it was imposed in a way that wasn't fair to 2 anybody in this state, and I had questions about who 3 was getting money from it. As the test went on, I 4 said, "Go ahead and take the test." 5 My grandson begged to take the test 6 because he had fun taking the pretests. This year 7 he's going to be allowed to take it. She gave up. 8 I also understand the philosophy behind 9 that. I just need to know that the parents 10 understand the options. His school was not in any 11 danger of not meeting the 95 percent. And I have a 12 feeling that probably that principal is glad he's -- 13 my daughter is not there. I think my grandson is 14 okay. 15 But, you know, I just -- I think there are 16 so many questions that come with testing. But at 17 some point, we all have to adapt. That's why I'm 18 glad he's going to take it this year. And I have a 19 third-grader who will take it for the first time 20 this year. And my one with the IEP hopes he'll be 21 able to take it without the reader this year. He 22 insists he can read well enough. He's very severely 23 dyslexic. But it was no fun last year having to 24 wait. 25 But I just think that testing, when you</p>	<p style="text-align: right;">Page 350</p> <p>1 THE CHAIR: Commissioner Caballero? 2 COMMISSIONER CABALLERO: Yes. I know you 3 have a long list of Commissioners, and I'm willing 4 to wait. 5 But I am concerned about the percentage of 6 testing, primarily because it is a virtual school. 7 And what -- do you know what the problem has been in 8 getting those numbers up to what the State requires 9 to be a good testing number? 10 MS. ROMANCITA ARGUELLO: We've run into 11 several different issues. As far as parents 12 saying -- you know, opting out, and we tell them, 13 "There is no opt-out. You have to take the test. 14 There is no" -- and we go -- you know, take extreme 15 circumstances, you know, to meet their needs. 16 I mean, we were testing out in front of 17 houses. We did one-on-one. We had computers in the 18 office. We've done everything that we can to get it 19 through to our parents that it is very important, 20 and we make sure that these testing sites, we -- you 21 know, we've done this, you know, several years now. 22 I think we've learned from the years past, as we've 23 done this, what we need to do. 24 I -- we go in and test individuals -- you 25 know, the anxiety levels of students, when they do</p>
<p style="text-align: right;">Page 349</p> <p>1 have to do it, you have to do it. And I hope that 2 gets across. 3 I also want to say to the audience and 4 all, some of you were here yesterday. I know 5 Mr. Boitano was here yesterday. There isn't a 6 school, whether we continue it or close it, there 7 hasn't been in the five years that doesn't have a 8 large number of people who are satisfied and whose 9 kids are satisfied. We've had very large audiences. 10 This room was completely packed more than once just 11 this past year on some actions. 12 It isn't that we make a decision one way 13 or another. We're glad to see you. But everybody 14 comes because they're happy. They want it. And I 15 understand that. But we hear it from every single 16 school. And we have to use the same standards on 17 every school we go on. And we have not yet allowed 18 a school to continue on promises of what they're 19 going to do in the future; it's based on what has 20 been done in the terms of the past contract. 21 I just need people to understand that; 22 because the future isn't here. We can't judge 23 things that haven't happened yet. And you need to 24 understand that, however it goes. 25 So thank you very much.</p>	<p style="text-align: right;">Page 351</p> <p>1 have this, we also help them with getting a medical 2 exemption from the test. So we've done everything 3 that we can. 4 But we have a whole committee. And Craig 5 is our -- our testing rep for the school that has 6 put all this together, and I'll let him speak to -- 7 MS. FOX: And, Madam Chair and 8 Commissioner Caballero, I just wanted to point out 9 and jump on something that Commissioner Robbins 10 says. It certainly doesn't help any of the charter 11 schools when their district is putting out the, 12 quote, unquote, knowledge that parents can opt out, 13 which it had done for years and years, until the PED 14 finally jumped in, maybe just over a year ago, with 15 its own legal opinion telling parents and districts 16 it could no longer do this. 17 So, you know, not just this charter 18 school, but all charters and, indeed, probably all 19 schools in the state were having to overcome that 20 hurdle. And, you know, all charter schools are 21 hopeful, now that the PED has finally come out and 22 said, "You cannot opt out," that that will help 23 address the problem. Again, it's going to take a 24 little bit more time and individual efforts by all 25 of these schools.</p>

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1 MR. CRAIG LOCKWOOD: And to address some
 2 of the challenges that we have with meeting the
 3 95 percent, I think one of the challenges is we
 4 don't necessarily have a captive audience of
 5 students, like a traditional brick-and-mortar school
 6 would. Those students report to the building, and
 7 testing that week or the next week is just a part of
 8 the regular school day.
 9 Our student population, obviously, they do
 10 their instruction from home and are required to come
 11 to a site to take that test. And a lot of our
 12 students are not socially comfortable in that
 13 particular setting. And also, too, over the years,
 14 we've faced many challenges with the number of staff
 15 that we have to administer the testing, considering
 16 the size of the state and the number of students.
 17 So, obviously, our percentages were higher
 18 on the onset of the school being started because our
 19 student population was smaller. Granted, it did
 20 take a lot of work on the teachers' part to make
 21 that participation get to a level of what we thought
 22 was acceptable at the time; although, it wasn't the
 23 95 percent. And it took teachers away from
 24 instructional time. It definitely did.
 25 As we've grown, we've increased with

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1 you do as part of that plan, to fulfill it? My
 2 understanding, no matter if it's virtual or not,
 3 50 students per teacher, they don't even require
 4 that at the university.
 5 MR. MARK BOITANO: Commissioner Caballero,
 6 you know, I want to remind the Commission that
 7 charters -- charters are waived from the class load
 8 requirement. So I think it's important -- I think
 9 it's important.
 10 THE CHAIR: If you can get a little closer
 11 to the mic? Thank you.
 12 MR. MARK BOITANO: One of the things I've
 13 seen over the years is that we try to make charters
 14 like traditional schools. So we have a class load
 15 requirement in traditional schools. Well, that
 16 waiver -- it's an automatic waiver that charters are
 17 given.
 18 And even the Legislature, many years ago,
 19 when there were budget restrictions, if you
 20 remember, what the Legislature did is they looked at
 21 charters and said, "Actually, even though
 22 traditional schools have student-teacher ratios, and
 23 they have a class load requirement, we can waive
 24 schools of that requirement because of our budgetary
 25 restrictions."

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1 students, and we've also increased with staff, which
 2 has made getting to some of the more rural areas in
 3 the state more feasible. But at the same time,
 4 getting those students to come to the site would be
 5 the main challenge that we face for not reaching the
 6 95 percent.
 7 COMMISSIONER CABALLERO: The follow-up
 8 question to that is, do you have enough teachers to
 9 handle -- I mean, you asked for a contract of 2,000
 10 students. And so the -- you knew that that's a high
 11 number.
 12 Plans had to be made to deal with that as
 13 the school grew. Every charter school has that
 14 challenge. What has -- what is the impediment in
 15 your situation to be able to -- to staff? From what
 16 I heard is that each teacher has at least a ratio of
 17 50 students per teacher, and it may be more.
 18 1,800 students is a lot of students.
 19 MR. CRAIG LOCKWOOD: Could you -- I'm not
 20 sure exactly what your question is. I'm sorry.
 21 THE CHAIR: Could you put a question mark
 22 on that?
 23 COMMISSIONER CABALLERO: The question is,
 24 how did you plan to obtain the necessary teachers in
 25 order to take care of 2,000 students? And what did

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1 So they took some of the innovations that
 2 the charter movement have made and they applied it
 3 to the traditional system. So I think it's
 4 important for us to remember that we're trying to do
 5 things differently and innovative. And even though
 6 traditional schools have that required
 7 teacher-student ratio, charters are waived from that
 8 requirement.
 9 COMMISSIONER CABALLERO: And I understand
 10 that. But I still haven't heard a clear number as
 11 to what is your ratio of teacher to student, other
 12 than they can handle it. And, again, 1,800 students
 13 is a lot of students. What's -- how many teachers
 14 do you have in the virtual classroom, per teacher?
 15 MR. CRAIG LOCKWOOD: If you look at the
 16 number of students per teacher, on average, with the
 17 school of 1,800 and the number of teachers we have,
 18 which is just over 50, that averages out to
 19 36 students per teacher.
 20 Now, how the teachers are assigned
 21 students for particular courses is actually based
 22 off of a mathematical formula that has been
 23 developed to determine a workload coefficient. And
 24 so we look at the type of course it is -- because,
 25 obviously, an English course, a teacher would not be

1 able to accommodate as many students as, say, a PE
2 course would be able to.

3 So the workload coefficient goes into play
4 as far as what the course curriculum is and how many
5 students the teacher is taking on. From there, we
6 get an inputted number that we can gauge whether or
7 not the number of students per teacher is an
8 adequate level for them to be able to service
9 appropriately.

10 So the number of students per teacher
11 somewhat varies between subject matter. So English
12 and math are obviously going to have lower numbers.
13 Elementary courses are going to have lower numbers.
14 But then as you get into your elective courses,
15 those student numbers to teachers are going to
16 increase slightly.

17 COMMISSIONER CABALLERO: The other --
18 Madam Chair -- the other -- I'm very curious. I was
19 invited to -- to start a charter school. And I got
20 involved because of my many years as a teacher. And
21 I learned, after several meetings, that it was going
22 to be just a virtual school.

23 And I had a lot of questions. And -- but
24 one of the very glaring things was that the
25 software, the use of the software, was going to be

1 need to break even? Because it was going to be
2 very, very expensive tapping into this national
3 software company, the developers of all that content
4 and all of that.

5 So my question is, do you -- are you
6 facing that kind of challenge in the school? What
7 is your cost per student to pay out for your
8 software?

9 MR. MARK BOITANO: Commissioner Caballero,
10 that's a -- that's a good question. And, you know,
11 the thing is, you mentioned -- you mentioned the
12 cost of virtual -- cutting-edge virtual education.
13 It's costly. The districts don't have the budget to
14 do that.

15 So we've actually put -- we've gone to bid
16 twice now on that -- on a multitude of services,
17 including the bundled services that
18 Connections/Pearson offers. And so we've surveyed
19 the national -- we've surveyed the New Mexico
20 marketplace, and we've surveyed the national
21 marketplace through two RFPs.

22 There are very few vendors that are able
23 to provide those kinds of services. We didn't find
24 a vendor in New Mexico that was able to provide the
25 bundled services that we need to deliver a quality

1 very, very expensive. And so I brought that up. I
2 said, 'Well, we're not going to spend that much
3 on -- on buildings and janitors, all that stuff.
4 But the software itself, has anybody put the pencil
5 to it? How much is that going to cost per student?'

6 And so the -- somebody did, and they
7 concluded that the numbers had to be very, very
8 high. And so I understand why 2,000. And so
9 everybody was into making a lot of money themselves.
10 And so here we are. We're all retired teachers.

11 And some of those folks, We're in the money.
12 We're -- and --

13 THE CHAIR: And he can sing, too.

14 COMMISSIONER CABALLERO: My friend said
15 that everybody was waiting for that.

16 And so I had a lot of reservations, and I
17 kept trying to bring the group back to that. And,
18 eventually, I was not invited back to continue
19 organizing that charter school.

20 And so -- and we did zero in on how much
21 per student it was going to cost. And once they
22 found that out, it -- their dream of making a lot of
23 money kind of fizzled.

24 And so I forced them to try and figure out
25 what was the break-even. How many students do you

1 product.

2 So that's one of the services that we've
3 purchased from Connections and Pearson. And, again,
4 you know, there really aren't that many companies
5 nationally that provide those kinds of services.
6 One is the virtual school up in -- in Farmington
7 has -- has a vendor that they use. The group down
8 in Pecos has a vendor that they use. It's the same
9 vendor, Connections/Pearson. But the marketplace
10 has told us what the cost is. And we select that
11 vendor and pay them on an annual basis.

12 THE CHAIR: Commissioner Conyers?

13 COMMISSIONER CONYERS: Thank you,
14 Madam Chair. Just a couple of comments and a
15 question, maybe.

16 I agree with Commissioner Robbins and some
17 of the others that your school does, you know, fill
18 a need, and that a lot of students benefit from
19 going there. And --

20 (Applause.)

21 COMMISSIONER CONYERS: -- however, I have
22 some questions on the audit here, that the CSD had
23 said that in FY '15, there were issues of
24 noncompliant mileage reimbursement, failure to
25 obtain dual signatures on checks, purchase orders

1 subject to vendor invoices. FY '16, three findings:
2 Lack of valid background check, overpaying for
3 travel reimbursement, unallowable reimbursement for
4 alcohol.

5 I don't know. I mean, to me, those are
6 things that most people that work in schools,
7 business managers and so on, should know.

8 So how did that happen? What -- can you
9 give me -- is it just somebody who wasn't paying
10 attention to detail or what?

11 MS. ROMANCITA ARGUELLO: Well, I do want
12 to answer part of this is in what -- two of the
13 years we had the same exact findings because the
14 audit didn't happen one year because PED had fired
15 their auditors. So when they did it the following
16 year, we had to do it for both years. So the same
17 findings were found the two years, because they were
18 done simultaneously. So that was one reason for
19 having those double findings.

20 I'll let our business manager also answer.

21 THE CHAIR: Can I just get a clarity?
22 Because my understanding was the audits were done.
23 They just hadn't been -- there were two years where
24 the audits were released in the same year for two
25 years, but that they were -- those audits had been

1 just -- we changed it, and it's different from other
2 entities. We get reimbursed at that rate, as well.
3 That's the State rate.

4 MS. JUSTINE VIGIL: So it was just -- it
5 was just -- we -- you know, charter schools
6 didn't -- they didn't know whether to fall under the
7 State rate, you know, the 80 percent State rate, or
8 the 100 percent IRS rate. So that's -- I mean,
9 every school got this same finding. It wasn't just
10 Connections.

11 THE CHAIR: I understand a lot of schools
12 got that finding. But the problem is I don't
13 understand, really, how -- because that was the
14 State reimbursement rate. And I know -- going back
15 to waivers, I think some charters believed that they
16 were waived from that. And I think that's where
17 there became a misunderstanding amongst the charter
18 community.

19 But it's -- you know, it's unfortunate.
20 We've found that finding with a lot of schools.
21 It's just why -- and, hopefully, we're not going to
22 in the future. And there's no use in debating.

23 MS. SUE FOX: Madam Chair, that 80 percent
24 interpretation was perfectly acceptable pursuant to
25 law. It's just that -- it's just that the PED took

1 conducted. Is that not --

2 MS. POULOS: Madam Chairwoman?

3 And you'll actually see there are
4 different audit findings between those two years;
5 because we were looking at the fiscal documentation
6 for those specific years. They were released late.

7 I think a lot of schools are indicating
8 that we didn't get the audit, so then we couldn't be
9 responsive to the findings; right? That's different
10 than the audit findings were the exact same thing
11 over two years. And I think that's important to
12 note.

13 THE CHAIR: Thank you.

14 MS. JUSTINE VIGIL: Hi. My name is
15 Justine Vigil. I'm the Business Manager for the
16 New Mexico Connections Academy. One of the audit
17 findings was with the mileage reimbursement, because
18 the PED had an issue with it being stated that
19 schools should be on an 80 percent of the IRS rate
20 rather than 100 percent. So that's the reason for
21 the -- the duplicate finding there.

22 THE CHAIR: And that was actually not the
23 PEC's policy; but that was PED that --

24 MS. POULOS: The State, yeah.

25 THE CHAIR: It's a State policy. That's

1 a different view. And the charter schools have
2 decided, in the interest of compliance, to comply
3 with what the PED wanted the charter schools to do.
4 But it's not that they were trying to get away with
5 anything. It had been legally analyzed and was
6 fully supportable under the law.

7 THE CHAIR: Thank you.

8 COMMISSIONER CONYERS: Okay. What about
9 some of the others? The alcohol or the background
10 checks, things like that?

11 MS. JUSTINE VIGIL: So with the alcohol,
12 that was just overlooked, a mistake that happened.
13 You know, we're human.

14 As far as the books, this school has been
15 clean on the books. They've never been in a
16 deficit. They do follow State statutes very well.
17 So they have no bad spending habits. You know,
18 they've done very well.

19 That was definitely an overlook on that
20 part of the background checks. We don't handle --
21 as a Business Manager, I don't handle the background
22 checks; so I can't speak to that.

23 MS. ROMANCITA ARGUELLO: And to address
24 the background check, one of the background checks
25 was asked for. We could not produce it because the

<p style="text-align: right;">Page 364</p> <p>1 employee no longer worked with us. So that was -- 2 that was that background check that they had asked 3 for. 4 COMMISSIONER CONYERS: Okay. And purchase 5 orders prepared subsequent to vendor invoice dates? 6 MS. JUSTINE VIGIL: Again, the school does 7 know that that is a rule and an internal control 8 that's been put in place. That, again, was when the 9 school first started, trying to get new people to 10 follow this rule. That school has now been 11 perfectly, you know, good on that. There's no 12 findings. That was a one-time finding. 13 And, you know, I did go over it with the 14 staff and with the school on the procedures and the 15 purchasing process. So they know a requisition 16 needs to be put in place. A purchase order needs to 17 be put in place before anything is purchased. So 18 they've gotten good on that, and there's no problem 19 there anymore. 20 COMMISSIONER CONYERS: Okay. Yeah. I 21 worked as a principal many years. And I know 22 teachers tend to want to spend money and get 23 approval later. So I -- okay. Thank you. 24 THE CHAIR: Commissioner Robbins? 25 COMMISSIONER ROBBINS: One point I want to</p>	<p style="text-align: right;">Page 366</p> <p>1 You may have a computer that goes down. 2 You have to get someone that comes in immediately 3 and starts working on it; otherwise, students can't 4 access their lessons and things. So there may be 5 times when you have to get that done. Understanding 6 a small school -- and you're a large school -- but 7 having a centralized control should alleviate that. 8 But there should be processes in place where, when 9 there is a, quote, unquote, an emergency, that you 10 can have an exception, and we need to have a way for 11 the schools to not be -- have an audit finding 12 because of that. 13 THE CHAIR: Commissioner Toulouse? 14 COMMISSIONER TOULOUSE: Madam Chair, you 15 know, this is a comment I've wanted to make 16 sometimes in the past. But we have school after 17 school that says, "Well, the audits didn't come out, 18 so we couldn't fix it." 19 I -- you know, I worked 30 years in State 20 government. I had lots of exit conferences that 21 allowed me to fix stuff a year before that finding 22 came back and to be able to respond at that exit 23 conference with a written report. I think that's 24 something that schools need to understand they need 25 to do and respond to an exit conference and not wait</p>
<p style="text-align: right;">Page 365</p> <p>1 make out on purchase orders and purchasing something 2 without having a purchase order in place. Depending 3 upon what it was, if it was a non-urgent item, that 4 needs to be cracked down. But there will be times 5 when there is an emergency, and you have to get 6 something taken care of, and you don't have time to 7 go through the process, such as, in a physical 8 facility, a glass door breaking. You have to get it 9 fixed immediately; so you can't go and get your 10 three quotes and get everything done. 11 So the State Procurement Code does provide 12 a provision for State agencies for a CFO to issue to 13 the State Controller an after-the-fact letter 14 explaining why. So long as that has been approved 15 by the State Controller, then it is not a finding. 16 And I don't know if, with the charters, if 17 they have such a process in place that they can go 18 to PED after the fact, if they -- once they 19 recognize that something was done after the fact, 20 and explain that so that it can alleviate these 21 after-the-fact -- what I would call an 22 after-the-fact finding that shows up on these 23 audits; because, again, unintentional-type things 24 can happen. It's when you have an urgent need that 25 you have to get something done.</p>	<p style="text-align: right;">Page 367</p> <p>1 a couple of years. And then it's already in place 2 when your audit comes out, and your response is 3 there with that audit when it comes out. 4 And I just want to say I think there's 5 some people here who do training, too. They need to 6 look at that as a part of training; because I have 7 been surprised over and over -- and your school is 8 just the final one that sent me one over the edge to 9 say there are reasons for those exit conferences. 10 And one of them is to be able to fix stuff. And I 11 just think nobody's doing it. And it doesn't sound 12 like your school particularly did it, either. And, 13 I mean, nobody's to blame now. It's all over and 14 done with. 15 MS. JUSTINE VIGIL: We do have an exit 16 conference. And sometimes that doesn't happen till 17 November. The fiscal year has already started. So 18 sometimes we do make that same mistake. And that 19 might be the reason there's a repeat audit finding. 20 But we do meet with the audit committee monthly, 21 with our financial committee monthly, to go over 22 these situations. So we do get them cleared up. 23 And as you've seen, these audit findings have been 24 decreased every single year. 25 COMMISSIONER TOULOUSE: That's what I</p>

<p style="text-align: right;">Page 368</p> <p>1 would expect from any school. It bothers me when I 2 see them staying -- I mean, even if it isn't the 3 same one, but the same number of different ones all 4 the way through. 5 Because I was on the CNM Board for 6 12 years, and any group there will tell you they 7 hated coming into a Board meeting with audit 8 findings, because those were what sent me into 9 lectures. You know, we got a couple of them cleaned 10 up, simply because they didn't want to face me in a 11 Board meeting. 12 But I also -- I am concerned about that 13 alcohol one, because there's no way alcohol should 14 ever slip by, because that has been -- outside of 15 the Governor giving a New Year's Eve party out of 16 her discretionary funds, that is not something the 17 State has ever paid for. 18 And I started in State government back in 19 1969, you know. And so that's when it should never 20 slip through on anybody. And that, again, is a 21 comment, not a question. Thank you. 22 THE CHAIR: Commissioners, if we're 23 ready -- we're not? 24 Commissioner Johnston? 25 COMMISSIONER JOHNSTON: Thank you,</p>	<p style="text-align: right;">Page 370</p> <p>1 to with Connections/Pearson, could you purchase, as 2 a part of your vendor bundle, a diploma from their 3 virtual school? 4 MS. ROMANCITA ARGUELLO: No, no. They're 5 only a vendor. 6 COMMISSIONER JOHNSTON: But they are 7 unlike American School, which is a vendor, but does 8 offer a diploma. So within the 9 Connections/Pearson's program, this virtual school 10 has no option to offer a graduation diploma for a 11 student? Is that what I'm understanding? 12 MS. ROMANCITA ARGUELLO: Right. 13 COMMISSIONER JOHNSTON: They offer only 14 the curriculum items. And they must offer -- you 15 referred -- 16 MS. ROMANCITA ARGUELLO: We use -- we have 17 bundled services from Connections/Pearson, which 18 they -- it's our student information system that we 19 purchase from them; and our curriculum, we purchase 20 from them. And we do have some special ed services 21 that we do also purchase from them. 22 COMMISSIONER JOHNSTON: Are all of the 23 academic guidance areas then offered independently 24 of the Connections program? That is a program 25 you've developed within the school for students --</p>
<p style="text-align: right;">Page 369</p> <p>1 Madam Chair. Questions. And I'll try not to make 2 them rhetorical, I've been thinking about them so 3 long. So they may seem very basic. But what I'm 4 trying to do is get a response. 5 Connect -- is Connections/Pearson a 6 for-profit virtual program? 7 MS. SUE FOX: It's a for profit-company, 8 yes. 9 COMMISSIONER JOHNSTON: Thank you. In how 10 many states does Connections/Pearson operate? 11 MS. SUE FOX: Don't know the answer to 12 that question. 13 36? All right. I'm hearing, from the 14 gallery, 36. 15 COMMISSIONER JOHNSTON: Thank you. As a 16 part of Connections/Pearson's virtual program, do 17 they offer a high school diploma? 18 MS. ROMANCITA ARGUELLO: The State does. 19 So we have to abide by the State laws and through 20 our courses. Because we purchase -- so Pearson 21 Connections is our vendor. So we purchase their 22 curriculum, which we set up our courses based on 23 New Mexico -- so we do produce a high school diploma 24 using their curriculum. 25 COMMISSIONER JOHNSTON: But if you chose</p>	<p style="text-align: right;">Page 371</p> <p>1 MS. ROMANCITA ARGUELLO: Yes. 2 COMMISSIONER JOHNSTON: -- and the parent? 3 MS. ROMANCITA ARGUELLO: Yes. 4 COMMISSIONER JOHNSTON: The 5 Connections/Pearson's curricular options, are they 6 modifiable? 7 MS. ROMANCITA ARGUELLO: Yes, they are. 8 And our teachers have control of the curriculum. So 9 our teachers can modify the courses and the -- you 10 know, the tests. Whatever is in that class, they 11 have -- they are able to modify and adjust and -- 12 for students. 13 COMMISSIONER JOHNSTON: When a student 14 enrolls in New Mexico Corrections -- excuse me -- 15 Connections -- that's history speaking, folks -- 16 Connections Academy -- how is that student assigned 17 an academic adviser, that student and family? 18 MS. ROMANCITA ARGUELLO: Yes. They are -- 19 they are assigned their teacher. And in high 20 school, they'll have many teachers. But we have 21 advisory teachers per grade level. Elementary has 22 one advisory teacher. Middle school has an advisory 23 teacher. High school has an advisory teacher per 24 grade level. And then we have three counselors also 25 that are assigned, broken down by grade level, as</p>

<p style="text-align: right;">Page 372</p> <p>1 well. So they are assigned an advisory teacher, as 2 well.</p> <p>3 COMMISSIONER JOHNSTON: And you may not 4 know the answer to this. But if the cap for 5 New Mexico Connections Academy is 3,000 [verbatim], 6 that cap was probably established by the founders; 7 is that correct?</p> <p>8 MS. ROMANCITA ARGUELLO: Correct. That 9 was. It was 2,000, and it was set up when the 10 charter first opened.</p> <p>11 MS. SUE FOX: It was established by the 12 PEC.</p> <p>13 COMMISSIONER TOULOUSE: No, no, no. 14 COMMISSIONER JOHNSTON: By the founders. 15 But, anyway, do you know or have any information on 16 why that number or how that number was selected?</p> <p>17 MS. ROMANCITA ARGUELLO: I don't have any. 18 Mark may.</p> <p>19 MR. MARK BOITANO: Madam Chair, 20 Commissioner, I'm the founding board president. It 21 was kind of an arbitrary number based on populations 22 we've seen in other states. There was testimony 23 that Connections/Pearson is in other states. So 24 that was kind of a number that we used, a five-year 25 rollout at 500, 1,000, 1,250, 1,500, 2,000 students.</p>	<p style="text-align: right;">Page 374</p> <p>1 offered worldwide. It's the International 2 Connections Academy. But it is a tuition-based 3 school. And so if an individual wanted to utilize 4 the similar Connections curriculum that we utilize, 5 but not do it through a public setting, they could 6 pay tuition through the International Connections 7 Academy and complete the schooling through there, 8 and also obtain a diploma that way.</p> <p>9 Now, we're Connections Academy, which is a 10 public charter school that simply utilize the 11 educational management system provided by the 12 Connections/Pearson organization. And then from 13 there, students go through our program, follow 14 New Mexico State requirements for graduation, and 15 graduate with a New Mexico diploma.</p> <p>16 COMMISSIONER JOHNSTON: Thank you. And 17 that leads me back -- I think those are all of my 18 questions. That sort of leads me back -- it doesn't 19 sort of. It does lead me back to the beginning, 20 when Mr. Boitano said the goals of charter schools 21 are three at their inception: Autonomy and 22 accountability, choice, and innovation or 23 creativity.</p> <p>24 And my questioning, because while I have 25 absolutely confidence in the Connections/Pearson</p>
<p style="text-align: right;">Page 373</p> <p>1 COMMISSIONER JOHNSTON: Okay. Thank you. 2 Now I have to take a breath while I look 3 at my questions, because I've been listening.</p> <p>4 Does Pearson, or Connections/Pearson, 5 offer any tuition-based programs in states other 6 than New Mexico?</p> <p>7 And if that's not clear -- I'm looking at 8 your face. What I'm after here, what I'm asking 9 here, we don't have a diploma. So if I'm a parent 10 and I want to home-school my child, and -- as 11 Commissioner Robbins did, and I go to Connection 12 Pearson -- Connections/Pearson -- can I use their 13 curricular offerings and pay for these offerings?</p> <p>14 MR. MARK BOITANO: In New Mexico, Madam 15 Commissioner, the answer is no. We don't know 16 what's happening in other states with regards to 17 that particular -- no, with regards to that 18 particular question.</p> <p>19 COMMISSIONER JOHNSTON: Okay. So you're 20 unsure if I lived in South Carolina and wanted to 21 home-school my child whether or not I could purchase 22 the curricular offerings and connections?</p> <p>23 MR. CRAIG LOCKWOOD: The 24 Connections/Pearson organization, they do offer -- 25 they do have a private school institution that is</p>	<p style="text-align: right;">Page 375</p> <p>1 program and curricular offerings, there are -- I 2 have experience with other educational groups who 3 have offered -- who do offer programs that schools 4 in the State of New Mexico offer at no charge that 5 are very similar to what we have here.</p> <p>6 So I'm -- I'm thinking about how 7 innovative is the program and how -- yeah, I guess 8 it's innovation. I really respect the choice. And 9 I have -- as I've listened, I've become sympathetic 10 to your mobility rate; because not only -- not only 11 are you serving students who are attending because 12 of high needs and whose families are invested, you 13 are also, because of your advertising program and 14 your restrictions being a State-chartered school, 15 that you are open to everyone, you are also being 16 sought out by students who have come before the 17 courts.</p> <p>18 And one of the things that the courts 19 require is that the student enroll in a program. 20 And there is no cost for enrolling in your program. 21 And it takes a while for -- for an accountability on 22 that student to be recognized by the courts. So 23 that student could be out from under judicial 24 jurisdiction.</p> <p>25 I know, and I recognize that mobility.</p>

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1 But I also recognize the huge responsibility that
 2 comes with that. And that responsibility, what
 3 follow-up do you do with those students? Because
 4 there, you're getting that -- that lack of
 5 understanding about the type of program in which the
 6 student is enrolling.
 7 How do you follow up with me if I've been
 8 sent there by juvenile probation to one of your
 9 areas and been told this is the only way I'll stay
 10 out of a facility for a while? How are you going to
 11 help me and my family, if my family is there?
 12 MS. ROMANCITA ARGUELLO: To your question,
 13 we've dealt with this on many occasions. We
 14 actually -- I have talked with probation officers in
 15 Ruidoso, in Roswell, that have the students in their
 16 office. And I'm explaining what is their
 17 requirement, so that the probation officer
 18 understands what is needed on their part to be
 19 successful.
 20 Because -- and then once -- if they become
 21 truant, we automatically send out a letter to that
 22 probation officer where their jurisdiction is, to
 23 notify them that their -- that student is not. And
 24 they usually call them right back into the office
 25 and then call us and -- you know, "What can we work

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1 out? What" -- we do an academic improvement plan.
 2 We make them sign a contract with us that we will
 3 put in place that they will fulfill their end and
 4 meet the requirements of the program.
 5 So we do -- I mean, we work with that --
 6 COMMISSIONER JOHNSTON: It's very
 7 difficult.
 8 MS. ROMANCITA ARGUELLO: It is very
 9 difficult. And, especially, too, when we have
 10 judges that tell students to disenroll from their
 11 high school, and, "You need to enroll with
 12 New Mexico Connections Academy." And that's usually
 13 done by a judge. I mean --
 14 COMMISSIONER JOHNSTON: And that's -- but
 15 I have difficulty being sympathetic. You say you
 16 write a letter. You call the probation officer. My
 17 sympathy ends with where is the staffing at
 18 New Mexico Connections Academy to reach out to these
 19 at-risk parents and these students who are causing
 20 that mobility rate and all of that -- all of this?
 21 Where is that extra step that the families of the
 22 students who have need of Connections, but who the
 23 whole family is invested and is able to provide the
 24 support, that group of students who don't have that
 25 support, how is the outreach to those students?

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1 Because those are the ones -- those are
 2 the ones I am concerned about.
 3 MS. ROMANCITA ARGUELLO: Those are the
 4 ones -- the two different sets of types of students
 5 that we do get are the ones that the families are
 6 invested. And we don't have -- they're always
 7 calling us and connecting with us. We are always
 8 working on the students that volunteer that support
 9 and don't have that family investment, because
 10 sometimes their learning coach isn't there;
 11 especially when they get into high school, and they
 12 can be left home alone.
 13 We have to train those students. Our
 14 teachers spend hours on the phone with students
 15 getting them connected and getting them -- "You need
 16 to let us know what you're struggling with." If you
 17 need a tutoring session, one-on-one, our teachers
 18 are reaching out to those students all the time.
 19 Our -- our call -- one of our metrics that
 20 we try to put in place is that every student gets a
 21 phone call from a teacher every 14 days. So a
 22 student does not go past 14 days. And sometimes
 23 they get them more. And especially if they are in
 24 the special ed area, they get many more calls,
 25 because they are our higher needs sometimes and need

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1 that connection with that teacher more, because they
 2 need more prompting to reach out.
 3 Once we train those students to reach out
 4 to teachers, then we get that connection. And a lot
 5 of the times, teachers are calling the students and
 6 not the learning coaches. They're actually talking
 7 to the students to get them engaged and get them to
 8 reach out.
 9 So much more effort is put on those
 10 students than with our ones; because we know the
 11 ones that have that family, they're going to reach
 12 out, regardless. But we still have where every
 13 student has to be contacted every 14 days or before.
 14 COMMISSIONER JOHNSTON: Thank you. One
 15 last question. Because of the large number of
 16 students you have and the huge area that our state
 17 covers, if I am one of those students, what is the
 18 opportunity I have that someone will find me and
 19 look in my eyes and say, "You need to have to come
 20 back to school," rather than just reaching me on the
 21 phone?
 22 Are you able to do that?
 23 MS. ROMANCITA ARGUELLO: We have -- now
 24 that we've been -- we've grown to this size, and we
 25 have the teachers, we have teachers in all our vast

1 areas. We do have some in the rural areas. And
2 they will do face-to-face meetings. We don't like
3 to do what -- a home visit; but we'll do a library.
4 They'll meet in a library for a tutoring session.
5 That's one-on-one.

6 We always -- we have several students --
7 our big populations are Albuquerque/Santa Fe, this
8 area. So we have our offices. And we have many
9 students that come in because they feel that they
10 need that face-to-face time, and they do come in for
11 tutoring for that one-on-one face time.

12 COMMISSIONER JOHNSTON: Do you have
13 support services folks, also? Do you have
14 counselors?

15 MS. ROMANCITA ARGUELLO: We have
16 counselors; we have social workers; we have
17 whatever -- you know, we have an autism support
18 person that actually will -- if parents need autism
19 support in the home, they will go out and help
20 parents get students regulated if there's, you know,
21 sensory issues or anything like that.

22 COMMISSIONER JOHNSTON: But if I'm a
23 juvenile in need of supervision, do you have someone
24 who will reach out to me, also, if I have just been
25 adjudicated by the Court? Or do you expect the

1 school did have caseload waivers. Those were
2 granted; but they are definitely above those
3 caseloads on a waiver.

4 THE CHAIR: Okay. Thank you.

5 MS. ROMANCITA ARGUELLO: And I could add
6 to that, the statement that I did make was that last
7 year, we did not have any caseload waivers. This
8 year, we did. But last year, we didn't. We did not
9 have any caseload waivers.

10 THE CHAIR: Commissioner Armbruster?

11 COMMISSIONER ARMBRUSTER: From what I'm
12 looking at, I'm seeing that -- you, please -- you
13 can respond to this -- that it looks like 50 percent
14 of students are leaving yearly, and about 25 percent
15 during the school year. Can you explain that?

16 MS. ROMANCITA ARGUELLO: And the students
17 leave our environment for many different reasons.
18 And, you know, the statement has been made, you
19 know, mobile students -- virtual schools don't make
20 mobile students. Mobile students come to virtual
21 schools, because that's part of their issue is
22 they're highly mobile, and they come in and out.

23 They leave us because of our curriculum,
24 the rigor of our curriculum. It's not a fit. We --
25 it's not a fit for every student to be able to

1 juvenile probation office to do that?

2 MS. ROMANCITA ARGUELLO: No. Once they're
3 enrolled with us, we take on that responsibility and
4 we put all the supports that we can on that student,
5 you know, anything. We have counselors; we have the
6 advisory teachers; and we have teachers themselves
7 that will reach out to those students many times.

8 COMMISSIONER JOHNSTON: Thank you. And my
9 concern would be, again innovation with charter
10 schools. I just don't see the difference. And I'm
11 looking for it still between Connections and a
12 traditional school district, what you are offering
13 as a charter school that would account for really
14 support of choice or innovation. I'm struggling
15 with that.

16 Thank you very much.

17 THE CHAIR: Director?

18 MS. POULOS: Madam Chairwoman,
19 Commissioners, I just wanted to let you know. We
20 were working to make sure we had direct information.
21 Our understanding was the school did special
22 education case waivers. And the case has been made
23 they did not, as I understood it. We have been
24 communicating with the Special Education Bureau to
25 get that information. And, in fact, this year, the

1 participate in a virtual. It takes a lot of -- of
2 time management on students. It takes, you know, a
3 learning coach that's dedicated to helping their
4 student when needed if a teacher is not available at
5 that moment.

6 It might be at midnight that night, and a
7 teacher might not be available. The learning coach
8 has to take on part of that responsibility, as well.
9 So there's many different reasons why they do not
10 stay with us. And sometimes it's just needed for a
11 short period of time because of an illness that they
12 need to have the home school, or they're on house
13 arrest and they need to stay at home.

14 And so that is also into your -- you know,
15 the high mobility rate because students need it for
16 a short amount of time, and they don't need it for
17 the rest of their high school career.

18 COMMISSIONER ARMBRUSTER: I guess I do
19 have a concern on the number of students who are
20 leaving each year, because it's 50 percent of our
21 kids, and 25 percent during the year. That's a huge
22 mobility issue for me.

23 And I can see that part of the -- for lack
24 of a better word -- qualifying conditions is that
25 you need to have a learning coach. And for many of

1 these students, that's an unrealistic expectation.
2 I'm doing that math. That would concern me. And
3 the special ed waiver concerns me.

4 But -- and this will be my last question,
5 and then I can make comments later. But how many
6 students actually receive and participate in
7 synchronous instruction, like on a daily basis? And
8 how do you know how many hours they're putting in?
9 I know this has been an issue with a number of
10 charter schools. I know they're not getting the
11 1,080 hours or the 990, whatever it is. How do you
12 know how many hours of instruction these kids are
13 getting?

14 MS. ROMANCITA ARGUELLO: So this is a
15 question that always comes up with us. So we have
16 several ways that we look at their attendance. So
17 first, parents have to put their attendance daily
18 into the system. So it runs Saturday -- Sunday
19 through Saturday. So they have those seven days.
20 They have to enter hours for each day that they
21 work.

22 It's -- that, weekly, has to amount to
23 25 hours; correct? 30, 30 hours a week. It has to
24 average out to, for that week, from that Saturday
25 through -- or that Sunday through Saturday, has to

1 MS. ROMANCITA ARGUELLO: And also, I'll
2 add, at any point in time when a teacher logs into
3 her class, you can see which students are online
4 instantaneously, and you can see how long they've
5 spent on a test, how long they've spent working on
6 their courses. You can see exactly how long they've
7 been logged into that session.

8 COMMISSIONER ARMBRUSTER: And so -- I'm so
9 non-techy. So the teacher gives this lesson at
10 10:00 in the morning, and it goes from 10:00 until
11 11:30 or whatever -- I'm just making this up. So
12 the child is not logged on at 10:00. So the child
13 can log on at 2:30 and get that class? Is that how
14 it works?

15 MS. ROMANCITA ARGUELLO: Yes, they can be
16 live in that class at 10:00, or that recording is
17 posted, and they can view it at 2:00 in the
18 afternoon.

19 COMMISSIONER ARMBRUSTER: Thank you.

20 THE CHAIR: Commissioner Robbins?

21 COMMISSIONER ROBBINS: Real short comment
22 on the mobility issue. Charter schools are a single
23 school. And I don't know if they track if the
24 students came from another charter into here. But
25 at APS, the mobility within the district is between

1 equal out.

2 Then we also have to look at their
3 completion rate. So the average completion rate is
4 5 percent completion on courses a week, which is a
5 little bit different for special ed students,
6 because we take into account they do work at a
7 slower pace; so we have to look at that, as well.

8 They look at the completion rate. They
9 look at the quality of the work and the
10 assignments -- the amount of assignments that are
11 turned in have to be. If a parent puts in -- they
12 put 30 hours that week, and they get one assignment,
13 it's not -- so we have to adjust those hours, and we
14 have to talk to parents. They have to put out the
15 amount of work that the parent -- that the parents
16 are recording those hours for.

17 So we look at all of that information when
18 we look at the attendance. So that's looked on
19 every day. Teachers look at the attendance of their
20 students and their assignments, and also they
21 conduct CBAs to make sure that students are working
22 on the curriculum and learning what they need to be
23 learning in the curriculum.

24 COMMISSIONER ARMBRUSTER: Okay. I think
25 I'm getting there.

1 35 and 40 percent of the students who start at one
2 school end up the school year at a different school.
3 That's within the APS school district, which is a
4 large school district. They have the same students,
5 but they're at different schools.

6 So to me, a high turnover in a virtual
7 school, or even a single charter school, in and of
8 itself, is not an indication that they're doing
9 anything poorer than traditional schools, because
10 the large districts have high turnover between
11 schools, because parents move, you have
12 single-parent families, they spend some time with
13 this parent, some time with another parent. So they
14 will have those issues. And I think the charters
15 have that, also. I just wanted to make that
16 comment. Thank you.

17 THE CHAIR: Commissioner Conyers?

18 COMMISSIONER CONYERS: Another question
19 came to mind during the discussion. What is your
20 upper age limit for accepting students?

21 MS. ROMANCITA ARGUELLO: Since New Mexico
22 State statutes does not have an age limit, we do not
23 have an age limit.

24 COMMISSIONER CONYERS: So if I wanted to
25 enroll, I could?

<p style="text-align: right;">Page 388</p> <p>1 MS. ROMANCITA ARGUELLO: Yes, you could. 2 COMMISSIONER CONYERS: Okay. All right. 3 COMMISSIONER CABALLERO: He wants to. 4 THE CHAIR: Okay, Commissioners. Are we 5 ready for a motion? 6 Don't all just, like, jump in here and -- 7 Commissioner Crone? 8 COMMISSIONER CRONE: I'll place the 9 motion. 10 I move to deny the renewal application 11 presented by New Mexico Connections Academy because 12 the school has failed to meet the Department's 13 standards for excellence. The school earned a 14 three-year average of "D" on the State A-through-F 15 school grading report and earned an overall grade of 16 "F" in the last two years. 17 The school ranked in the bottom quartile 18 in six of seven indicators: Current standing, 19 school growth, highest performing, lowest 20 performing, graduation, and college-and-career 21 readiness on the most recent A-through-F school 22 grading report when compared to similar schools 23 across the state. 24 And the school has not demonstrated the 25 implementation of improvement efforts that are</p>	<p style="text-align: right;">Page 390</p> <p>1 base with those students, they can control the 2 curriculum better. 3 And I think that's -- I think the growing 4 pains of the school has absolutely shown that, that 5 I don't doubt that there's -- the services are 6 needed throughout the state. But I don't believe 7 that this school has shown that it can adequately 8 provide those services at this point in time for the 9 students in New Mexico. 10 Any other -- 11 COMMISSIONER ARMBRUSTER: I just -- my 12 understanding on the waivers that charter schools 13 get is they -- they have to be effective, because 14 they have the waiver. If what we're seeing is not 15 effective, higher scores for students, better growth 16 for them, then it's not really the waiver. You just 17 don't get a waiver because you're a charter school. 18 It has to be an effective waiver. 19 And, of course, this is pretty expensive. 20 This school is getting multi-millions of dollars, 21 probably \$12 million, \$15 million -- I don't know -- 22 something like that, I would assume, a year. So we 23 would expect -- I would expect for my money, my tax 24 money -- which I'm happy to pay -- a higher result 25 on these subgroups of things that we were talking</p>
<p style="text-align: right;">Page 389</p> <p>1 effectively improving student achievement. 2 THE CHAIR: There's a motion by 3 Commissioner Crone. 4 Do I have a second? 5 COMMISSIONER JOHNSTON: I will second it. 6 THE CHAIR: There's a second by 7 Commissioner Johnston. 8 Discussion? Well, I will offer just some 9 brief comments. 10 I think we're all here because we support 11 and promote options and choices for schools. I 12 spent a career in education. I absolutely, 13 positively, wholeheartedly believe that there is a 14 role for virtual schools in our education system and 15 have no doubt about that. 16 But I think what has been expressed here 17 is that the size -- and I don't know if people were 18 surprised at how big New Mexico was when the school 19 started -- that it was going to be tough to reach 20 out to all these students. 21 But I think the size of the school helps 22 to represent for me what I believe is the best 23 choice for virtual schools is that the district has 24 a greater opportunity to provide those services to 25 the students in their areas, because they can touch</p>	<p style="text-align: right;">Page 391</p> <p>1 about, not the overall grade. 2 So that was a concern I wanted to add to 3 my vote. 4 THE CHAIR: Okay. Commissioner Johnston? 5 COMMISSIONER JOHNSTON: Thank you, 6 Madam Chair. And I would go back to my concern 7 reflective of what Mr. Boitano stated in the three 8 reasons for charter schools. And one of those is 9 the innovative program that's offered by the charter 10 school. And I have concerns. While I see an extra 11 strong curricular program, I see this offered in 12 charter schools -- I mean, in traditional districts, 13 also. And I -- I'm looking for that innovation. 14 Thank you. 15 THE CHAIR: Okay. And I'll just caution 16 the Commissioner that the innovation was actually 17 determined when the charter came forward and was 18 approved. So at this point in time, a decision for 19 renewal isn't innovation; because their charter was 20 accepted, and they were deemed innovative. 21 COMMISSIONER JOHNSTON: Oh. Thank you 22 very much. 23 THE CHAIR: Okay? So that's -- 24 COMMISSIONER JOHNSTON: I did not realize 25 that. Thank you.</p>

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1 THE CHAIR: If there's no further
2 discussion, we'll have a roll-call vote.
3 COMMISSIONER ARMBRUSTER: Are there any
4 abstentions before we vote?
5 COMMISSIONER RUIZ: I abstain.
6 COMMISSIONER ARMBRUSTER: Okay.
7 Commissioner Ruiz will abstain.
8 Commissioner Toulouse?
9 COMMISSIONER TOULOUSE: Reluctantly, I
10 vote "Yes."
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Peralta?
13 COMMISSIONER PERALTA: Yes.
14 COMMISSIONER ARMBRUSTER: Commissioner
15 Robbins?
16 COMMISSIONER ROBBINS: No.
17 COMMISSIONER ARMBRUSTER: Commissioner
18 Armbruster votes "Yes."
19 Commissioner Conyers?
20 COMMISSIONER CONYERS: No.
21 COMMISSIONER ARMBRUSTER: Commissioner
22 Gipson?
23 THE CHAIR: Yes.
24 COMMISSIONER ARMBRUSTER: Commissioner
25 Crone?

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1 my agenda in the recycling; so I don't know if the
2 agenda is the next thing on the item or not --
3 COMMISSIONER TOULOUSE: If the calendar is
4 the next item on the agenda.
5 THE CHAIR: If the calendar is the next
6 item on the agenda. Oh, it is. So Item No. 9,
7 Discussion and Possible Action on the 2018 calendar.
8 You've all had a chance to -- to look at
9 it. And I'm going to offer one suggestion and
10 recommendation, perhaps, and float it by you to see
11 if that will work.
12 There is a conflict with a Commissioner
13 for the January meeting. And I thought, based on
14 our time frame with Public Impact, that there was
15 actually something we needed to do in January. And
16 there is not. There is information that's going to
17 go out; but there isn't anything that we actively
18 have to do. That information is going to be shared.
19 And I'll get to that later with my report. I've got
20 a brief update.
21 So what I -- what I'm going to suggest is
22 that we not have a meeting in January, and we meet
23 early in February, and we do an earlier February
24 meeting and do a January-February business-type
25 thing on -- does it matter if it's the 2nd? Why not

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1 COMMISSIONER CRONE: Yes.
2 COMMISSIONER ARMBRUSTER: Commissioner
3 Johnston?
4 COMMISSIONER JOHNSTON: Yes.
5 COMMISSIONER ARMBRUSTER: Commissioner
6 Caballero?
7 COMMISSIONER CABALLERO: No.
8 THE CHAIR: The vote is five-to-three.
9 The motion passes on a five-three vote.
10 Six-three.
11 COMMISSIONER TOULOUSE: Five-three is
12 eight.
13 THE CHAIR: Six-three.
14 COMMISSIONER CRONE: No. It is six-three.
15 I'm sorry.
16 THE CHAIR: The motion passes six-to-three
17 with one abstention.
18 Thank you very much. We appreciate all
19 the time and effort. And, Commissioners, let's take
20 a short break, please.
21 (Recess held, 11:25 a.m. to 11:45 a.m.)
22 THE CHAIR: Okay. So, we have really just
23 a few, hopefully quick, items that we need to finish
24 up with. And, really, the most significant piece
25 that we need to work on is the calendar. And I put

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1 keep it the 9th? Right. I'm thinking 8, 9 --
2 COMMISSIONER JOHNSTON: I can't do the
3 2nd.
4 THE CHAIR: We're looking at February 8th
5 or 9th. Right. 8 would be the work session, and 9
6 would be the regular. So that would be the only --
7 COMMISSIONER TOULOUSE: And, Madam Chair,
8 up here at the top, the calendar does say,
9 "Legislative Session begins and ends, 60 days."
10 This is a 30-day session.
11 COMMISSIONER RUIZ: Madam Chair, Tim and I
12 will be late, because we've got NMPSIA.
13 THE CHAIR: On the 8th.
14 COMMISSIONER RUIZ: We also canceled, like
15 I told you, our January meeting. And so we'll be in
16 Albuquerque with NMPSIA; but --
17 THE CHAIR: Okay. All right. Thank you.
18 But, otherwise, we're -- with the remainder of the
19 calendar, are we good?
20 COMMISSIONER JOHNSTON: I have a question,
21 just a question on the calendar. And this is solely
22 for reserving a room. Will we have work sessions
23 like we have in the past? Or --
24 COMMISSIONER TOULOUSE: We had a
25 discussion last time that we were sort of going to

1 reserve the day before.

2 THE CHAIR: Reserving the date for --
3 right.

4 COMMISSIONER JOHNSTON: And my second
5 question, you've probably told me 100 times. But in
6 August, we're meeting on a Wednesday, until the
7 22nd. Look at August.

8 THE CHAIR: August is due to -- I think
9 that's almost like a start, because that's when
10 we're -- that's actually -- that August meeting is
11 when we would be voting for new applications.

12 COMMISSIONER JOHNSTON: I'm fine. I just
13 wanted --

14 THE CHAIR: So we don't really know how
15 many applications there are.

16 COMMISSIONER ARMBRUSTER: So we're looking
17 at -- let's just say two days, either 22-23 or
18 21-22. We don't know how many applications; right?

19 THE CHAIR: I -- and you'll have to walk
20 us through this, because we've normally -- normally,
21 because I think it's only been two years -- the last
22 week in August for the new applications. So I think
23 a lot depends on --

24 MS. POULOS: Yeah. We normally do -- and
25 the reason we didn't this time is my sister is

1 COMMISSIONER ARMBRUSTER: Katie, when is
2 your birthday -- not the last week of August;
3 correct?

4 THE CHAIR: Yes, the last week of August.

5 MS. POULOS: Right. I leave on the 27th.

6 COMMISSIONER ARMBRUSTER: We can't be here
7 the whole weeklong. So what about --

8 THE CHAIR: What about 16-17? But a lot
9 depends on CSD's work, see?

10 MS. POULOS: Pushing it that far forward
11 is very problematic for us.

12 THE CHAIR: We're obligated to come up
13 with a decision by September 1.

14 MS. POULOS: Even if we -- it takes a lot
15 of time for a review team, a consensus, and an
16 interview --

17 THE CHAIR: I understand. We can't go
18 into September. So -- and we can't go earlier in
19 August. It just -- you know, it's just too hard.

20 COMMISSIONER JOHNSTON: We have to do what
21 we have to do.

22 THE CHAIR: It's going to have to be the
23 23rd and 24th.

24 COMMISSIONER JOHNSTON: And, Madam Chair,
25 I'm fine with the calendar. And you said also that

1 turning 40, and I'm obligated to spend that week
2 with her. And I love her dearly. So I'm happy to
3 do that. So I won't be available.

4 THE CHAIR: That's why it's the 22nd. And
5 I've got no problem with that. I would say we're
6 starting on Wednesday. And based on the number of
7 applications, we'll just walk our way through the
8 rest of the week, you know.

9 COMMISSIONER ARMBRUSTER: And that's fine.

10 COMMISSIONER CONYERS: Wednesdays don't
11 work for me; so...

12 THE CHAIR: I didn't know if that changed
13 this semester or whatever; so -- okay. So Wednesday
14 does not work.

15 So why don't we just try to start it
16 Thursday, and if need be --

17 COMMISSIONER ARMBRUSTER: So look at
18 Thursday-Friday, 23-24, on that.

19 THE CHAIR: If we need more time, we'll
20 have to back it up, and there's not much more we can
21 do.

22 COMMISSIONER JOHNSTON: But there's school
23 that's starting; so we would lose Trish, and we
24 could lose Tim, with school starting. If we keep
25 it -- could we move it earlier in the month?

1 we would have some work sessions possibly, like we
2 did this last year; because --

3 THE CHAIR: Not in August.

4 COMMISSIONER JOHNSTON: No, I'm not
5 talking about -- I'm just thinking out loud because
6 of the concerns that have been raised over policies.
7 But that's just a word. That's all it is.

8 COMMISSIONER ARMBRUSTER: I guess where I
9 was coming from is there are just so much -- like,
10 were we doing our lives or something here. So I
11 would like to put down, for every one, two days for
12 each one.

13 THE CHAIR: That's what we're doing.

14 COMMISSIONER ARMBRUSTER: The ones that
15 are Friday, I'm adding on Thursday. So in terms of
16 that August deal --

17 THE CHAIR: Except for August, we won't
18 have a work session in August.

19 COMMISSIONER ARMBRUSTER: But I think if
20 we have --

21 THE CHAIR: I'm just going to say we're
22 not going to have a work session in August. And if
23 we change it, we change it. But at this point in
24 time, because of new applications, it's highly
25 unlikely we'll have a work session. I'm not going

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<p>1 to get into ifs now.</p> <p>2 COMMISSIONER ARMBRUSTER: So we'll just --</p> <p>3 COMMISSIONER CONYERS: So, Madam Chair,</p> <p>4 are we -- we're no longer doing Albuquerque during</p> <p>5 the Legislative Session?</p> <p>6 THE CHAIR: We did not last year.</p> <p>7 COMMISSIONER CONYERS: Right.</p> <p>8 THE CHAIR: We did not last year. And</p> <p>9 we'll only be meeting once during the session, and</p> <p>10 that's the February date, because we're not meeting</p> <p>11 in January. So I think -- I think we'll be okay.</p> <p>12 So we've got -- we're penciling in the day</p> <p>13 before each regular meeting for a work session, with</p> <p>14 two days being also included there. We're changing</p> <p>15 the August date from the 22nd to the 23rd and 24th.</p> <p>16 And we're not meeting in January. So we're removing</p> <p>17 the January 12th date, and we are -- our regularly</p> <p>18 scheduled meeting will be February 9th. And</p> <p>19 February 8th is obviously the day before, okay?</p> <p>20 COMMISSIONER CABALLERO: And July? I have</p> <p>21 here five days.</p> <p>22 THE CHAIR: July is the community input --</p> <p>23 COMMISSIONER CABALLERO: Oh, okay.</p> <p>24 THE CHAIR: -- for the -- so that will be</p> <p>25 as many days as we need, based on where we have to</p>	<p>1 THE CHAIR: There's a motion by</p> <p>2 Commissioner Robbins, a second by Commissioner Ruiz.</p> <p>3 And I guess we'll take a roll-call vote, just</p> <p>4 because.</p> <p>5 COMMISSIONER ARMBRUSTER: Okay. Get</p> <p>6 ready.</p> <p>7 Commissioner Robbins?</p> <p>8 COMMISSIONER ROBBINS: Yes.</p> <p>9 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>10 Crone?</p> <p>11 COMMISSIONER CRONE: Yes.</p> <p>12 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>13 Ruiz?</p> <p>14 COMMISSIONER RUIZ: Yes.</p> <p>15 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>16 Johnston?</p> <p>17 COMMISSIONER JOHNSTON: Yes.</p> <p>18 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>19 Armbruster votes "Yes."</p> <p>20 Commissioner Gipson?</p> <p>21 THE CHAIR: Yes.</p> <p>22 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>23 Peralta?</p> <p>24 COMMISSIONER PERALTA: Yes.</p> <p>25 COMMISSIONER ARMBRUSTER: Commissioner</p>
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<p>1 travel to. But we generally reserve out the week so</p> <p>2 people know not to plan something for that week.</p> <p>3 And then once -- once January -- whatever that date</p> <p>4 is that the letters of intent are due in --</p> <p>5 MS. FRIEDMAN: The second week.</p> <p>6 COMMISSIONER ARMBRUSTER: January 9th --</p> <p>7 8th.</p> <p>8 THE CHAIR: January 8th -- we'll know</p> <p>9 approximately how much time will be needed and kind</p> <p>10 of where we'll be.</p> <p>11 COMMISSIONER ARMBRUSTER: And usually, we</p> <p>12 have a meeting for at least half-a-day that week, if</p> <p>13 we can. It can be anywhere.</p> <p>14 COMMISSIONER TOULOUSE: And we'll have</p> <p>15 plenty of time to do -- that many months away, who</p> <p>16 knows? I mean, we may have had a few missiles come</p> <p>17 this way. You don't know.</p> <p>18 COMMISSIONER JOHNSTON: You guys always</p> <p>19 think happy thoughts.</p> <p>20 THE CHAIR: Okay. On that happy note, can</p> <p>21 I have a motion to adopt the PEC 2018-2019 calendar?</p> <p>22 COMMISSIONER ROBBINS: So move.</p> <p>23 COMMISSIONER RUIZ: Second.</p> <p>24 THE CHAIR: Oh. It's the 2018 calendar.</p> <p>25 COMMISSIONER ROBBINS: So move.</p>	<p>1 Toulouse?</p> <p>2 COMMISSIONER TOULOUSE: Yes.</p> <p>3 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>4 Conyers?</p> <p>5 COMMISSIONER CONYERS: This time, I'll</p> <p>6 vote "Yes."</p> <p>7 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>8 Caballero?</p> <p>9 COMMISSIONER CABALLERO: Yes.</p> <p>10 COMMISSIONER ARMBRUSTER: Sorry. I don't</p> <p>11 have those papers.</p> <p>12 THE CHAIR: So the motion carries</p> <p>13 ten-zero. Thank you so much for all your</p> <p>14 cooperation with that.</p> <p>15 We are now on to the Report from the</p> <p>16 Chair. And I'll make this as brief as possible.</p> <p>17 I had the lovely opportunity to travel to</p> <p>18 beautiful downtown Deming to be there when the</p> <p>19 Milken Grant was awarded, which is just -- it's</p> <p>20 exciting. And I know you're going to have a hard</p> <p>21 time believing this, seeing those little</p> <p>22 sixth-graders all excited. And it was a surprise</p> <p>23 for the teacher. And it's a fabulous award. So it</p> <p>24 is a great opportunity to be able to participate in</p> <p>25 that.</p>

<p style="text-align: right;">Page 404</p> <p>1 For those of you that have been on the 2 Commission for a while, I also had the extreme 3 pleasure to spend some time with the Mayor of 4 Columbus. So -- and he's -- and, absolutely. 5 He's -- it's like a boomerang. So this will -- and 6 maybe the sixth time will be a charm. 7 MS. FRIEDMAN: I was just going to add 8 that we're making arrangements with Senator Smith 9 and Senator Wirth to honor the Milken Educator from 10 this year and the Milken Educator from last year, 11 who is from Santa Fe. 12 THE CHAIR: Yes. It was a young man, yes? 13 MS. FRIEDMAN: Melissa Kovac. 14 THE CHAIR: Was that two years ago? 15 MS. FRIEDMAN: That was two years ago, two 16 years ago. And that recognition will be held in the 17 House and also in the Senate. 18 THE CHAIR: Oh, nice. 19 MS. FRIEDMAN: And so Senator Smith's 20 people are working on the arrangements. And I'll 21 send something out to you-all, you know, to see 22 that, if you'd like to. 23 THE CHAIR: Yes, absolutely. And once 24 again, I want to thank you for that. Because that 25 was -- included the spirited conversation with the</p>	<p style="text-align: right;">Page 406</p> <p>1 we move the input hearings to that last week in 2 July. 3 COMMISSIONER CABALLERO: In that case, 4 I'll just read the transcripts. Either I reduce the 5 date -- I'm on the National Board; so it's hard for 6 me to -- not to attend. 7 THE CHAIR: Right. I understand that. 8 COMMISSIONER CABALLERO: But I'll just -- 9 when I come back, I'll read the transcripts. 10 THE CHAIR: Okay. All right. Thank you, 11 I appreciate that. 12 COMMISSIONER CABALLERO: Thank you, Chair. 13 THE CHAIR: I want to thank the State 14 School Boards Association. They did extend 15 Commissioner Peralta and I an invitation to the 16 conference. Unfortunately, I thought I was going to 17 be able to go, and then I found out that I had to 18 report for jury duty that morning instead of 19 traveling up to -- to Albuquerque. So I had to 20 offer a hasty "I'm sorry, but I'm called elsewhere 21 for the day." But I want to thank them for their -- 22 for their invitation. 23 I want to absolutely extend a huge "thank 24 you" to the Charter Coalition for the work that they 25 did, certainly, all the work that people don't see</p>
<p style="text-align: right;">Page 405</p> <p>1 Mayor of Columbus. It was quite an experience. So 2 it's -- it's a lovely opportunity. 3 COMMISSIONER CABALLERO: Madam Chair, I 4 just realized -- I thought that the LULAC National 5 Convention was a week before in July. But it's that 6 week of the community meetings. I don't know if 7 it's -- if we can now move that community meetings a 8 week before or after. Then -- if we cannot, it 9 would be very hard for me to attend. 10 THE CHAIR: The week before would be very 11 problematic, because -- there she is hiding back 12 there -- I would think that the week before might be 13 problematic, yes. 14 MS. POULOS: Yes. 15 THE CHAIR: The week after -- 16 COMMISSIONER TOULOUSE: Doesn't give 17 enough time, either. Because we have to take into 18 account the hearings, and public comment. 19 THE CHAIR: We'd have to turn around -- 20 because here becomes part of the concern. 21 Commissioners that can't participate in the 22 community hearings need an opportunity to be able to 23 read the transcripts from -- from those so that they 24 can vote at that August meeting. So I don't know if 25 there's enough turnaround time for that to happen if</p>	<p style="text-align: right;">Page 407</p> <p>1 behind the scenes, to get ready, and a big shout-out 2 for how you managed to adapt and move that quickly. 3 And every -- and kudos to anyone who found that 4 building. But -- and to APS for -- for 5 accommodating all that. 6 It ended up being maybe not the ideal 7 place; but it was -- it was a great location. It 8 really was. I think it afforded everyone what they 9 needed. 10 So -- and without a doubt, the opportunity 11 for us to reach out to the schools with those two 12 work sessions, I think that's going to be 13 invaluable. 14 And I want to thank Public Impact for 15 coming in and helping us with that, the Director for 16 being there for the first work session and -- oh, 17 thank you -- and Commissioners Robbins, Armbruster, 18 and Johnston and Caballero for being there and 19 helping out during that work session. 20 Unfortunately, we didn't get the amount of 21 feedback that we were hoping. I think it ended up 22 being 17 of the participants finally filled out the 23 survey in some form; so... 24 COMMISSIONER CABALLERO: What they brought 25 up there was very helpful.</p>

<p style="text-align: right;">Page 408</p> <p>1 THE CHAIR: It was. It absolutely was. 2 And what they brought up there was represented in 3 the surveys that were turned in, so that that's -- 4 you know, we have to -- at this point in time, at 5 least, think that that's very reflective of what the 6 schools feel. We're still -- we're not closing off 7 the input. There's still going to be more 8 opportunity for reach-out. 9 And I did ask Tim for a feedback on the -- 10 on the framework revisions. And he was so 11 thoughtful to send a multi-page report for me to 12 share with charts and graphs. So I asked the 13 Director to have them printed off so people could 14 see them, because I'm certainly not going to read 15 everything he sent. 16 But just so that we're clear, I want to 17 quickly go through the timeline that we're looking 18 at right now. And that is that in January, the PED 19 and Public Impact will share that Draft 20 Accountability Model -- actually, it's going to be 21 February, now; it will be that February meeting. So 22 I'm altering that a little bit -- that that 23 share-out will be. 24 And then at the end of January, the PEC 25 and the PED will have -- Draft Academic Framework</p>	<p style="text-align: right;">Page 410</p> <p>1 amendments, including academic, financial, 2 organizational, and accountability model. 3 In April, we will vote on the final 4 approval of the revised performance framework, which 5 will include the charter amendment language. And 6 then in May, we will go forward with -- so I will 7 pass these out to you shortly, and you can look 8 through this information that Tim has shared out 9 based on what was the feedback that was sent back to 10 him. 11 And I will be at the LESC meeting on 12 Monday. There will be a discussion and a 13 presentation on the budget. And there's also, my 14 understanding, a discussion on virtual schools. 15 COMMISSIONER ARMBRUSTER: Did you see the 16 new one, the update from yesterday? 17 THE CHAIR: The one that I got yesterday? 18 Yes, I do have that. 19 COMMISSIONER ARMBRUSTER: Because that 20 was, like, Tuesday. 21 THE CHAIR: It's going to be Tuesday, yes. 22 The virtual school is on the agenda for Tuesday. 23 COMMISSIONER CABALLERO: Madam Chair, on 24 the feedback, I don't know how it's going to take 25 form. Is it in the form of, let's say, when there's</p>
<p style="text-align: right;">Page 409</p> <p>1 Data and Accountability will go out to all the PEC 2 schools. 3 COMMISSIONER ARMBRUSTER: You're saying 4 January or February. 5 THE CHAIR: January. Because that's going 6 to be -- that's not done in a meeting. That's going 7 to be done electronically. It's the work that 8 Public Impact will be doing with running that 9 information so that that share-out to the schools 10 for what Public Impact ran will be done at the end 11 of January, because that's when they'll be ready to 12 do it. 13 During the month of February, the 14 expectation is that the schools will then be 15 providing the feedback from that information that 16 went out in January. And once again, the 17 anticipation is that the Coalition will be an 18 integral part of that facilitating the communication 19 with the schools. 20 And then in March, PED and Public Impact 21 will summarize the school feedback and present the 22 final recommendations on the frameworks to the PEC. 23 We will do a review of the feedback and final 24 recommendations. The PEC will review draft language 25 for the performance framework of the charter</p>	<p style="text-align: right;">Page 411</p> <p>1 possible rules, you provide comment? In other 2 words, is there a way for us to look at some of 3 those comments as they're coming in before the 4 summary? I wouldn't mind just perusing through some 5 of those comments and then have our Department give 6 us a summary. But I would like -- 7 THE CHAIR: Are you referencing the 8 feedback that just came in, or the feedback that 9 will be -- that is -- 10 COMMISSIONER CABALLERO: Forthcoming, 11 forthcoming on the -- starting, I think, in 12 February. 13 THE CHAIR: I think we should be able to 14 get the -- all of the comments. 15 COMMISSIONER CABALLERO: Oh, okay. 16 THE CHAIR: So I think we should be able 17 to look at what they were, not just a summary. This 18 was done through Survey Monkey and so on. But I 19 think the comments that are going to be coming in 20 will be more narrative in nature. 21 COMMISSIONER CABALLERO: Right. 22 THE CHAIR: So that, yes, we should be 23 able to then view the comments, as opposed to just 24 getting a little -- a chart. 25 COMMISSIONER CABALLERO: Right. Okay.</p>

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1 THE CHAIR: That, I'm fairly sure we will
2 be able to do, yes.

3 I'm going to then turn it to -- oh, I'm
4 sorry. He's getting ready to jump out of his seat,
5 and I'm thinking, why is he getting ready to move?

6 MR. MATT PAHL: I appreciate it,
7 Madam Chair. I'll try to make this quick. I think
8 the blood sugar level of the entire room is
9 plummeting very quickly here.

10 One, just thank you for all of those who
11 were able to attend the conference. Thank you to
12 all of those who sent their regards, as well.
13 Appreciate you guys thinking of us, whether you were
14 able to make it or not.

15 For those of you who were able to make it
16 I just want to give another thanks for going to
17 those sessions that weren't necessarily right in the
18 wheelhouse of talking about authorizer issues. I
19 think, you know, we -- we think it's really helpful
20 to have a lot of different participants see what the
21 concerns are of charters and how we're trying to
22 address that. So I hope those sessions were helpful
23 for you all.

24 Secondly, I just want to thank the PED,
25 Katie, Icela, and the rest of the gang, for helping

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1 And I know there are goals that we all want to meet
2 that are tough to meet sometimes. And so I'm just
3 offering our help as a catalyst for that work. Know
4 that we are here and available to provide
5 information that either Kelly or I have expertise
6 in. We can reach out to our members and ask
7 questions that might be of relevance to you. Just
8 want to make sure you all know that we are very
9 ready and willing to help in any way, shape, or
10 form.

11 And so with that I just wanted to spend
12 one minute talking about our background. I think
13 you know me. I think you know Kelly, but you might
14 not know where we come from and what we've done. It
15 might help stir some ideas on how we might be
16 helpful.

17 I was a teacher in Gallup. I was a
18 first-grade teacher and later taught middle school
19 in Gallup. Since then, I've been working in
20 education policy for the last eight years. And
21 while many of the more high-profile bills that I've
22 been associated with were not successful, I think
23 you've seen me advocate for adjunct instructors in
24 public school classrooms many a session.

25 And I say that because I think it's --

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1 us out and providing governing board training and
2 engaging in some of the other sessions at the
3 training. We really -- we really hope that's a
4 template for the future, that the collaboration of
5 the three entities that are right in this ten-foot
6 circle right now are working together in conferences
7 like that. So I hope that collaboration is able to
8 continue and elevate itself.

9 The next thing I would just want to
10 note -- and I think the Chair mentioned this -- is
11 some of the collaboration that the Coalition is
12 working on with the PEC, the feedback on the
13 performance frameworks, I think is one example of
14 that. And what I just wanted to spend a little bit
15 of time today is just reiterating how we can help in
16 a variety of ways.

17 I worked for the Legislature and PED, and,
18 you know, the background that I care about is just
19 good government. When I -- I think you've all heard
20 me say that I really like this iteration of the PEC.
21 I think there's a lot of the respectful dialogue in
22 which sometimes you disagree with one another. And
23 I think that's how this process is supposed to work.

24 That said, having worked in government for
25 a while, I know it moves a little slowly sometimes.

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1 it's garnered more attention than some of the bills
2 that did get through. And I just want you all to
3 know that, you know, I've -- I've established a good
4 reputation as someone who can work with -- with
5 people from different parties to get good government
6 bills through. And those bills are things that make
7 sense to people on the ground.

8 And so as you all work on your policies, I
9 just want to let you know that I'm -- I'm there to
10 add a couple of eyes to it and just see what I can
11 find and ask those questions of our members that are
12 also important.

13 Kelly, as you know, ran a charter for some
14 time and was the first Principal of the Year that
15 was from a charter school, which is a significant
16 barrier at some point.

17 Charters are a part of the education
18 fabric in ways that I don't know that we quite
19 understand. Kids are graduating from high school,
20 and they've always had charters around at this
21 point, if you grew up in Albuquerque or if you grew
22 up in Santa Fe. That's new. I didn't have that
23 when I was growing up.

24 And so Kelly was part of that vanguard
25 right at the beginning. And she knows charter

<p style="text-align: right;">Page 416</p> <p>1 issues and knows issues at that school and classroom 2 level and does an awesome job of connecting that to 3 larger level issues. Just want to make those notes. 4 I put that out there because we just feel like if we 5 support you, we're able to support our schools. 6 And I don't put that out there saying that 7 we're not being taken advantage of already; but we'd 8 love to be -- be put to work as much as possible. 9 So thank you, Madam Chair, and thank you, 10 Commissioners. 11 THE CHAIR: Thank you. We're on to PEC 12 Comments. So Commissioner Caballero? 13 COMMISSIONER CABALLERO: Yes. I brought 14 up with the Chair, I intended not to vote against 15 continued chartering of the virtual school. But I 16 voted "No" not realizing that that was not my 17 intent. So my vote cannot be changed. So I just 18 wanted to add it to the -- what is it? -- file or -- 19 THE CHAIR: The record. 20 COMMISSIONER CABALLERO: -- the record, 21 that that was my intent. I wasn't convinced that 22 the school was strong enough to continue and -- but 23 I -- I didn't voice my vote correctly. 24 And that isn't going to make a difference. 25 But I just could not convince myself. And part of</p>	<p style="text-align: right;">Page 418</p> <p>1 THE CHAIR: Thank you. 2 Commissioner Toulouse? 3 COMMISSIONER TOULOUSE: Madam Chair, I 4 have two items. One is for us to think about, down 5 the road -- you know, one of the things that's going 6 to -- and with governance councils, too -- we don't 7 track our -- the nepotism situations, where the 8 governance council has voted an exception. And we 9 don't know that. And then it comes up in the front 10 page of the newspaper. And I think we need to start 11 tracking schools who have relatives working and 12 being supervised by or within the school. 13 MS. POULOS: Madam Chairwoman, 14 Commissioner Toulouse, I think we've been trying to 15 do it as part of our site visits. But I think if -- 16 and I don't know if "policy" is the right thing -- 17 but just a submission requirement, so that they have 18 to submit -- 19 COMMISSIONER TOULOUSE: That's why I'm 20 bringing this up for a future agenda item, just to 21 get it out there now, that we're beginning to get 22 compliance; not completely yet. But on the 23 governance council, it's time to look at that, 24 because it's in the best interest of the schools, 25 too, for us to be aware of and to be able to answer</p>
<p style="text-align: right;">Page 417</p> <p>1 the -- my problem was trying to decide which way I 2 was going to go. And so once I made up my mind, I 3 couldn't remember what the -- how this thing was 4 worded. So I just voted for what I believed was the 5 correct vote. 6 That's it. 7 THE CHAIR: Thank you. Commissioner 8 Conyers? 9 COMMISSIONER CONYERS: Just wanted to 10 report I did attend a meeting of the Indian 11 Education Advisory Committee held in Zuni last -- 12 last month, November 19th. And I really enjoyed it. 13 The people were very friendly and welcoming to me. 14 I enjoyed being there, enjoyed being in Zuni. I'd 15 been there a couple of times before when I was the 16 regional president for the New Mexico School Board 17 Association. 18 But it's always at night when we had those 19 meetings. So I really didn't know what it looked 20 like there too much. But I learned a lot about the 21 community there. And the -- it's a very active and 22 strong and vibrant committee that I was on there. 23 So I did enjoy that. So I wanted to report that. 24 And other than that, Merry Christmas, 25 Feliz Navidad, [spoken Navajo].</p>	<p style="text-align: right;">Page 419</p> <p>1 queries. 2 I think we also need to know why. In 3 smaller areas and smaller communities, I can 4 understand it. Places like Albuquerque or Santa Fe, 5 I have a much harder time understanding why; you 6 have somebody who is much more qualified. But since 7 we had all of the newspaper reports on the audit on 8 The GREAT Academy, and then we -- what happened at 9 La Promesa, for instance, I just think we need to be 10 on top of it so we can deal with it. 11 THE CHAIR: No, that's a good point. And, 12 yes, they do have to vote yearly. But -- 13 MS. POULOS: Just once. 14 THE CHAIR: Just once? I thought it was 15 yearly. 16 MS. POULOS: It's just once. So I think 17 us having that record -- I think we can even think 18 about -- 19 THE CHAIR: And once is by statute? 20 MS. POULOS: Yeah. Yeah. 21 THE CHAIR: Okay. Right. 22 COMMISSIONER TOULOUSE: So I talked to -- 23 an agenda item down the road. 24 The other thing I want to say is I had 25 somebody who was attending the APS committee meeting</p>

<p style="text-align: right;">Page 420</p> <p>1 on the charter schools on Wednesday who was texting 2 me realtime. And I am concerned about the Board 3 Chair, David Percy's, comments on us. The quote I 4 was sent at the time was -- because what I got was 5 he was criticizing us. So I got a direct quote from 6 the person who was texting me. 7 Quote, "We see over and over that PEC 8 doesn't have the capacity to effectively oversee 9 schools, and that's one of the issues that holds 10 these schools back." 11 I also understand that when Daniel 12 Ivey-Soto was there defending his schools, he was 13 complaining and using "CSD" and "PED" and "PEC" 14 interchangeably. And I think it's time we reached 15 out more to the school districts where we have 16 schools in them to explain what the role is. 17 Because also, yesterday's newspaper on the report of 18 that said that, well, when they weren't approving 19 one of the three charter schools, they were sending 20 it back to us, and it was up to us to make a 21 decision whether to continue them or not, which all 22 of us know, that school's closed. We're not closing 23 it. They're closing it by not renewing it; although 24 it, is still under our supervision until June 30th. 25 And so I think it's important to that that</p>	<p style="text-align: right;">Page 422</p> <p>1 COMMISSIONER ARMBRUSTER: I will ditto 2 what you said. And I just wanted to thank Katie and 3 her group, crew, staff; because I did, on 4 Saturday -- not Friday -- go to the governing 5 council trainings. And it was -- no wonder you're 6 sick. It was -- it was pretty amazing. 7 And as a long-time teacher, as you know, 8 you know, when you see someone else who's a teacher, 9 you kind of -- it only takes you about ten seconds 10 to figure out if they're very effective at that or 11 not. And if this had been a classroom of 12 children -- although, maybe they were just grown 13 children -- don't put that in -- 14 THE REPORTER: It's already in. 15 COMMISSIONER ARMBRUSTER: -- she was 16 outstanding. She gave examples. She reiterated the 17 points. She made sure that people understood the 18 points. So if that's what we are providing for 19 governing councils, I think they ought to get it, 20 because there was a lot -- not that there wasn't a 21 lot to learn. But it was covered. So to come up 22 and say, "Oh, we didn't know that we had to do 23 that," that would bother me even more now than 24 before. 25 THE CHAIR: Thank you.</p>
<p style="text-align: right;">Page 421</p> <p>1 we reach out to the APS School Board, the Santa Fe 2 School Board, the Las Cruces School Board, the Taos 3 School Board, the ones where we have a number of 4 schools in their area, for them to understand what 5 our role is, what we do, what the Charter School 6 Division does, and how all of it works together so 7 that we don't get these misconceptions out there in 8 public. 9 Because this was concerning me that, you 10 know, there's very few places, when you start 11 knowing people -- I don't care how big this state 12 gets, it's interconnected. It's not six degrees of 13 interconnection; it's two. Somebody is going to say 14 something in a meeting, and it's going to get back 15 real quickly, just like this one did to me, 16 realtime. I would just like to prevent those 17 misunderstandings from happening, so we're all on 18 the same page when it comes to the schools and the 19 students, which is the most important thing we do. 20 THE CHAIR: Commissioner Peralta? 21 COMMISSIONER PERALTA: Pass, Madam Chair. 22 THE CHAIR: I just want to add Merry 23 Christmas, Happy Holidays, safe travels for everyone 24 wherever you're heading out through the season. 25 Commissioner Armbruster?</p>	<p style="text-align: right;">Page 423</p> <p>1 Commissioner Johnston? 2 COMMISSIONER JOHNSTON: I'll ditto the 3 Happy Holidays and the -- the shout-out to Charter 4 School Division. And the work -- the information 5 that was provided me in the packets, as I prepared 6 these hearings on renewals, really, really was 7 beneficial to me. And I thank all of you who put 8 that together, because I know that's a lot of work. 9 But it really helped me understand better. It 10 deepened my understanding, and I was able to be more 11 articulate, I think. I don't know. I tried. 12 I also went to the Coalition conference 13 and attended some of the governing council 14 trainings, which were just excellent, and attended 15 some of the sessions that were there for the charter 16 school folks. 17 I attended the off-grid -- off-the-grid -- 18 one of the two that Kelly and Matt did. And I 19 learned a great deal by listening to the leaders of 20 the charter schools discuss priorities and talk 21 about things. And I would like to -- I appreciated 22 that I was allowed to be there and just to listen, 23 and that my presence, I don't think, was 24 intimidating, because of the way you and Kelly said 25 that I was there as a Commissioner. And oftentimes</p>

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1 when you go to a place like that, people won't talk
2 freely. I was so grateful that they did, because it
3 helped me learn more.

4 And so I really -- I really appreciated
5 that -- that opportunity to be there. And, again,
6 I'm just going to say the word "policies." We keep
7 hearing that over and over again. So that's all I'm
8 saying.

9 COMMISSIONER RUIZ: I'll reiterate the
10 same thing. Thank you to all of you for the work
11 you do. Beverly, oh, my gosh. Icela, Katie, the
12 whole team, and my fellow Commissioners, I'm so
13 proud of the work we do. And Tim and I had NMPSIA
14 this week. And two programs that we're trying to
15 finalize are professional boundaries policies.
16 We're not completely finished with that. But we are
17 working on that, and another one called "Stop It."
18 And so as we learn more about that, we'll share that
19 with you all.

20 Happy Holidays. Merry Christmas.

21 THE CHAIR: Commissioner Crone?

22 COMMISSIONER CRONE: Just to segue from
23 what she said, the other issue, of course, is guns
24 in the schools, which was --

25 COMMISSIONER ARMBRUSTER: By adults or

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1 finance -- I have a master's degree in finance. I
2 have a bachelor's degree in economics, which is
3 probably more number experience than some of the
4 math teachers in our schools and some of those who
5 are teaching economics or civics. But I do not have
6 a teaching certificate and would have to go back to
7 school for a couple of years to get one.

8 But, you know, having home-schooled one
9 child, who went on to success, I think I am capable
10 of teaching. But my credentials are not sufficient.
11 And I think, you know, in New Mexico, we had the
12 comments when we were discussing the science
13 curriculum about how we have two scientific labs,
14 national labs in this state. We have a plethora of
15 highly educated, talented scientists, chemists,
16 economists in this state that do not possess a
17 teaching certificate. And when they retire from
18 those full-time professions, they would love to
19 share some of that knowledge with our students but
20 are incapable of doing so, because you either have
21 to do it full-time and get a teaching certificate or
22 you can't do it at all. And I think that is doing a
23 disservice to our students.

24 With regard to what the President of the
25 APS Board, his comments with regard to our oversight

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1 children?

2 COMMISSIONER CRONE: Anyone. And so, you
3 know, a lot of the -- the people on the board are
4 concerned with the students. The people in the
5 audience are concerned with what it costs. And so
6 they obviously cross at some point. So I think
7 NMPSIA is moving in a direction where, you know,
8 there's no way to stop or prevent these, totally.
9 But we are making some strides, I think, on both
10 grounds.

11 But it has to do with sexual harassment,
12 inappropriate touching. In those cases, nationally,
13 particularly sexual harassment, inappropriate
14 touching, sexual molestation cases are beginning to
15 cost lots and lots of money. And if we don't get
16 some sort of handle on this in the state, it
17 eventually will cost all of us money. So I think
18 NMPSIA is doing good work, as well. And "Bah
19 Humbug."

20 THE CHAIR: Commissioner Robbins?

21 COMMISSIONER ROBBINS: I didn't realize I
22 was sitting next to Mr. Scrooge.

23 I -- I would encourage PED to continue the
24 efforts on permitting adjunct teachers in the
25 schools. Having taught, at the university level,

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1 of charters, I would point out that in 2012, APS
2 voted, on a six-to-one vote, to eliminate the
3 internal audit policy that they had for the school
4 district.

5 We had comments here about -- about the
6 charter school of New Mexico Connections Academy
7 receiving \$12 million, \$14 million. APS receives
8 over \$680 million, and they do not have an internal
9 audit function. All they're doing is they're
10 checking, right now, the school secretaries. They
11 do not check the departments, that they're properly
12 running, that they're even fulfilling and adhering
13 to the policies. And if the district managers don't
14 want to confess problems to the board, the board is
15 in the dark, and they don't know that.

16 I was the one vote against eliminating
17 that policy. And I think PED needs to work with the
18 Legislature to require our larger school districts
19 to not only have a Finance Committee, which they
20 have, but to have -- require the larger districts to
21 have an internal audit function and that that
22 internal audit function would require, whether it's
23 staff or outside auditors coming in and performing
24 it, that those reports go to the board unfettered by
25 the administration.

1 When I was at APS, the internal audit
2 director had been instructed, because they were an
3 employee of the district, that all of the reports
4 had to -- they could not go to the board unless the
5 Superintendent and COO approved of them. I think
6 that is wrong, because you're basically taking
7 governance and setting them aside. You cannot have
8 proper governance unless you have the ability to
9 know what's going on. And it's not a matter of
10 beating people up. It's a matter of being
11 transparent.

12 So I will talk personally with Mr. Peercy,
13 because I think his comments about what our
14 oversight function is misunderstands what our
15 oversight function is. CSD does perform that,
16 rather than us, on a day-to-day basis. And they
17 have governance boards that are responsible for the
18 day-to-day and month-to-month oversight.

19 With that, Merry Christmas and Happy New
20 Year.

21 THE CHAIR: Thank you, all. And I will
22 entertain a motion to adjourn.

23 COMMISSIONER JOHNSTON: Madam Chair,
24 before -- and I -- Beverly Friedman is the backbone
25 of what keeps us all together. And I want to thank

1 BEFORE THE PUBLIC EDUCATION COMMISSION
2 STATE OF NEW MEXICO

3
4
5 REPORTER'S CERTIFICATE

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

13 In testimony whereof, I have hereunto set my
14 hand on January 2, 2018.
15
16
17

18 _____
19 Cynthia C. Chapman, RMR-CRR, NM CCR #219
20 BEAN & ASSOCIATES, INC.
21 201 Third Street, NW, Suite 1630
22 Albuquerque, New Mexico 87102

23
24
25 Job No.: 7860L (CC)

1 her, before I make a motion to adjourn, which I will
2 make right now. But it's a "Hear, hear,
3 Ms. Friedman."

4 COMMISSIONER TOULOUSE: I'd like to agree
5 with that.

6 COMMISSIONER JOHNSTON: So I move to
7 adjourn.

8 COMMISSIONER RUIZ: Second.

9 THE CHAIR: Motion to adjourn. Second by
10 Commissioner Ruiz.

11 All in favor?
12 (Commissioners so indicate.)

13 THE CHAIR: Opposed?
14 (No response.)

15 COMMISSIONER CABALLERO: Aye.

16 THE CHAIR: Hearing one opposition, the
17 motion carries.

18 (Proceedings concluded at 12:31 p.m.)
19
20
21
22
23
24
25

1 RECEIPT

2 JOB NUMBER: 7860L CC Date: 12/15/17
3 PROCEEDINGS: Open Public Meeting, Volume Two
4 CASE CAPTION: Public Education Commission Proceedings
5 *****

6 ATTORNEY: MS. BEVERLY FRIEDMAN, NMPED

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