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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
PUBLIC MEETING
August 19, 2015
9:00 a.m.
CNM Workforce Training Center
5600 Eagle Rock Avenue
Albuquerque, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

MR. VINCE BERGMAN, Vice Chair
MR. GILBERT PERALTA, Secretary
MS. KARYL ANN ARMBRUSTER
MR. JEFF CARR
MS. ELEANOR CHAVEZ
MR. JAMES CONYERS
MS. PATRICIA GIPSON
MS. MILLIE POGNA
MS. CARMIE TOULOUSE

STAFF:

MS. KATIE POULOS, Director, Charter School Division
MS. JULIE LUCERO, General Manager, Options for
Parents
MR. JOSHUA GRANATA, Assistant Attorney General,
Counsel to the PEC
MS. BEVERLY FRIEDMAN, Custodian of Records and
PED Liaison to the PEC

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1 THE VICE CHAIR: I have nine o'clock. I'm
2 going to call this regular meeting of the New Mexico
3 Public Education Commission into session.

4 Before we get started, I would ask the
5 audience, please mute or buzz or vibrate your cell
6 phones and any other electric devices that might
7 interrupt our proceedings. You might mute them,
8 too, if you would, please, and I would thank you for
9 that.

10 I also wish to note for the record that
11 Chairwoman Shearman has a health issue, and her
12 doctor forbade her to drive this week. She sends
13 her regrets, because she really wanted to be here
14 this week.

15 Secretary Peralta, could we have a roll
16 call, please?

17 COMMISSIONER PERALTA: Commissioner Pogna?

18 COMMISSIONER POGNA: Here.

19 COMMISSIONER PERALTA: Commissioner
20 Toulouse?

21 COMMISSIONER TOULOUSE: Present.

22 COMMISSIONER PERALTA: Commissioner
23 Armbruster?

24 COMMISSIONER ARMBRUSTER: Present.

25 COMMISSIONER PERALTA: Commissioner

1 Conyers?

2 COMMISSIONER CONYERS: Here.

3 COMMISSIONER PERALTA: Commissioner Peralta
4 is here.

5 Commissioner Gipson?

6 COMMISSIONER GIPSON: Here.

7 COMMISSIONER PERALTA: Commissioner Carr?

8 COMMISSIONER CARR: Here.

9 COMMISSIONER PERALTA: Commissioner

10 Shearman?

11 (No response.)

12 COMMISSIONER PERALTA: Commissioner Chavez?

13 (No response.)

14 COMMISSIONER PERALTA: Commissioner

15 Bergman?

16 THE VICE CHAIR: Here.

17 COMMISSIONER PERALTA: Mr. Vice Chair, we
18 have eight members of the Commission present today.

19 THE VICE CHAIR: Thank you, Mr. Secretary.

20 I will note that we do have a quorum today, and we
21 will conduct our business as scheduled.

22 The next item on our agenda is the Pledge
23 of Allegiance and Salute to the New Mexico Flag. I
24 would ask Commissioner Gipson to lead the New Mexico
25 Salute. I will do the Pledge.

1 (Pledge of Allegiance and Salute to the New
2 Mexico Flag conducted.)

3 THE VICE CHAIR: Thank you very much for
4 that.

5 The next item on our agenda is the
6 approval of the agenda. Does anyone have changes to
7 the agenda, or I would welcome a motion to approve
8 the agenda.

9 COMMISSIONER POGNA: So moved.

10 COMMISSIONER CARR: Second.

11 THE VICE CHAIR: Commissioner Pogna moves.
12 Commissioner Carr seconds.

13 All in favor say "Aye."

14 (Commissioners so indicate.)

15 THE VICE CHAIR: The agenda is approved.

16 You will see, under Item No. 3, we have
17 minutes from two separate meetings. The first
18 minutes were for the work session that this
19 Commission held on July 16th of 2015.

20 Does anyone have any changes or
21 corrections to those minutes?

22 (No response.)

23 THE VICE CHAIR: Seeing none, I would
24 welcome a motion to accept the minutes for July 16th,
25 2015.

1 COMMISSIONER ARMBRUSTER: I so move.

2 THE VICE CHAIR: Commissioner Armbruster
3 motions.

4 Do I have a second?

5 COMMISSIONER PERALTA: Second.

6 THE VICE CHAIR: Commissioner Peralta
7 seconds.

8 All in favor say "Aye."

9 (Commissioners so indicate.)

10 THE VICE CHAIR: Any opposed?

11 (No response.)

12 THE VICE CHAIR: "Aye's" are unanimous.

13 The minutes for the July 16th work session are
14 approved.

15 The next minutes, of course, are far more
16 extensive, because they're for our meeting that took
17 place on July 17th, 2015. This is one area where we
18 missed Commissioner Shearman, because she always
19 finds the mistakes in the minutes if there are any.
20 Most of the time, there are none.

21 But does anyone have any changes or
22 corrections to the July 17th meeting?

23 (No response.)

24 THE VICE CHAIR: I see none. I would
25 entertain a motion that we accept the July 17th

1 minutes.

2 COMMISSIONER TOULOUSE: Mr. Chair, so
3 moved.

4 THE VICE CHAIR: Commissioner Toulouse has
5 motioned that we accept.

6 Do I have a second?

7 COMMISSIONER GIPSON: Second.

8 THE VICE CHAIR: Commissioner Gipson has
9 seconded.

10 All in favor say "Aye."

11 (Commissioners so indicate.)

12 THE VICE CHAIR: All opposed say "No."

13 (No response.)

14 THE VICE CHAIR: I hear no "No's," so it is
15 unanimous that the minutes for July 17th are
16 accepted.

17 (Commissioner Eleanor Chavez present.)

18 THE VICE CHAIR: And I note for the record
19 that Commissioner Chavez has now arrived and is also
20 with us, so we're glad to see her.

21 Moving on to Item No. 4, which would be a
22 report from the PED leadership, do we have a report
23 from the PED leadership today?

24 MS. KATIE POULOS: I do not know how to
25 make this work. He told me earlier, and I clearly

1 wasn't listening.

2 I will be honest. Today, we do not. I
3 will have one next meeting. We have been a little
4 bit busy with the new applications.

5 THE VICE CHAIR: No.

6 MS. POULOS: And haven't managed to talk to
7 anybody else in PED in a couple of weeks.

8 THE VICE CHAIR: Thank you, Katie. We will
9 look forward to that report.

10 And for the audience that doesn't know,
11 this is also our community input hearing. We have
12 seven new applications, and we're traveling around
13 the state. And the CSD staff was extremely busy and
14 extremely covered up getting those reports for
15 getting the tour ready and their preliminary
16 analysis on all those applications. In fact, the
17 director of the Options for Parents sent out the
18 last one at 11:00 p.m. on Saturday. She was still
19 working at almost midnight, so it's a very daunting
20 task. So thank you for that.

21 The next item on our agenda is discussion
22 and possible action on charter school amendments, and
23 I assume you do have something for us on that.

24 MS. POULOS: Yes, Commissioner, and I got
25 the microphone to work. So the first amendment

1 request we have is from Media Arts Collaborative
2 Charter School. It is a request to approve a new
3 facility to add on space to their current contract.
4 CSD is recommending a condition approval of this
5 amendment, dependent on the school acquiring
6 E-occupancy for this space.

7 And there are representatives from the
8 school here today.

9 THE VICE CHAIR: Do the folks from Media
10 Arts, do you wish to come forward and just give us a
11 brief report on what we're doing here? This
12 microphone might not be on, and you may have to turn
13 it on. What he said is you hold the little button
14 down for two seconds, and you get a little red light.
15 I know you guys are technical, so you probably know
16 how to do that.

17 MS. GLENNA VOIGT: Testing. Oh, it is on.
18 Good morning.

19 THE VICE CHAIR: Thank you. Identify
20 yourselves for the reporter and your position at
21 Media Arts.

22 MS. VOIGT: Okay. My name is Glenna Voigt,
23 the principal, founding principal of Media Arts
24 Collaborative Charter School. It's great to see
25 everyone this morning.

1 This is John Dunphy.

2 I will let you introduce yourself.

3 MR. JOHN DUNPHY: I'm John Dunphy,
4 president of the Governing Council of the Media Arts
5 Charter School. Thank you.

6 THE VICE CHAIR: Welcome, and just give us
7 a brief report, whatever you would like to say about
8 this amendment.

9 MS. VOIGT: Okay. You know, two years ago,
10 we amended our charter to add a middle school, and
11 this is our first year now. We're six through 12,
12 and we have grown. So we need more media space.
13 These three additional studio spaces will accommodate
14 our increased enrollment for media classes.

15 THE VICE CHAIR: Is that it? Thank you
16 very much for that.

17 Josh, I do see that there's an agenda from
18 their Governing Council meeting. Is that
19 sufficient?

20 MR. JOSHUA GRANATA: Mr. Vice Chair and
21 Commissioners, there's also the draft minutes on the
22 other side of the agenda, and I'm assuming that the
23 action item was approved by the Board. I would
24 suggest that the minutes that are the final minutes
25 approved by the Board are a little bit more specific.

1 The Open Meetings Act requires that --
2 I'll go ahead and just read from the Act itself:
3 "The minutes shall include at minimum the date, time
4 and place of the meeting, the names of the members
5 in attendance and those absent, the substance of the
6 proposals considered and a record of any decisions
7 and votes taken that show how each member voted."

8 And the part that's missing is how each
9 member voted. So I think it would be sufficient if
10 it was a unanimous decision, just to indicate that
11 on the final minutes. Otherwise, I think they're
12 acceptable.

13 MS. VOIGT: Thank you.

14 THE VICE CHAIR: Okay. We will ask you to
15 send those final minutes to the Charter School
16 Division when they are available, if you would,
17 please.

18 MR. DUNPHY: You bet. Certainly.

19 THE VICE CHAIR: And then let us know that
20 you did get them.

21 All right. I believe that satisfies that.
22 Thank you very much.

23 MS. VOIGT: Thank you very much.

24 MR. DUNPHY: Thank you.

25 THE VICE CHAIR: I think we will proceed,

1 then. I believe the -- are we ready, or do we -- is
2 there any discussion on this amongst the
3 Commissioners?

4 Commissioner Toulouse.

5 COMMISSIONER TOULOUSE: Mr. Chair, I want
6 to say this school's in my backyard, basically, and
7 they're also in the same parking lot with my bank.
8 And I want to say publicly on the record what I just
9 said to Mr. Dunphy, who I've also known since he had
10 a full head of hair and quite a few other attributes
11 that may not be quite the same now.

12 But they share a parking lot with the bank
13 and with this, the studios. And when they are
14 filming at the studios and it is not the school, the
15 parking lot can be a mess. That school behaves so
16 well with all of those teenagers parking and coming
17 and going. They stay at their end of the parking
18 lot. They're not all over. They're not getting in
19 the way of the traffic for either of those others.

20 I think, for teenagers, it's an awfully
21 well-controlled bunch, and I also know the studios
22 are right there in the parking lot with them. And I
23 think this is a great idea, and if it's all right
24 with you, I'd like to make the motion.

25 THE VICE CHAIR: Thank you, Commissioner

1 Toulouse.

2 Was there any other comment before we make
3 the motion?

4 (No response.)

5 THE VICE CHAIR: Seeing none, there is a
6 suggested motion on the Executive Summary. I think
7 it covers everything, including what Josh said, that
8 it was dependent on them also submitting their final
9 minutes.

10 So if you would go ahead, Commissioner
11 Toulouse.

12 COMMISSIONER TOULOUSE: Okay. I move that
13 the PEC conditionally approve the amendment presented
14 by the Media Arts Collaborative to lease additional
15 studio space for student media courses within the Nob
16 Hill Studio Building located at 4401 Central Avenue,
17 Northeast, Suite A, pending the school's attainment
18 of E-occupancy for this requested space and final
19 approval of Governing Board minutes, because the
20 school has not presented any safety or security
21 issues for the entire time the school has been open
22 and has implemented a safety plan that ensures
23 students' safety in accessing the suites in the Nob
24 Hill Studio Building.

25 COMMISSIONER CARR: Second.

1 THE VICE CHAIR: Thank you, Commissioner
2 Toulouse.

3 COMMISSIONER CARR: Second.

4 THE VICE CHAIR: Commissioner Carr, was
5 that you --

6 COMMISSIONER CARR: Yes.

7 THE VICE CHAIR: -- for a second?

8 Commissioner Carr has a second.

9 Secretary Peralta, could we have a
10 roll-call vote on that, please?

11 COMMISSIONER PERALTA: Commissioner
12 Toulouse?

13 COMMISSIONER TOULOUSE: Yes.

14 COMMISSIONER PERALTA: Commissioner
15 Armbruster?

16 COMMISSIONER ARMBRUSTER: Yes.

17 COMMISSIONER PERALTA: Commissioner
18 Conyers?

19 COMMISSIONER CONYERS: Yes.

20 COMMISSIONER PERALTA: Commissioner Peralta
21 votes yes.

22 Commissioner Gipson?

23 COMMISSIONER GIPSON: Yes.

24 COMMISSIONER PERALTA: Commissioner Chavez?

25 COMMISSIONER CHAVEZ: Yes.

1 COMMISSIONER PERALTA: Commissioner Carr?

2 COMMISSIONER CARR: Yes.

3 COMMISSIONER PERALTA: Commissioner Pogna?

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER PERALTA: Commissioner

6 Bergman?

7 THE VICE CHAIR: Yes.

8 COMMISSIONER PERALTA: Mr. Vice Chair, that
9 is nine to zero in favor of the motion.

10 THE VICE CHAIR: Thank you, Mr. Secretary.

11 I will note that that amendment request
12 has passed with a nine-to-zero unanimous vote.

13 We will now move on to the second one.

14 MS. POULOS: Thank you. Vice Chair and
15 Commissioners, the next amendment request is a vote
16 on The MASTERS Program request to increase their
17 enrollment cap from 200 students to 210 students.
18 CSD evaluated the academic performance of the school,
19 and because the school has a grade or a report card
20 average of an "A," CSD is recommending approval of
21 this enrollment cap increase.

22 THE VICE CHAIR: Okay. Thank you.

23 Is there someone from MASTERS here today?

24 I don't see anyone.

25 I would have a question. Why did they

1 just ask for an additional ten? That doesn't give
2 them a lot of wiggle room.

3 MS. POULOS: Yeah. I don't think they were
4 looking for a large increase, but I think they were
5 looking for that kind of room to move a little bit,
6 you know, just a few over the 200 that they currently
7 have. I think they have some challenges if students
8 enroll. They have a lot of students enrolled at the
9 beginning of the summer when they can still enroll
10 for those dual enrollment classes, and then they lose
11 some students over. And so they really only end up
12 at 200 but have an ability to enroll if they want.

13 THE VICE CHAIR: Okay. Thank you for that
14 explanation.

15 So they are asking that we increase their
16 enrollment cap to 210 from the current 200. Again,
17 there is a suggested motion on the Executive Summary
18 if someone would like to read that, make that
19 motion. Have we got a volunteer?

20 COMMISSIONER PERALTA: Vice Chair.

21 THE VICE CHAIR: Commissioner Peralta.

22 COMMISSIONER PERALTA: I move that the
23 Public Education Commission approve the amendment
24 request presented by The MASTERS Program to amend
25 Section 8.01(a) material terms of the Charter, (i)

1 operational structure on Page 33, and (viii) total
2 student enrollment on Page 35 of their Charter
3 Contract to identify the enrollment cap as 210 as
4 described in the Amendment Request Form, with the
5 condition that the school provides approved Board
6 minutes because The MASTERS Program three-year report
7 card average is an "A," which demonstrates the school
8 has maintained a high state grade for a period of
9 three years and has shown consistently high levels of
10 school achievement.

11 THE VICE CHAIR: Thank you, Commissioner
12 Peralta.

13 Do we have a second for that motion?

14 COMMISSIONER POGNA: Second.

15 THE VICE CHAIR: Commissioner Pogna
16 seconds.

17 Any discussion?

18 (No response.)

19 THE VICE CHAIR: I see none.

20 So Secretary Peralta, can we have a
21 roll-call vote on that one, please?

22 COMMISSIONER PERALTA: Commissioner
23 Armbruster?

24 COMMISSIONER ARMBRUSTER: Yes.

25 COMMISSIONER PERALTA: Commissioner

1 Conyers?

2 COMMISSIONER CONYERS: Yes.

3 COMMISSIONER PERALTA: Commissioner Peralta
4 votes yes.

5 Commissioner Gipson?

6 COMMISSIONER GIPSON: Yes.

7 COMMISSIONER PERALTA: Commissioner Chavez?

8 COMMISSIONER CHAVEZ: Yes.

9 COMMISSIONER PERALTA: Commissioner Carr?

10 COMMISSIONER CARR: Yes.

11 COMMISSIONER PERALTA: Commissioner Pogna?

12 COMMISSIONER POGNA: Yes.

13 COMMISSIONER PERALTA: Commissioner

14 Toulouse?

15 COMMISSIONER TOULOUSE: Yes.

16 COMMISSIONER PERALTA: Commissioner

17 Bergman?

18 THE VICE CHAIR: Yes.

19 COMMISSIONER PERALTA: Mr. Vice Chair, that
20 is a nine-to-zero vote in favor of that motion.

21 THE VICE CHAIR: Thank you, Mr. Secretary.

22 I will note that that motion to increase
23 that enrollment cap has passed unanimously nine to
24 zero.

25 Let's move on to the next amendment

1 request.

2 MS. POULOS: The next amendment request is
3 from New Mexico International School. You will
4 recall, at the last meeting, they came forth and
5 asked for the ability to enroll more than, I think it
6 was, 20 students per grade or per class, and that was
7 approved.

8 But the discussion at that time was that
9 they were also seeking the ability to combine
10 classrooms and have combined grade levels. That was
11 not an educational programming that was part of
12 their contract at the time, and so they were
13 recommended to bring forth this amendment request to
14 amend their educational program to allow for
15 combination classes, multiple grades in the same
16 classroom.

17 As part of their materials, they did
18 provide a plan to implement that program. As based
19 on the review by CSD of that plan, CSD is
20 recommending the approval of this amendment request
21 because the school has provided a comprehensive plan
22 for establishing and maintaining those combination
23 classes.

24 THE VICE CHAIR: Excellent. Thank you.

25 And I would just note for the record and

1 for my fellow Commissioners this is not the first
2 school that wants to do combo classes. We do have
3 other schools that are occasionally combining grade
4 levels.

5 So is there any discussion? Anyone wish
6 to comment on this amendment request?

7 (No response.)

8 THE VICE CHAIR: Is anyone from the school
9 here?

10 MS. POULOS: There is not.

11 THE VICE CHAIR: All right. There is no
12 one present from the school. I guess we can then
13 proceed forward if the Commissioners have no
14 questions or comments. Here again, there's buried in
15 here somewhere, I know -- here it is. Just before
16 the form, there is a proposed amendment or motion if
17 someone would like to make that motion.

18 COMMISSIONER POGNA: I'll do it. I will do
19 it.

20 THE VICE CHAIR: Commissioner Pogna, well,
21 please get the microphone as near as possible to you
22 and speak into it.

23 She has a very quiet voice.

24 It's not on.

25 MS. POULOS: You need to hold it down.

1 THE VICE CHAIR: It's supposed to be on.
2 There. Yeah.

3 COMMISSIONER POGNA: Yes. Yes, it's on.
4 I move to approve the amendment request
5 presented by New Mexico International School to
6 amend its instructional programming, which is
7 currently based on single-grade classrooms to a
8 program that utilizes both single-grade and
9 mixed-grade classrooms, with the condition that the
10 school provides approved board minutes, because the
11 school has shown overall progress towards reading
12 SBA and Logramos charter performance indicators and
13 the school has provided a comprehensive operational
14 plan for success for establishing and maintaining
15 combination classes.

16 THE VICE CHAIR: Thank you, Commissioner
17 Pogna.

18 We do have a motion on the floor. Do I
19 have a second?

20 COMMISSIONER GIPSON: Second.

21 THE VICE CHAIR: Commissioner Gipson has
22 had a second.

23 Is there any further discussion from
24 Commissioners?

25 (No response.)

1 THE VICE CHAIR: Seeing none, Secretary
2 Peralta, can we have a roll-call vote, please?

3 COMMISSIONER PERALTA: Commissioner
4 Conyers?

5 COMMISSIONER CONYERS: Yes.

6 COMMISSIONER PERALTA: Commissioner Carr?

7 COMMISSIONER CARR: Yes.

8 COMMISSIONER PERALTA: Commissioner Peralta
9 votes yes.

10 Commissioner Pogna?

11 COMMISSIONER POGNA: Yes.

12 COMMISSIONER PERALTA: Commissioner Chavez?

13 COMMISSIONER CHAVEZ: Yes.

14 COMMISSIONER PERALTA: Commissioner

15 Toulouse?

16 COMMISSIONER TOULOUSE: Yes.

17 COMMISSIONER PERALTA: Commissioner Gipson?

18 COMMISSIONER GIPSON: Yes.

19 COMMISSIONER PERALTA: Commissioner

20 Armbruster?

21 COMMISSIONER ARMBRUSTER: Yes.

22 COMMISSIONER PERALTA: Commissioner

23 Bergman?

24 THE VICE CHAIR: Yes.

25 COMMISSIONER PERALTA: Mr. Vice Chair, that

1 is a nine-to-zero vote in favor of the motion.

2 THE VICE CHAIR: Thank you, Mr. Secretary.

3 I will note, then, that that motion has
4 been seconded and approved by a unanimous
5 nine-to-zero vote.

6 Moving on to the next request.

7 MS. POULOS: The next amendment request is
8 an amendment of the charter goals for Estancia Valley
9 Classical Academy. Estancia Valley is requesting to
10 amend its charter goals. It's not a kind of
11 performance framework contra -- sorry, performance
12 framework goals but a Charter Contract goal, so the
13 old Charter Contract. They are requesting to amend
14 those goals because the NMSBA has been replaced with
15 the PARCC assessment, and their goal was previously
16 based on only the NMSBA.

17 They have put forth, after working with
18 CSD, a plan that incorporates -- and you can see
19 that plan in your materials today. It's the plan
20 starting on the third sheet of paper that
21 incorporates five different more-standardized
22 assessments with different percentages by grade
23 level, grades K through 12. Those include DIBELS
24 and the Gates-Mac reading test, Discovery, EOCs from
25 both the state and from the curriculum provider.

1 They have also identified how students
2 would meet that on the next page of their plan.
3 Students would have to either get 1.5 times the
4 grade level growth or an advanced on those
5 assessments to get at the Exceeds level. To be at
6 the Meets level, it would be a year of growth in
7 proficiency. And they would measure looking for, I
8 think it was, 70 percent of their students to get,
9 kind of, at that Proficient or higher level.

10 CSD has worked with them and does believe
11 that this is measurable, that it's specific, and
12 that it can be used to measure those goals, and the
13 representative from the school is here today.

14 THE VICE CHAIR: Okay. If you guys would
15 like to come forward, please do so.

16 Identify yourselves and your role at the
17 school for the recorder, please.

18 MR. TIMOTHY THIERY: My name is Timothy
19 Thiery. I'm executive director at Estancia Valley
20 Classical Academy, and with me here is Governor Kim
21 Adams, a member of our Governing Council.

22 And I'd say thank you for having us here.
23 It's a privilege to be before the Committee, and
24 thank you for putting us on the agenda. I think
25 Ms. Toulouse described our position very well, and I

1 wouldn't have anything in particular to add to that,
2 except that it's been a good interchange with her
3 office and with Ms. Poulos over this.

4 And we've gone through a couple of
5 iterations, and we're pleased with the result. We
6 think that it is a good, accurate measure of student
7 performance and also streamlines time spent in
8 testing based on some of the measures that we
9 already have in place.

10 THE VICE CHAIR: Thank you very much.

11 Kate, I can't remember. Did you recommend
12 approval of this amendment? I know you said you've
13 worked with them closely.

14 MS. POULOS: Commissioner, we do recommend
15 approval of this amendment request.

16 THE VICE CHAIR: Well, let me ask a couple
17 questions, because I'm looking at that 70 percent
18 number, and you're the one that always reminds me,
19 when we negotiate these, that I'm trying to think how
20 Commissioner Shearman would respond to a number that
21 was 70 percent.

22 Do you guys think that that 70 percent is
23 a challenge for your school?

24 MR. THIERY: We fully expect to meet that
25 number. We were advised along the way to target a

1 number similar to 70 percent by one member in
2 particular who was formerly with the CSD, no longer
3 there. And so we picked up on that recommendation,
4 and we've been working with that going forward.

5 THE VICE CHAIR: Okay. Thank you. And I
6 can't remember. We haven't done a contract
7 negotiation with you guys yet, have we?

8 MR. THIERY: Not to my knowledge.

9 THE VICE CHAIR: Did we?

10 MS. KIM ADAMS: Correct.

11 MS. POULOS: Commissioner, they are not
12 under a --

13 THE VICE CHAIR: Not under a contract yet.

14 MS. POULOS: -- performance contract yet,
15 and I think that's -- so, you know, CSD will
16 certainly have a different view of this work anyway.
17 I think it's a really interesting position.

18 We have pushed this school on the rigor.
19 The first discussions incorporated measures that we
20 did not believe were rigorous, and so we really
21 pushed in our discussions with them, and that's
22 where we ended up with under this plan. I think,
23 you know, we got where we believed we could rightly
24 make a recommendation, and I think it's, at this
25 point, up to the Commission.

1 THE VICE CHAIR: Okay. Well, I ask that
2 because it's not in the form -- our new -- our format
3 when we do negotiate, and I understand why not that.
4 We can handle that when we do come -- when are you
5 guys up for renewal, another year or two?

6 MR. THIERY: In a couple years.

7 THE VICE CHAIR: Okay.

8 MR. THIERY: We're going on our fourth
9 year, so next year, we'll be up.

10 THE VICE CHAIR: Okay. Thank you.

11 We have a proposal before us to change
12 their academic performance indicator, and the CSD
13 staff has worked with them and is satisfied with it.

14 Is there any discussion or questions from
15 Commissioners?

16 (No response.)

17 THE VICE CHAIR: Okay. Our attorney, Josh
18 Granata, has noted he does not think that the minutes
19 are necessarily -- what word did you use, "adequate"?

20 MR. GRANATA: Adequate. I guess I'm just
21 kind of having a hard time finding in the minutes
22 where the action was taken by the Governing Council.

23 MR. THIERY: Yeah. In the minutes that I
24 sent, it -- I have it here, I believe. It's Item
25 11GD. I had it noted in one of my documents.

1 MR. GRANATA: Is it the item Charter Goal
2 Revision?

3 MR. THIERY: Correct.

4 MR. GRANATA: Okay. I would just suggest
5 that, when the Governing Council adopts the minutes,
6 that it's a little bit more explicit as to how each
7 council member voted. It's just a little bit unclear
8 in the minutes, so I think that'll be sufficient.

9 MR. THIERY: Okay. Thank you.

10 THE VICE CHAIR: And with the caveat that,
11 when you do that and it's available, the final
12 version, that they be submitted to the CSD staff.
13 Thank you.

14 MR. THIERY: Thank you. Yeah.

15 THE VICE CHAIR: Please do that. Thank
16 you.

17 Any further discussion?

18 (No response.)

19 THE VICE CHAIR: Here again, I believe
20 there's -- somewhere in here, there is -- there is a
21 suggested motion. Does it mention that about the
22 minutes?

23 COMMISSIONER GIPSON: Yeah, it does.

24 THE VICE CHAIR: Okay. Do I have a
25 volunteer to read this motion?

1 COMMISSIONER GIPSON: Sure.

2 THE VICE CHAIR: Commissioner Gipson,
3 please proceed.

4 COMMISSIONER GIPSON: I move to approve the
5 condition that the Estancia Valley Classical Academy
6 provide approved governing body minutes, the
7 amendment request presented by Estancia Valley
8 Classical Academy to amend Part V, Section C, Student
9 Performance Expectations on Page 57 of the charter as
10 described in the Amendment Request Form. Because the
11 school appears to be presenting a goal that requires
12 achievement of grade level standards or growth, the
13 NMSBA is being replaced with the PARCC assessment,
14 and the proposed approach appears to provide for a
15 tighter alignment to specific curricular content
16 within the framework of CCSS.

17 THE VICE CHAIR: Thank you, Commissioner
18 Gipson.

19 We have a motion on the floor in front of
20 us.

21 Do I have a second?

22 COMMISSIONER TOULOUSE: Second.

23 THE VICE CHAIR: Commissioner Toulouse has
24 seconded.

25 Is there any further discussion, comments?

1 (No response.)

2 THE VICE CHAIR: Seeing none, Secretary
3 Peralta, can we have a roll-call vote, please?

4 COMMISSIONER PERALTA: Commissioner Carr?

5 COMMISSIONER CARR: Yes.

6 COMMISSIONER PERALTA: Commissioner Chavez?

7 COMMISSIONER CHAVEZ: Yes.

8 COMMISSIONER PERALTA: Commissioner Gipson?

9 COMMISSIONER GIPSON: Yes.

10 COMMISSIONER PERALTA: Commissioner Peralta
11 votes yes.

12 Commissioner Conyers?

13 COMMISSIONER CONYERS: Yes.

14 COMMISSIONER PERALTA: Commissioner
15 Armbruster?

16 COMMISSIONER ARMBRUSTER: Yes.

17 COMMISSIONER PERALTA: Commissioner
18 Toulouse?

19 COMMISSIONER TOULOUSE: Yes.

20 COMMISSIONER PERALTA: Commissioner Pogna?

21 COMMISSIONER POGNA: Yes.

22 COMMISSIONER PERALTA: Commissioner

23 Bergman?

24 THE VICE CHAIR: Yes.

25 COMMISSIONER PERALTA: Mr. Vice Chair, that

1 is a nine-to-zero vote in favor.

2 THE VICE CHAIR: Thank you, Mr. Secretary.

3 That motion has carried and is approved by
4 a nine-to-zero unanimous vote. That docket in my
5 book is empty, so I will go with the amendment -- or
6 finish with the amendment request. Thank you.

7 We now may move forward to Item No. 6.

8 And thank you guys for being here.

9 MS. ADAMS: Thank you.

10 MS. POULOS: So on Item 6, the
11 Commissioners will recall, at the meeting, I
12 indicated we would be providing this ongoing update.
13 And so that table does provide you any ongoing
14 information about the schools that we've been engaged
15 in ongoing monitoring. So that material is available
16 for the Commissioners to see.

17 Specifically on the agenda for schools of
18 concern, the first school is Dream Diné. That
19 school has been on the agenda for a while now about
20 the facility's concerns. CSD has great news, which
21 is that the E-occupancy was granted to that school
22 for their permanent facility on the 15th. And so we
23 have a copy of that certificate and don't believe
24 that there needs to be any additional updates at
25 that time.

1 THE VICE CHAIR: Thank you for that. That
2 is good news from Dream Diné, that they finally,
3 apparently, have solved their facility's issues, and
4 that's good news.

5 Anybody want to discuss Dream Diné?

6 COMMISSIONER GIPSON: No, I'm just glad.

7 THE VICE CHAIR: Okay. Go forward, then.

8 MS. POULOS: The next school is Southwest
9 Learning Centers. The school has provided an update,
10 and that was put into your binders today. So that
11 is -- a written update is available in your binders
12 today. And I believe there are also representatives
13 from the school today who would like to address the
14 Commissioners.

15 THE VICE CHAIR: Yes. If you want to come
16 up, please do so.

17 Once again, please identify yourselves and
18 your role for the recorder.

19 MR. HERB TORRES: My name is Herb Torres.
20 I'm the interim head administrator for Southwest
21 Learning Centers and SAMS Academy. And with me this
22 morning -- I'm going to let him introduce himself.

23 MR. KIRK HARTOM: Good morning. I'm the
24 new head administrator, Kirk Hartom, for the
25 Southwest Learning Centers. So I'll have Mr. Torres

1 go ahead and finish his report, and if you want me to
2 give you a little more update on my bio, I'd be glad
3 to do that. Thank you.

4 MR. TORRES: Mr. Vice Chair, members of the
5 Commission, good morning, and again, thank you for
6 the opportunity to come and address you this morning
7 and to give you an update regarding the progress that
8 the schools are making over the last several weeks.
9 It's the last meeting in July that we came before you
10 and gave you an update regarding the status of the
11 schools.

12 You have before you a written report that
13 I submitted to Ms. Poulos, and certainly, any
14 information that you may want to further pursue
15 regarding the information that I provided in
16 writing, we're here to answer any questions and
17 address any specific concerns that you may have.

18 I think probably the most important piece
19 of that is that -- several important pieces that I'd
20 like to highlight for you this morning, if I may.
21 And one is that the schools have selected a new head
22 administrator in Mr. Kirk Hartom, and I'm going to
23 let him talk later about his experiences and what he
24 sees as far as the vision, his vision for the
25 school, what he's very quickly already begun to

1 identify and recognize as far as the work that is
2 ahead of him as the new head administrator.

3 But I want to tell you that one of the --
4 just give you a brief highlight that Mr. Hartom
5 comes to the Southwest Learning Centers and to the
6 SAMS Academy with a great wealth of experience and
7 knowledge in the area of not only public education,
8 but private education as well and the world of
9 charter schools. And I think that's critical.

10 He's been involved with charter education,
11 and I'll let him speak specifically to that when he
12 speaks. But he's been involved with charter
13 education, charter public schools for a number of
14 years here in the State of New Mexico as well as in
15 the State of Hawaii, and he has already hit the
16 ground running.

17 He and I have spent approximately three
18 weeks together since he came on and was selected by
19 the Governance Councils. The last item on my
20 checklist as far as my duties as the interim head
21 administrator is to come before you this evening --
22 this afternoon -- this morning and report out to you
23 and introduce Mr. Hartom to you and then move on
24 down south again back to Las Cruces and let
25 Mr. Hartom have full reign of the schools.

1 It's been -- the three weeks that I've
2 been working with him, we've certainly spent a lot
3 of time face-to-face and kind of bringing him up to
4 speed. I've left him several written reports and
5 checklists of items that are pending, things that we
6 have addressed, things that need to be addressed in
7 the near future.

8 And already, he's had the opportunity to
9 visit with staff, to visit with faculty, visit with
10 Governance Councils, and also with legal counsel
11 regarding the status of the schools: What is a
12 priority at this particular time as far as
13 continuing the operations of the schools and also
14 what, in fact, may make his list of priorities as he
15 continues throughout this first school year as the
16 head administrator.

17 Another piece of information that I think
18 is critical is when you take a look at the numbers
19 of our enrollments at this particular time. I have
20 included in my report that the Southwest Primary's
21 projected at 105. And currently, at the time that
22 we wrote this report, we had 101 enrolled and
23 committed students.

24 We continue to receive letters of
25 commitment and continue to visit with parents as far

1 as filling, hopefully, the numbers to their
2 projected amount. But 101 of the projected 105 to
3 primary level is what we currently have as of the
4 14th.

5 At the intermediate, we had projected 108.
6 We have 106. At the secondary, we had projected
7 264, and we actually have 265. So we have exceeded
8 the projected number as far as the budget amount.

9 And at SAMS Academy, we projected 283, and
10 we're at 275. And that continues to grow daily as
11 well.

12 So the good news is that, obviously, the
13 enrollment is continuing to meet the target. It
14 certainly will assist in not only filling our
15 classrooms to the projected numbers but also will
16 help us as far as meeting our ability to be able to
17 provide the education that we anticipated based on
18 the budget development that we have done this year
19 prior to this time.

20 We have -- there's a number of other items
21 that I've identified in the report, and unless you
22 have some specific questions regarding those, I'll
23 let you read the report at your leisure.

24 I will tell you that joining us this
25 morning, if I may, we have two members of our

1 Governance Council. We have the president of the
2 primary Governance Council, Mr. Ken Chapman, and the
3 president of the intermediate Governance Council,
4 Ms. Judy Chapman, that also joins us this morning,
5 and we're glad to have them here with us.

6 So our Governance Councils are moving
7 extremely well. They have filled -- they continue
8 to seek additional members. They currently are all
9 at the minimal amount of members that they may have,
10 which is five. We have a couple of other folks,
11 both our primary and intermediate, that are still
12 being considered to be added to. Our range is from
13 five to nine in each of our schools.

14 SAMS right now currently is at four, but
15 they have a couple of prospects that they're getting
16 ready to interview at a future meeting and,
17 hopefully, will bring their numbers to five.

18 I think the other critical piece that you
19 folks have a great deal of interest in -- and we do,
20 too -- is that their finance committees are working,
21 are meeting on a regular basis. Prior to their
22 meetings, they're reviewing their financials. We
23 have the Vigil Group that sits down and reviews that
24 along with the head administrator, along with myself
25 while I've been there, and bring their reports to

1 the full council so that the full council can then
2 continue to address any questions that they may have
3 and have full exposure and full disclosure of our
4 financials as we continue to go through the process.

5 We also have our audit committees that are
6 in place, have met with the auditors at the exit
7 committee meeting of the audit committee earlier in
8 the summer and are awaiting the approval by the
9 state auditor in order to release those reports to
10 the public.

11 So with that, I'm going to turn it over to
12 Mr. Hartom and give you the opportunity to meet him
13 and begin to perhaps understand where he is going to
14 take the Southwest Learning Centers Schools as well
15 as SAMS Academy.

16 Kirk.

17 THE VICE CHAIR: Thank you, Mr. Torres.

18 And step forward, Mr. Hartom.

19 MR. HARTOM: Thank you.

20 THE COURT: You might just flesh out.

21 There's a very brief bio in the report, but give us
22 just a little more on your background, if you don't
23 mind.

24 MR. HARTOM: Okay. Well, my background,
25 basically, I just came from Cuba, New Mexico, where I

1 was the superintendent of schools. We did a lot of
2 great work with school turnaround the last couple of
3 years. I also helped -- was in Hawaii for a year,
4 where I worked for, well, the Hawaiian version of the
5 PEC for the Hawaii Charter School Commission.

6 And so there, I helped them develop,
7 actually, the performance frameworks, which you are
8 all familiar with, for the State of Hawaii. And I
9 worked hand-in-hand with also the national
10 organization, NACSA, which you are all probably
11 familiar with as well. So that was a very
12 interesting and very educational year.

13 Before that, I've been the assistant
14 superintendent for the archdiocese of Santa Fe.
15 I've also been the principal -- or first principal
16 at the Ask Academy, which is up in Rio Rancho, New
17 Mexico.

18 So I've been full circle in many ways, and
19 I was also -- probably in the second year of this
20 movement, I also was the founder and principal of
21 Nuestros Valores Charter School down in the south
22 valley, and I've also been a schoolteacher with APS
23 way back in the Taos Municipal Schools. So that's a
24 little bit -- as brief as I can get it with my bio.

25 Thank you.

1 THE VICE CHAIR: Thank you so much for
2 that.

3 Mr. Torres, one, I would like to thank you
4 for the great service you have done for these
5 schools, for the willingness you've shown and the
6 cooperation you've shown to this Commission and the
7 Charter School Division staff. We greatly
8 appreciate that.

9 I suspect there's going to be some
10 questions. I think I'll get it started. The
11 finances had been taken over by the PED, had they
12 not? Have they turned them back to you? Is that
13 why the Vigil Group is involved?

14 MR. TORRES: No, sir. Mr. Vice Chair,
15 members of the Commission, the PED still has the
16 financial responsibility and authority over the
17 schools. They will continue to have that
18 responsibility until the schools have received clean
19 audits. Because the audit report that has been given
20 to the audit committee is not yet public, it has not
21 yet been reviewed and approved by the state auditor.

22 We can't reveal what the audit findings
23 will be for the latest audit, but until the schools
24 receive two clean audits, we've been told by Paul
25 Aguilar, who is the deputy secretary for finance,

1 that his expectation was that they will -- the PED
2 will continue to have responsibility and oversight
3 on our finances until that occurs.

4 So they currently are overseeing us. We
5 are working with the Vigil Group, which is a group
6 that the PED recommended to work with us through
7 payroll and accounts payable, and we are also
8 looking to add to our own business office through
9 the selection of a CFO and other business entities.

10 THE VICE CHAIR: Thank you for that. One
11 other brief question, and then I'll go to my
12 Commissioners. Are the schools open, or are you
13 still -- is your opening down the road?

14 MR. HARTOM: No.

15 MR. TORRES: Mr. Vice Chair, Commissioners,
16 the staff reported on August the 3rd and went through
17 two weeks of professional development, staff
18 development, orientation with parents and students,
19 registration with parents and students so that the
20 first day of school was August the 17th, Monday. And
21 we are at full bore at both SAMS Academy and at the
22 Southwest Learning Centers.

23 Because of the orientation that we do with
24 the parents and students and because of the time
25 that we take as far as the registration process,

1 when Monday came around and kids walked in those
2 doors, particularly the kids at the secondary, at
3 the intermediate, and at the SAMS Academy, it's a
4 virtual application, if you will, in education.

5 It appeared that those folks -- it almost
6 looked like they had been there for three months
7 already, because there was -- the operation was
8 extremely smooth. Kids knew exactly what to do,
9 where to go, how to get started.

10 The primary school, obviously, is more
11 traditional, and those kids also started out on a
12 very smooth basis.

13 So we've been in operation this week, and
14 the teaching staff has been on board since August
15 the 3rd.

16 THE VICE CHAIR: Thank you for that.

17 Commissioners, questions?

18 COMMISSIONER GIPSON: I do.

19 THE VICE CHAIR: Commissioner Gipson.

20 COMMISSIONER GIPSON: You briefly mentioned
21 the issue of consolidation. Have you set up a
22 committee to look at that?

23 MR. TORRES: Mr. Vice Chair, Commissioner
24 Gipson, I'm going to let Mr. Hartom talk to you about
25 that, because that's something he's actually going to

1 have to deal with over the long process. And we've
2 talked about that extensively already during the
3 transition between my stay there and his taking over.

4 So Mr. Hartom.

5 MR. HARTOM: Vice Chair and Commissioner
6 Gipson, so I've been on the job two weeks, but I know
7 consolidation was a big issue, and it came forward, I
8 guess, at the last PEC meeting and before that. And
9 so what I have already done is I began to look at
10 what would that take, you know, that we would combine
11 some of these schools? I knew there was a concern
12 about overlap of grade levels. That also is a
13 concern of mine, to look at that.

14 And so really, when these thing -- when
15 the schools were set up -- and they were set up
16 individually -- I already see that there is going to
17 probably be consolidation. What we would lose, in
18 fact -- and that's the numbers that I was looking
19 at -- is that we would probably -- if we -- I looked
20 at the combination of the elementary school and the
21 intermediate school, and it would probably be in the
22 neighborhood -- we would lose small school funding
23 in the neighborhood of, like, \$400,000.

24 COMMISSIONER GIPSON: Right.

25 MR. HARTOM: So we're already saying this

1 is probably going to happen, so let's start thinking
2 in terms of what that's going to look at budgetwise
3 and start it. And I will be reporting out in the
4 next few days to the boards on how that might work.
5 But if we think about it now and say this is
6 something that probably needs to happen, I don't -- I
7 think we would have a smooth transition in doing
8 that.

9 COMMISSIONER GIPSON: Do you have any idea
10 of a time frame that you're looking at for the -- I
11 know you're jumping into the fire, but --

12 MR. HARTOM: Well, we could -- well, I'm
13 throwing my ideas out there, but I would say, I mean,
14 as early as the beginning of next school year.

15 COMMISSIONER GIPSON: Okay.

16 MR. HARTOM: I wouldn't want to disrupt,
17 you know, the flow --

18 COMMISSIONER GIPSON: Right.

19 MR. HARTOM: -- of things this year, --

20 COMMISSIONER GIPSON: Yeah.

21 MR. HARTOM: -- especially with the other
22 events that we have gone through and still have to go
23 through some of that as well. But fees -- you could
24 feasibly say that it could be done by next year --

25 COMMISSIONER GIPSON: Okay.

1 MR. HARTOM: -- if we put a plan together.
2 So my idea is to come back to the PEC and make sure
3 that we can report out on that consolidation process
4 each and every month if we need to, to see you -- to
5 have all of you see where we're at in that process.

6 COMMISSIONER GIPSON: Right. I'd
7 appreciate that. Thank you.

8 MR. HARTOM: You're welcome.

9 THE VICE CHAIR: And thank -- and yes, we
10 will want reports, but I'm not sure if we have to do
11 them monthly. But we'll discuss that at the
12 Commission, too, --

13 MR. HARTOM: Okay.

14 THE VICE CHAIR: -- and decide that, and
15 CSD staff would be involved in that. So thanks for
16 that.

17 Other questions?

18 Commissioner Armbruster?

19 That was just the hand I saw first.

20 COMMISSIONER ARMBRUSTER: Oh, that's fine,
21 and I don't -- I think I can talk loud enough. I'm a
22 middle school teacher.

23 This is not directly to you, but I just
24 wanted to make a comment, which is, when you
25 mentioned -- now, you can hear me.

1 THE VICE CHAIR: It's not on, I don't
2 think. I guess none of the microphones were on.

3 COMMISSIONER CARR: Just want to make sure
4 Millie hears.

5 COMMISSIONER ARMBRUSTER: Okay. Millie,
6 can you hear me?

7 Okay. This is -- this is a --

8 THE VICE CHAIR: Can you hear?

9 COMMISSIONER ARMBRUSTER: I'm repeating
10 here. This is just a general question. When you
11 said that the Vigil Group was recommended to you -- I
12 have nothing against the Vigil Group, but I'm curious
13 whether, when the PED gives you a suggestion, if they
14 give you several groups. Because I thought that was
15 sort of something that was inherent somewhere in law
16 somewhere, and I don't know. Josh will tell me.

17 But I know that, when I taught, that if we
18 recommended someone to parents, we said, "Well, here
19 are three names that you might want to choose from
20 who we know do X, Y, Z." And so I'm a little
21 uncomfortable with the fact that -- and maybe they
22 did not, so you can clarify this.

23 MR. HARTOM: Yeah.

24 COMMISSIONER ARMBRUSTER: Just said, "Go
25 with the Vigil Group," not because of Sam, by the

1 way.

2 MR. TORRES: Mr. Vice Chair, Commissioners,
3 and Commissioner Armbruster, the discussion with the
4 PED and particularly with Paul Aguilar, Deputy
5 Secretary for Finance, regarding the Vigil Group was
6 the schools had contracted through the end of April
7 and had been contracted with a previous group, the
8 AptAbility folks, prior to that. Their contract was
9 terminating at the end of April, and so rather than
10 continuing to let the AptAbility folks pursue --
11 finish the fiscal year, Mr. Aguilar visited with me,
12 indicated that the PED and his department had gone
13 through a review of several vendors that provided
14 this type of work.

15 And so they did that vetting out. We did
16 not. When we sat down and made the decision to have
17 the Vigil Group take over starting May 1st, those
18 contracts were brought to the schools. And
19 Mr. Aguilar and I reviewed those, and we, at that
20 particular time, were asked to approve them and go
21 forward.

22 So as of May 1, we took over. The Vigil
23 Group took over our work as it pertained to accounts
24 payable and the payroll. And my understanding from
25 Mr. Aguilar was that they did that work to vet out

1 several vendors and brought forward the Vigil Group
2 to us.

3 MS. POULOS: Commissioner Armbruster, just
4 to provide some clarity, that is because the Public
5 Education Department had taken over --

6 MR. TORRES: That's correct.

7 MS. POULOS: -- the finances of that
8 school, and so it wasn't a recommendation. It was
9 actual decision making on the entity that was in
10 charge of finances at that point in time.

11 COMMISSIONER ARMBRUSTER: I see.

12 MR. TORRES: That's correct.

13 COMMISSIONER ARMBRUSTER: Thank you.

14 THE VICE CHAIR: Additional questions?
15 Commissioner Toulouse?

16 COMMISSIONER TOULOUSE: Mr. Chair, I want
17 to follow up on two things, one on this contract just
18 very quickly. I'm a little concerned, because Mike
19 Vigil sat here yesterday and kept saying, "And I also
20 do work for PED." I begin to see a conflict if he is
21 saying he works for PED and then he's also doing all
22 of these charter schools he does at a contract amount
23 that hits under the state procurement code.

24 The \$50,000 that he normally charges is
25 the limit for the single-source or, you know, no-bid

1 contracts, and I just have a little concern that, if
2 he's also working for PED, there may be a little
3 conflict. This is more for these people than you
4 folks down the road.

5 The other thing, I just want to follow up
6 on having participated in the contract negotiations
7 with -- both of the Chapmans were involved with it,
8 and they were very easy to work with in what could
9 have been a difficult situation on both schools.

10 On the consolidation, I don't know how
11 much time we have, because we gave you only a
12 two-year contract. And I felt the intent was, in
13 both the negotiations and our approvals, that the
14 intermediate school is out. And the fact that it
15 was used to leverage money, like many schools have
16 done -- and the legislature is looking at that small
17 school adjustment very, very closely for charter
18 schools.

19 And I think within a few years, that's
20 going to be reduced or go away, that people need to
21 get on top of it. And I think by us having said,
22 "You will consolidate," we're actually getting you
23 on top of that before the legislature comes in with
24 no time to do it with the change in the fiscal year.
25 And boy, you go in, and you won't get it. You know,

1 you still are committed to all the other stuff.

2 So I just -- I really -- because neither
3 of you were involved in those negotiations. I'm
4 just kind of providing some information.

5 MR. HARTOM: Thank you.

6 COMMISSIONER TOULOUSE: And I wish you an
7 awful lot of luck, because there are an awful lot of
8 students depending on this school, and knowing the
9 FBI, we have no idea. You know, it may not be in my
10 lifetime to get a final report, and so I know that's
11 quite a load to take on. So welcome to the
12 challenge.

13 THE VICE CHAIR: Thank you, Commissioner
14 Toulouse.

15 And I guess I should note that, right now,
16 there is no statutory limit on business managers.
17 We actually -- Commissioner Shearman and I, two or
18 three years ago, encouraged the LESC to encourage
19 the legislature to put some kind of a limit in that
20 area, but they have not, as yet, done it.

21 COMMISSIONER TOULOUSE: No, there isn't,
22 but people put it on themselves to fit within the
23 procurement code. I will -- you know, remember, I
24 was a 30-year state employee and then 12 years here
25 on the CNM Board. I'm still pretty good at knowing

1 how purchasing and procurement works in the state
2 system and how you play that game, not to mention I
3 have a son involved in state government who's redoing
4 a major computer system right now. So I'm still
5 listening to procurement issues, so --

6 THE VICE CHAIR: Outstanding.

7 Are there additional questions?

8 (No response.)

9 THE VICE CHAIR: I see no hands.

10 Once again, Mr. Torres, I thank you so
11 very much. You stepped into a very difficult
12 situation, and I'm just speaking personally for
13 myself, because I don't speak for my fellow
14 Commissioners. I believe you did an outstanding job
15 in a difficult situation. I appreciate your
16 service, and I'm looking forward to working with
17 Mr. Hartom, seeing him in the future. As you could
18 tell, this consolidation, this Commission's not
19 going to forget that.

20 MR. HARTOM: I got it. I got it.

21 THE VICE CHAIR: It's got to go forward,
22 and I also agree with you, though, that doing it in
23 the middle of the school year will be just totally
24 disruptive for the kids, and that's not what this
25 Commission is about.

1 MR. HARTOM: But we're going to have a
2 plan.

3 THE VICE CHAIR: We do --

4 COMMISSIONER TOULOUSE: Yes.

5 THE VICE CHAIR: You need to have the plan
6 and get it done, and we'll be -- actually,
7 Commissioners, do we want them to come back every
8 month? I think that may be excessive, but it's up to
9 you.

10 COMMISSIONER TOULOUSE: Mr. Chair, I
11 thought we had kind of agreed that, except when there
12 were major issues, that the Charter School Division
13 would be in contact with them and provide us a verbal
14 report at the meetings. And unless there was an
15 issue that developed that we needed to see them, we
16 wouldn't expect them to show up every time.

17 THE VICE CHAIR: Excellent.

18 Is that kind of the will of the
19 Commission?

20 COMMISSIONER GIPSON: Yeah, that's fine.

21 THE VICE CHAIR: That's what I sensed, so
22 the CSD will work with you.

23 MR. HARTOM: Very good.

24 THE VICE CHAIR: And when we -- when either
25 they or we feel it's necessary to see you again. Go

1 to work and take care of those kids. Again, Thank
2 you so much for your service.

3 MR. TORRES: Thank you.

4 MR. HARTOM: Thank you.

5 MR. TORRES: Thank you, Commissioners.

6 THE VICE CHAIR: Katie, I believe we're
7 ready to move on to, what is it, Walatowa?

8 MS. POULOS: Vice Chairman and
9 Commissioners, the next school under schools of
10 concern is Walatowa Charter School. The school was
11 requested to create a corrective action plan because
12 they failed to complete their annual monitoring tool.
13 Specifically, CSD hadn't received academic data to be
14 able to analyze the performance of the school.

15 The school leader did provide a very
16 comprehensive plan both to address the reporting for
17 this year but also to ensure timely reporting in
18 subsequent years. And that plan is in your
19 materials today, and CSD is recommending that the
20 Commissioners accept this, this plan.

21 THE VICE CHAIR: Is this a plan that we're
22 going to need to vote on? Do any of you think
23 that --

24 MS. POULOS: I believe so.

25 THE VICE CHAIR: Or Josh? Okay.

1 MS. POULOS: And there is a motion.

2 THE VICE CHAIR: Is there -- is there
3 anyone from Walatowa that's here today?

4 Please come up to the mike.

5 While he's coming up, maybe take a quick
6 moment, if you haven't already, to look at the
7 document that's in your books.

8 Thank you. Please identify yourself and
9 your role with the school for the recorder.

10 MR. ARROW WILKINSON: Vice Chair and
11 members of the PEC, my name is Arrow Wilkinson. I'm
12 the principal of the Walatowa High Charter School,
13 and this is Dr. Tamez with the education consultant
14 group that we've employed.

15 When you look at the Corrective Action
16 Plan, I just want to assure you that, you know, even
17 though the Governing Board, we operate and we're
18 still operating under PED and PEC guidelines, you
19 know, there's all kind of reasons why we didn't
20 complete our training, whether it was death in the
21 family or personal sickness or employment. But
22 collectively, we just didn't get the training
23 completed.

24 But as you see in our plan, it will be
25 completed, we just want to assure you. And then

1 also with our reporting data, we've hired
2 consultants to ensure that there will be a
3 comprehensive plan for you, especially in the next
4 year and a half, when we do our charter renewal.

5 But at this time, I'd like Dr. Tamez to
6 give you a little bit of his background.

7 MR. JAIME TAMEZ: Good morning, members of
8 the Commission.

9 THE VICE CHAIR: Good morning.

10 MR. TAMEZ: My name is Jaime Tamez, and I
11 was an educator for 34 years, retired in 2007.
12 Twelve years of that was teaching, 22 years in
13 administration, including higher education. I was
14 the associate director for the Center for the
15 Education and Study of Diverse Populations and
16 Highlands and director for the special projects at
17 UNM for establishing community schools.

18 And I retired in 2007, been doing
19 primarily consulting work, and also doing time with
20 my grandkids. I did some work as well in South
21 America, working with the religious communities in
22 Peru and Paraguay and also working with the charter
23 schools.

24 And, well, it's always just been a really
25 tremendous place to work. I've enjoyed it

1 tremendously, and they brought me on board primarily
2 to address some of the issues, really, with the
3 reporting of data and so forth.

4 THE VICE CHAIR: Thank you.

5 Further comments?

6 MR. WILKINSON: No. Just any questions at
7 this time we can answer if you --

8 THE VICE CHAIR: Okay. I guess I'll get
9 the ball rolling. I just had a sense, when our
10 school division first came to us about Walatowa, that
11 there wasn't a great deal of passion. The word I
12 came up with was lackadaisical in your response to
13 this initially. It sounds like you're on top of it
14 now.

15 MR. WILKINSON: Yes.

16 THE VICE CHAIR: As you can tell, this is a
17 grave concern of the PEC, and it's absolutely
18 imperative that, if we approve this Corrective Action
19 Plan, that you get on it and get it accomplished by
20 the deadlines that have been set forth and that it
21 not go past those deadlines.

22 MR. WILKINSON: Well, it wasn't --

23 THE VICE CHAIR: I just wanted to reiterate
24 that.

25 MR. WILKINSON: Yeah. No, and it wasn't

1 lackadaisical. It was just sometimes we sit there
2 when other people have to get something done. It
3 just -- it just didn't happen, but we have been
4 actively pursuing other Board members and even
5 providing training for some that may even may be
6 interested, because if they don't get this done, then
7 they have to be replaced. You know, so we are
8 actively pursuing this, and we will ensure that this
9 will be done before the deadline.

10 THE VICE CHAIR: Thank you.

11 And Katie, you and Julie are satisfied
12 with the document as you've put it together with
13 working with the school?

14 MS. POULOS: Yes, Commissioner. We are
15 very pleased with it. We believe it will ensure
16 timely reporting and meeting all the requirements.

17 THE VICE CHAIR: Thank you for that.

18 Questions from the Commissioners?

19 Questions from the Commissioners?

20 (No response.)

21 THE VICE CHAIR: I see no hands.

22 Is there a proposed motion?

23 There it is. I see it. There is a
24 proposed motion on Page 4 of that particular
25 document. Does someone wish to read that motion --

1 COMMISSIONER TOULOUSE: Mr. Chair?

2 THE VICE CHAIR: -- if they have found it?

3 COMMISSIONER TOULOUSE: It's a short one.

4 I can read it.

5 THE VICE CHAIR: Commissioner Toulouse,
6 please do.

7 COMMISSIONER TOULOUSE: Thank you.

8 THE VICE CHAIR: Yeah, go ahead.

9 COMMISSIONER TOULOUSE: I move that the PEC
10 approve the Walatowa High Charter School's Corrective
11 Action Plan presented to the Commission today,
12 August 19th, 2015, and found in the materials for
13 today's Commission meeting, with the condition that
14 the school provide reports and evidence to the PEC
15 through CSD in a timely manner.

16 THE VICE CHAIR: Thank you for that motion,
17 Commissioner Toulouse, and that does leave it open,
18 and we will just wait for the reports on a timely
19 basis.

20 Is there a second for that motion?

21 Commissioner Armbruster has a second.

22 We have a motion on the floor and a
23 second.

24 Secretary Peralta, can we have a roll-call
25 vote, please?

1 COMMISSIONER PERALTA: Commissioner Peralta
2 votes yes.
3 Commissioner Gipson?
4 COMMISSIONER GIPSON: Yes.
5 COMMISSIONER PERALTA: Commissioner Chavez?
6 COMMISSIONER CHAVEZ: Yes.
7 COMMISSIONER PERALTA: Commissioner Carr?
8 COMMISSIONER CARR: Yes.
9 COMMISSIONER PERALTA: Commissioner Pogna?
10 COMMISSIONER POGNA: Yes.
11 COMMISSIONER PERALTA: Commissioner
12 Toulouse?
13 COMMISSIONER TOULOUSE: Yes.
14 COMMISSIONER PERALTA: Commissioner
15 Armbruster?
16 COMMISSIONER ARMBRUSTER: Yes.
17 COMMISSIONER PERALTA: Commissioner
18 Conyers?
19 COMMISSIONER CONYERS: Yes.
20 COMMISSIONER PERALTA: Commissioner
21 Bergman?
22 THE VICE CHAIR: Yes.
23 COMMISSIONER PERALTA: Mr. Vice Chair, that
24 is nine to zero in favor of the motion.
25 THE VICE CHAIR: Thank you, Mr. Secretary.

1 I will note that that motion has carried
2 by a nine-to-zero unanimous vote.

3 Thank you very much. Are you guys open
4 yet?

5 MR. WILKINSON: Yes. We started July 20th.

6 THE VICE CHAIR: July?

7 MR. WILKINSON: Yes, we did.

8 THE VICE CHAIR: Everything going well,
9 then?

10 MR. WILKINSON: Everything. You know, I
11 thought I was going to get about five students, but
12 they all showed up. But we started, and we did it
13 with the idea that, by the time ACT comes up, they've
14 gotten a full month of academic instruction, and by
15 the time PARCC comes up, we've gained that much. So
16 you know, it was a big shift, and teachers were a
17 little bit upset because we cut -- you know, it was a
18 short time frame.

19 But yeah, we've already been going. So we
20 have -- this is the first time we have -- we have 56
21 kids right now, which is the best we've ever
22 started. So I'm hoping a year-round model will come
23 around, but it's whatever the community wants.

24 THE VICE CHAIR: Thank you very much.
25 Thank you for being here today, and please stay in

1 close contact with the CSD.

2 MR. WILKINSON: Oh, yes. Yes, we will.

3 Thank you so much.

4 THE VICE CHAIR: Thank you so much.

5 Katie.

6 MS. POULOS: Commissioners, the next item
7 on the agenda is Anthony Charter School. Again, this
8 is another school that the Commissioners have asked
9 for continuing reporting. At this point, the update
10 is the same update from May 8th, which is that Judge
11 Matthew granted that stay to the closure pending
12 appeal, and PED's Office of General Counsel has been
13 negotiating with the school. I do not have an update
14 at this time.

15 THE VICE CHAIR: Thank you. Do you know
16 they did -- I assume they've opened by now or --

17 MS. POULOS: I don't know.

18 THE VICE CHAIR: We don't have that
19 confirmed?

20 MS. POULOS: I don't have an update.

21 THE VICE CHAIR: Okay. Thank you for that.

22 Any questions for Katie from the
23 Commission on Anthony Charter School?

24 Then I guess keep them on your radar,
25 then, and keep up.

1 MS. POULOS: I will continue asking.

2 THE VICE CHAIR: All right. What do you
3 have next?

4 MS. POULOS: With regards to the notice of
5 charter schools looking for a new facility, we
6 actually have two. Initially, we thought we only had
7 Taos Integrated School of the Arts, but we've also
8 been notified that the South Valley Preparatory
9 School is looking for a new facility.

10 THE VICE CHAIR: So they're just in the
11 process still?

12 MS. POULOS: Yes.

13 THE VICE CHAIR: Thank you for that.
14 What else do you have for us today?

15 MS. POULOS: So I think the last item on
16 our agenda is the recommendations for the charter
17 framework negotiations for the 2015/16 charter
18 frameworks.

19 Oh, I'm sorry. We have another one after
20 that.

21 But for now, we're talking about the CSD
22 recommendations on the 2014/15 performance
23 frameworks, academic performance frameworks, and
24 whether schools should be asked to renegotiate the
25 goals that are found in those frameworks.

1 CSD did a review of the frameworks, and
2 there's a list of schools that CSD felt very
3 comfortable moving forward with the goals as written
4 in the prior year and didn't believe that
5 renegotiations were necessary. That's Cesar Chavez
6 Charter School, Cien Aguas Charter School, Creative
7 Education Preparatory Institute, Dream Diné Charter
8 School, Gilbert Sena Charter School, Horizon Academy
9 West, La Academia de Dolores Huerta, New America
10 School, New Mexico Connections Academy, and School
11 of Dreams Charter School.

12 So CSD has provided motion language if you
13 would like to go forward with that recommendation
14 and continue to use the performance framework goals
15 that were written in 2014/15.

16 Then for the schools that CSD has felt
17 that it may be helpful to renegotiate for any number
18 of reasons, either because CSD felt that there was a
19 lack of clarity in goals or because there
20 potentially was what may be seen by CSD and maybe
21 not the Commissioners or maybe by the Commissioners
22 as lack of rigor. We've provided those goals for
23 the Commissioners to be able to look at today to
24 determine whether they feel that a renegotiation
25 would be appropriate.

1 And there is one school that is here
2 today. We have already heard from Media Arts
3 Collaborative Charter School, who has requested the
4 opportunity to amend their framework goals. And
5 because we have the framework renegotiation process,
6 we felt it was more appropriate to bring it forth as
7 a renegotiation than as an amendment.

8 THE VICE CHAIR: Thank you, Katie.

9 For the Commissioners who may not be aware
10 of it, we were actually going to do these. We were
11 going to cram these in this week while we also did
12 these hearings and had our meeting, and CSD began to
13 get pushback from the schools because they were
14 opening, and that was understandable.

15 So now, correct me if I'm wrong, Katie.
16 We have now scheduled a -- on September the 23rd, we
17 will be meeting to do these various ones that do
18 require negotiation. Am I correct in that -- in
19 that, what did?

20 MS. POULOS: I don't know that we have
21 actually scheduled a date, and part of that is
22 because the Commissioners today were going to decide
23 whether to do the renegotiations and then to
24 establish that date.

25 THE VICE CHAIR: I believe that -- did we

1 not at least talk about that?

2 MS. POULOS: We discussed it, yes.

3 THE VICE CHAIR: Because we're meeting on
4 the 24th and 25th anyway --

5 MS. POULOS: Right.

6 THE VICE CHAIR: -- for our decision
7 meeting. So that would save a trip for all the
8 people that had to travel.

9 MS. POULOS: For the 23rd. Oh, and we have
10 the in-service days, so that is available.

11 THE VICE CHAIR: And Beverly has already
12 reserved the space for us at Mabry Hall. So that's
13 been, kind of, the discussion and the plan. Do you
14 want us to -- why don't we get rid of the ones that
15 want to leave it the same first. Is that okay with
16 the staff? Why don't we do that.

17 Is there any discussion on those ten
18 schools?

19 Commissioner Carr?

20 COMMISSIONER CARR: I have a -- yeah, I
21 have questions about it, because I didn't -- number
22 one, I didn't know anything about this. And then
23 when I asked about it, the -- I was told that it was
24 discussed in the July meeting, which it was not. And
25 I would have liked to have known.

1 And because the other thing that I'll --
2 and that I would like to bring up is that I don't
3 really know why we're renegotiating performance
4 frameworks unless there's an issue or unless a
5 school would like to do it or a school has red flags
6 and there's problems. Then, let's do it.

7 I think we're putting undue pressure on
8 schools and on us. I don't -- I don't know for sure
9 what little we will accomplish by renegotiating
10 performance frameworks with schools that are doing
11 well. If they're not doing well, yes. You know,
12 let's -- you know, we need to talk about that. And
13 we have schools of concern, obviously, we talk about
14 every meeting.

15 So number one, I didn't know about this,
16 so I didn't -- I didn't get a chance to get any
17 input in, which was surprising to me, because most
18 of the time, I do know what's going on, you know.
19 And then when I asked about it, you know, I -- you
20 know, I didn't get all the answers that I -- that I
21 like. So that's why I'm bringing it up now in an
22 open meeting.

23 So for whatever it's worth, whatever --
24 you know, I may be just speaking for myself. I
25 would like to, first of all, make sure that I'm

1 informed about what's going on. Secondly, I don't
2 think all of these performance framework
3 negotiations are necessary.

4 And then I -- you know, I was thinking
5 there was one other thing, but I guess that's --
6 that is it. You know, and I -- oh, there was.
7 Yeah, the third item was some of the schools
8 contacted me and said that they didn't feel like
9 they were given enough notice. That's why you were
10 getting pushback.

11 You know, you ask -- you ask a school to
12 do something at the beginning of the school year
13 like Commissioner Bergman said, and you are so
14 overloaded and you're, like, going, "What? What?
15 What?" You know, and it's like being called to the
16 principal's office, and you're like, "What? What?
17 You know, what did I do?" You know, and you get
18 there and say, "Oh." You know, and it's just, to
19 me, another undue burden on the schools unless they
20 need -- you know, unless they need that further
21 push.

22 THE VICE CHAIR: Thank you, Commissioner
23 Carr, for your concern. I would just note -- I'll
24 start with your last comment there. Every one of
25 these schools, we've done 48 of these performance

1 contracts so far. I've been at 45 of their
2 negotiations.

3 They were told during those negotiations,
4 one, that the performance framework is annual.
5 That's why we have to do this. In Senate Bill 446,
6 it made the performance framework an annual document
7 that has to be renewed every year, and it was
8 contemplated then that there might be changes either
9 from one side or the other side, us being the other
10 side. And every one of those items, that was talked
11 about in the negotiations, so the schools knew then
12 that this was going to be. Now, that was a year ago
13 or --

14 COMMISSIONER CARR: Sure.

15 THE VICE CHAIR: -- two years ago, and
16 maybe they forgot.

17 But they -- I brought that -- I brought
18 that up in every negotiation I have been in, that it
19 was going to be. And they were told in those
20 negotiations that we would talk specifically about
21 their goals, and they were told by myself that we
22 may need to change their goals, we may not.

23 And specifically what I told the schools
24 was, if you make your goals, then we're probably
25 going to ask you to continue to challenge yourself

1 by increasing the numbers in those indicators. They
2 were told, if you didn't make your goals, then you
3 need to -- one, you need to, of course, internally
4 know why you didn't make your goals, and you need to
5 be able to share with the CSD staff and the PEC why
6 you didn't make those goals.

7 So we have to have some discussion with
8 each school, and they all are not being
9 renegotiated. That list that was just meant --

10 COMMISSIONER CARR: Yeah.

11 THE VICE CHAIR: Those ten schools aren't
12 being. They're going to move forward with their
13 document as it stands now. So that is also already
14 built into the system. The other one is that the CSD
15 staff determined that, yes, there were some things
16 that we need to talk about.

17 Now, and this -- and I'm not sure how you
18 missed it, because I thought we talked about it in
19 July. We've had this conversation for several
20 months, because I kept warning people that we were
21 going to have to do this. And unfortunately, it
22 does fall at a very bad time when we have to do
23 this, and so we're -- at the next work session, we
24 are going to explore how are we going to handle it.

25 COMMISSIONER CARR: Okay.

1 THE VICE CHAIR: The legislature did not --
2 when the change-over came to PARCC, that didn't help.
3 That really complicated things, because at least
4 before PARCC, the ED got the grade reports for every
5 school in July.

6 So once we found out that, from PARCC,
7 PARCC results weren't going to be available until
8 November or even December, I said then, boy, that's
9 going to mess up our renegotiation process, because
10 that is a part of the -- here again, the need for a
11 renegotiation, Commissioner Carr. The state
12 statutes mandate that any school that gets a "C" has
13 to go on an improvement plan, and that has to be
14 negotiated.

15 COMMISSIONER CARR: That's fine.

16 THE VICE CHAIR: So that's -- and until we
17 have those grades, we don't know who's going to have
18 a "C." So yeah, it messed us up. It really did. It
19 affected the CSD. It affected us. It affected our
20 work, and that's why we've had to keep pushing this
21 back.

22 I envisioned us doing it -- doing as much
23 as we could early on and then wait for the grade
24 report, but that turned out to not be feasible
25 either.

1 COMMISSIONER CARR: Uh-huh.

2 THE VICE CHAIR: So we're learning as we go
3 on this. It's an ongoing process, and the change to
4 PARCC didn't really help us much. And so that, we're
5 just dealing with the situation as it is now,
6 unfortunately, so --

7 COMMISSIONER CARR: Mr. Chair?

8 THE VICE CHAIR: Yes.

9 COMMISSIONER CARR: So to add, you know, so
10 it's just like anything else. You know, if I get a
11 call out of the blue and I'm on the Commission and I
12 don't know what's going on, if it's my fault that I
13 don't know what's going on, that's fine. But in this
14 particular case, I don't think it was.

15 I would have liked to have seen a list of
16 the schools that -- you know, I would have liked to
17 have had some information, and then I could have --
18 I could have told them all the things that you told
19 them. Yes, they are subject to renegotiation every
20 year. I'm trying to remember the law, though. But
21 do we -- obviously, we don't have to if we're happy
22 with where they are, right?

23 THE VICE CHAIR: And we didn't.

24 COMMISSIONER CARR: Right.

25 THE VICE CHAIR: Like I say, we're not

1 doing these ten. That is correct.

2 COMMISSIONER CARR: So if we -- if I was --
3 if I had that, if I had been informed, I could have
4 told them, and it would have -- you know, it's just
5 like anything else. Good communication stops a lot
6 of problems before they're created, and there's not
7 a -- not a problem here except for that. Okay?

8 THE VICE CHAIR: Oh, I appreciate your
9 comments and your concern.

10 COMMISSIONER CARR: Okay.

11 THE VICE CHAIR: This is the first day I've
12 seen this list, and I --

13 COMMISSIONER CARR: Okay.

14 THE VICE CHAIR: They were doing seven
15 applications and all their other normal work and this
16 stuff with the renegotiation. That's what I've been
17 telling this Commission for years. Every year, this
18 is going to get more complicated.

19 COMMISSIONER CARR: Yeah.

20 THE VICE CHAIR: Next year, we're going to
21 have another 26 schools added to this year.

22 COMMISSIONER CARR: Yes.

23 THE VICE CHAIR: They don't have enough
24 staff.

25 COMMISSIONER CARR: Right.

1 THE VICE CHAIR: Next year, it's going to
2 be a disaster.

3 COMMISSIONER CARR: Right.

4 THE VICE CHAIR: I'm telling you right now,
5 this minute. By next year, we're going to have close
6 to 50 schools with performance frameworks that we're
7 going to have to talk about next year.

8 COMMISSIONER CARR: Yeah, I agree.

9 THE VICE CHAIR: And you do not have the
10 staff. I don't know who you need to talk to, Katie,
11 about that. Somebody has got to increase your staff
12 level in the next year, really, or you're going to be
13 so inundated that it's going to turn into a disaster.
14 I firmly believe that.

15 MS. POULOS: Commissioner, you are talking
16 to somebody who had 543 charter schools and a staff
17 the same size. So I do think that more staff can be
18 valuable, and we've asked for more specific staff, so
19 I think, you know, staff that can help us with
20 compliance monitoring so that we really are targeting
21 what those staff skills are. But I think we can get
22 it done.

23 THE VICE CHAIR: Well, let's take
24 Commissioner Carr's concern, because like I say, this
25 is the first day you guys have given me the --

1 MS. POULOS: Well, these materials were
2 sent out, Beverly, last week?

3 THE VICE CHAIR: Was it last week?

4 COMMISSIONER CARR: Well, I did not get
5 this.

6 COMMISSIONER ARMBRUSTER: I did.

7 COMMISSIONER CARR: Did you get this
8 electronically?

9 MS. POULOS: It was sent out last Friday.

10 COMMISSIONER CARR: Okay. I guess I missed
11 it.

12 MS. POULOS: And CSD -- I would like to
13 note for the public and for the Commissioners that
14 CSD is working on making those publicly available on
15 the Web site so that they are there for all. I mean,
16 we mail them out to the Commissioners, but I do think
17 that they should be available for all, and we are
18 working on making that available as soon as possible.

19 THE VICE CHAIR: Thank you. I think that
20 will be a good idea, and in fact, I'm going to ask
21 you in just a second. I envision that most of these
22 will just be done in a conference call with the
23 schools. And I understand that some of it has
24 morphed into you believe that we have to actually do
25 some face-to-face negotiation, or are we still doing

1 them on the phone?

2 MS. POULOS: The Commissioners, I think,
3 were having discussions that they would be
4 face-to-face, which was when they were scheduled. At
5 the last meeting, we did note that they were on the
6 schedule for CNM for last night, the night before,
7 and this afternoon when -- when that was the original
8 plan. CSD, you know, is here to support the
9 Commissioners, and if the Commissioners feel that
10 they should be done via a conference call, I think
11 CSD is supportive of that and would feel that that
12 would be appropriate.

13 THE VICE CHAIR: Well, that, here again --
14 here again, that was -- that's what I have been
15 promoting. Now, maybe Commissioner Shearman did not
16 agree with me on that, but that was always how I
17 contemplated it. Let's certainly put that on our
18 agenda for our next work session. We've scheduled a
19 work session for next month, did we not?

20 MS. POULOS: We did not, and I think next
21 month we have a hearing.

22 THE VICE CHAIR: Or did we do it for
23 October? Is that when you wanted to do it?

24 MS. POULOS: November is what I suggested.

25 THE VICE CHAIR: November.

1 MS. POULOS: Yeah.

2 THE VICE CHAIR: Well, let's make --

3 MS. POULOS: Next month, we do have a
4 hearing. We have the meeting, and then what's been
5 suggested by the Commissioners is that these
6 renegotiations, if we determine that these schools
7 should renegotiate, would happen on the prior day,
8 the September 23rd date.

9 THE VICE CHAIR: Well, then let's, for our
10 next work session whenever we have it, let's address
11 Commissioner Carr's concerns and my concerns, and
12 let's have a robust discussion on what we're going to
13 do with these performance frameworks: Whether we're
14 going to do them on a phone, which would be simpler
15 and easier but harder because you've got six or eight
16 people on a conference call and it's hard for
17 everybody to express themselves; or whether we're
18 going to do them in person.

19 And then let's figure out, well, that's
20 going to be labor intensive, too. And so let's have
21 a good discussion on that in our next work session.
22 And for the Commissioners, if at all possible, try
23 to be at that work session.

24 Your thoughts, Katie, on it?

25 MS. POULOS: I think the one concern is, if

1 you wanted to accomplish any sort of renegotiation on
2 September 23rd, that decision probably needs to be
3 made before then.

4 THE VICE CHAIR: Well, I don't think we can
5 do anything right now. I think we've got to go
6 forward with whatever your plan is for this year.
7 I'm contemplating what's going to happen next year.

8 MS. POULOS: And I think that's great. I
9 will say CSD didn't have this plan. CSD is trying to
10 facilitate the work that the Commissioners asked, and
11 so our understanding was that the Commissioners
12 wanted to do any potential renegotiations to have
13 finalized 2015/16 frameworks initially in August.
14 For obvious reasons, that was delayed, and this
15 conversation is happening today.

16 And then we still, I think, need to, kind
17 of, understand how we support the Commissioners in
18 finalizing frameworks for 2015/16. If the
19 Commissioners feel that it's appropriate to do them
20 as conference calls, CSD is in support of that and
21 will support Commissioners in that. If the
22 Commissioners feel it's appropriate to do in-face
23 meetings, CSD is in support of that and will support
24 the Commissioners in that also.

25 THE VICE CHAIR: I suspect Commissioner

1 Shearman will want to do them in person. She and I
2 have discussed it. I wanted to do them on the phone
3 to simplify things, but I -- we've got to go forward
4 with these this year. We've got to get it done now.
5 So if it's the will of the Commission and that's how
6 you've been setting it up, I guess we're going to
7 have to come up with a schedule to do that.

8 For one, it's not going to be like the
9 first performance contract negotiation. It's not
10 going to be a four-hour affair. The contract has
11 already been negotiated. We're just talking about
12 the performance framework, and as Commissioner Carr
13 noted, there -- in a lot of cases, there won't be
14 either any changes that a school has proposed, or
15 very small changes.

16 So I always contemplated that we would
17 only be talking about academic performance
18 indicators, because those are the things that may or
19 may not need to change in any given year. And I
20 know I've asked you, because I've asked you. That
21 is also dependent on the schools getting the data,
22 their academic performance data, to the CSD. And
23 they can't do that until after the school year is
24 over.

25 So all this falls in the summer, when new

1 applications are being done and all the rest is.
2 And I have just personally thought about how we
3 could change the timelines, and I have not been able
4 to come up with a reasonable solution for how we
5 could change their timeline. It's just -- we just
6 have so much work to do in a short amount of time.

7 So Commissioners, do you want to weigh in
8 on this? I'm guessing we're going to have -- since
9 that was kind of the thought and the plan, that we
10 would do these in person this year, and then let's
11 talk about how we're going to do them next year,
12 with the thought that maybe we will do as many as
13 possible on the phone. And hopefully, there will be
14 more than ten next year that don't need to do it at
15 all, and we can just scratch them off the list.

16 That's what we're doing with these ten
17 here today. We're saying just proceed in this
18 school year with what you had last year.

19 Am I correct in that?

20 MS. POULOS: That is correct, the CSD's
21 recommendation for the schools, things that I read.

22 THE VICE CHAIR: Any thoughts? Anybody
23 want to share your thoughts?

24 Commissioner Toulouse?

25 COMMISSIONER TOULOUSE: Mr. Chair, my

1 assumption was that, probably, the first year into a
2 contract, there would be more negotiations. Because
3 we really are doing some guesswork on the first year
4 on people who haven't been on contract before. But
5 that following that, my assumption was the bulk of
6 them would simply be a rollover. We'd approve them,
7 you know, for the next year and for the next year as
8 it worked.

9 And I would like to think that, if we had
10 to do any face-to-face, it would be only the
11 first-year ones and that everybody else could -- who
12 needed any minor changes would be a quick telephone
13 call. Because I can't see making a group of us have
14 to sit down like we do with the other negotiations
15 over and over and over and over when -- for probably
16 something that could be done in half an hour or
17 less, not be able to have a phone doing it rather
18 than a whole bunch of people coming and going and
19 coming and going.

20 THE VICE CHAIR: Absolutely, and that's how
21 I contemplated it, that the renegotiations, if they
22 were even necessary, would take no more than an hour.
23 And because the problem is we don't know how the
24 schools are going to perform on their academic
25 indicators until they tell us how they did. And we

1 don't know who's going to make it and who's not. We
2 don't know if half of them are going to make it or a
3 quarter of them. It's such a -- like I say, there
4 are just so many imponderables involved in this
5 process.

6 So yeah, my wish would be that we didn't
7 have to do any, but we're going to have to, because
8 they're not all going to make their goals. They're
9 really not.

10 COMMISSIONER TOULOUSE: Well, and
11 Mr. Chair, my feeling was that, the first time on a
12 contract, people are having to adjust to the new way
13 of doing business on the ones that we're renewing.
14 And on a new charter, people are having to adjust to
15 being a school in the first place. And that's why I
16 figured some of those are really just a shot in the
17 dark on the percentage, on some of those percentages.

18 And so that's why I thought those are the
19 ones that would probably need more attention than
20 the others. If we're all doing our job right, they
21 should need nothing but a little fine tuning.
22 Because that's not fair to teachers and students
23 either, to continue to change. It should be an
24 upward movement of success for kids.

25 But you know, you get to a certain point,

1 and you can't go any farther. So but you need to
2 do -- but it needs to be a slow, steady thing. It
3 shouldn't be, "Oh, yeah, we're going to throw
4 everything at you new again this year."

5 So I just -- again, I'm agreeing with you,
6 I think, that -- pretty much, I think, that this is
7 pretty much something that we're also into our first
8 couple years of doing. But I mean, I would assume,
9 too, we'd get whole long lists of these rollovers.

10 THE VICE CHAIR: Yeah. And here again, I
11 agree with you. And that's -- we're relying on CSD
12 staff. They're doing the preliminary work. They're
13 putting it all together with the understanding that
14 they would then bring us this kind of a list. This
15 is the ones we think are fine -- or not fine but need
16 to go forward, and we're rely -- as we always do, we
17 rely on their advice and counsel to do these things.

18 So any thoughts?

19 COMMISSIONER CARR: Mr. Chair?

20 THE VICE CHAIR: Mr. Carr.

21 COMMISSIONER CARR: Just I can state for
22 the record I found the list down at the bottom of
23 another thing, and I must have overlooked it. It
24 was -- I think it was one of the later e-mails that I
25 got, but the same -- what I said before still holds

1 true about being fully informed, because --

2 THE VICE CHAIR: Yeah, and that's -- that's
3 a reasonable request. And Commissioner Shearman, as
4 long as she's been Chair, has always been very
5 adamant about keeping all the Commissioners informed
6 about what's going on. So we get a glitch every once
7 in a while, I guess.

8 COMMISSIONER CARR: Sure.

9 THE VICE CHAIR: Down to my right here,
10 anyone wish to weigh in on this issue?

11 COMMISSIONER GIPSON: No, I'm fine. I
12 think, at this point in time, we have to do the
13 in-face, because that's what the schools are
14 anticipating at this moment in time. I don't think
15 we can change it at this late in the game.

16 THE VICE CHAIR: No, I would -- yeah.
17 Commissioner Peralta?

18 COMMISSIONER PERALTA: Just go with as
19 scheduled, and I would like to make the motion on
20 these ten schools, that we move them to the 23rd of
21 the next month.

22 THE VICE CHAIR: Okay. Let me say this.
23 That you've heard, we're contemplating that these are
24 only going to be a half an hour or an hour. We
25 really want to be prepared as we walk in the door so

1 we don't tie up schools that need to be educating
2 their kids. So let's all have that plan when we do
3 get to them.

4 I think we do need to do them face-to-face
5 this year, so you guys work on that. And we're
6 going to have to come up with a date, I guess. I
7 thought we had already set aside September the 23rd.
8 I thought that came out in an e-mail or something.
9 Maybe I --

10 COMMISSIONER TOULOUSE: Mr. Chair, while
11 we're having this discussion, it might be helpful,
12 even though this isn't public comment time, to allow
13 somebody from one of the schools that wants to do
14 this to come in and tell us how she might like to do
15 it.

16 THE VICE CHAIR: Well, they can come in the
17 public comment.

18 COMMISSIONER TOULOUSE: Okay. Because I --

19 THE VICE CHAIR: I'd rather not do it right
20 now.

21 COMMISSIONER TOULOUSE: Because I just
22 think we've got a couple of schools here, and it
23 might be interesting, while we're having this
24 discussion, to hear it, but that's up --

25 THE VICE CHAIR: Like I said, I don't think

1 we have much choice for this cycle. I think we're
2 already well into it. In fact, we're beyond when I
3 originally did all those negotiations when I -- I
4 thought we'd be done with this by now. We haven't
5 even started on it. It turned out to be not as
6 simple and not as easy as I had thought it would be.
7 It just -- it --

8 Go ahead. Commissioner Toulouse.

9 If you would like to come up to the
10 microphone, go ahead.

11 MS. VOIGT: Oh.

12 THE VICE CHAIR: We'll do it now.

13 COMMISSIONER TOULOUSE: Thank you, sir.

14 THE VICE CHAIR: Identify yourself again,
15 please.

16 MS. VOIGT: Thank you, Vice Chair, members
17 of the Committee. Glenna Voigt, principal of the
18 Media Arts Collaborative Charter School. And I just
19 wanted to state that we got notified this morning at
20 6:45 that our originally requested charter amendment
21 was now becoming a performance framework
22 renegotiation. So I just want to state that, let you
23 know.

24 And so it was surprising to me that we had
25 originally requested a charter amendment to one of

1 our performance goals, and now, it's a renegotiation
2 of our performance framework. I'm just putting that
3 out there.

4 THE VICE CHAIR: Stay there just for a
5 second.

6 Katie, what are we talking about here?

7 MS. POULOS: Vice Chair, Commissioners, so
8 this school has submitted an amendment request to
9 amend its goals under the performance framework. Our
10 understanding from the Commissioners was that those
11 would not go forward. Because this discussion was
12 happening, we included that school.

13 The materials are not accurate in my
14 materials, and I apologize for that. They say CSD
15 recommends the renegotiation based on CSD's review.
16 The reason CSD is recommending a renegotiation is
17 because the school has submitted an amendment
18 request to amend its framework goals and because
19 CSD's understanding from the Commissioners was they
20 did not want to do amendments to the framework goals
21 but wanted to have renegotiations of the framework
22 goals.

23 THE VICE CHAIR: Okay. That -- yeah, I
24 never contemplated that it would be an amendment type
25 process for the -- for the renegotiation, that it

1 would -- and as you can hear from this school, you're
2 going to have to work closely with the schools to
3 find a convenient time. Maybe we can't do them all
4 in one day. I don't know how. Like I say, it's --

5 MS. POULOS: Right.

6 THE VICE CHAIR: -- it's such a new
7 process. We're just in the beginning of the third
8 year of this process.

9 MS. POULOS: Yeah. No, and I think the
10 concern from the school was they submitted an
11 amendment request, and CSD made the recommendation in
12 these materials that that school would be part of the
13 renegotiation process because the Commissioners have
14 indicated that there would not be amendments of the
15 framework goals.

16 And I apologize if the e-mail that I had
17 prepared has not come out, because I did prepare an
18 e-mail. And I apologize if that didn't make it out
19 to you. That was a week ago, but that's my mistake
20 if that didn't make it out to you that we would be
21 presenting this to the Commissioners today as a
22 potential renegotiation because the Commissioners
23 had indicated that there would not be amendments to
24 the framework goals.

25 The reason that the school Estancia Valley

1 was different is because it's not a performance
2 framework. It's an old Charter Contract, and that's
3 why that amendment to goals was brought forward in
4 that manner.

5 THE VICE CHAIR: Okay. There's going to
6 need to be very close work between you guys and --
7 and you guys and us guys and -- because it's -- we do
8 have to do it. But the legislature bears a little
9 blame on this, because they made the performance
10 framework an annual document instead of a five-year
11 document.

12 And I understand why they did it. We
13 can't set a goal for your school, for instance, and
14 then wait five years before we evaluate it again. I
15 understand why they did it, but that's a part of the
16 problem, is that the performance framework is a
17 separate standalone annual document, and your
18 school, if it were on a five-year contract, you
19 would have five performance frameworks, and that's
20 what the legislature contemplated.

21 And so, yeah, it's -- but putting it into
22 practice -- in theory, it probably sounded great to
23 the legislature, but we didn't get a lot of input.
24 The legislature just sprung that one on -- we were
25 not involved in the performance contract. I didn't

1 even know about the performance contract bill until
2 the legislature was almost done. So we had very
3 little input, those of us that were working with the
4 LESC at that time, to even put any input into it
5 other than contacting legislators.

6 And I see Susan is standing there. Susan,
7 why do you --

8 MS. SUSAN FOX: Oh, I'm lurking behind
9 Glenna.

10 MS. VOIGT: Thank you.

11 THE VICE CHAIR: What did you wish to share
12 with us?

13 MS. FOX: Thank you, Mr. Chair and members
14 of the PEC. I wanted to remind the members of the
15 PEC, as you all know, these are five-year contracts.
16 And so we have been, kind of, throwing around the
17 term and even using it in the -- in our negotiations,
18 the word "renegotiate." But when we're talking about
19 renegotiating, from our perspective as the various
20 schools' lawyers, we're not talking about opening up
21 the whole contract discussion again.

22 THE VICE CHAIR: No, no. That's not what
23 we envision. Yeah.

24 MS. FOX: Really, what we're talking about
25 and all the law really talks about are looking at

1 annual performance targets, which would be, in my
2 mind at least, the percentages. And if those need to
3 change, then, you know, we've always contemplated
4 revisiting those on an annual basis just like
5 Commissioner Bergman has talked about.

6 But if we're talking about changing --
7 unless the schools want to do this affirmatively --
8 changing whether they use Discovery or DIBELS or
9 something else, really, again, that's going to be
10 subject to an agreement and not something that I
11 think anyone can really impose. So we'd like to
12 stick with the idea that these are five-year
13 contracts and five-year performance frameworks with
14 an annual look at the performance measures, so just
15 to clarify that from our perspective.

16 THE VICE CHAIR: Thank you. And you have
17 sat in a number of those negotiations where I was
18 there, and I believe you'd --

19 MS. FOX: I have, not 43.

20 THE VICE CHAIR: -- confirm that's what
21 I -- that's what I told the schools, that it was --
22 mostly, we'd be talking about their annual
23 performance indicators. And I also told them -- I
24 would hope you'd confirm -- that we may change them
25 and they may need to be changed and they may not need

1 to be changed.

2 MS. FOX: That's right. And if I could
3 just -- so I have a better understanding, I know
4 you've read off a list of ten schools that were going
5 to be pushed or, you know, not "renegotiated." I use
6 that word in quotes. But the others who are, if that
7 could just be put on the record so I could give them
8 a heads-up after this meeting, that would be great.

9 THE VICE CHAIR: Are you talking about the
10 others that are going to require -- and I agree with
11 you. The word "renegotiation" doesn't -- is probably
12 not -- I haven't come up with a better word to use
13 yet.

14 MS. FOX: Right, and --

15 THE VICE CHAIR: If you lawyers think of a
16 better --

17 MS. FOX: I know.

18 THE VICE CHAIR: -- word, you can suggest
19 it to this Commission.

20 MS. FOX: I don't know. If we had to come
21 up with one, it would probably be a series of words,
22 because we're paid by the word, right?

23 THE VICE CHAIR: Yeah, because it's really
24 not a renegotiation. I think it's in the framework.

25 COMMISSIONER CARR: How about --

1 THE VICE CHAIR: Yeah.

2 COMMISSIONER CARR: How about performance
3 amendments?

4 THE VICE CHAIR: Or performance analysis or
5 something like that.

6 MS. FOX: Yeah. Well, we'll figure --

7 THE VICE CHAIR: Academic analysis or
8 something like that.

9 MS. FOX: -- something else out that we'll
10 quibble about in another few years.

11 But so if I could just get an idea,
12 because Ms. Poulos had said that these ten are ones
13 that they didn't have a recommendation to move to
14 amend. And then there were some others that
15 apparently are on your list, and if I could just get
16 an idea of what those are and --

17 THE VICE CHAIR: Actually, see, I don't
18 know --

19 MS. POULOS: CSD --

20 THE VICE CHAIR: -- who they are yet
21 either.

22 So Katie, would you send some kind of a
23 notice to Susan when it's available?

24 MS. POULOS: It's in the materials, in your
25 materials today.

1 COMMISSIONER TOULOUSE: It's in our --

2 THE VICE CHAIR: They're in here somewhere?

3 MS. POULOS: We have not -- we have not --

4 COMMISSIONER TOULOUSE: All of these

5 yellow --

6 MS. POULOS: -- told you, other than giving
7 you the goals to have the discussion as the
8 Commissioners who are making this decision. We have
9 identified the ones where we didn't see any potential
10 reason there would need to be a discussion today.

11 And in your materials today, with each -- in front of
12 each golden sheet is CSD's reason, which is that,
13 based on our review, it may be appropriate to
14 renegotiate all or some of the schools' goals to
15 ensure that they are appropriately specific,
16 measurable, attainable, rigorous, and time-bound.

17 And then CSD has provided you behind the
18 golden sheet for each of the identified schools --
19 which I imagine there should be a discussion
20 today -- the goals so the Commissioners could have
21 that discussion and determine whether they feel
22 there is room to renegotiate those or not.

23 THE VICE CHAIR: Katie, I know you sent
24 this to us by e-mail also. We don't have time today
25 to look at all of this and decide which goals we're

1 going to do today. There's not enough time in the
2 universe to do this many. We can't do this today. I
3 would --

4 Thank you, Susan, for your input.

5 MS. FOX: Thank you.

6 THE VICE CHAIR: So these are the ones that
7 you are contemplating may need some
8 analysis/additional work, if I don't use the term
9 "renegotiation"?

10 MS. POULOS: That is correct. CSD, I
11 think, may also be perfectly comfortable saying, if
12 the Commission is not prepared -- and I think that
13 there may need to be a discussion on how this process
14 should occur -- moving forward with the goals as they
15 are and working in a work session to figure out what
16 this process should look like, CSD's perfectly
17 comfortable either way. And I do think we wanted the
18 Commission to have the opportunity to look at the
19 goals for these schools, where we felt there could be
20 more clarity, more rigor, more time-boundedness,
21 whatever it was, and determine whether it felt the
22 same and felt that there was -- it needed to be
23 renegotiated.

24 THE VICE CHAIR: Now, I see a whole bunch
25 of yellow pages here. How many are actually here?

1 Was a count made?

2 Nine? Just nine schools. Well, let me
3 see here, just put it on the record, then, for right
4 now and to help Susan.

5 Have you got your pen and paper there?

6 MS. FOX: I do. Thank you.

7 THE VICE CHAIR: It looks like we're going
8 to consider Alma D'Arte, Cottonwood Classical,
9 Explore Academy, Health Leadership, International
10 School at Mesa del Sol.

11 COMMISSIONER GIPSON: That's here in
12 Montessori.

13 THE VICE CHAIR: Yeah that's from the La
14 Tierra Montessori. I'm having trouble moving the
15 pages. Media Arts. New Mexico School for the Arts.
16 Taos Academy.

17 Is that your school, Mr. Carr, Taos
18 Academy?

19 COMMISSIONER TOULOUSE: Taos Academy.

20 THE VICE CHAIR: Is that where you are?

21 COMMISSIONER CARR: Yes.

22 THE VICE CHAIR: Okay. Taos Academy. Taos
23 International. And then I have a blank yellow sheet.
24 What is -- oh, that goes on to something else, then?
25 No?

1 MS. POULOS: It's a repeat.

2 THE VICE CHAIR: Oh. Oh, that's why my
3 packet is so thick. I have two stacks of the same
4 information.

5 MS. POULOS: I do, too. I freaked out.

6 THE VICE CHAIR: Okay. So these, the
7 schools I just read off, are the nine, you said?

8 MS. POULOS: Ten.

9 THE VICE CHAIR: Ten that we need to do
10 some future something in the next month or something.
11 We've got to do something with them. See, I haven't
12 even seen the figures yet. You're just, sort of,
13 recommending that we need to do something?

14 MS. POULOS: When we looked at these, we
15 felt that there could be additional rigor, but we
16 felt that it was appro -- or rigor or clarity in some
17 of them, there was not. There was a lack of clarity.
18 We felt it was most appropriate for the Commissioners
19 to make that decision, and that's why we provided
20 recommendations that these be looked at, language for
21 either the acceptance of a need to renegotiate or a
22 rejection of the need to renegotiate and then
23 acceptance of continuing with those goals. And we
24 provided the goals to the Commissioners to have that
25 discussion today.

1 THE VICE CHAIR: Okay. Let me share this
2 with you and the fellow Commissioners and see how
3 this might fly, then. I had a train of thought, and
4 I think it just disappeared, left the station. But
5 it -- oh, originally, here again, as we contemplated
6 how this would work, remember, when we first set this
7 up, the grade report was coming in July.

8 So I had hoped that we would be able, at
9 some point, early in August each year, before we
10 went on our annual tour, we would be able to handle
11 whatever term we're going to use, renegotiations or
12 whatever with these schools, because we felt it was
13 important that they have these new goals before they
14 started their school year. Well, as I said, then
15 that went out the window, and PARCC came in.

16 I would like to go home and think about
17 these and look at these in depth, to tell you the
18 truth. But is any of it so disastrous that we
19 couldn't just decide to just not do it this year and
20 put it forward? Maybe that's not a great
21 suggestion. Let's think about that a second: Let's
22 let all the schools move forward, or is there some
23 that you think we really need to do something with?

24 MS. JULIE LUCERO: Vice Chair Bergman and
25 Commissioners, there are a couple schools. In fact,

1 there is one school that only has one goal. There
2 are a couple others that do not have academic goals.
3 So that would be the reason for renegotiation for
4 those schools. In other cases, the metrics are
5 either too low or the assessment that's used no
6 longer exists. So those would be the reasons that we
7 would do that.

8 All of our liaisons went out to the
9 schools and analyzed the data after our monitoring
10 visit, and after reviewing the data and analyzing,
11 we had in-depth conversations about whether these
12 goals would need to be renegotiated to, you know,
13 push the school a little bit more. So we looked at
14 all different situations. So there's not one reason
15 for each school; different reasons for each of them.

16 THE VICE CHAIR: Yeah, you said maybe three
17 that really need it. So let's put them at the top of
18 the list.

19 MS. LUCERO: Okay.

20 THE VICE CHAIR: Now, let's talk about the
21 other six. And this is when I really wish
22 Commissioner Shearman was here, because I know she
23 would have an opinion on that. But since I'm here,
24 do any of those six fall into what -- a crisis mode,
25 or will they be able to go forward? The kids are not

1 being harmed, do you think, even if the goals are a
2 little too low or --

3 MS. LUCERO: Vice Chair Bergman and
4 Commissioners, I wouldn't say crisis mode by any
5 means. The schools are -- there are several schools
6 that are actually performing pretty well if you look
7 at their last report card. But if we look at the way
8 we negotiated for these schools for the upcoming
9 year, we really did consistently push schools for
10 rigor and high achievement, and so those six may not
11 be in that, in alignment with that.

12 THE VICE CHAIR: Okay. Commissioners, let
13 me throw this out for you, and then I'll open it up
14 again. I'm contemplating now asking CSD staff to
15 look at those six. I definitely want to do the three
16 that you've identified, so I would have three. Would
17 you be comfortable, as Commissioners, if we ask you
18 to reevaluate those six and say you decide which of
19 those six you think, really, we need to talk to again
20 and which of those six we can -- I hate to use the
21 term -- let slide for another year? What's your
22 thoughts on that, Commissioners?

23 COMMISSIONER CARR: Yeah. Mr. Chair, I
24 mean, the top charter schools in the state are on
25 this list. You know, it's the old phrase: If it

1 ain't broke, don't fix it. You know, there's always
2 room to tweak for improvement, you know, when, you
3 know, that's -- that's always true, but it -- but
4 I -- you know, based on what we've got to accomplish
5 here, we need to go after the -- we need to take care
6 of the schools that -- you know, that really need
7 that additional help. Yeah, if they only had one
8 goal, you know, some of those schools, definitely.
9 But yeah, I --

10 THE VICE CHAIR: So are you comfortable
11 with the way I just put it?

12 COMMISSIONER CARR: Yes, I'm fine with how
13 you just put it.

14 THE VICE CHAIR: Other Commissioners, your
15 thoughts?

16 COMMISSIONER CARR: To put it shortly.

17 THE VICE CHAIR: Yea or nay? I did not
18 contemplate letting schools slide, because we -- I am
19 the one that has pushed the hardest, I think, on this
20 Commission for the academic performance indicators.
21 And I wanted them to be robust and rigorous and
22 challenging primarily because of a conversation I had
23 with Senator Sapien, who was the prime sponsor of
24 Senate Bill 446. And he very vigorously told me that
25 the will of the legislature for that bill, the word

1 that was in it was "performance contract."

2 And that's why I have always stood by
3 them. Whenever I talk, I don't just say "contract."
4 I say "performance contract," because that was the
5 will of the le -- they want the schools to perform.
6 The only way, whether we favor testing, whether we
7 favor setting academic goals, that's what we have
8 right now, so that's what we have to live with.

9 So I did not contemplate letting the
10 schools slide. I hate to use that term. That's not
11 the right term. But I think this has become such a
12 complex process, and it snuck up on us, and PARCC
13 affected it.

14 So here again, I didn't see or hear
15 anything from down to my right here. Is that the
16 will of the Commission, then, that I now instruct
17 CSD to go through these others?

18 Yeah, I saw Cottonwood in there. What in
19 the world will we be talking to Cottonwood for?

20 MS. POULOS: If the Commissioners don't
21 mind, I think it would be valuable for us to go
22 through school by school and then have the
23 Commissioners make a decision based on what we have
24 to say today, what we'd like to -- either have us to
25 go figure it out or have us move forward with the

1 goals or have the renegotiation. I think it could be
2 valuable, and we can do that quickly.

3 THE VICE CHAIR: Let's please do that.
4 Let's go through those schools and as quickly as we
5 can, yes. And I'll let -- then you recommend whether
6 you think we ought to talk to them again or not.

7 MS. POULOS: So I think with Alma D'Arte
8 Charter School --

9 THE VICE CHAIR: Actually, let me interrupt
10 you. Actually, Commissioner Chavez had to leave. I
11 get so wrapped up in this. Do we need a comfort
12 break, a very quick five-minute comfort break?

13 COMMISSIONER CARR: Sure.

14 THE VICE CHAIR: Let's do a quick -- I'm
15 sorry. I just let that one slip right past me.
16 Somebody should have raised their hand like we used
17 to have to do in school, you know. But anyway, let's
18 please take a five-minute comfort break. Be back at
19 ten till on the dot, please.

20 (Recess from 10:45 a.m. to 10:52 a.m.)

21 THE VICE CHAIR: We're actually past our
22 time, folks. Please take your seats.

23 Okay. We are back from our brief break.
24 Secretary Peralta has suggested that we go ahead and
25 do the ten and get -- because that's what's laid out.

1 Let's do the motion. Let's get them out of the way,
2 and then based on what you share with us here in a
3 minute, we're going to then do a second motion to do
4 three or four, whatever, that you say we can just go
5 forward on. And that will leave the however many
6 that we're actually going to renegotiate or whatever
7 term we're going to use with them. Does that sound
8 acceptable to you guys?

9 Okay. Is that acceptable to the
10 Commissioners, then?

11 COMMISSIONER CARR: Sure.

12 THE VICE CHAIR: Okay. Commissioner
13 Peralta, please make that motion.

14 These ten schools, what CSD has said,
15 they're not going to be talked to. They're going
16 forward with their current performance framework
17 into this school year. I just want to be sure
18 everybody understands that.

19 And please read the list of names, too.
20 As part -- at the end of the motion, please read all
21 ten names.

22 COMMISSIONER PERALTA: All right. I would
23 like to move that the Commissions approve the
24 recommendations to continue using the 2014/2015
25 academic performance framework goals and the

1 2015/2016 performance frameworks for the following
2 schools: Cesar Chavez Charter School, Cien Aguas
3 Charter School, Creative Education Preparatory
4 Institute, Dream Diné Charter School, Gilbert Sena
5 Charter School, Horizon Academy West, La Academia de
6 Dolores Huerta, New America School, New Mexico
7 Connections Academy, and the School of Dreams Charter
8 School.

9 THE VICE CHAIR: Thank you, Secretary
10 Peralta.

11 We have a motion on the floor. Do I have
12 a second?

13 COMMISSIONER POGNA: Second.

14 THE VICE CHAIR: Commissioner Pogna
15 seconds.

16 Any further discussion on that motion?
17 Any further discussion?

18 (No response.)

19 THE VICE CHAIR: I see none.

20 Mr. Secretary, please have a roll-call
21 vote on this motion.

22 COMMISSIONER PERALTA: Commissioner Peralta
23 votes yes.

24 Commissioner Conyers?

25 COMMISSIONER CONYERS: Yes.

1 COMMISSIONER PERALTA: Commissioner Gipson?

2 COMMISSIONER GIPSON: Yes.

3 COMMISSIONER PERALTA: Commissioner
4 Toulouse?

5 COMMISSIONER TOULOUSE: Yes.

6 COMMISSIONER PERALTA: Commissioner
7 Armbruster?

8 COMMISSIONER ARMBRUSTER: Yes.

9 COMMISSIONER PERALTA: Commissioner Carr?

10 COMMISSIONER CARR: Yes.

11 COMMISSIONER PERALTA: Commissioner Chavez?

12 COMMISSIONER CHAVEZ: Yes.

13 COMMISSIONER PERALTA: Commissioner Pogna?

14 COMMISSIONER POGNA: Yes.

15 COMMISSIONER PERALTA: Commissioner

16 Bergman?

17 THE VICE CHAIR: Yes.

18 COMMISSIONER PERALTA: Mr. Vice Chair, that
19 is nine to zero in favor of that motion.

20 THE VICE CHAIR: Thank you, Mr. Secretary.

21 That motion does carry with a unanimous
22 nine-to-zero vote on those ten schools.

23 Now, I'll ask CSD staff to discuss the
24 other six that are in your binder. And please be
25 concise and short, and I will rely on your

1 recommendation: Should we do -- talk to them
2 further or would you be comfortable letting them go
3 into this school year as they are now? So make that
4 a part of your presentation, please.

5 MS. POULOS: With regards to Alma D'Arte
6 Charter Schools, CSD felt that there could be
7 additional rigor and clarity in these goals.
8 However, CSD is fine to move forward with the goals
9 as written.

10 THE VICE CHAIR: All right. Then we
11 will -- Commissioner -- Secretary, keep a list of the
12 ones that we're going to need another motion on.
13 That'll be Alma D'Arte.

14 MS. POULOS: With regards to Cottonwood
15 Classical Preparatory School, CSD again felt there
16 could be additional rigor and clarity in these goals.
17 However, CSD is fine to move forward with these goals
18 as written.

19 THE VICE CHAIR: And I guess I should ask
20 if, on each one, if you're not -- if you're opposed
21 to letting them slide -- or that's not the right
22 term -- please raise your hand, and I'll check each
23 time.

24 So let's add Cottonwood Classical to that
25 list, Mr. Secretary.

1 What is the next one?

2 MS. POULOS: With regards to Explore
3 Academy Charter School, the school has only one
4 academic indicator. CSD does feel that there needs
5 to be a renegotiation or conversation with the school
6 with regards to these indicators.

7 THE VICE CHAIR: All right. Would it be
8 the will of the Commission that we add them to the
9 list that we will talk to sometime in the near
10 future?

11 COMMISSIONER GIPSON: Yes.

12 THE VICE CHAIR: All right. Put them on
13 the list, the ones that we do need to talk to, Katie.

14 MS. POULOS: With regards to Health
15 Leadership Charter School, CSD again feels that there
16 could be more specificity or rigor in their goals but
17 is fine to move forward with the goals as written for
18 the next school year.

19 THE VICE CHAIR: All right. Is the
20 Commission satisfied with that, letting them go into
21 this year with what they have currently?

22 COMMISSIONER PERALTA: Yes.

23 THE VICE CHAIR: I see no -- all right.
24 Put them on your list, Mr. Secretary.

25 MS. POULOS: With regards to the

1 International School at Mesa del Sol, CSD again feels
2 that these goals could be more appropriately rigorous
3 and specific, but CSD is fine to move forward with
4 these goals as written for the 2015/16 school year.

5 THE VICE CHAIR: And most of you will
6 recognize this is a school that has been in front of
7 us many, many times.

8 COMMISSIONER CARR: Many times.

9 THE VICE CHAIR: But you think it will be
10 all right to let them go forward this year.

11 All right. That's the suggestion from the
12 CSD. Everybody comfortable with that?

13 (No response.)

14 THE VICE CHAIR: Okay. Mr. Secretary, put
15 them on our list to do another motion, then.

16 MS. POULOS: La Tierra Montessori School
17 for the Arts and Sciences, my understanding is that
18 school has expressed an interest in renegotiating its
19 contract goals. As a result, CSD feels it may be
20 appropriate to formerly -- or --

21 COMMISSIONER GIPSON: Formally.

22 MS. POULOS: -- formally invite that school
23 to engage in the contract negotiations, and if they
24 determine they want to, then we would move forward.
25 If they determine they don't want to, CSD would be

1 fine with the goals as written.

2 THE VICE CHAIR: Well, then let's -- yeah,
3 I think, if a school requests it, we should honor
4 their request. So let's put them on the list for now
5 that -- that we will re -- and see if they've changed
6 their mind. Yes, please contact.

7 And if they've changed their mind, Josh,
8 would we then have to do a separate motion in a
9 future meeting dropping them out?

10 Okay. So with that in mind, if they
11 decide they don't want to do it, Katie, we'll have
12 to put it on the future agenda to do a motion like
13 what we're doing today, that we're not going to
14 renegotiate with them.

15 MS. POULOS: Could we -- could we not just,
16 then, do that now, that if they would like to, we
17 will, but otherwise, we'll move forward with the
18 2014/15 goals as written?

19 THE VICE CHAIR: Will you read the motion
20 so we can do that? Or I can read it.

21 So we want to -- we'll talk about the
22 motion when we get to that point, then. So right
23 now, let's leave it that they're going to be
24 renegotiated unless they choose otherwise.

25 Do I have comment on that?

1 COMMISSIONER ARMBRUSTER: This is just a
2 question. This -- I'm getting a little confused and
3 overwhelmed. Is this a school that we just
4 renegotiated with? Wasn't there a La Tierra
5 something that we just did, negotiated?

6 COMMISSIONER TOULOUSE: We did a Montessori
7 school.

8 COMMISSIONER CARR: Oh, no, it wasn't. I
9 don't think it was --

10 COMMISSIONER ARMBRUSTER: Was it a
11 different one?

12 COMMISSIONER TOULOUSE: We did the
13 Albuquerque --

14 MS. POULOS: Tierra Encantada.

15 COMMISSIONER TOULOUSE: We did the
16 Albuquerque Montessori.

17 MS. POULOS: Tierra Encantada.

18 COMMISSIONER CARR: Yeah, Tierra Encantada.

19 COMMISSIONER ARMBRUSTER: Sorry, I just --

20 THE VICE CHAIR: That's quite all right.

21 COMMISSIONER ARMBRUSTER: Sorry.

22 THE VICE CHAIR: And welcome to the PEC,
23 Commissioner Armbruster. Yes, we get overwhelmed
24 frequently because of the amount of work that we're
25 now doing.

1 COMMISSIONER ARMBRUSTER: I'm sorry. I
2 just thought, "Haven't I just handled this school?"

3 THE VICE CHAIR: Well, let's make this one
4 tentative that we will talk, and then -- and we're
5 going to word the motion in such a way that, if they
6 decide not to, we won't have to revisit it. We'll
7 let them go.

8 Okay. What's the next one?

9 MS. POULOS: New Mexico School for the
10 Arts.

11 THE VICE CHAIR: What happened to Media
12 Arts? My next one was Media Arts. Did I miss one?

13 MS. POULOS: Oh, I went over too many
14 pages. I apologize.

15 THE VICE CHAIR: Oh. Let's see.

16 MS. POULOS: Media Arts Collaborative
17 Charter School has requested the opportunity to
18 amend, because the Commission has determined they
19 would not like to -- my understanding is -- take
20 amendments for framework goals. CSD is recommending
21 that the school be engaged in the renegotiation
22 process.

23 THE VICE CHAIR: And you can say. Is that
24 your intent at this time? Do you want us to talk to
25 you again?

1 MS. VOIGT: Yeah. Vice Chair and members
2 of the Commission, I always love talking to you.

3 THE VICE CHAIR: Then we would love to talk
4 to you, then. Let's add them on the list that we
5 will talk to in the future, then.

6 MS. POULOS: In discussions with the New
7 Mexico School for the Arts, my understanding is they
8 also felt that it might be valuable to renegotiate
9 their goals for additional clarity. CSD is making
10 the same recommendation, which is to give the school
11 the option, and if they choose not to move forward
12 with that option, that we would maintain the same
13 goals.

14 THE VICE CHAIR: So we would need to do the
15 same thing that we're going to do with La Tierra
16 Montessori. So we may -- this would have to then go
17 in. So New Mexico School for the Arts.

18 What's the next one?

19 MS. POULOS: Taos Academy Charter School.
20 After communications with that school regarding the
21 goals, the school leader indicated that she may be
22 interested in renegotiating the goals for additional
23 clarity based on comments that CSD made about the
24 goals. So I think it would be appropriate to give
25 that leader also the option to renegotiate the goals

1 and, if they chose not to, to move forward.

2 THE VICE CHAIR: So that's now a third one:
3 Maybe, maybe not. All right. Proceed with that one
4 on that basis, then.

5 MS. POULOS: My understanding on Taos
6 International Charter School is they also have
7 expressed an interest in renegotiating the goals, and
8 so CSD feels it would be appropriate to give them
9 that option, and if they chose to take it, to do
10 that; if not, to move forward with the goals as
11 written.

12 THE VICE CHAIR: That will be a fourth one,
13 then. Let's keep this in mind. I don't want to get
14 an e-mail that I've got to do some kind of a
15 negotiation three days hence. We don't want to rush
16 into this.

17 MS. POULOS: We will send these e-mails out
18 today, because I'm going to go back up to Albuquerque
19 before I go to Deming. So I will get e-mails out to
20 these leaders today.

21 THE VICE CHAIR: Okay. So that's four
22 schools. Did you make a list of those? Okay.

23 Is that the extent of the list, then?

24 MS. POULOS: That is all of the schools
25 that we included in our binder.

1 THE VICE CHAIR: All right. So we're going
2 to need to do another motion now for -- how many was
3 it? Four of them? Five.

4 COMMISSIONER PERALTA: We have two that
5 were recommended to negotiate, and we have four where
6 the schools have the option to renegotiate or not.

7 THE VICE CHAIR: Okay.

8 MS. POULOS: So I think potentially the
9 thing might be to do two motions or three. One would
10 be the one school that we do feel needs to
11 renegotiate.

12 THE VICE CHAIR: Well, he has two on his
13 list.

14 COMMISSIONER PERALTA: I have Explore
15 Academy and Media Arts.

16 MS. POULOS: Oh, because you want to.
17 Because they would like to, yes. So we can move that
18 we would hold those sessions with them.

19 THE VICE CHAIR: Okay. Let me -- let me
20 see your list here.

21 Actually, Mr. Attorney, can we do these
22 additional motions?

23 MR. GRANATA: What do you mean?

24 THE VICE CHAIR: We need to do some
25 addition -- it's an extension of what was already on

1 our agenda.

2 MR. GRANATA: What's the --

3 THE VICE CHAIR: We're going to add names
4 to the -- where did it go? We're going to add names
5 to this list of bad schools.

6 While he's checking, I want to be sure
7 we're complying with all the -- and if he says we
8 can't, then what we're going to do, we're just going
9 to tell you to proceed with these various schools in
10 these various categories. And I'd love to do a
11 motion, but if I can't, then we're going to have to
12 do it as best we can.

13 He's advised me we can do motions, so let
14 me see what you've got here.

15 COMMISSIONER CARR: Mr. Chair?

16 THE VICE CHAIR: Yes.

17 COMMISSIONER CARR: I would recuse myself
18 from any further -- or on voting on this or just any
19 further discussion, because my school is listed here.

20 THE VICE CHAIR: Do you need to be excused
21 from all of them, Jeff, or --

22 COMMISSIONER CARR: Well, no.

23 THE VICE CHAIR: -- just on yours?

24 COMMISSIONER CARR: Well, but we're going
25 to do this as one motion, right?

1 MR. GRANATA: Just recuse for your own
2 school.

3 COMMISSIONER CARR: Well, I was going to --
4 oh, yes, for just from --

5 THE VICE CHAIR: I understand what you're
6 saying. If his school is in the list in the motion,
7 does he have to stay off the whole motion?

8 MR. GRANATA: He can just recuse from
9 discussion or voting for that particular school.

10 THE VICE CHAIR: Yeah. Okay.

11 COMMISSIONER CARR: Yes.

12 THE VICE CHAIR: Whichever one Taos Academy
13 is mentioned in, you need to drop out of that one.

14 COMMISSIONER CARR: Yes.

15 THE VICE CHAIR: And at that point, I'll
16 tell you, because you do need to make that -- you've
17 already stated that you will abstain on that.

18 COMMISSIONER CARR: Yes.

19 THE VICE CHAIR: Commissioner Toulouse?

20 COMMISSIONER TOULOUSE: Mr. Chair, I want
21 to call a point of order. We got so -- on myself
22 under discussion here. I voted on the first roll
23 over on all of them, and Cien Aguas is on there, and
24 I should have been recused because of my grandson
25 attending that school. And I just -- we did so much

1 discussion, I didn't even realize.

2 THE VICE CHAIR: Okay. Josh advises us
3 that, since it's on the record, it's fine for this
4 incident, but thank you for that.

5 COMMISSIONER TOULOUSE: Okay. I just --
6 next time, I will pay more attention and not get as
7 confused with the further-down-the-line stuff we've
8 done.

9 THE VICE CHAIR: Yeah. Yeah, I agree with
10 you. I thought we'd be on the road to Deming
11 already.

12 COMMISSIONER TOULOUSE: Yes.

13 THE VICE CHAIR: But not always -- my
14 best -- my ends don't always come to --

15 Okay. So let me read the list that
16 Secretary Peralta put down. Specifically, you guys
17 said we need to continue to negotiate with Explore
18 Academy and Media Arts. Does that sound correct to
19 you?

20 MS. POULOS: Yes.

21 THE VICE CHAIR: And then the school, ones
22 that you were going to give the option to was Tierra
23 Montessori, School for the Arts, Taos Academy, and
24 International Charter School. Does that list sound
25 correct?

1 MS. POULOS: Yes.

2 THE VICE CHAIR: And I would say, if we do
3 a motion and it passes, they need -- like I say,
4 almost instantaneously, we need to hear as quickly as
5 possible whether they're going to go forward or not
6 so you can plan and we can plan.

7 And then apparently, we had Alma D'Arte,
8 Cottonwood Classical, Health Leadership,
9 International School of Mesa del Sol. So there's
10 four there, and those are the ones we're going to
11 let just proceed into this school year with their
12 current performance framework.

13 Okay. All right. So that's three
14 different groups, so you're probably right. We
15 probably need to do three different motions for
16 that, and our legal counsel says we can do that.
17 I'm trying to figure out how to word it, because I
18 think I'll read it.

19 Oh, okay. We're going to repeat the first
20 motion we did for the schools that we're going to
21 let go. So we will repeat that, and I will read it.

22 Any further discussion, by the way? We're
23 doing the schools we're going to let go forward
24 first here. Any further discussion or comment?

25 (No response.)

1 THE VICE CHAIR: I see none.

2 So I would move that the Public Education
3 Commission approve the recommendation to continue
4 using the 2014/2015 academic performance goals in
5 the 2015 and 2016 performance framework for the
6 following schools: Alma D'Arte, Cottonwood
7 Classical, Health Leadership, and International
8 School at Mesa del Sol.

9 So there is a motion on the floor. Do I
10 have a second?

11 COMMISSIONER POGNA: Second.

12 THE VICE CHAIR: Commissioner Pogna
13 seconds. So I have a motion and a second.

14 Secretary Peralta -- is there any further
15 discussion?

16 (No response.)

17 THE VICE CHAIR: No. Can we have a
18 roll-call vote on that one, please?

19 COMMISSIONER PERALTA: Commissioner Pogna?

20 COMMISSIONER POGNA: Yes.

21 COMMISSIONER PERALTA: Commissioner
22 Toulouse?

23 COMMISSIONER TOULOUSE: Yes.

24 COMMISSIONER PERALTA: Commissioner
25 Armbruster?

1 COMMISSIONER ARMBRUSTER: Yes.

2 COMMISSIONER PERALTA: Commissioner

3 Conyers?

4 COMMISSIONER CONYERS: Yes, sir.

5 COMMISSIONER PERALTA: Commissioner Gipson?

6 COMMISSIONER GIPSON: Yes.

7 COMMISSIONER PERALTA: Commissioner Chavez?

8 COMMISSIONER CHAVEZ: Yes.

9 COMMISSIONER PERALTA: Commissioner Carr?

10 COMMISSIONER CARR: Yes.

11 COMMISSIONER PERALTA: Commissioner Peralta

12 votes yes.

13 Commissioner Bergman?

14 THE VICE CHAIR: Yes.

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

17 THE VICE CHAIR: Thank you, Mr. Secretary.

18 That is a nine-to-zero unanimous vote in favor of

19 those schools, so now, we have five less to

20 negotiate.

21 I am thinking I am going to do the other
22 six in one motion and word it in such a way that you
23 can then drop if they decide to drop out. We can do
24 it that way. Does that sound agreeable to the other
25 Commissioners and Josh?

1 Josh is shaking his head yes.

2 Any discussion on that?

3 (No response.)

4 THE VICE CHAIR: All right. Let me read
5 the motion. I move that the Public Education
6 Commission approve the recommendation to renegotiate
7 some or all of the schools' 2014/2015 academic
8 performance framework goals to ensure the goals are
9 appropriately specific, measurable, attainable,
10 rigorous, and time-bound for the following schools --
11 with the notation that CSD staff will contact these
12 six schools and decide that those schools, working in
13 consultation with CSD, will decide whether they want
14 to move forward and actually renegotiate or not. And
15 then the CSD will notify the members of the
16 Commission who is going forward and who is not going
17 forward.

18 That is the motion before the Commission.
19 Do I have a second to that?

20 Oh, I need to read the schools: Explore
21 Academy, Media Arts, Tierra Montessori, School for
22 the Arts, Taos Academy, International Charter
23 School.

24 So we have a motion. Do I have a second?

25 COMMISSIONER ARMBRUSTER: Second.

1 COMMISSIONER PERALTA: Second.

2 THE VICE CHAIR: Commissioner Peralta
3 seconds.

4 Commissioner Carr, do you have something?

5 COMMISSIONER CARR: Oh, I will abstain from
6 this vote.

7 COMMISSIONER TOULOUSE: Mr. Chair, I just
8 remembered I had a cousin who was at Sage. She
9 transferred to La Tierra just this week, so --

10 COMMISSIONER GIPSON: We need a scoreboard.

11 THE VICE CHAIR: So you are abstaining
12 also?

13 COMMISSIONER TOULOUSE: So I am also
14 abstaining, yes.

15 THE VICE CHAIR: For those of you that may
16 not be familiar with it, Commissioner Toulouse has
17 about 8,000 relatives, and they all attend charter
18 schools.

19 COMMISSIONER CARR: Mr. Chair?

20 THE VICE CHAIR: Yes.

21 COMMISSIONER CARR: I was -- I was just
22 given some additional advice, so I'm not going to
23 completely abstain. I'll explain it when it comes to
24 roll call.

25 THE VICE CHAIR: All right. With that

1 understanding, then, we -- all right. We have a
2 motion and a second. Did I have a second on that?

3 COMMISSIONER PERALTA: Yes.

4 THE VICE CHAIR: Okay. I had a second from
5 Mr. Peralta.

6 Any further discussion?

7 (No response.)

8 THE VICE CHAIR: Hooray. Mr. Secretary can
9 we have a roll-call vote on that one, please?

10 COMMISSIONER PERALTA: Commissioner Chavez?

11 COMMISSIONER CHAVEZ: Yes.

12 COMMISSIONER PERALTA: Commissioner
13 Toulouse? Abstaining?

14 COMMISSIONER TOULOUSE: I think I'm
15 abstaining.

16 THE VICE CHAIR: Abstaining, yes.

17 COMMISSIONER TOULOUSE: Just on that -- oh,
18 okay. I'm abstaining on La Tierra Montessori, but
19 I'm voting yes on the other schools.

20 THE VICE CHAIR: Noted in the record.

21 COMMISSIONER PERALTA: As noted in the
22 record.

23 Commissioner Pogna?

24 COMMISSIONER POGNA: Yes.

25 COMMISSIONER PERALTA: Commissioner Carr?

1 COMMISSIONER CARR: Yes, with the exception
2 of abstention from Taos Academy.

3 COMMISSIONER PERALTA: Please note in the
4 record that Commissioner Carr abstains from Taos
5 Academy but votes yes for all others.

6 Commissioner Armbruster?

7 COMMISSIONER ARMBRUSTER: Yes on all of
8 them.

9 COMMISSIONER PERALTA: Commissioner
10 Conyers?

11 COMMISSIONER CONYERS: Yes.

12 COMMISSIONER PERALTA: Commissioner Gipson?

13 COMMISSIONER GIPSON: Yes.

14 COMMISSIONER PERALTA: Commissioner Peralta
15 votes yes.

16 Commissioner Bergman?

17 THE VICE CHAIR: Yes.

18 COMMISSIONER PERALTA: Mr. Vice Chair, that
19 is seven in favor of all schools identified with two
20 abstentions for two particular schools that were
21 noted in the record.

22 THE VICE CHAIR: That is a first for our
23 Commission. Thank you, Mr. Secretary. Partial
24 abstention.

25 That is, as it was just explained by

1 Secretary Peralta, seven unqualified yes votes, two
2 yes votes with some abstention involved. So we have
3 now dispensed with that issue, I hope.

4 MS. POULOS: I hope so, too.

5 THE VICE CHAIR: Now, where are we on our
6 agenda?

7 MS. POULOS: The next item on our agenda is
8 improve -- discussion of school improvement plans.
9 Commissioners, as you may recall, the CSD has, for
10 several months now, desired to bring forth final
11 reports on any school that had been assigned an
12 improvement plan. CSD has gotten close to doing
13 that. We have found additional challenges in that
14 reporting.

15 At this point, CSD's recommendation is to
16 close out all of the improvement plans that were
17 assigned up to this point, to let the schools know
18 that assignment of an improvement plan in the future
19 will be based on their academic performance when new
20 academic data is available, and CSD would like to
21 hold a work session with the Commissioners in
22 November to establish clear guidelines for what an
23 improvement plan should include, how it will be
24 evaluated, and how it will be monitored.

25 THE VICE CHAIR: Excellent. That's

1 probably an excellent suggestion.

2 Commissioners, thoughts and comments? I'm
3 looking to my left. I see no hands.

4 Looking to my right, I see no hands --

5 COMMISSIONER GIPSON: That's fine.

6 THE VICE CHAIR: -- at this time. When is
7 our meeting date in November? I know you put it in
8 here.

9 COMMISSIONER ARMBRUSTER: The 13th.

10 MS. BEVERLY FRIEDMAN: November 13th.

11 THE VICE CHAIR: November 13th. Do we have
12 anything scheduled on the 12th?

13 Katie, I know we have a lot of things to
14 talk about in these work sessions. Do you
15 contemplate a half-day session or a -- because I
16 think we might have a rigorous discussion on these
17 improvement plans. Or do you think we should
18 schedule a full day?

19 MS. POULOS: I think we would like -- CSD
20 would like to come out of the meeting on
21 November 12th or 13th if it needs to occur as part of
22 the regular session the next day with an actual
23 structure and criteria for improvement plans.
24 Because at close to that time, we believe academic
25 data will be available, and we'd like to be able to

1 move forward with those. So I do think we should
2 schedule a full day to ensure we can make that
3 happen.

4 THE VICE CHAIR: Yeah, I agree with that
5 assessment. We would start probably at nine o'clock.

6 Is that the will of the Commission?

7 COMMISSIONER TOULOUSE: Yes, sir.

8 COMMISSIONER ARMBRUSTER: Nine on the 12th.
9 Is that what you're saying?

10 THE VICE CHAIR: No.

11 COMMISSIONER ARMBRUSTER: I just want to
12 clarify.

13 THE VICE CHAIR: Yeah, we do it -- we do it
14 on -- what was the date? November the 12th at nine
15 o'clock. Put that on your cal -- well, yeah, we'll
16 decide here in just a minute.

17 I'm looking to my right. Any thoughts on
18 it? Everybody comfortable with that work session on
19 November 12th starting at nine? We will talk about
20 the improvement plan, but we do have some other
21 things that we'll need to talk about in there, too.

22 So Beverly, please check on the room for
23 us. You always do a great job on that.

24 Are you comfortable with that, CSD?

25 Katie, have you got any conflicts? You guys are

1 comfortable? You guys are comfortable with that?

2 (No response.)

3 THE VICE CHAIR: Everybody's comfortable.

4 Okay. Let's plan on a work session on
5 November 12th to talk about the improvement plan.
6 You will bring documentation, have the plan, and
7 we'll have it in advance so we can look at it and
8 study it as always.

9 MS. POULOS: I hope to have the materials
10 prepared the month before, because I know that the
11 Commissioners would like to have them as early as
12 possible.

13 THE VICE CHAIR: Yeah, the earlier the
14 better, because then we have more time to read and
15 study and think about it. So thank you for that.

16 Anything else on that?

17 (No response.)

18 THE VICE CHAIR: Are you finished with
19 that, then?

20 MS. POULOS: Yeah.

21 THE VICE CHAIR: All right. We are now
22 down to Item 8, which is the report from the chair
23 or, in this case, the acting chair. We're going to
24 start out. I want to dispense with this very
25 quickly, but we need to take it.

1 Those of you that don't know, we did a
2 negotiation about 25 mi -- or not a -- a community
3 input hearing about 25 miles east of Grants
4 yesterday, but we were still in the Grants school
5 district. After we had left, the publisher of the
6 local Grants newspaper, which is either a weekly or
7 a twice-weekly newspaper, started firing off e-mails
8 to a variety of people saying he wasn't notified
9 about our hearing.

10 And I've checked with Beverly, and Beverly
11 confirms his newspaper was not on the horizon, and
12 he wasn't on the PED's media list even. He has
13 ask -- he demanded that we redo the community input
14 hearing, but I believe he has talked to Josh, and I
15 believe that has been put to rest.

16 He also said the local Grants people
17 didn't know anything about it. I was there. Eleven
18 different people commented in the public comment.
19 So he is mistaken there. There were plenty of
20 people from the local community. They all spoke in
21 favor of the school, so I'm sure the school rounded
22 them up. So people did know about it, or at least
23 some people did.

24 So but the suggestion has been made we
25 normally -- and I don't even have that out here. I

1 wasn't doing the hearings today. But normally, the
2 applicants and their supporters are given three days
3 after, from the date of the community hearing, to
4 submit public -- their additional public comment to
5 the PED, and the name is given to them. It's on the
6 agenda for every one of those hearings.

7 And it has been suggested, and I believe
8 our attorney Josh has agreed with that, that we
9 should informally -- because it's not on our agenda
10 today. We're not going to take a vote. It's not an
11 action item. He has requested that Grants people be
12 given an extra week to submit that content, and Josh
13 seems to be comfortable with that.

14 And I will say -- you've heard me say it
15 before. I'm never comfortable with making
16 exceptions to the way we do things, because you open
17 the barn door. But because he's media and because
18 he claims that people didn't get a chance, I believe
19 my personal recommendation would be that we go ahead
20 and informally allow him to be told that, yeah, if
21 he wants to put in his paper that people need to
22 send comment.

23 We're in a bind either way. If we don't,
24 he's probably going to file an open meetings
25 violation or something or a lack of notice complaint

1 or something. I believe he'll be satisfied if we
2 give them an extra week.

3 Thoughts from anyone on that? Here again,
4 this is the first time this has ever come up.

5 Commissioner Armbruster?

6 COMMISSIONER ARMBRUSTER: I'm fine with
7 that. I just -- we're -- who is contacting them to
8 tell them that, and is it going to be in writing?

9 THE VICE CHAIR: We have talked about it.
10 Who is going to do it, Beverly?

11 MS. FRIEDMAN: Josh.

12 THE VICE CHAIR: Josh is going to do it,
13 because he's been in contact with this man.

14 COMMISSIONER ARMBRUSTER: Okay.

15 THE VICE CHAIR: And then he said he'll put
16 it in his little paper, which is tomorrow or
17 something. So Josh will be in contact with him, I
18 guess, as soon as we're done here or something like.

19 COMMISSIONER ARMBRUSTER: That's fine.

20 THE VICE CHAIR: So he will take care of
21 that. So to my left, are you guys comfortable with
22 that? I don't like to do it. I think we have to.

23 COMMISSIONER CARR: Sure.

24 THE VICE CHAIR: Informally. To my right?
25 And I figure we don't normally do informal, but this

1 is -- I got back from my room at 1:30 yesterday from
2 the two hearings yesterday and opened up my computer,
3 and I had this whole flock of e-mails that I had to
4 go through. And so it's just a fire to put out
5 almost every day.

6 COMMISSIONER TOULOUSE: Mr. Chairman?

7 THE VICE CHAIR: Commissioner Toulouse?

8 COMMISSIONER TOULOUSE: I'm not comfortable
9 with it, but I agree with doing it. But I think that
10 maybe we need to then add to our procedures some
11 ways, because otherwise, we've opened the door for
12 other people, then, to come up with other reasons to
13 want to extend the comment period.

14 THE VICE CHAIR: I believe we can probably
15 put that on our list for our work session. Actually,
16 I just made an informal suggestion to the staff
17 yesterday that -- I knew Beverly did media
18 announcements, so this one slipped through the crack.

19 But I also -- but the Grants
20 superintendent was there at this meeting, because we
21 invite the local school district to comment. And I
22 will tell you that he noted he didn't know about the
23 meeting. He was notified both in January when the
24 school made their application, and Beverly assures
25 me that she sent e-mails to all the superintendents

1 in these cities or a letter or something, and
2 somehow he missed it.

3 COMMISSIONER TOULOUSE: Well, I think,
4 Mr. Chair, though, he also admitted he knew about the
5 initial notification and kind of blew it off after
6 that, so --

7 THE VICE CHAIR: And you remember I also
8 clarified for him the worry.

9 COMMISSIONER TOULOUSE: Uh-huh.

10 THE VICE CHAIR: But yeah, he -- he really
11 did ha -- but then I suggest to the staff and maybe
12 this Commission we can discuss it in our session
13 also. Perhaps as a courtesy -- because it's not a
14 statutory requirement -- that we send out a form
15 letter under our letterhead probably three weeks
16 before the hearings as a courtesy and send it to
17 every superintendent in which we're having a -- and
18 maybe that would forestall that kind of a complaint.

19 Your thoughts on that? Does that sound
20 like an idea?

21 (No response.)

22 THE VICE CHAIR: Okay. We'll discuss that
23 also, how we'll do that. Because that's something
24 else for the staff and Beverly to do. We just
25 continually add to their workload. But yes, we need

1 to address these issues as they come up.

2 So I -- is that the consensus of the
3 Commission, is that Josh will tell them and that the
4 staff is aware that there's going to be -- Katie,
5 you're going to need to let Linda know that she's
6 going to be getting, perhaps, stuff from steamed
7 academy supporters a week past that deadline, that
8 it will be accepted. But just exactly one week to
9 that deadline is what we're adding to it. Instead
10 of Thursday night this week, it'll be Thursday night
11 next week.

12 Okay. If that's the will of the
13 Commission, that's how we'll proceed on that.

14 And Josh, please convey that to
15 Mr. Jaramillo.

16 MR. GRANATA: Yes, sir.

17 THE VICE CHAIR: Thank you for doing that.

18 All right. Report from the chair. I have
19 nothing else, because Commissioner Shearman was
20 going to be doing this. And she may have had
21 something that I'm not aware of. So I'm going to
22 commence with that.

23 We're now down to the portion called, "PEC
24 Comments." Are there any Commissioners that wish to
25 make additional comments at this time?

1 Commissioner Toulouse?

2 COMMISSIONER TOULOUSE: Mr. Chair, usually,
3 we have a section here of reports, legislative
4 reports or any of that. And I just did want to state
5 that, in July, I attended the LESC meetings in Rio
6 Rancho, and the main part that affected charter
7 schools had to do with transportation. And they had
8 a public comment time or a group of people they
9 invited up. Almost all of them were transportation
10 people from individual districts who were insisting
11 they shouldn't have to do any transportation for
12 charter schools.

13 So I did put myself, on behalf of us and
14 the charter schools sitting there, onto that group
15 of people and did discuss with the LESC how it
16 really works for the charter schools. Although
17 several people -- I know we have one sitting back
18 here who did participate in that as well. And the
19 next LESC meeting is the end of next week in
20 Roswell, and I'm assuming, Mr. Chair --

21 THE VICE CHAIR: I'm going to comment on
22 that in just a minute, yeah.

23 COMMISSIONER TOULOUSE: -- that you would
24 be going. At this point, I'm not planning on going,
25 but I may.

1 THE VICE CHAIR: All right. Okay.

2 COMMISSIONER GIPSON: I will be there.

3 COMMISSIONER TOULOUSE: Okay. Thank you.

4 THE VICE CHAIR: Yeah. I will note now,
5 since it's been brought up, that for the first time
6 in seven years, the LESC is coming to Roswell. And
7 since I live there, I, of course -- there is nothing
8 on the charter schools on their agenda at this time,
9 but there is going to be a -- I would bet a very
10 robust discussion of teacher evaluations is on there.

11 COMMISSIONER CARR: Yes.

12 THE VICE CHAIR: And I wanted to go and
13 listen to the teacher evaluations part. So I will be
14 there, and certainly, any of the other rest of you
15 are welcome to come and sit in the audience --

16 COMMISSIONER GIPSON: Yeah, I will be
17 there.

18 THE VICE CHAIR: -- for that. So that
19 is -- I can't tell you the dates, but I know it's
20 sometime next week.

21 COMMISSIONER GIPSON: Next Thursday and
22 Friday.

23 THE VICE CHAIR: Yeah, so I will --

24 COMMISSIONER GIPSON: The 27th and 28th.

25 THE VICE CHAIR: I'm intending on being

1 there.

2 COMMISSIONER TOULOUSE: And Mr. Chair, what
3 they stated on their organizational meeting is that
4 very often, while there is not a charter school
5 agenda item on their agenda, there will be charter
6 school issues brought up through various agenda
7 items. And that's why I have attended all of them so
8 far and count on you and Commissioner Gipson to take
9 care of this one.

10 THE VICE CHAIR: And it's possible that, if
11 Commissioner Shearman is driving due to her doctors,
12 since it's close to her, she probably will be there,
13 too. So there will certainly be representation of
14 the PEC there.

15 Any other PEC comments? I just started to
16 ask if Commissioner Chavez has --

17 COMMISSIONER CHAVEZ: I don't have
18 anything.

19 COMMISSIONER GIPSON: I don't have
20 anything.

21 COMMISSIONER PERALTA: No.

22 THE VICE CHAIR: Starting down with
23 Commissioner Armbruster.

24 Commissioner Carr?

25 COMMISSIONER CARR: I do. One item if you

1 go to Roswell, be sure and go to the museum. It's
2 the highlight to me. And get your picture taken with
3 some of the aliens. That's what I did.

4 The other comment this -- I have formally
5 announced my candidacy for Colfax County Commission,
6 and so this will be my last term. I've recruited a
7 few people who are considering taking my place. I
8 will not be a lame duck, though. I will be here
9 until the last day of my term. So I just wanted to
10 let everybody know that.

11 THE VICE CHAIR: Commissioner Toulouse?

12 COMMISSIONER TOULOUSE: Mr. Chair, I have
13 nothing.

14 THE VICE CHAIR: Thank you for that, Mr.
15 Carr -- Commissioner Carr.

16 Commissioner Carr, myself, and
17 Commissioner Shearman came on the Commission
18 together seven years ago, so we have been here
19 through all of these estab -- and I can tell you,
20 for the new folks and the new Commissioners, seven
21 years ago, there was nothing in place. There was
22 not an application form. People just did whatever
23 they wanted. They just -- some of the ap -- there
24 was one thousand-page application that came in. Try
25 reading a thousand-page application.

1 But now, we've put the processes and the
2 forms in place, and it was -- but it was sometimes a
3 trying process, but it was also a refreshing and an
4 inform -- informationally great process, and I've
5 enjoyed every minute of it. This Commission will
6 certainly miss Mr. Carr in the -- but he'll be here
7 another year and a half, so not leaving yet.

8 All right. I have no -- any other --
9 that's all the PEC comment I have.

10 Open forum. Did anybody sign up to speak,
11 Beverly?

12 I know there's one, because he's standing
13 back here. Beverly's going to get the list.

14 And then we're not quite done. I hear
15 everybody shuffling. Don't get ahead of yourselves.

16 MR. TODD KNOUSE: I just saw -- didn't put
17 my name on the list, so --

18 THE VICE CHAIR: I have it here.

19 MR. KNOUSE: My name's Todd Knouse,
20 K-N-O-U-S-E. I am the head administrator of the New
21 Mexico International School, and I was absent during
22 Item 5C, which was an agenda item for you. I
23 apologize. I started my day on my campus and drove
24 to Santa Fe for today's meeting, which --
25 unfortunately for me, because my campus is three

1 minutes on the other side of I-25. So I apologize
2 and I thank Director Poulos and CSD staff for
3 presenting my amendment request in my absence.

4 THE VICE CHAIR: And it was approved.

5 MR. KNOUSE: Yeah. It won't happen again.

6 THE VICE CHAIR: New Mexico International
7 School?

8 MR. KNOUSE: Yes, sir.

9 THE VICE CHAIR: Weren't they -- weren't
10 they -- it's on our earlier list. Were you here when
11 we were discussing that? Oh, it was Taos
12 International. Okay.

13 MR. KNOUSE: Yeah, it was Taos
14 International.

15 THE VICE CHAIR: Okay. Yeah. We've got
16 lots of internationals.

17 MR. KNOUSE: We need to change our name,
18 then.

19 THE VICE CHAIR: But thank you for that,
20 then.

21 MR. KNOUSE: I again apologize.

22 THE VICE CHAIR: Thank you.

23 Anyone else on the list, Beverly?

24 MS. FRIEDMAN: No.

25 THE VICE CHAIR: All right. I'm going to

1 leave this here.

2 All right. There is no one else on our
3 open forum.

4 Item 11 on our agenda is a possible
5 executive session, but Josh tells us we do not need
6 an executive session. But he does have some brief
7 comments, I think, to make or something.

8 Is that what you told me?

9 MR. GRANATA: Sure. Sure.

10 THE VICE CHAIR: So we're not going to do
11 an executive session, but Josh has a report.

12 MR. GRANATA: So Vice Chair Bergman and
13 Commissioners, as you are aware, Health Science
14 Academy did file their appeal with the secretary, and
15 so that's in the process of being appealed. It's my
16 understanding that Julia Barnes will be representing
17 the Commission, and so there isn't anything really to
18 update other than that. The appeal process is kind
19 of going forward, and I imagine, at the next meeting,
20 there will be some more updates as to what's going on
21 with the appeal.

22 THE VICE CHAIR: Thank you, Josh, for that,
23 and thanks for reminding me.

24 I believe everybody got an e-mail, but
25 Julia Barnes' contract has finally been approved,

1 gone through all the process, and she will be a
2 contract attorney representing us. So she will be
3 here a lot of the time. I don't know what the plan
4 is.

5 I assume you may still be available if
6 Julia can't be here, or are you going to just
7 totally leave us and be gone forever?

8 MR. GRANATA: Well, I'm not certain at this
9 point in time.

10 MS. POULOS: Commissioner Bergman, I think
11 the contract that was approved for Julia is for
12 contract negotiations and appeals, not to act as a
13 contract attorney in Josh's sense.

14 THE VICE CHAIR: Okay. See, that's -- see,
15 we've got to clarify that, because Josh is thinking
16 he's not going to be here anymore. But if Julia's
17 not going to be here, where's our legal
18 representation?

19 MS. POULOS: That's because Josh has
20 received a position at the Attorney General's office.

21 THE VICE CHAIR: Yeah, he hasn't -- yeah.

22 MS. POULOS: And I believe the Attorney
23 General's office will work with PED to ensure that
24 there is representation.

25 THE VICE CHAIR: We absolutely have to have

1 it. If Julia can't be here, somebody has to be.

2 Yeah. Okay.

3 COMMISSIONER TOULOUSE: Mr. Chair?

4 THE VICE CHAIR: Yes.

5 COMMISSIONER TOULOUSE: May I say one more
6 thing? I would like to see if this Commission could
7 send a letter to the president of CNM, Kathy
8 Winograd, who allowed this -- this facility for free
9 rather than the usual rental. And I think that would
10 be something that would be pleasant to do, and that
11 way, we might get in here again. Thank you.

12 THE VICE CHAIR: Who do you contemplate
13 would send that letter? Would CSD or Beverly?

14 COMMISSIONER TOULOUSE: Beverly and signed
15 by or for the Commission.

16 THE VICE CHAIR: And be sure to thank them.
17 Yeah, this was a great room for our hearings
18 yesterday, worked very well. The sound works very
19 well, and it's worked very well today. So give our
20 thanks.

21 MS. FRIEDMAN: I'd like to just mention
22 that we all thank Carmie for her intercession in
23 getting the room.

24 THE VICE CHAIR: Did you all hear that?
25 Carmie is actually the one that helped us get into

1 this particular room.

2 All right. Is there any further business
3 before this Commission today? Anything else anybody
4 wants to add?

5 (No response.)

6 THE VICE CHAIR: Before I ring the gavel, I
7 will note that some on this Commission and some of
8 the staff will be in Deming at 8:30 tomorrow morning.
9 We have two more community input hearings tomorrow
10 and one Friday morning again in Deming. We're going
11 to do Deming in the morning, and then we're going to
12 commute over to Silver City for one after lunch and
13 go back to Deming, and then we'll have Columbus
14 Academy on Friday morning, and then we will all go
15 home, I hope.

16 So for those of us who are going on to
17 Deming, have a safe journey down there. Thank you
18 for everyone that's been here today and
19 participated.

20 I know I'm going to Deming. Who else is
21 going to Deming?

22 COMMISSIONER GIPSON: I'm going to Deming.

23 COMMISSIONER TOULOUSE: Mr. Chair, if Cindy
24 can get to Deming, I'm going to Deming. But I'm
25 riding with Cindy.

1 THE VICE CHAIR: Okay.

2 COMMISSIONER TOULOUSE: And if she doesn't
3 get there, I don't know who's going to do our
4 transcriptions. And I won't have a ride, but
5 she's --

6 THE VICE CHAIR: I think she told Thomas --
7 didn't you tell me that she does intend to be there?

8 COMMISSIONER TOULOUSE: I've been texting,
9 and at this point, she still is wobbly but thinks we
10 can get out of here.

11 THE VICE CHAIR: Well, we're going to have
12 to have somebody if she can't go down there.

13 COMMISSIONER TOULOUSE: Well, I mean
14 that -- no, I'm saying --

15 THE VICE CHAIR: The statute requires it,
16 yeah.

17 COMMISSIONER TOULOUSE: No, I'm -- I'm
18 not -- I have nothing to do with that. I'm talking
19 about that's my ride.

20 THE VICE CHAIR: Okay. Is there anybody on
21 my right going to Deming?

22 COMMISSIONER GIPSON: I am.

23 THE VICE CHAIR: So there will be three of
24 us there at least to satisfy -- okay.

25 All right. So I see no further business.

1 I will entertain a motion that we adjourn this
2 meeting.

3 COMMISSIONER POGNA: So moved.

4 THE VICE CHAIR: Ms. Pogna.

5 COMMISSIONER CARR: Second.

6 THE VICE CHAIR: Second? Mr. Carr seconds.

7 The motion has been made and seconded.

8 All in favor, say "Aye."

9 (Commissioners so indicate.)

10 THE VICE CHAIR: All opposed, "No."

11 (No response.)

12 THE VICE CHAIR: Ladies and gentlemen, the

13 PEC is adjourned for today.

14 (Proceedings adjourned at 11:33 a.m.)

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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

I, THOMAS L. GARRETT, New Mexico CCR #255,
do hereby certify that the foregoing pages constitute
a true and correct transcript of the proceedings had
before the New Mexico Public Education Commission,
held in the State of New Mexico, County of
Bernalillo, in the matter herein stated.

WITNESS MY HAND this 1st day of September
2015.

Thomas L. Garrett
THOMAS L. GARRETT, CCR, FCRR
BEAN & ASSOCIATES, INC.
New Mexico CCR #255
License Expires: 12/31/15

(3507L) TLG/MF
Date taken: August 19, 2015