

Public Education Commission Meeting

June 15-16, 2017

Mabry Hall, Jerry Apodaca Education Building
300 Don Gaspar, Santa Fe, NM 87501

Summary Minutes

<p>Members Present- Patricia Gipson, Chair Karyl Ann Armbruster, Secretary Gilbert Peralta, Vice-Chair Carmie Toulouse James Conyers Trish Ruiz Danielle Johnston Millie Pogna present on 6/16 R. Carlos Caballero Tim Crone arrived immediately after the Commission voted on Agenda Item 5B</p> <p>Meeting began at 1:10 p.m.</p>	<p>Members Absent- Millie Pogna absent 6/15</p>
<p>Agenda Item 1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE & SALUTE TO NEW MEXICO FLAG</p>	<p>Karyl Ann Armbruster, Secretary called the roll and confirmed a quorum.</p>
<p>Agenda Item 2. APPROVAL OF AGENDA</p>	<p>MOTION Trish Ruiz made a motion to approve the agenda. Karyl Ann Armbruster seconded the motion. Motion passed unanimously</p>
<p>Agenda Item 3. PUBLIC COMMENT</p>	<p>No public comments were made.</p>
<p>Agenda Item 4. APPROVAL OF MINUTES AND TRANSCRIPT</p> <p>A. Approval of PEC Work Session Minutes for May 11, 2017</p> <p>B. Approval of PEC Meeting Transcript/Minutes for May 12, 2017.</p>	<p>MOTION James Conyers made a motion to approve the work session minutes. Danielle Johnston seconded the motion. Motion passed unanimously</p> <p>MOTION Carmie Toulouse made a motion to approve the Meeting Transcript Minutes. Trish Ruiz seconded the motion. Motion passed unanimously</p>

<p>C. Approval of PEC Summary Minutes for May 12, 2017</p>	<p style="text-align: center;">MOTION</p> <p>James Conyers made a motion to approve the Meeting Summary Minutes. Karyl Ann Armbruster seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously</p>
<p>Agenda Item 5. DISCUSSION AND POSSIBLE ACTION ON CHARTER SCHOOL AMENDMENTS.</p> <p>A. Turquoise Trail Charter School 1. Increase Enrollment Cap</p> <p>B. Estancia Valley Classical Academy 1. Enrollment cap increase</p> <p>Tim Crone joined the meeting.</p>	<p style="text-align: center;">MOTION</p> <p>James Conyers made the following motion: I move to approve the amendment request presented by Turquoise Trail Charter School to Amend Section 8.01(A)(i), Operational Structure of its Contract, to change the school's enrollment cap from 475 to 490 students, because the school has demonstrated an acceptable level of academic performance through letter grade performance with no grade lower than a "C" in the last three years. Trish Ruiz seconded the motion.</p> <p style="text-align: center;">Motion passed by a majority vote (6-1; Johnston voted no, Peralta recused himself)</p> <p>The commission agreed to table the amendment until the July meeting.</p>
<p>Agenda Item 6. DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF 2016 NEW CHARTER SCHOOL APPLICATIONS</p> <p>A. Albuquerque Collegiate Charter School</p> <p>B. Altura Preparatory School</p>	<p style="text-align: center;">MOTION</p> <p>Trish Ruiz made the following motion: So I move that the PEC accept the applications of the Albuquerque Collegiate Charter School and the Altura Preparatory School. Gilbert Peralta seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously</p>
<p>Agenda Item 7. DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE AND APPROVAL OF TEMPORARY CONTRACTS FOR RENEWAL</p>	

<p>SCHOOLS</p> <ul style="list-style-type: none"> A. New America School - Las Cruces B. Walatowa Charter School C. McCurdy Charter School D. La Tierra Montessori Charter School E. Mission and Achievement and Success Academy F. Coral Community Charter School G. Southwest Aeronautics, Mathematics, and Science Academy H. Southwest Secondary Learning Center I. Southwest Preparatory Learning Center 	<p style="text-align: center;">MOTION</p> <p>Patricia Gipson made the following motion: So I move to approve the temporary contracts for New America School-Las Cruces, Walatowa Charter School, McCurdy Charter School, La Tierra Montessori Charter School, MAS Academy, Coral Community Charter School, Southwest Aeronautics, Mathematics, and Science Academy, Southwest Secondary Learning Center, and Southwest Preparatory Learning Center, in order to provide the schools a requested assurance that they will not be closed because of the technicality of not having a contract. This temporary contract is intended to allow the Commission to engage in necessary work to ensure contract templates and performance frameworks are student-centered and fair to both the school, families, the PEC, and State taxpayers. As noted in the temporary contract, a final contract and performance framework will be negotiated when the Commission has completed its work. And this is also pending the signed contracts from those schools that have not provided the signed contracts and the additional appropriate materials, their governance council minutes approving the temporary contract, once all of that documentation is received. Karyl Ann Armbruster seconded the motion.</p> <p style="text-align: center;">AMENDMENT</p> <p>COMMISSIONER CABALLERO: On discussion, I don't think contracts are -- are technical in nature. I think it's a must -- isn't it a must that they must have a contract with the PEC? And if it's a requirement to exist as a charter, I think we need to -- to change the word "technical," because it's not a technicality. Where it says, "intended" – THE CHAIR: Oh. I – COMMISSIONER CABALLERO: Because of a technicality of not having a contract. It kind of minimizes -- it, for the PEC, is very important. It kind of minimizes our request for contracts. It's not technical. It is a necessary requirement. And so I would just remove it, just so that it doesn't look funny. (Chair consults with PEC Counsel.) THE CHAIR: Okay. I would -- I have no issue with a friendly amendment to that to remove "technicality." That's fine. I'm all right with that.</p> <p style="text-align: center;">Motion passed unanimously</p>
<p>Agenda Item 8. DISCUSSION AND POSSIBLE ACTION ON PED RECOMMENDATION TO COMMENCE REVOCATION PROCEEDINGS</p>	<p style="text-align: center;">MOTION</p> <p>Danielle Johnston made the following motion:</p>

<p>FOR DZIL DITL’OOI SCHOOL OF EMPOWERMENT, ACTION AND PERSERVERANCE (DEAP) BECAUSE OF LEGAL NON-COMPLIANCE, LACK OF APPROPRIATE FISCAL MANAGEMENT AND OTHER CONCERNS ABOUT SCHOOL OPERATIONS</p>	<p>I move that the Public Education Commission commence revocation proceedings for DEAP because of legal noncompliance, lack of appropriate fiscal management, and other concerns about school operations. Karyl Ann Armbruster seconded the motion.</p> <p>The motion was rescinded by Danielle Johnston. The second was rescinded by Karyl Ann Armbruster.</p> <p style="text-align: center;">MOTION</p> <p>Danielle Johnston made the following motion: Madam Chair, I move that the PEC hold a revocation hearing to determine if there is sufficient and just cause to revoke the charter of DEAP Charter School, because the school failed to meet generally accepted standards of fiscal management, based on information in allegations in the 2016 external audit -- external financial audit and site visit conducted by the Public Education Department School Budget and Financial Analysis Bureau and Audit Bureau, and all allegations contained in the affidavits, including in today's materials, and that DEAP Charter School -- allegations that DEAP Charter School further violated any provisions of law that require the school to ensure all administrative functions are conducted by a licensed Head Administrator. Karyl Ann Armbruster seconded the motion.</p> <p style="text-align: center;">Motion passed by a majority vote (7-2; Toulouse and Caballero voted no)</p>
<p>Agenda Item 9. REPORT FROM OPTIONS FOR PARENTS AND THE CHARTER SCHOOL DIVISION – DISCUSSION AND POSSIBLE ACTIONS</p> <ul style="list-style-type: none"> A. Charter School Division Update B. Report on Governance Changes <ul style="list-style-type: none"> 1. Amy Biehl High School 2. Anthony Charter School 3. Gilbert L. Sena High School 4. Las Montañas Charter School 5. North Valley Academy 6. Southwest Preparatory Learning Center 7. Taos International School 8. The MASTERS Program 9. La Academia Dolores Huerta 10. Tierra Adentro of New Mexico 11. Student Athlete Headquarters Academy 12. Explore Academy 	<p>Recorded comments are available in full transcript.</p>

<ul style="list-style-type: none"> 13. Roots and Wings Community Charter 14. Taos Integrated School for the Arts 15. Sandoval Academy of Bilingual Education C. Report on School Closures D. Report from New Mexico School for the Arts 	
<p>Agenda Item 10. DISCUSSION AND POSSIBLE ACTION ON PROPOSAL FOR A PEC ATTORNEY</p>	<p style="text-align: center;">MOTION</p> <p>Danielle Johnston made the following motion: I move that the Public Education Commission accept the RFP Scope of Work for Legal Services with the correction of letter B shall read, "will include at least six members," not five members; and letter C should read, "by a majority vote of the PEC," not the PED. Gilbert Peralta seconded the motion.</p> <p style="text-align: center;">Motion passed by a majority vote (8-0; Caballero abstained)</p>
<p>Agenda Item 11. REPORT FROM THE CHAIR</p> <ul style="list-style-type: none"> A. Tentative Schedule for Community Input Hearings <ul style="list-style-type: none"> 1. July 20 – PEC Meeting in Albuquerque 2. July 21 – Public Input Hearings in Albuquerque for Charter Applicants B. NACSA Leadership Conference October 16-19, 2017 in Phoenix C. Update from New Mexico Charter Coalition 	<p style="text-align: center;">Recorded comments are available in full transcript.</p>
<p>Agenda Item 12. DISCUSSION AND POSSIBLE ACTION ON PERFORMANCE FRAMEWORK WITH PUBLIC IMPACT</p>	<p style="text-align: center;">Recorded comments are available in full transcript.</p>

<p>Agenda Item 13. PEC COMMENTS</p> <p>Meeting recessed at 5:08 p.m. Meeting reconvened at 9:03 a.m.</p>	<p>Recorded comments are available in full transcript.</p>
<p>Agenda Item 14. ADJOURN</p> <p>Meeting adjourned at 3:23 p.m.</p>	<p>MOTION Carmie Toulouse made a motion to adjourn. Karyl Ann Armbruster seconded the motion. Motion passed unanimously</p>

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