

1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

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9 TRANSCRIPT OF PROCEEDINGS

10 PUBLIC MEETING

June 13, 2014

9:00 a.m.

11 Jerry Apodaca Education Building - Mabry Hall

12 300 Don Gaspar

13 Santa Fe, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

MS. CAROLYN SHEARMAN, Chair
MR. EUGENE GANT, Vice-Chair
MR. VINCE BERGMAN, Secretary
MR. JEFF CARR
MR. JAMES CONYERS
MR. J. TYSON PARKER
MR. GILBERT PERALTA
MS. MILLIE POGNA
MS. CARMIE TOULOUSE

STAFF:

MR. MATT PAHL, Interim Director, Charter School
Division
MS. KIMBERLY ULIBARRI, PED Liaison to the PEC
MS. ABBY LEWIS, Counsel to the PEC

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1 THE CHAIR: Ladies and gentlemen, I call
2 to order this regularly scheduled meeting of the
3 New Mexico Public Education Commission. I would ask
4 our Secretary, Commissioner Bergman, for roll call.

5 COMMISSIONER BERGMAN: Commissioner Carr?

6 COMMISSIONER CARR: Here.

7 COMMISSIONER BERGMAN: Commissioner
8 Conyers?

9 COMMISSIONER CONYERS: Here.

10 COMMISSIONER BERGMAN: Is that working?
11 Doesn't sound like it's working?

12 THE CHAIR: The mic?

13 COMMISSIONER BERGMAN: Commissioner
14 Parker?

15 COMMISSIONER PARKER: Here.

16 COMMISSIONER BERGMAN: Commissioner
17 Peralta?

18 COMMISSIONER PERALTA: Here.

19 COMMISSIONER BERGMAN: Commissioner Pogna?

20 COMMISSIONER POGNA: Here.

21 COMMISSIONER BERGMAN: Commissioner

22 Toulouse?

23 COMMISSIONER TOULOUSE: Present.

24 COMMISSIONER BERGMAN: Commissioner Gant?

25 COMMISSIONER GANT: Here.

1 COMMISSIONER BERGMAN: Commissioner
2 Shearman?

3 THE CHAIR: Here.

4 COMMISSIONER BERGMAN: Commissioner
5 Bergman is here.

6 Madam Chair, you have nine members
7 present. You have a quorum.

8 THE CHAIR: Thank you, Mr. Secretary. I
9 declare we do have a quorum for this meeting.

10 Moving to the next item, Pledge of
11 Allegiance by Commissioner Pogna, Salute to the
12 New Mexico Flag by Commissioner Carr. Please stand.

13 (Pledge of Allegiance and Salute to the
14 New Mexico Flag conducted.)

15 THE CHAIR: Thank you. Before we go any
16 further, could I ask everyone to please turn off or
17 turn silent, or whatever, your electronic devices,
18 please? And thank you.

19 Commissioners, we're to Item No. 2 in the
20 agenda, which is approval of the agenda. While we
21 cannot add any items to the agenda, we certainly can
22 move items on the agenda, if that would be your
23 pleasure.

24 Do I hear a motion on the agenda?

25 COMMISSIONER CARR: So moved.

1 COMMISSIONER PERALTA: Second.

2 THE CHAIR: Motion by Commissioner Carr,
3 second by Commissioner Peralta, to approve the
4 agenda, as printed.

5 All those in favor, please say "Aye."
6 (Commissioners so indicate.)

7 THE CHAIR: Any opposed?
8 (No response.)

9 THE CHAIR: Thank you. The motion
10 carries.

11 Next is approval of the minutes of the May
12 9, 2014, meeting. Are there any corrections?
13 Anybody?

14 Ms. Cindy, I congratulate you again. I
15 found no errors in the minutes, and no one else did,
16 either. Outstanding.

17 The Chair would entertain a motion on the
18 minutes for May 9, 2014.

19 COMMISSIONER GANT: I move that we accept
20 the minutes of May 9, 2014.

21 COMMISSIONER TOULOUSE: Second.

22 THE CHAIR: Motion by Commissioner Gant,
23 second by Commissioner Toulouse, to approve the
24 minutes, as presented. Is there any discussion?

25 Commissioner Parker?

1 COMMISSIONER PARKER: Madam Chair,
2 Commissioners, I will be abstaining from voting, as
3 I was not at that meeting, at this time.

4 THE CHAIR: So noted. Thank you.

5 All those in favor of the minutes, as
6 presented, please say "Aye."

7 (Commissioners so indicate.)

8 THE CHAIR: Any opposed, please say "No."

9 (No response.)

10 THE CHAIR: The minutes are approved.
11 Thank you.

12 No. 4, Report from PED Leadership. I do
13 not see Secretary Skandera, nor Deputy Secretary
14 Aguilar.

15 Mr. Pahl, do you have after report for us
16 in their stead?

17 MR. PAHL: Yes, I do, Madam Chair.

18 THE CHAIR: Please go ahead. And do use
19 the handle to the microphone so everyone can hear
20 you.

21 MR. PAHL: Thank you. Madam Chair,
22 members of the Commission, I'll be delivering the
23 leadership report today.

24 First of all, I'd just like to introduce
25 myself. My name is Matt Pahl. I'm the interim

1 director of the Charter School Division.

2 I want to speak a little bit to -- I know
3 it was mentioned a little at the last meeting -- but
4 a little bit to the shift that we've made in Charter
5 Schools and how that serves the Commission, but also
6 how that serves Charter Schools.

7 We made -- the division used to be housed
8 in the Finance and Operations department, "this side
9 of the house" is, I guess, what we used to call it.
10 Now, it's on the Policy and Programs side.

11 The key lever for why we made that
12 decision as an organization was to better serve our
13 charters. We want to be more enveloped in the
14 program and policy side. Now, that doesn't mean
15 that we aren't involved with finance and operations.
16 I would still expect to see Deputy Secretary Aguilar
17 here, and your relationship that you've developed
18 with him over the past years, months, weeks, that
19 would continue on.

20 While we're on this -- this side of the
21 house, I'm hoping, if the -- if the Commission sees
22 it fit, that if they would like to request
23 presentations from the Public Education Department
24 on the policy and program side, that we'd be happy
25 to give those to you. Those include items such as

1 the evaluation system, which I think we may be on
2 tap for very soon, some of our competitive grants
3 and other programming that you may request us to --
4 to present to the Commission.

5 So, we really look forward to better
6 serving the Commission in that way, and also better
7 serving our charters by allowing our staff to have
8 more access to our policy and program side of the
9 house. We think it is the best way that we can
10 serve our charters in the state, and we hope you
11 agree.

12 Just a few notes on what's happened
13 already in that realm. We have begun to make our
14 site visit report aligned with the Web EPSS, which
15 is something that every public school must do in the
16 state. We are making that a web-based system and
17 putting them in the same place. So, this helps both
18 our programming efforts and also our work with the
19 Priority Schools Bureau, who works with D and F
20 schools in the state, by allowing us to work
21 together and allowing us to see those same things.
22 It's really giving us a leg up on -- for the next
23 school year, on communicating with that department
24 and aligning our programming that we would offer to
25 those charter schools that are struggling.

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1 In addition to that, we'll be -- we'll be
2 having charter school -- we'll be hosting charter
3 school trainings for charter schools only -- sorry,
4 not "charter" -- teacher evaluation trainings for
5 charter schools only. After the last year of
6 teacher evaluation, we've recognized that there
7 are -- there are nuances in charter schools that we
8 can't color when we present that information to
9 districts. So, we'll be making those separate.

10 So, our -- the Charter Schools Division is
11 working closely with the Licensure department to
12 present that information to them and make sure we're
13 delivering the appropriate information to the
14 appropriate audience. And in this case, we feel
15 like it's appropriate to separate charter schools
16 out.

17 Just a few things that are already
18 happening because of the switch to Policy and
19 Program. I thank you very much for your time and
20 very much look forward to working with you in the
21 future months.

22 THE CHAIR: Thank you, Mr. Pahl. We
23 certainly look forward to working with you, as well.

24 The next item -- I'm sorry. Commissioner
25 Bergman?

1 COMMISSIONER BERGMAN: Thank you.
2 Madam Chair, something you just said has struck a
3 chord with me, Mr. Pahl, because the site visit
4 reports are a part of our form structure. And we
5 just spent a great deal of time revising those site
6 reviews, working in collaboration with Julia Barnes
7 and the CSD. And now you're telling me you're
8 taking them and doing something else with them.
9 Those are our forms.

10 MR. PAHL: Yes.

11 COMMISSIONER BERGMAN: So, can you explain
12 that to me?

13 MR. PAHL: Madam Chair, Commissioner
14 Bergman, the forms have not changed. But they are
15 being put on a web-based system, so our liaisons can
16 use them remotely and not have to write notes in
17 their notepad and then transfer it onto a written
18 format later.

19 The -- the connection between the site
20 visit form and the Web EPSS only resulted in
21 revisions to the Web EPSS. We knew we didn't want
22 to touch the site visit form. So, it remains the
23 same, just more accessible to our staff at CSD.

24 COMMISSIONER BERGMAN: Thank you for that
25 clarification.

1 THE CHAIR: Commissioner Gant?

2 COMMISSIONER GANT: Mr. Pahl, I know you
3 probably won't know the answer to this, but I will
4 ask it.

5 I did receive -- I've talked to one of the
6 principals in Cruces of a school who will remain
7 nameless. And he informed me that, for the
8 end-of-course exam, the exam was rewritten. Then it
9 was taken by the students. And I don't know when it
10 was validated. But then it was taken by the
11 students.

12 Then after the students took the
13 end-of-course exam, some of the questions were
14 removed by the PED. Now, to me, that invalidates
15 the end-of-course. And the students, at this point
16 from his words, "don't know the results of the
17 end-of-course exam."

18 And he was rather miffed that the kids
19 would be taking a test that they assumed was the
20 final test for the end of course. So, it's just --
21 and this affects charters just as well as
22 traditionals. So, it's just something I got from
23 the field, that a couple of the principals down
24 there have talk- -- they're really -- I won't use
25 the wrong words -- miffed. They're really upset

1 about it.

2 And it's wrong to -- in my view, to treat
3 our students and our schools this way. I don't know
4 what the answer is. Maybe you can go find out.
5 Thank you.

6 MR. PAHL: Madam Chair, Commissioner Gant?

7 THE CHAIR: Mr. Pahl?

8 MR. PAHL: I do not know the answer to
9 that question, but would be happy to follow up with
10 our Assessment bureau on it.

11 COMMISSIONER GANT: Thank you.

12 THE CHAIR: Commissioner Carr?

13 COMMISSIONER CARR: A quick question for
14 Commissioner Gant. Was that -- was that EOC a --
15 also going to be the course final?

16 COMMISSIONER GANT: Madam Chair?

17 Commissioner Carr, he didn't mention that.
18 But it's still the end-of-course, and they have to
19 pass the end-of-course.

20 COMMISSIONER CARR: Exactly. Okay.

21 THE CHAIR: Commissioner Bergman?

22 COMMISSIONER BERGMAN: Madam Chair, I do
23 not believe our microphones are working. I cannot
24 hear. So, everyone is going to have to speak up
25 today, I believe.

1 There was a noise when I arrived. It was
2 a real -- one of those old-fashioned scratchy sounds
3 that come out of speakers. Then all of a sudden, it
4 quit. And I think when it quit our microphones went
5 bye-bye.

6 THE CHAIR: Kim, can I ask you to check
7 with somebody?

8 MS. ULIBARRI: I sent a request in to our
9 IT department.

10 THE CHAIR: Everybody just yell, please.
11 Okay. Are we ready to move on?

12 All right. Commissioners, Item No. 5 on
13 your agenda is "Discussion and Possible Action on
14 AIMS at UNM Waiver."

15 However, this agenda was changed after
16 your notebooks were assembled. So, please notice
17 that Item No. 5 is actually Item No. 8 in your
18 notebooks.

19 And, so, we're going to have a little --
20 we're going to have to keep up with numbers a little
21 better.

22 Before we get too far on this item, I have
23 been -- the Executive Committee has been working
24 with our attorney, and we do have a statement to
25 read this morning. And then we will have an

1 opportunity for Commissioners to ask questions, or
2 discussion, as they see fit.

3 The statement -- I'm going to quit holding
4 that thing down.

5 The statement is: "New Mexico Statute
6 requires that a waiver request to the Secretary of
7 Education, under the Public School Code, include
8 evinced support of the," quote, "requesting school's
9 Local School Board," closed quote.

10 The waiver request submitted by AIMS to
11 the Public Education Department requesting that the
12 Secretary waive the provision of the Code
13 restricting a charter school from maintaining a
14 separate facility outside of its current school
15 district, dated April 7, 2014, while evincing" --
16 I'm sorry, I'm probably not pronouncing that word
17 correctly --

18 MS. LEWIS: "Evincing."

19 THE CHAIR: "Evincing." "...while
20 evincing support of its own Governing Council, did
21 not evince support of its 'local school board'; in
22 this case, Albuquerque Public Schools. In a letter
23 dated May 15, 2004, this waiver request was granted
24 by the Public Education Department. Because of the
25 foregoing, AIMS does not have the required

1 permission of the Public Education Commission, nor
2 of the Secretary, to expand to the UNM West Campus.

3 "The Charter Schools Act is clear that the
4 governing council or board of a charter school is
5 not a local school board."

6 At this point, I would like to open the
7 floor for discussion for the rest of the Commission
8 to ask questions of our attorney as to the legality
9 of this waiver.

10 Also, in the audience, I see the attorney
11 for Rio Rancho Public Schools, Charlotte
12 Hetherington. I don't believe I see the attorney
13 for AIMS.

14 COMMISSIONER CARR: He said he was coming.

15 THE CHAIR: Senator Ivey-Soto?

16 Okay. If you have questions, specific
17 questions of Rio Rancho's attorney, those will be
18 certainly appropriate from Commissioners at this
19 time.

20 Commissioners, do you have questions?

21 Commissioner Pogna? And you're going to
22 have to yell.

23 COMMISSIONER POGNA: Do we have a -- were
24 we given a copy of the statement? I don't have one.

25 MS. LEWIS: I've got it here on my

1 computer. I can run over and print it off.

2 COMMISSIONER POGNA: I would like that.

3 MS. LEWIS: Or I can e-mail it to you, if
4 you'd like, as well?

5 COMMISSIONER POGNA: Just give it to me.

6 MS. LEWIS: Okay.

7 THE CHAIR: All right. Other questions,
8 Commissioners? Commissioner Toulouse?

9 COMMISSIONER TOULOUSE: Madam Chair,
10 Ms. Lewis, I'm concerned about whether this -- I
11 don't think this is a valid waiver. But I also
12 think not only did the school boards not approve it,
13 I question that it was within -- it's not one of the
14 things addressed in the section in the Charter
15 School Act that can be waived. It's in a different
16 section of the Act. And I'm wondering how legal are
17 any waivers that are not under that section that
18 states what can be waived.

19 Thank you.

20 MS. LEWIS: Well, the charter schools, of
21 course, as you pointed out, are subject to 228B.
22 They're, also, to the extent that there isn't a
23 direct conflict -- and I don't believe that there
24 would be in this case, but, of course, you know, any
25 lawyer could -- his or herself -- could argue both

1 sides -- that the specific waiver provision that was
2 evoked here is under the larger Public School Code,
3 which charter schools are subject to. So, that was
4 the avenue used here.

5 COMMISSIONER TOULOUSE: Thank you.

6 MS. LEWIS: But, no, not within the
7 Charter School Act itself.

8 THE CHAIR: Please let the record reflect
9 that Senator Ivey-Soto, who is the attorney for AIMS
10 school, is here. And welcome. We're glad you're
11 here.

12 Other questions?

13 You know, I do have one question for
14 clarification. I think it's going to have to be
15 directed to Mr. Pahl. And you may not have been on
16 the job quite long enough to know the answer to
17 this.

18 But, in the statute that allows -- let me
19 just read. "Upon receiving a waiver request from a
20 school that exceeds educational standards," blah,
21 blah, blah, blah, blah. What are "educational
22 standards," and where is the criteria for exceeding
23 those educational standards?

24 MR. PAHL: Thank you for that,
25 Madam Chair. We determined that AIMS had exceeded

1 educational standards. Our statement is in the
2 letter that we -- we wrote to -- to approve the
3 waiver.

4 MS. LEWIS: The letter just cites the
5 provision. It doesn't say anything about the
6 Chair's question.

7 THE CHAIR: I'm asking, "What's the
8 criteria for determining that a school exceeds
9 educational standards?"

10 MR. PAHL: Madam Chair, the -- the school
11 grades were one element of that. AIMS has received
12 an "A" in the last three years. And, so, that would
13 be one criteria that was used. I was not involved
14 in conversations that -- in those specific
15 conversations. But I can follow up with the
16 criteria that we use.

17 THE CHAIR: Would you, please, because I
18 don't think I have ever seen a document that says,
19 "This is the criteria for exceeding educational
20 standards."

21 MR. PAHL: Uh-huh.

22 THE CHAIR: And I would like to, because I
23 suspect there are other schools, and there are
24 probably traditional public schools that also
25 exceed. And I would -- I think we ought to identify

1 those and certainly recognize them. I do.

2 Are there other questions?

3 Commissioner Carr?

4 COMMISSIONER CARR: I know I may be going
5 against the grain. But I -- you may not go along
6 with this. But I would -- I would like to hear from
7 the parties for -- it may be a limited time
8 period -- just to get their comments on it.

9 THE CHAIR: Let's ask Abby if that's
10 appropriate at the time.

11 MS. LEWIS: I would advise setting up
12 certain parameters, as you've said. Two minutes.
13 Make sure everyone gets the same amount of time.
14 But I don't see any bar to that.

15 THE CHAIR: If they choose to?

16 COMMISSIONER CARR: If they choose to.

17 THE CHAIR: Okay. Is there everybody in
18 agreement with that? Then let's set a reasonable
19 time limit, which would be -- what? Three minutes?

20 COMMISSIONER CARR: That's fine.

21 THE CHAIR: Is three minutes agreeable?
22 Then we would invite -- how about we hear from the
23 attorneys. Let's ask -- I believe -- it doesn't
24 matter.

25 Who would like to go first -- would you

1 like to speak? And if you would, who would like to
2 go first?

3 Good morning.

4 MR. IVEY-SOTO: Good morning.

5 THE CHAIR: It doesn't work, so you don't
6 have to mess with it. Just speak loudly, if you
7 would, please.

8 MR. IVEY-SOTO: That's okay. I'm known
9 for my voice.

10 THE CHAIR: Very good.

11 MR. IVEY-SOTO: Madam Chair, members of
12 the Commission, my name is Daniel Ivey-Soto. I'm
13 general counsel for the Albuquerque Institute for
14 Mathematics and Science. I appreciate the
15 opportunity to address you for a couple of minutes.

16 Based upon the information that was
17 provided today, which was not provided to us in
18 advance, I will indicate, however, that I find it
19 very interesting that we are being held to a
20 standard of having -- having to get permission from
21 the Albuquerque Public Schools, with whom we have no
22 relationship.

23 We are a State-chartered charter school.
24 Our -- our finances are completely separate from
25 them. They have no authority over AIMS whatsoever.

1 I also find it very interesting that
2 counsel for the Commission, at the LESC meeting,
3 indicated her professional opinion that school
4 boards should be read to be governing council, with
5 regard to a waiver. And, so, this is, in fact, a
6 reversal from what she said at that meeting.

7 MS. LEWIS: That's not what I said.

8 MR. IVEY-SOTO: And we can check the
9 record on that. But I'm quite positive that that is
10 what you said.

11 MS. LEWIS: Happy to check the record.

12 MR. IVEY-SOTO: Regardless, though, like I
13 said, we have no relationship with APS. APS is not
14 our chartering authority. We are a State-chartered
15 charter school. And, in fact, we believe we did
16 follow the correct process in terms of the waiver.

17 Now, the question is why did we get the
18 waiver? We got the waiver because this Commission
19 approved an expansion of AIMS. This Commission
20 raised the cap, approved an expansion; in the packet
21 was clearly the information about the locations we
22 were looking at. And, then, an objection was raised
23 as to whether or not we could cross district
24 boundaries.

25 Our interest was in making sure that we

1 could support what the Commission -- the discussion
2 we had with the Commission. That's why we got the
3 waiver. It was not in any way to thwart anything
4 from the Commission. And I want to be very, very
5 clear about that.

6 What -- at the end of the day what I don't
7 understand is how it is Rio Rancho becomes a party
8 in a situation which only involves AIMS; yet they're
9 being called a party, as if they're equal, yet,
10 legally, they're not.

11 COMMISSIONER GANT: One minute.

12 MR. IVEY-SOTO: What I also don't
13 understand is how are we the bad guys? And it's a
14 serious question. We are looking to expand
15 educational excellence. The number one school in
16 the state, the only school to have made AYP this
17 last year, had we still been held to NCLB standards.
18 We are looking to expand educational excellence and
19 to study it to see what we're doing right so that
20 other schools can benefit from what we're onto.

21 Rio Rancho has admitted that they are
22 upset because they view children as revenue, as
23 money, and they see us as taking their money from
24 them.

25 How are we the bad guys? And, by the way,

1 APS -- I mean, Rio Rancho -- has 572 students who
2 attend their schools who do not live in their
3 attendance area.

4 COMMISSIONER GANT: Time.

5 MR. IVEY-SOTO: Thank you.

6 THE CHAIR: Thank you very much.

7 It does not work, so you're just going to
8 have to yell. I apologize.

9 MS. HETHERINGTON: Okay. I am not a
10 yeller by nature, but I will try and speak up.

11 My name is Charlotte Hetherington. I'm
12 the attorney for the Rio Rancho Board of Education.
13 With me is Mr. Carl Harper, who is the president of
14 the Board. We will be brief. We'd like to, I
15 think, split our time between us.

16 As I understand it, the agenda item is
17 whether the board -- this Commission is going to
18 approve the change in location of AIMS to expand
19 into the Rio Rancho Public School District and put
20 itself in facilities that have been offered to it by
21 UNM West.

22 I want to go back, just briefly, to the
23 board's -- to the Commission's -- excuse me --
24 Commission's meeting in February, when AIMS
25 appeared, and there was a hearing on the request for

1 an amendment. As I read that transcript, there was
2 no discussion and no representation to the
3 Commission that AIMS intended to do anything other
4 than look at a second campus in -- in the present
5 district, which is the Albuquerque Public School
6 District.

7 What it presented to the Commission in
8 February was consistent with what the statute says
9 regarding the development of a second school site.
10 It is supposed to be in the same school district,
11 regardless of what the chartering authority is.
12 There's no differentiation in the statute between
13 State-chartered charter schools and
14 locally-chartered schools, when it comes to the
15 question of location.

16 There was never any proposal to this
17 Commission that it be in any other place. And,
18 indeed, all of its statistics reflected the fact
19 that it needed to expand within the Albuquerque
20 Public School district.

21 As this Commission knows, the -- AIMS went
22 to the Secretary of Education and requested --

23 COMMISSIONER GANT: One minute.

24 MS. HETHERINGTON: -- requested a waiver.

25 We believe that that waiver was misguided in its --

1 in the fact that it was granted, and that at -- the
2 grant of the waiver did not comply with the
3 statutes, and that the Secretary exceeded her
4 authority, whether she intended to or not.

5 And I will yield to Mr. Harper.

6 COMMISSIONER GANT: 45 seconds.

7 MR. HARPER: I have two letters here that
8 I'd like to pass out: One from the New Mexico
9 School Board Association expressing concerns similar
10 to what Ms. Hetherington has, and, then, also, with
11 regard to the facilities.

12 The facility that is being proposed was
13 voted on by the voters of Rio Rancho to be funded
14 with gross receipts tax, twice -- most recently last
15 year -- for higher education, not for secondary and
16 primary education. The Public School Facilities
17 Authority recently ruled that the facility in
18 question for AIMS is not appropriate for secondary,
19 because it was designed for higher ed, which, again,
20 is what the voters of Rio Rancho wanted.

21 COMMISSIONER GANT: Time.

22 THE CHAIR: Thank you.

23 MS. HETHERINGTON: Thank you.

24 MR. HARPER: If I may provide the letters?

25 THE CHAIR: If you would hand those to

1 Kim, please, she will see that the Commissioners
2 receive them. The lady on the end.

3 MS. HETHERINGTON: And I guess if there
4 are any questions from the Commission, we would be
5 happy to respond.

6 THE CHAIR: Please. Yes, that would be
7 fine.

8 MS. LEWIS: Just one second. Madam Chair,
9 can we pass those down? I don't have knowledge of
10 what these are. I just want to make sure -- are
11 these documents public information, or --

12 MS. HETHERINGTON: They are public record.

13 MS. LEWIS: Okay. Okay. Thank you. I
14 just wanted to ensure that.

15 MS. HETHERINGTON: Thank you.

16 THE CHAIR: Thank you. Before we move on
17 to see if any Commissioners have questions, I just
18 want to clarify one thing. The PEC today is not
19 considering an amendment request from AIMS for a new
20 location. That is not on the agenda. That is not
21 what we're looking at.

22 All we're looking at is whether or not we
23 condone the waiver that has been approved by the
24 Public Education Department. Okay? That's all
25 we're looking at today, not an amendment to their

1 charter. Just wanted to be clear on that.

2 Commissioners, do we have any questions?

3 Commissioner Parker?

4 COMMISSIONER PARKER: Madam Chair,
5 Commissioners, this is more just a statement.

6 THE CHAIR: Just, loud.

7 COMMISSIONER PARKER: This is more of just
8 a statement. We're in a situation where we're doing
9 things for the students in both the school districts
10 and in the charter schools. And just me, as,
11 personally, I find it very frustrating that these
12 gray areas are becoming such a cantankerous
13 situation, where one party and the other party --
14 you know, it's an "us." It's not an "us" and a
15 "them." It's a "we."

16 You know, it seems to me that there's
17 conversations that should be happening that aren't
18 happening, that I'm not saying it would resolve the
19 situation, but, you know, it seems like things are
20 not occurring the way they should be upfront and
21 out -- and out in the open for everyone involved.
22 And that's my own frustration. Thank you.

23 THE CHAIR: Thank you. Thank you.

24 Commissioners, anything else? Hearing no
25 further discussion, the Chair would entertain a

1 motion. Commissioner Carr?

2 COMMISSIONER CARR: Madam Chair, I move
3 the PEC does not condone the waiver from NMSA
4 22-8B-4L, granted to AIMS on May 15, 2014, as the
5 waiver request was inadequate under the law.

6 COMMISSIONER GANT: Second.

7 THE CHAIR: Motion by Commissioner Carr.
8 Seconded by Commissioner Gant. Is there any
9 discussion?

10 Hearing no discussion, the Chair would
11 call for a roll-call vote. Commissioner Bergman?

12 COMMISSIONER BERGMAN: So a "yes" vote
13 will be in favor of the motion, and we do not
14 condone. That is correct. Make sure everyone
15 understands that.

16 Commissioner Conyers?

17 COMMISSIONER CONYERS: Yes.

18 COMMISSIONER BERGMAN: Commissioner
19 Parker?

20 COMMISSIONER PARKER: Yes.

21 COMMISSIONER BERGMAN: Commissioner
22 Peralta?

23 COMMISSIONER PERALTA: Yes.

24 COMMISSIONER BERGMAN: Commissioner Pogna?

25 COMMISSIONER POGNA: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Toulouse?

3 COMMISSIONER TOULOUSE: Yes.

4 COMMISSIONER BERGMAN: Commissioner Gant?

5 COMMISSIONER GANT: Yes.

6 COMMISSIONER BERGMAN: Commissioner Carr?

7 COMMISSIONER CARR: Yes.

8 COMMISSIONER BERGMAN: Commissioner
9 Shearman?

10 THE CHAIR: Yes.

11 COMMISSIONER BERGMAN: Commissioner
12 Bergman votes "yes."

13 Madam Chair, that is a 9-to-0 vote in
14 favor of the motion.

15 THE CHAIR: Thank you. The vote is
16 unanimous not to condone the waiver granted to AIMS
17 on May 15, 2014. Thank you.

18 Item No. 6 on the agenda is New Mexico
19 School for the Arts annual report. If you all would
20 come forward, please. And, again, Commissioners,
21 that is Item 5 in your notebooks.

22 If you all would introduce yourselves,
23 please? If you have a unique spelling to your name,
24 spell it for the recorder, and speak up so we can
25 all hear you, please. And welcome again.

1 MS. THOMPSON: Thank you, Commissioner
2 Shearman. My name is Sherry Thompson. S-H-E-R-R-Y,
3 Thompson with a "P." I am the vice chair and
4 incoming chair of the governing council for
5 New Mexico School for the Arts.

6 I want to thank you all for allowing us to
7 share the accomplishment of our school for the past
8 year.

9 MR. GONZALES: Madam Chair, members of the
10 Commission, my name is Riis Gonzales. I currently
11 have the pleasure of serving as the director of the
12 New Mexico School for the Arts Art Institute. My
13 first name is R-I-I-S; Gonzales, G-O-N-Z-A-L-E-S.

14 Also with us today, and members of the
15 Commission, is Christina Yamashiro, who serves as
16 our business manager, and Katy Phebus, who is our
17 programming officer at the school.

18 I know you have a very long agenda today,
19 so with your permission, I'd like to just spend a
20 few minutes -- I've timed it; it's about five to
21 seven minutes -- summarizing the 25-page report that
22 you have in your packets. We worked hard to make
23 that annual report as comprehensive as possible.
24 So, for your convenience, please refer to it this
25 morning or in the future.

1 With that in mind, I'd like to remind the
2 Commission that New Mexico School for the Arts
3 graduated its third class this last month and just
4 completed its fourth year of operation. Our mission
5 continues to focus on providing access to rigorous
6 mastery arts and academic high school education for
7 young aspiring artists across the state.

8 NMSA is attracting middle and high school
9 students from every corner of New Mexico, and the
10 school is proving to be a real educational success
11 story for this state, and we want to thank each one
12 of you for your support over the last years. More
13 details about our mission purpose and history can be
14 found in the first few pages of the report, but
15 because this is an annual presentation report, I'll
16 focus my talking points on what has transpired over
17 the last year.

18 Our total enrollment this year was 205,
19 which was an increase of 8 percent over the previous
20 years. Students came from 31 distinct communities
21 throughout New Mexico. We had a 90 percent
22 graduation rate this year. Three of our students
23 decided to pursue a professional artistic track and
24 obtain their GED, and so we don't count those
25 students in our overall graduation rate.

1 We experienced a 96 percent retention rate
2 of our currently enrolled students. Our
3 48 graduates this year received over \$5 million in
4 scholarships and financial aid offers, which
5 averaged a little over \$100,000 per graduate.

6 We received an "A" rating from PED. Most
7 recently, we received a coveted Exemplary Arts
8 School Award from the National Arts Network
9 Association.

10 In regards to our SBA scores and goals,
11 NMSA is doing a remarkable job. 86 percent of our
12 seventh-graders and 96 percent of our
13 eleventh-graders were proficient or advanced in
14 reading.

15 47 percent of our tenth-graders and
16 76 percent of our eleventh-graders were proficient
17 or advanced in math.

18 Our ninth- and tenth-graders averaged
19 higher than national average in ACT Explore tests,
20 which are the tests that measure college readiness.
21 53 percent of our students are enrolled in honors
22 courses, and one of our students was a National
23 Merit Finalist, and was also nominated for the
24 United States Presidential Scholar award.

25 In the report that you have in your

1 packet, we list many other academic achievements.
2 But one that's really neat to mention for an arts
3 school is NMSA, for the second year in a row, has
4 been named a finalist in the state's prestigious
5 Supercomputing Challenge.

6 NMSA continues to work toward equal
7 student representation in each of the three
8 Congressional districts. We have seen an increase
9 in applications and acceptance from both
10 Congressional District 1 and 2; but the majority of
11 our students still reside and come from
12 Congressional District 3.

13 Demographics: Our student body was about
14 55 percent Caucasian and 45 percent Hispanic or
15 other minority populations. 35 percent of our
16 student body was male, and 65 was female.
17 46 percent was eligible for free-and-reduced lunch.
18 And those graphs are in your packets.

19 In regards to our overall goals this year,
20 we had three that were approved and measured.

21 Goal 1 focused on academic proficiency.
22 Our goal was to have a minimum of 70 percent of our
23 eleventh-grade students testing proficient or
24 advanced in reading and math on the New Mexico SBA
25 test. 96 percent of our eleventh-graders tested

1 proficient or advanced in reading, and 76 percent
2 tested proficient or advanced in math.

3 Goal 2 was focused on measuring progress
4 toward graduation. Our goal was to have 75 percent
5 of full-time students acquiring a minimum of four
6 credits per year towards New Mexico graduation
7 requirements. 96 percent of NMSA students acquired
8 at least four credits toward graduation during their
9 first semester in 2013-'14.

10 And Goal 3 was focused on students
11 excelling both in academics and their art
12 discipline. That said, we said this goal will be
13 met when 80 percent of our students achieve a
14 cumulative GPA of 3.0. 61 percent of our
15 ninth-graders achieved a 3.0. 80 percent of our
16 tenth-graders achieved a 3.0. 70 percent of our
17 eleventh-graders achieved a 3.0. And 85 percent of
18 our seniors achieved a 3.0.

19 So, in summary, our academic side of the
20 school continues to meet and exceed pretty much
21 every benchmark or goal that we've set out.

22 New Mexico School for the Arts is
23 fortunate to have a dedicated principal and a team
24 of teachers that are committed to producing these
25 results and working hard for our students.

1 In regards to the artistic side of the
2 school, we also continue to see great results. In
3 the report, we listed over ten major artistic
4 accomplishments. We continued, or established, over
5 25 community or institutional partnerships. We
6 completed over 30 statewide middle school and
7 community outreach events. And we hosted over
8 50 professional guest-artist workshops or lectures
9 this past year.

10 The number of events, community
11 collaborations, and professional artist
12 collaborations is impressive, and NMSA students are
13 reaping the benefits. But it costs a lot of money
14 to implement, organize, and conduct these activities
15 and pay for the full- and part-time professional or
16 artistic teachers that we have at NMSA.

17 In this past year, we were fortunate to
18 raise, from the private sector, \$1.7 million to pay
19 for the costs associated with artistic training. As
20 you recall, the SEG pays for the academic side; we
21 raise private funding for the artistic side.

22 A portion of these private funds also pay
23 for the costs associated with the residential
24 program, and this year, we spent about \$199,000 on
25 our residential program. And next year, because of

1 the increase in students applying and being accepted
2 from Congressional District 2 and 3, we will spend
3 \$223,000 and will house 23 students.

4 I'd also like to inform you, we are moving
5 our residential program to a different location. We
6 have signed a lease with Immaculate Heart of Mary
7 Retreat Center and will be moving our residential
8 program into their dormitory. Their dorm can house
9 up to 44 students, and is located in a really
10 peaceful and quiet place in Santa Fe. It will be
11 great for our students.

12 The last point I would like to address is
13 the conversation regarding our potential permanent
14 campus site. The Albuquerque Journal and the local
15 newspaper has been reporting on a potential site
16 that is located on DOT land, Department of
17 Transportation land, and it's directly behind their
18 main headquarters on Cerrillos Road.

19 We are in the middle of a feasibility
20 study that should be out by the end of July, early
21 August, that will analyze and will give an estimate
22 of the cost of that land and the cost of potentially
23 relocating some current DOT services and employees.

24 We have also signed a contract with UNM
25 School of Architecture to assist in the vision and

1 plans for this potential campus. So, we're in the
2 very early stages of this process, and we'll keep
3 you informed as we continue to move forward with
4 this potential site.

5 As you can imagine, we're very eager to
6 move forward with securing a suitable site that is
7 close to transportation hubs, so students all across
8 the state can have easy access to our school.

9 We included that Albuquerque Journal
10 article in the packet in front of you, and that was
11 published a couple of weeks ago.

12 So, in conclusion, I just want to thank
13 each of you for your support, for bearing with me
14 through this report. The NMSA Governing Council,
15 the NMSA Art Institute Board of Directors, the
16 faculty and staff are committed to making New Mexico
17 School for the Arts a special school for our most
18 talented and passionate young artists in New Mexico.

19 Madam Chair, thank you so much, and
20 members of the Commission, and we'll stand for any
21 questions you might have.

22 THE CHAIR: Thank you for that very
23 comprehensive report.

24 Commissioners, do we have questions?

25 Commissioner Bergman?

1 COMMISSIONER BERGMAN: Thank you. First,
2 as I have done several prior years, I am happy, one,
3 to hear that you're increasing your recruiting in
4 the Congressional Districts 2 and 3, because I live
5 in Roswell, and I have noted before that I would
6 love to see more kids from Roswell in your school
7 and in your residency program.

8 And that leads me to this question: Since
9 you've just mentioned you're going to have a new
10 residence in the future, is it in close proximity to
11 your current campus?

12 MR. GONZALES: Well, it's -- it is about
13 two miles away, Madam Chair and Commissioner.

14 COMMISSIONER BERGMAN: Are the students
15 then going to be on their own to get back and forth
16 to the school?

17 MR. GONZALES: No, sir, we'll bus them
18 each morning and bus them back in the evenings.

19 COMMISSIONER BERGMAN: Thank you.

20 THE CHAIR: Commissioner Gant?

21 COMMISSIONER GANT: Madam Chair, members,
22 a couple of questions here. You received lease
23 assistance of \$137,631 a year for this year. None
24 of that goes to residential?

25 MR. GONZALES: Madam Chair and

1 Commissioner Gant, it's actually in our -- the law
2 that created us, we cannot spend SEG funding for our
3 residential funding. We cannot spend any funding --
4 any public dollars, any State dollars, for our
5 residential program.

6 COMMISSIONER GANT: So, are you leasing
7 the facility you're in now for your academics and et
8 cetera?

9 MR. GONZALES: Madam Chair, Commissioner,
10 yes.

11 COMMISSIONER GANT: Just out of
12 curiosity -- I can look it up real quick -- are you
13 paying more for that lease than you're getting in
14 lease assistance?

15 MR. GONZALES: Madam Chair and
16 Commissioner Gant, I think we pay \$150,000?

17 MS. YAMASHIRO: So, this year, we spent --
18 the lease total is about \$150,000, \$160,000. So,
19 yes, we spend more in lease assistance.

20 MR. GONZALES: Commissioner Gant, about
21 \$150,000 was spent to lease the current site.

22 COMMISSIONER GANT: You're well within and
23 much better off than a lot of charter schools out
24 there.

25 I noted -- let me get to it -- pick up on

1 what Commissioner Bergman said. I'm from Cruces.
2 Yes, you did increase that area by 400 percent. But
3 when you start with a small number, and you add --
4 it becomes a big deal, you know. So, it's -- why do
5 I keep pushing that thing? It doesn't work.

6 THE CHAIR: I know.

7 COMMISSIONER GANT: Anyway, the -- I think
8 your Goal 3, to have students over 80 percent,
9 et cetera, you still have a ways to go for a couple
10 of your grades; right?

11 MR. GONZALES: Madam Chair and
12 Commissioner Gant, yes. Our ninth-graders,
13 hopefully, we'll catch them up to speed by next
14 year, and they'll be close to the 3.0.

15 COMMISSIONER GANT: My last question, if I
16 may, Madam Chair? Is the residential -- the
17 residential fees -- you've probably heard this from
18 me before. Somehow I think that precludes some
19 students from down in my neck of the woods, because
20 we are -- that is a very, very poor part of the
21 state -- from coming up here. And I think you have
22 eight from that -- from that Congressional district
23 coming up.

24 And I would like to see more, like
25 Commissioner Bergman would like from his district,

1 but I don't know how you're going to change that.

2 MR. GONZALES: Madam Chair and
3 Commissioner Gant, our residential program, our
4 students pay on a sliding fee scale. And the
5 majority of our students pay, on average, \$950 per
6 year. We had one student last year that paid the
7 full amount. But the majority of them pay \$950 per
8 year, and we fundraise for the rest of that funding.

9 But it is a significant issue, especially
10 if we're going to increase to a new, permanent
11 campus and recruit more students. How can we
12 continue fundraising for 50, 60, 100 students? It
13 will be difficult at some point.

14 COMMISSIONER GANT: Madam Chair, my last
15 comment on the new facility. I do, for one,
16 appreciate you coming early to tell us, because some
17 haven't and have gotten themselves in trouble -- or
18 behind the power curves, I guess, if you want to use
19 that. But, also, I would recommend that you stay
20 real close to PSFA. Real close. Okay?

21 Thank you, Madam Chair.

22 Madam Chair?

23 THE CHAIR: Commissioner Gant.

24 COMMISSIONER GANT: You are moving the
25 whole campus; right?

1 MR. GONZALES: Madam Chair and
2 Commissioner, yes.

3 COMMISSIONER GANT: You will have to come
4 to us with an amendment, please.

5 MR. GONZALES: Certainly, yes, sir.

6 MS. THOMPSON: And we have had preliminary
7 meetings with -- I can never remember the acronym --
8 Public School Finance Authority.

9 MR. GONZALES: Facilities Authority.

10 THE CHAIR: Our procedure is that you let
11 us know you're looking, or contemplating, a move or
12 whatnot. But before you actually commit to that,
13 you need to come to us with an amendment for that
14 move, for that new location.

15 MS. THOMPSON: Madam Chair, we certainly
16 hope that we'll be in a position to do that soon.

17 THE CHAIR: Good. We appreciate that very
18 much.

19 Commissioners, other questions, comments?

20 Commissioner Parker?

21 COMMISSIONER PARKER: Madam Chair,
22 Commissioners, I've said it before; I'll say it
23 again. Thank you for what you do with the arts. As
24 a parent whose children are not guaranteed art --
25 they have to switch art and music each year, unless

1 parents go in and volunteer their time. I think the
2 arts is where a lot of our children separate
3 themselves from the rest of the world. And I know
4 what you guys are doing is great. So, thank you.

5 MR. GONZALES: Thank you.

6 THE CHAIR: Commissioner Toulouse?

7 COMMISSIONER TOULOUSE: Madam Chair, I
8 want to state for the Commission, I no longer have
9 to avoid voting on them, because my cousin, who was
10 there, graduated. And we are very, very pleased.
11 He will be at UNM in the fall, and he has an
12 additional \$400,000 -- or \$400, I wish it was
13 \$400,000 -- scholarship to be in the marching band,
14 which we hope will keep him plenty busy.

15 But he's coming to where he has more
16 family than he did up here; so, we will keep an eye
17 on him. But he is one of the kids who is very good
18 and very bright, but very artistic. And I'm not
19 sure how well he would have kept doing if he had not
20 had the art; because he also did theater, he wrote,
21 he did music, all of that. And that's what he
22 needed to do really, really well.

23 And he could have -- he got accepted both
24 at UNM and New Mexico State. And I want to thank
25 the school for what they can do for those kids,

1 because I'm very proud of him, and now, I can vote
2 on that one.

3 MR. GONZALES: Thank you, Madam Chair and
4 Commissioner. Thank you.

5 THE CHAIR: We're glad you can, as well.
6 Any other comments, Commissioners? Any
7 questions?

8 Thank you for that very nice presentation.
9 We look forward to hearing from you again.

10 MS. THOMPSON: Thank you.

11 MR. GONZALES: Thank you. Thank you.

12 THE CHAIR: Commissioners, I'm going to
13 call about a ten-minute recess, please. Let's come
14 back at 10:00, please.

15 (Recess taken, 9:50 a.m. to 10:02 a.m.)

16 THE CHAIR: Ladies and gentlemen, I call
17 back into order this meeting of the Public Education
18 Commission.

19 We are now on Item 7, Discussion and
20 Possible Action on Draft Charter School Amendment
21 Protocols. And I believe that is Item No. 6 in your
22 notebooks.

23 Do our microphones work?

24 THE REPORTER: They're supposed to.

25 THE CHAIR: Oh, yes, I think it does.

1 Mr. Pahl, I'll ask you to take the lead on
2 this one.

3 MR. PAHL: Thank you, Madam Chair.
4 Members of the Commission, the Charter Schools
5 Division at Public Ed Department has been working
6 diligently to create a protocol for charter schools
7 to make amendments that both gives the Commission
8 ample time to review those documents prior to the
9 meeting, and also allows for -- for enough quick
10 turnaround for charters so they're not left hanging,
11 I guess -- it's kind of a colloquial term -- so they
12 get their amendments heard and action taken on them
13 in a relatively succinct manner.

14 We're working on this document now. I --
15 what I'll propose later is that -- to the Commission
16 is that we present this document at the next working
17 session. But I want to give you an overview of what
18 this document does and open it up for any
19 suggestions that the Commission may have to improve
20 the strength of that document at that working
21 session, should you want to review the document
22 then.

23 The document, which will outline the
24 protocol for amendments for charter schools, will
25 provide submission time lines to ensure the

1 Commission has ample time for review and
2 consideration. Charters will also receive clear
3 direction on the documentation needed for popular
4 types of amendments, such as changes to performance
5 goals and mission statements, moving to a new
6 location, providing transportation, and expanding
7 enrollment and grade levels.

8 So, what we want to do is really create a
9 standardized process of, "Here are the documents
10 that a charter needs to submit along with this
11 amendment," and make it a little more uniform while
12 also allowing for some leeway, because all of our
13 charters are different, and some document -- some
14 additional documentation may be necessary, depending
15 on the amendment and depending on the school.

16 So, what I am proposing regarding this
17 document is that a draft is submitted to the
18 Commission, and we discuss it at the next working --
19 work group meeting with -- with the aim to finalize
20 a protocol prior to the beginning of the next school
21 year.

22 THE CHAIR: Thank you. Commissioners, do
23 you have questions for Mr. Pahl?

24 Commissioner Bergman?

25 COMMISSIONER BERGMAN: Mr. Pahl, it's

1 going to seem like I'm ganging up on you today.
2 That is not the case. That is not what I'm doing
3 here. Ideally, because you are new, I think I need
4 to explain some of these -- the document you are
5 just referencing should already be done in
6 consultation with one or more of us, as
7 Commissioners. That's how it has always been done
8 in the past.

9 Here again, this amendment protocol form
10 is a PEC -- we are the ones that approve the
11 amendments. So, therefore, yes, we should be
12 involved not only at our work session, we should
13 already be involved in what you're working on, in
14 some way, shape, or form. And I actually would like
15 to see your, quote, draft, which will be a first
16 draft, because this Commission has never accepted a
17 first draft, I don't believe.

18 I want to see it in advance of that work
19 session on July the 10th, so I can come prepared to
20 logically and intelligently discuss what you have
21 proposed.

22 So, I would -- I am Chair of our Charter
23 Committee, and I would like to be very much kept in
24 the loop. And let me tell you why perhaps I am
25 concerned. Like I say, I'm not ganging up on you.

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1 Former Director Gerlicz, during his tenure,
2 arbitrarily and unilaterally redesigned most of our
3 forms, changed them substantially. And he was not
4 authorized to do that. We did not find out about
5 that until they showed up in our meetings here.

6 Those are our forms. They are PEC forms.
7 We are the authorizers. We just spent six months
8 working very closely with your immediate
9 predecessor, Julia Barnes, in many full-day work
10 sessions, going over and revising again and changing
11 those forms back to what we considered to be
12 suitable, rigorous documents to achieve the aim of
13 all of us sitting in this room today. And that's to
14 provide high-quality charter schools for the charter
15 school students in this state.

16 So, I do not want there to be any
17 misunderstanding. I just -- I really don't. Those
18 are our forms; they're our processes. We are the
19 authorizer. And, so, just to avoid any future
20 misunderstanding, any -- if you have a suggested
21 change to any of those forms, please e-mail them
22 probably to our Chair, with copy e-mails to myself
23 and Commissioner Gant, and also a copy to our
24 attorney, and we'll be more than happy to consider
25 those and discuss them in our Executive Committee

1 meeting.

2 So, we're not trying to -- everything
3 we've always done has been with close collaboration
4 between us and the Charter School Division staff.
5 And each of the -- I've lost track of how many
6 directors there's been in the five-and-a-half years
7 I've been on this Commission, but it's quite a few,
8 actually. And I wish there was more longevity to
9 this process, but there hasn't been to date.

10 But I just want to be absolutely clear
11 that you understand where we stand and that there
12 are no misunderstandings. I'm really not ganging up
13 on you. You're brand new to your position. I just
14 wanted you to understand it.

15 Thank you, Madam Chair.

16 THE CHAIR: Thank you, Commissioner. I
17 knew Commissioner Bergman was going to bring that
18 up, and he does it very eloquently. And, so, I
19 certainly wanted to leave it to him.

20 As far as the protocol and process for
21 amendments, what I would like to ask that you do is,
22 as a draft is completed, or a draft is almost
23 completed, send it to us -- and I'm talking about
24 all of us. There isn't any reason why -- what is
25 that noise?

1 COMMISSIONER CARR: It's the speaker.
2 It's still going on.

3 MS. LEWIS: Keeping the Open Meetings Act
4 in our sights, I would request a protocol where Matt
5 send them to me, and I can disseminate for
6 informational purposes, and you can reply
7 individually to me with questions, so we don't want
8 to get crosswise with the Open Meetings Act with
9 that procedure.

10 THE CHAIR: This is a really important
11 step here. This amendment process is one that's
12 very important to the schools; it's very important
13 to us. We've done it for a long time.

14 But it's one of those things that needs to
15 be refined and on paper. And, so, we want to be,
16 absolutely, part of this process --

17 MR. PAHL: Yes.

18 THE CHAIR: -- from step one. So, as you
19 get a draft done, send it out. Let us respond with
20 our suggestions. And, then, certainly, we'll look
21 at it again during the work session on the 12th --
22 the 10th of July.

23 MR. PAHL: May I reply?

24 THE CHAIR: Please do.

25 MR. PAHL: Madam Chair, Commissioner

1 Bergman, I just want to -- I want to agree with
2 several things that you said.

3 I do not feel like you're ganging up on
4 me. I think this is a -- this is appropriate. And
5 yes, it is your protocol; it is your form. So,
6 however you would like to request Staff support
7 to -- you know, at what point you want involvement,
8 I'm happy to take that and run with it.

9 So, I think that the protocol that we have
10 just discussed, that as we get a draft that I should
11 send that to Abby, is something that I can follow.

12 One nuance that I propose as a change to
13 that is to just send questions directly to me, or
14 comments directly to me on the document, just to
15 take out the -- Abby, I don't want to just call you
16 a middleman -- but just so we can have that direct
17 contact. We can "cc" Abby on those, but I don't see
18 any reason why we wouldn't just send that directly
19 to us, so we can hear the feedback.

20 But I'm appreciative of any comments or --

21 MS. LEWIS: My concern was just the Open
22 Meetings Act. So, if the Commission is comfortable
23 with ensuring that we don't get crosswise with that,
24 then that's their prerogative. But I would like to
25 ask that I be cc'd, so that I don't miss any

1 information.

2 MR. PAHL: That sounds good.

3 THE CHAIR: Okay. Is that -- is everyone
4 comfortable with that?

5 COMMISSIONER BERGMAN: Thank you for your
6 statement.

7 MR. PAHL: Absolutely.

8 THE CHAIR: Thank you.

9 Let's move on to Item No. 8, Discussion
10 and Possible Action on Charter School Amendments,
11 which is going to be item No. 7 in your notebooks.

12 Mr. Pahl?

13 MR. PAHL: Madam Chair, members of the
14 Commission, if we look at the agenda, I just have
15 one point of clarification and another question, as
16 far as moving -- I have a point of clarification on
17 the agenda, and a question moving forward with Item
18 No. 8.

19 The one point of clarification is, on the
20 Agenda 8-I, we have La Tierra Montessori School for
21 the Arts and Sciences. It says a mission statement
22 amendment as well as a facility amendment.

23 The facility is a typo. There is no
24 facility amendment. There is just one for La Tierra
25 Montessori School for the Arts and Sciences. So,

1 just a point of clarification there moving forward.

2 My question --

3 THE CHAIR: (Consults with counsel.) So,
4 we're going to need a motion to remove that from the
5 agenda. Shall we do it now, or when we get to that
6 section of the agenda?

7 MS. LEWIS: Wherever you want.

8 THE CHAIR: Why don't we do it now, while
9 it's fresh on our minds?

10 8-I on your agenda is La Tierra Montessori
11 School. And the second bulleted item under that is
12 "Facility." And that is an error; it should not be
13 there. The Chair would entertain a motion to remove
14 that item from the agenda.

15 COMMISSIONER CARR: So move.

16 COMMISSIONER GANT: Second.

17 THE CHAIR: I have a motion and a second
18 to remove "Facility" from Item 8-I.

19 Any discussion? All those in favor,
20 please say "Aye."

21 (Commissioners so indicate.)

22 THE CHAIR: Any opposed, please say "No."

23 (No response.)

24 THE CHAIR: Motion carries. "Facility" is
25 removed from 8-I.

1 Thank you, Mr. Pahl. Go ahead.

2 MR. PAHL: Yes. And thank you,
3 Madam Chair.

4 My second item, prior to beginning on this
5 item -- this agenda item -- is how would you like to
6 move forward? Do you normally do separate
7 amendments for each of the charters, or do we say a
8 charter as a package?

9 THE CHAIR: No, each item separately.

10 MR. PAHL: Okay. Thank you.

11 THE CHAIR: Very distinct, please.

12 MR. PAHL: Yes, thank you.

13 First up, now, on Item 8, is International
14 School at Mesa Del Sol. I'll invite any
15 representatives up, if that's appropriate for me to
16 do.

17 The International School at Mesa Del Sol
18 is requesting permission to amend its charter to
19 show that the school would like to provide
20 transportation to its students. The school appeared
21 before the PEC -- in last month's PEC meeting,
22 Deputy Secretary Aguilar requested that the PEC
23 delay their vote on the school's request until they
24 revisit -- until PED revisits the budget and the
25 funding available for transportation.

1 The Charter Schools Division recommends
2 approval of this amendment on several conditions:
3 That the appropriate amendment documents are
4 provided prior to the PEC meeting, and that the
5 transportation request is within bounds and
6 parameters set out by the PED Charter School
7 Transportation Formula.

8 As an additional condition, the school
9 should show an improvement to their 2014 school
10 grades to a grade of C or higher. The reason why we
11 have that in there is we recognize that when the
12 International School at Mesa Del Sol had their
13 charter renewed, it was a three-year renewal, with
14 several conditions from the Commission that involved
15 increasing academic quality. Those have been
16 happening for a year now.

17 We should -- we would like, as a
18 recommendation, as a condition, to see that that --
19 the slide in their school grade has stopped. And,
20 so, it's just another condition that we are
21 recommending as a condition for approving this
22 amendment.

23 THE CHAIR: (Chair consults with PEC
24 counsel.)

25 MS. LEWIS: The statute doesn't explicitly

1 say that you can't. So, again, I know you probably
2 hate this answer from me, but a good lawyer could
3 argue it either way. They would either say the
4 statute is silent, and, therefore, it's allowed; or
5 they'd say if they didn't want to -- or they would
6 say that because the statute is silent, then it's
7 not allowed, because if they wanted you to be
8 allowed to do it, they would have said it
9 explicitly.

10 THE CHAIR: State your request again,
11 would you, please?

12 MR. PAHL: Yes. The Charter Schools
13 Division -- we recommend approving the amendment to
14 International School at Mesa Del Sol's amendment to
15 provide transportation, with the following
16 conditions to that approval, the first of which is
17 that they have provided the appropriate
18 documentation to the Public Education Department
19 surrounding their request for transportation funds;
20 and the second of which is that in July's school
21 grades, that they show a grade of a C or higher.

22 MS. LEWIS: That's a more specific
23 question than can we put conditions on. I
24 wouldn't -- I'm not sure about putting a condition
25 tied to the school grade, versus the general

1 question of, "Can we put conditions," because it has
2 to do with transportation, so I'm not sure what the
3 connection is there, between the grade and the
4 allowability for transportation.

5 MR. PAHL: Yeah. And I can speak to that,
6 if that's all right, Madam Chair.

7 The reason why we did this is twofold:

8 International School at Mesa Del Sol would
9 be expanding their -- the participation zone for
10 schools to attend International School at Mesa Del
11 Sol. If we are going to provide a new option for
12 students, we want to make sure it's a good option.

13 International School at Mesa Del Sol was a
14 high flier just years ago. Their school grade has
15 been -- has been falling rather sharply in the last
16 three years. When the PEC approved their charter
17 for a three-year charter, they included several
18 conditions that had to do with their academics.
19 And, so, to show deference to those decisions in the
20 charter renewal, we thought that it would be wise
21 for us to, A, ensure that we provide a good option
22 for more students, if we're going to expand the
23 potential pool of students that are able to attend
24 that school; and, secondly, show that the conditions
25 of the charter that the PEC had proposed are

1 beginning to take effect and working.

2 THE CHAIR: Mr. Joyce, may we hear from
3 you?

4 MR. JOYCE: Good morning, Madam Chair, and
5 members of the Commission. Sean, S-E-A-N, Joyce,
6 Head of School at the International School at Mesa
7 Del Sol. Thank you again for the opportunity to
8 address you this morning.

9 I'm not sure exactly what has changed
10 since the last time I was here, other than the
11 recommendation, as we've all heard.

12 My first comment with respect to that
13 would be I understand the recommendation to leverage
14 the school to address its academic shortcomings.
15 And, absolutely, we are 100 percent focused on that,
16 and it makes sense with respect to improving the
17 school, overall.

18 However, as we have shared with you over
19 the last five or six months, one of the reasons for
20 transportation is we already draw from a very large
21 geographic area. We have families -- three families
22 in Belen, 20 in Los Lunas, Rio Rancho, all the zip
23 codes in Albuquerque. We go as far out as Moriarty.

24 We're not asking to provide transportation
25 for those outliers. But the question of providing

1 opportunity to students and expanding or enlarging
2 our geographical area, there's no evidence that, by
3 providing transportation, that we would, in fact, be
4 drawing from a larger geographical area.

5 As you all know, enrollment at our school
6 has been a difficulty, and ability to sustain our
7 enrollment has been one of the reasons why we have
8 shortcomings. Our charter offers 20-to-1 students
9 in a classroom. We have difficulty meeting those
10 20 students in a classroom, which -- hand-in-glove
11 with funding, and funding to support students.

12 We have downsized our school. We have
13 eliminated multiple classes per grade level, with
14 the intention of, again, focusing specifically on
15 enrollment.

16 Up until this past year, almost -- more
17 than 90, 95 percent of all the students who stopped
18 enrolling was based upon the transportation issue:
19 The rise of gasoline prices, the difficulty of
20 getting students 45 to 50 to 60 minutes back and
21 forth to school.

22 So, until now, we have not had
23 transportation, and we are looking at providing
24 transportation so that we can sustain our enrollment
25 so we can provide that opportunity for parents who

1 would like to make that choice, who have made that
2 choice and would like to continue that choice.

3 We do not expect to extend large -- to
4 increase our enrollment beyond our charter's
5 20-to-1. So, that the concern of -- of addressing
6 or pulling in more students than would be reasonable
7 under an underperforming school, I don't know that
8 there's a lot of merit to that -- that idea.

9 I believe the Public Education Commission
10 is familiar with the fact that we have been
11 allocated funding. And until the amendment is
12 approved, we don't have access to that funding. As
13 we spoke last month, this idea of transportation and
14 the ability for charter schools to access
15 transportation funding is a rather difficult process
16 to navigate.

17 We have -- as I said to you, we have
18 provided the transportation department with access
19 routes -- three bus routes. And I believe you are
20 well aware that the busing of charter schools is
21 very different from public schools. We don't stop
22 at every street corner. It's a park-and-ride
23 situation, that we pick kids up at one location and
24 bring them in. And that's the process that we're
25 looking at.

1 So, again, the transportation issue would
2 be important to us. I absolutely agree with anyone
3 and everyone that our primary focus as an
4 international school and a charter school is
5 academics. And we have very high expectations for
6 that. And as we have discussed here for the last
7 five or six months, we are making those changes. We
8 have added staff; we are doing everything that we've
9 been asked to do, and we are asking for this
10 accommodation to be able to sustain our enrollment.

11 THE CHAIR: Mr. Joyce, I'm not sure that I
12 was present for the negotiations for your contract,
13 the performance contract. But I know that
14 Commissioner Bergman was. I am trying to remember
15 the performance indicators that were negotiated in
16 that contract. I know they were pretty -- I know
17 they were very specific.

18 I am wondering if the question, maybe not
19 a grade of C -- I doubt we ever go that route,
20 because we've been shot down on trying to use school
21 grades or AYP or any of those kinds of things in the
22 past, but -- Commissioner Bergman, I know I'm
23 putting you on the spot. But do you recall -- and,
24 Mr. Joyce, perhaps you do, too -- those performance
25 indicators and how specific they are as far as

1 academic excellence and the level to which it must
2 rise for this school? Do you recall?

3 COMMISSIONER BERGMAN: I cannot provide --
4 Madam Chair, I cannot provide specifics to the
5 goals, because I have done so many of these now,
6 they all start to run together after a while.

7 But I am fully comfortable with the
8 thought that when I walked out of our recent
9 contract negotiation in the performance contract and
10 performance framework, I was very comfortable with
11 the thought that the school understood the absolute
12 necessity to turn around the direction it had
13 slipped to, and they had some mitigating
14 circumstances for that slip. And I was comfortable
15 that we negotiated some solid goals that will help
16 this school do that exactly.

17 I probably am not comfortable at this
18 time, particularly, putting a transportation request
19 with a grade. I understand your rationale and what
20 you're trying to do. I really do.

21 MR. PAHL: Okay.

22 COMMISSIONER BERGMAN: But I would
23 probably ask my fellow -- maybe think about let's
24 move -- and I also note in the amendment form that
25 they're not even going to do this right away. It's

1 safe that they're not going to do it during the term
2 of the current charter, which probably has --
3 what? -- two more years to run? But it's a work in
4 progress.

5 But as he noted, he can't get his funds --
6 it's that conundrum I pointed out last time. They
7 can't get the funds until we give the approval, and
8 we can't give the approval, sometimes, because we
9 don't have all the facts. We're also in that bind.

10 My only question would be is we deferred
11 last month because of Deputy Secretary Aguilar's
12 request. We have not heard anything back. The fact
13 that you're in favor of this amendment, does that
14 mean that he is now -- he's not -- he doesn't want
15 us to continue to defer on this transportation
16 request?

17 MR. PAHL: Madam Chair, Commissioner
18 Bergman, not on this particular request, no.

19 THE CHAIR: Commissioner Toulouse?

20 COMMISSIONER TOULOUSE: Madam Chair, I'd
21 just like to add, I was at the negotiations. And
22 while I, again, don't remember, because I'm new at
23 this, all of the details, I know it was a long
24 discussion. And I think it resolved very well with
25 everybody. And I absolutely do not want to tie any

1 grade that I can't figure out how you get it from
2 the data that you get to somebody's being able to
3 take kids to school and back.

4 I mean, you're going to improve education
5 just by the fact that that kid's going to know, if
6 they can get to the bus point, they can get to
7 school, rather than not always being able to get to
8 school because the person who usually takes them is
9 sick, somewhere else, the car is broken down, or
10 whatever else.

11 And, so, to me, this is one of those
12 pieces that should help improve the grades and all
13 of the other criteria that go toward this school.
14 So, I would not want to postpone this, either. I'd
15 like to go ahead and take a vote.

16 THE CHAIR: Thank you. Any other
17 comments?

18 COMMISSIONER CONYERS: Yeah. I'm kind of
19 in --

20 COMMISSIONER BERGMAN: It's not working.
21 You're going to have to speak up.

22 COMMISSIONER CONYERS: To me, either they
23 need transportation, or they don't. And it sounds
24 like they do need it. And I don't see how tying
25 that to the grade is relevant.

1 THE CHAIR: Thank you. Any other --
2 Commissioner Parker?

3 COMMISSIONER PARKER: Madam Chair,
4 Commissioners, Director Pahl, I agree completely.
5 And it seems like if we're going to tie the
6 transportation to some type of performance goal, if
7 they don't quite meet that performance goal and the
8 transportation gets taken away, we're setting them
9 up for a certain level of failure. And I am
10 personally not comfortable with that.

11 THE CHAIR: Thank you. Anything else?

12 Hearing no further discussion, the Chair
13 would entertain a motion. And I will remind you,
14 Commissioners, that on your Executive Summary for
15 Item No. 7, there are a variety of suggested motions
16 for each of the schools that is coming before us
17 today. If you would consider using one of those, or
18 you may certainly come up with one of your own
19 choosing. Commissioner Bergman?

20 COMMISSIONER BERGMAN: Madam Chair, before
21 we get to that point, perhaps we should ask
22 Director Pahl to -- will you restate your conditions
23 again and withhold the C grade one, or are --

24 THE CHAIR: I -- I --

25 COMMISSIONER BERGMAN: You don't want a --

1 THE CHAIR: I don't want any of those
2 conditions.

3 COMMISSIONER BERGMAN: Oh, you don't want
4 any of those conditions.

5 THE CHAIR: Your first condition was
6 contingent on receiving all the paperwork. They're
7 not going to get it -- they're not going to get any
8 money if they don't have the right paperwork in to
9 Transportation. So, I don't think we need to bother
10 with that. I really don't. So, do you agree?

11 MR. PAHL: I think that's okay, yeah.
12 Yes, Madam Chair. I think that's fine. It's just
13 for us to underline that those steps need to happen.
14 So, my apologies for crossing areas there.

15 THE CHAIR: No problem.

16 COMMISSIONER BERGMAN: I misunderstood,
17 then, what we were discussing.

18 THE CHAIR: Thank you very much. Are we
19 ready for a motion? Commissioner Bergman?

20 COMMISSIONER BERGMAN: Madam Chair, I
21 would move that the Public Education Commission
22 approve this amendment request for the International
23 School at Mesa Del Sol to provide certain
24 transportation to their students.

25 Does that sound -- remove the word

1 "certain"?

2 MS. LEWIS: Yeah, I wouldn't be sure what
3 that meant.

4 COMMISSIONER BERGMAN: Remove the word
5 "certain." Just transportation to their student
6 body.

7 THE CHAIR: Okay.

8 COMMISSIONER CARR: Second.

9 THE CHAIR: Motion by Commissioner
10 Bergman, second by Commissioner Carr, to approve
11 this request by the International School at Mesa Del
12 Sol to allow transportation to its students.

13 Further discussion, Commissioners?
14 Commissioner Parker?

15 COMMISSIONER PARKER: Madam Chair,
16 Commissioners, Ms. Lewis, do we need to be more
17 specific about this as pertaining to their -- to
18 their amendment, or do we just need to say --

19 COMMISSIONER POGNA: I can't hear.

20 COMMISSIONER PARKER: Do we need to be
21 more specific to this -- that we're approving what
22 they are submitting as their amendment, or do we
23 just need to say, "Allow transportation"?

24 MS. LEWIS: The record has made it clear.
25 We're talking about this specific amendment. But

1 specificity is always better, if you're aiming for
2 it. So, yeah it's up to you if you'd like to
3 rephrase the motion. But I think the record is
4 clear what we're talking about here.

5 COMMISSIONER BERGMAN: I'll be happy to
6 withdraw my motion. But I'm not sure how I would
7 state it any better.

8 MS. LEWIS: I think Commissioner Parker
9 was asking to use the word "amendment" specifically
10 in the motion.

11 COMMISSIONER BERGMAN: Madam Chair, I
12 withdraw my motion now.

13 THE CHAIR: Do you withdraw your second?

14 COMMISSIONER CARR: Yes. I'm sorry. Yes.

15 THE CHAIR: All right.

16 COMMISSIONER TOULOUSE: Madam Chair, on
17 that count, should the motion include "when funding
18 is available"? Should that be --

19 THE CHAIR: No.

20 COMMISSIONER BERGMAN: That was just
21 understood. They couldn't do it without funding.

22 COMMISSIONER TOULOUSE: I don't want
23 somebody to come at them later and say, "You were
24 approved to provide us transportation." So, I just
25 wanted to make sure that wasn't --

1 MS. LEWIS: Maybe in the future, our
2 procedure should be to work on these motions
3 together. That way it'll save a little bit of time.

4 MR. PAHL: Madam Chair, yes.

5 THE CHAIR: All right.

6 Commissioner Bergman, would you like to
7 make the motion?

8 COMMISSIONER BERGMAN: Madam Chair, thank
9 you. Let my try it again.

10 Madam Chair, I move that the Public
11 Education Commission approve the amendment presented
12 by the International School at Mesa Del Sol to allow
13 transportation to its students.

14 COMMISSIONER CARR: Second.

15 THE CHAIR: Thank you. Motion by
16 Commissioner Bergman, seconded by Commissioner Carr,
17 to approve the amendment to provide transportation
18 for students at International School at Mesa Del
19 Sol.

20 Do we have further discussion?

21 COMMISSIONER BERGMAN: I would just like
22 to thank Dr. Joyce for his repeated trips back to
23 appear before us.

24 THE CHAIR: Any discussion?

25 Secretary Bergman, may we have a roll-call

1 vote, please?

2 COMMISSIONER BERGMAN: Commissioner

3 Parker?

4 COMMISSIONER PARKER: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Peralta?

7 COMMISSIONER PERALTA: Yes.

8 COMMISSIONER BERGMAN: Commissioner Pogna?

9 COMMISSIONER POGNA: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Toulouse?

12 COMMISSIONER TOULOUSE: Yes.

13 COMMISSIONER BERGMAN: Commissioner Carr?

14 COMMISSIONER CARR: Yes.

15 COMMISSIONER BERGMAN: Commissioner

16 Conyers?

17 COMMISSIONER CONYERS: Yes.

18 COMMISSIONER BERGMAN: Commissioner Gant?

19 COMMISSIONER GANT: Yes.

20 COMMISSIONER BERGMAN: Commissioner

21 Shearman?

22 THE CHAIR: Yes.

23 COMMISSIONER BERGMAN: Commissioner

24 Bergman votes "Yes."

25 Madam Chair, that is a 9-to-0 vote in

1 favor of the motion.

2 THE CHAIR: By a unanimous vote, the
3 amendment to provide transportation for students at
4 International School at Mesa Del Sol is approved.
5 Thank you for coming to us once again.

6 MR. JOYCE: Madam Chair, members of the
7 Commission, thank you very much. Appreciate it.

8 THE CHAIR: Thank you. Mr. Pahl, ACE
9 Leadership High School.

10 MR. PAHL: Yes. Will representatives from
11 ACE Leadership please come down? Thank you.

12 ACE Leadership High School is requesting
13 permission to relocate their permanent facility to
14 1225 Sawmill Road, Northwest, in Albuquerque,
15 New Mexico. The Charter Schools Division is
16 recommending approval of this amendment.

17 THE CHAIR: Good morning. I was looking
18 for the anticipated form. We've got a lot of papers
19 here.

20 As I recall -- or am I confusing schools?
21 Was it last year we had a group of students from ACE
22 come to us with possible new locations? Or
23 confusing this with another school?

24 MS. STEPHENS-SHAUGER: Tori
25 Stephens-Shauger, Executive Director of ACE

1 Leadership High School.

2 Madam Chair, yes, we did have a group of
3 students come last year when we were pursuing a
4 different potential site for our permanent location
5 with a transportation proposal.

6 THE CHAIR: Okay. So, that was -- that
7 was our initial notice that ACE was seeking, or was
8 looking at, the possibility of relocating; correct?

9 MS. STEPHENS-SHAUGER: Correct.

10 THE CHAIR: Okay. All right.

11 Commissioners, has everyone found the
12 amendment form for the new location?

13 Mr. Pahl, could we hear from CSD and your
14 recommendation, please?

15 MR. PAHL: Yes, Madam Chair. The Charter
16 School Division recommends approval of this
17 amendment.

18 THE CHAIR: Thank you. May we hear from
19 the school? And please identify yourselves and
20 spell your name, if necessary.

21 MS. STEPHENS-SHAUGER: Madam Chair, we're
22 very excited to be building our permanent school
23 building, from the ground up, with student input and
24 community input. So, we look forward to -- we
25 appreciate the support of the Charter School

1 Division and look forward to your vote.

2 THE CHAIR: Thank you. And I'm being
3 reminded by our attorney that these forms need to go
4 to her, as well. And, apparently, this did not.

5 Are we -- do you know if it was sent
6 directly to Ms. Lewis, as well?

7 MS. LEWIS: It's on the form to send it to
8 me.

9 MS. STEPHENS-SHAUGER: Madam Chair, I did
10 copy the attorneys -- everyone that was listed here
11 on the form into my original submission.

12 MS. LEWIS: Did you get a bounce-back?

13 MS. STEPHENS-SHAUGER: I don't recall.

14 MS. LEWIS: I'll keep looking.

15 THE CHAIR: I have to admit, my concern
16 here is, though your school came to us last year,
17 they actually came with some proposed locations --

18 MS. STEPHENS-SHAUGER: Uh-huh.

19 THE CHAIR: -- last year. Then, I don't
20 believe we've heard anything from you since then.
21 And now, you're ready to move into a permanent new
22 location.

23 Commissioner Gant has a comment.

24 COMMISSIONER GANT: Madam Chair, members,
25 I have been in contact with PSFA, Martica Casias.

1 And she's informed me -- and I do have information,
2 and I could dig it out of my machine here -- that
3 they have supplied PSFA with the needed paperwork
4 for the move. So, that is a -- they have done their
5 due diligence okay.

6 THE CHAIR: With PSFA.

7 COMMISSIONER GANT: With PSFA.

8 THE CHAIR: I guess when we get this
9 amendment process more streamlined -- but, you know,
10 I would like to have known you were building a new
11 building earlier. It's not going to happen, I don't
12 think.

13 What if we said "No" today? You know,
14 that's my concern. So, I think we certainly need to
15 include that, Matt, in this procedure when you're
16 drafting that process.

17 MR. PAHL: Yes.

18 THE CHAIR: Okay. That was my comment.

19 Other comments from Commissioners?

20 Commissioner Gant?

21 COMMISSIONER GANT: Madam Chair, members,
22 one -- one of the issues that I have is that the
23 form doesn't say when the governing council approved
24 it. It's in the outside of the form I got. Doesn't
25 have a date out here, of approval by the governing

1 council.

2 And, two, in the minutes, all it says is,
3 "Rechartering and charter goals." And there was
4 something about "e-mailed out previously."

5 I don't know what that means. Was it
6 e-mailed out to the governing council for their
7 approval or for their review? But then the vote
8 was, "Approve amended goals and request to be --
9 "and request to be presented to the PEC in June,
10 motion to approve both amendments."

11 But it doesn't say what the second
12 amendment is for approval. See? I see you want to
13 do the amended goals, but I don't see them saying
14 the facilities. See what I'm saying?

15 And, then, your -- the form is not dated
16 as to when the -- when they were approved.

17 MR. IVEY-SOTO: Madam Chair,
18 Commissioner Gant, we have a date of 5/19/14, on the
19 form that we have in front of us.

20 COMMISSIONER GANT: In the right-hand
21 column?

22 MR. IVEY-SOTO: Oh, I see.

23 THE CHAIR: (Chair consults with counsel.)

24 We're just simply trying to clarify if
25 your governing council was, in fact, presented with

1 this amendment form, the one that states the move to
2 the new location, if they were presented this
3 amendment form, along with the change to your -- to
4 your -- the other one, whatever, and did they
5 understand that they were voting on two separate
6 amendment forms.

7 Yes?

8 MS. STEPHENS-SHAUGER: Madam Chair, yes,
9 they did. They were presented with both sets of
10 documents. Our governing board chair signed both at
11 the meeting after approval, so that they could be
12 submitted to the Charter School Division and
13 attorneys. So, they were aware that they were
14 looking at both the move and the goals as two
15 separate amendments.

16 THE CHAIR: Okay. Because, truly, it is
17 not clear in your minutes that both documents were
18 approved.

19 MR. IVEY-SOTO: And, Madam Chair, if
20 it's -- first of all, I appreciate the opportunity
21 to clarify. But, also, if it would -- if it would
22 help, we could also -- we have a governing council
23 meeting coming up this next week, and we can make
24 sure that these minutes are clarified as to that,
25 and also submit that so there's no question about

1 it.

2 THE CHAIR: Frankly, I think that would
3 make a cleaner process.

4 MR. IVEY-SOTO: Certainly. We're happy to
5 do that.

6 THE CHAIR: And if we could go ahead and
7 approve these -- if that's the Commission's wish, if
8 we could go ahead and approve these today,
9 contingent upon the clarified minutes of your next
10 board meeting --

11 MR. IVEY-SOTO: I think that's cleaner,
12 Madam Chair.

13 THE CHAIR: Okay. All right. I think
14 that that would certainly allay my concerns.

15 Commissioners?

16 COMMISSIONER GANT: I've got a question.

17 THE CHAIR: Commissioner Gant?

18 COMMISSIONER GANT: Madam Chair, just --
19 and members -- just for my education, I guess, the
20 statement on the minutes, it states, "E-mail sent
21 out previously."

22 Are you -- what are you doing here? Are
23 you sending out the minutes? Are you sending --
24 what are you sending out by e-mail?

25 MS. STEPHENS-SHAUGER: I -- Madam Chair

1 and Commissioner Gant, the draft of the two
2 amendments were sent out previously for the board
3 members to review and ask questions. There was also
4 room for discussion at the meeting itself.

5 COMMISSIONER GANT: Asked questions of
6 who?

7 MS. STEPHENS-SHAUGER: Ask questions of
8 myself, or, if there's a question that they wanted
9 answered by the Charter School Division before they
10 came to the meeting.

11 COMMISSIONER GANT: Okay. Just clarifying
12 Open Meetings. That's all. Go ahead.

13 THE CHAIR: Other comments? Concerns?
14 All right.

15 We are considering first the amendment for
16 the new location, 1225 Sawmill Road, Northwest, in
17 Albuquerque. Has everyone got that amendment in
18 front of you?

19 All right. If there is no further
20 discussion, the Chair would entertain a motion.

21 COMMISSIONER GANT: Madam Chair?

22 THE CHAIR: Commissioner Gant.

23 COMMISSIONER GANT: Madam Chair, members,
24 I move that the Public Education Commission approve
25 the amendment presented by the ACE Leadership High

1 School to move to 1225 Sawmill Road, Northwest,
2 Albuquerque, New Mexico, 87104, with the following
3 condition: That their board of directors, or
4 council, as they may call it, meet and reapprove the
5 conditions so stated for this move.

6 COMMISSIONER CARR: Second.

7 THE CHAIR: You've heard the motion and
8 the second. Is there discussion?

9 Motion is made by Commissioner Gant,
10 seconded by Commissioner Carr, to approve the
11 amendment from ACE Leadership High School to move to
12 the location stated in the record, with the
13 condition that their board approve specifically the
14 amendment form for the move to this new location.

15 Any discussion?

16 Commissioner Bergman, may we have a
17 roll-call vote?

18 COMMISSIONER BERGMAN: Commissioner
19 Peralta?

20 COMMISSIONER PERALTA: Yes.

21 COMMISSIONER BERGMAN: Commissioner Pogna?

22 COMMISSIONER POGNA: Yes.

23 COMMISSIONER BERGMAN: Commissioner
24 Toulouse?

25 COMMISSIONER TOULOUSE: Yes.

1 COMMISSIONER BERGMAN: Commissioner Carr?

2 COMMISSIONER CARR: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Conyers?

5 COMMISSIONER CONYERS: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Parker?

8 COMMISSIONER PARKER: Yes.

9 COMMISSIONER BERGMAN: Commissioner Gant?

10 COMMISSIONER GANT: Yes.

11 COMMISSIONER BERGMAN: Commissioner

12 Shearman?

13 THE CHAIR: Yes.

14 COMMISSIONER BERGMAN: Commissioner

15 Bergman votes "Yes."

16 Madam Chair, that is a 9-to-0 vote in
17 favor of that motion.

18 THE CHAIR: Thank you. The vote to
19 approve the amendment by ACE Leadership High School
20 to move to the new location, as noted in the record,
21 is unanimously approved. Thank you.

22 COMMISSIONER TOULOUSE: Madam Chair,
23 before we go any further, may I ask a question about
24 the training that governing councils get, or
25 continue to be given, that it seems to me we get a

1 lot of these where the minutes don't make sense. I
2 like succinct minutes, but they need to say exactly
3 what the item is. And I wondered if the next round
4 of training could include something about when you
5 have minutes, they need to be substantive as to
6 exactly what you did, because nobody's going to
7 know, when you look back historically several years.

8 And I don't think it's anybody's fault. I
9 just think, a lot of times, people don't know what
10 to put in their minutes.

11 And the other thing is, if once we get
12 these procedures for amendments, that that be
13 included, and then amendments must be clarified in
14 the minutes, so we don't have to go through this,
15 because I know it's confusing for everybody when you
16 don't know -- you weren't at the meeting, so you
17 don't know what that item meant.

18 So, anyway, thank you.

19 THE CHAIR: Thank you, Commissioner.

20 Mr. Pahl?

21 COMMISSIONER GANT: Madam Chair?

22 THE CHAIR: Commissioner Gant?

23 COMMISSIONER GANT: Madam Chair, I would
24 suggest that when they have their governance council
25 board meeting, or whatever -- and make the change --

1 do what we ask them to do, that they send it to our
2 attorney, Abby Lewis, so we can get a copy, and to
3 the CSD.

4 MR. IVEY-SOTO: We will do that. Thank
5 you.

6 THE CHAIR: Thank you.

7 Second amendment, Mr. Pahl?

8 MR. PAHL: Yes. If I may just make a
9 quick comment on Commissioner Toulouse's comment
10 here? I just want the Commission to know that I'm
11 doing a lot of learning today, and all of these
12 amendments, what we take from today will help inform
13 the process of our amendment protocol proposal that
14 you will see soon.

15 So, just, thank you for that feedback, and
16 I'll continue to keep my learning posture throughout
17 the meeting here. So, thank you.

18 Madam Chair, members of the Commission,
19 ACE Leadership High School is also requesting an
20 amendment to their charter goals. The Charter
21 School Division recommends approval of this
22 amendment.

23 THE CHAIR: Okay. Thank you. I think it
24 would be wise, Commissioners, if you agree, that we
25 go through each one of these changes individually

1 and ask the school to guide us through these and
2 give us their thoughts. Please, go ahead.

3 MR. IVEY-SOTO: And, Madam Chair, just as
4 a way of introduction, and then I'll turn it over to
5 the director of the school to go through the
6 substantive changes within each of these. The ACE
7 Leadership High School is coming up for renewal
8 beginning this fall; and, so, this is before you
9 now, just so that you have the context, as a result
10 of a conversation we had with the Charter School
11 Division after their last visit to the school and
12 their concern about the nature of the existing goals
13 for the school.

14 And, so, we are coming here today with an
15 amendment to the goals to help align where the
16 school is, and also to set the context for our
17 renewal process.

18 THE CHAIR: Thank you. Please go ahead.

19 MS. STEPHENS-SHAUGER: Thank you,
20 Madam Chair. The first goal -- if everybody has
21 found the right amendment?

22 THE CHAIR: Yes, we have.

23 MS. STEPHENS-SHAUGER: Okay. The first
24 goal, which states, "Student graduation rates will
25 be at least 10 percent above the APS average in the

1 year comparisons for similar cohorts."

2 And the rationale for the second one there
3 will be the same. "Students will have reading and
4 math performance scores on the State assessment that
5 are at least 15 percent greater than APS average or
6 similar cohorts."

7 What we were finding is that -- and what
8 the conversation was with the Charter School
9 Division in our site visit --

10 COMMISSIONER GANT: Ma'am, would you
11 please speak up a little? Some of us are having
12 difficulty hearing.

13 MS. STEPHENS-SHAUGER: Yes. Thank you.

14 What we found is that there has been a
15 change, as Commissioner Bergman mentioned, every
16 year since our charter has been in existence in the
17 format of goals and what we should be looking at and
18 comparing ourselves to with the -- with the school
19 grade that is now in place, and our school being
20 compared in these same areas statewide. In addition
21 to any other school district in the -- in the state,
22 we felt like they were unnecessary or redundant and
23 weren't necessarily in line with the current
24 framework that the PEC is using to evaluate and
25 renew charters.

1 THE CHAIR: Okay. Let's look at those
2 first two requests for goal changes, because they
3 are very similar. Let's look at those first two
4 first, and see what your thoughts are there.

5 So, these change- -- the changes would
6 take effect now until renewal in just a few months;
7 right?

8 MS. STEPHENS-SHAUGER: We would --
9 Madam Chair, we would submit for renewal -- we would
10 be going through the renewal process next school
11 year. So, they would actually be -- we would be
12 renegotiating these goals, hopefully, in the spring
13 of 2015.

14 THE CHAIR: If you were renewed.

15 MS. STEPHENS-SHAUGER: Correct.

16 THE CHAIR: Right. Okay. Comments?
17 Commissioner Bergman?

18 COMMISSIONER BERGMAN: I'm surprised,
19 Madam Chair, that you looked at me there, because as
20 she just knows, we -- most people understand where I
21 stand on goals in charter schools. I've made it
22 abundantly clear.

23 One, I'm not totally comfortable with
24 abandoning your goals just before you renew. I am
25 not comfortable with that. I don't understand -- I

1 hear the rationale, but I don't understand it.

2 Two, you note that, per the site visit,
3 that the school report card compares ACE Leadership
4 High School with other schools around the state.
5 Unfortunately, we're not getting that information.
6 I have no idea -- I'm looking at our snapshot here.
7 It doesn't compare you to anybody except yourself.
8 So, abandoning these goals leaves us with no goals,
9 in my opinion.

10 I suspect there is data somewhere in PED,
11 yes, that may compare all these schools. But we're
12 not getting it; we're not seeing it. And -- and the
13 fact that we are just, as you just noted, next
14 spring, going to be doing a new contract negotiation
15 and new goals, I'm not sure what the necessity for
16 this change is at this time.

17 I heard what was said by your attorney.
18 And I'm just not certain, because I'm not seeing
19 anything that lets me know that you are going to be
20 10 percent above, and -- which was what you promised
21 at the time these goals were formatted and
22 formulated.

23 That's just my thought. I -- I'll
24 certainly go along with the will of the Commission.
25 But I -- I guess I'm not totally comfortable with

1 this. I'd like to hear from the other
2 Commissioners, and maybe they will make me more
3 comfortable.

4 MR. IVEY-SOTO: And, Madam Chair, if I may
5 just very quickly, in terms of what Commissioner
6 Bergman said, the -- you know, there has been a fair
7 amount of discussion lately about -- about the
8 coordination between the work of the CSD and the
9 work of the PEC.

10 And -- and, so, certainly, you know, we
11 will be very involved with the PEC this coming year
12 as we go through our renewal process. This was
13 brought -- this is being brought forth at a
14 suggestion that was made. But, quite honestly -- I
15 mean, I hear perfectly what you're saying. And,
16 really, we are willing to go with whatever the
17 pleasure of the PEC is. And if it's not appropriate
18 for us to do this at this time, we are happy to
19 withdraw this amendment and simply go through the
20 renewal process and have that conversation in that
21 context.

22 THE CHAIR: Other comments? Commissioner
23 Gant?

24 COMMISSIONER GANT: Madam Chair, members,
25 that was the same issue I had as Commissioner

1 Bergman. You are dropping -- I mean, putting in
2 your renewal in October; is that correct?

3 MS. STEPHENS-SHAUGER: Yes, sir.

4 COMMISSIONER GANT: So, why can't this
5 wait till then?

6 MR. IVEY-SOTO: It can.

7 MS. STEPHENS-SHAUGER: Yes, it can.

8 THE CHAIR: Other comments?

9 I have to say I agree. You will -- you
10 will find, when you come up for negotiation of your
11 performance contract, should you be renewed, that
12 the goals we will be negotiating at that time are
13 very specific and very, very structured and very
14 rigorous. And I think we could spend the rest of
15 the day rewriting your goals -- your suggested goals
16 the way that we would like to see them. And,
17 generally, the school -- well, always -- the schools
18 agree, because it's a negotiation.

19 But I think our time would better be spent
20 doing it at that time, rather than trying to do it
21 today. I appreciate you coming forward and asking
22 us to consider these changes. I appreciate your
23 reacting to the recommendations or suggestions of
24 the folks at your site visit. But I think our time
25 would really be better spent at the negotiation

1 table.

2 MR. IVEY-SOTO: Madam Chair, you have a
3 very long agenda today. If it would be appropriate,
4 we would ask to withdraw this amendment at this
5 time.

6 THE CHAIR: I appreciate that very much.

7 Ms. Lewis? Before I consider that,
8 Ms. Lewis has a statement she'd like to make.

9 MS. LEWIS: Yeah. I just wanted to
10 apologize and correct myself for the record. I had
11 ACE Leadership confused with another client of
12 Mr. Ivey-Soto's. I did receive, via interagency
13 mail, your paperwork. So, thank you very much, and
14 I hope other schools will follow that example.

15 THE CHAIR: Thank you. You are asking to
16 withdraw your amendment request only for the goals
17 today.

18 Now, what is the appropriate --

19 MS. LEWIS: Take a vote.

20 THE CHAIR: Take a vote? All right.

21 So -- and the vote would be to accept their
22 withdrawal of the goals amendment change?

23 MS. LEWIS: Uh-huh.

24 THE CHAIR: All right.

25 Commissioners, you've heard the request

1 from Mr. Ivey-Soto and ACE High School Leadership --
2 folks. I'm losing it, guys.

3 MS. STEPHENS-SHAUGER: Team.

4 THE CHAIR: May we have a motion to allow
5 them to withdraw their request for their goals
6 amendment changes?

7 Commissioner Bergman?

8 COMMISSIONER BERGMAN: Madam Chair, I
9 would move that we accept the withdrawal by ACE
10 Leadership High School of their goals amendment, the
11 entire goals amendment, at this time.

12 THE CHAIR: Thank you. Do we have a
13 second?

14 COMMISSIONER CARR: Second.

15 THE CHAIR: Motion by Commissioner
16 Bergman, second by Commissioner Carr, to allow ACE
17 Leadership High School to withdraw their amendment
18 request for goals at this time.

19 Any discussion?

20 The Chair would -- no.

21 Mr. Secretary, may we have a roll-call
22 vote, please?

23 COMMISSIONER BERGMAN: Commissioner Pogna?

24 COMMISSIONER POGNA: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Toulouse?

2 COMMISSIONER TOULOUSE: Yes.

3 COMMISSIONER BERGMAN: Commissioner Carr?

4 COMMISSIONER CARR: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Conyers?

7 COMMISSIONER CONYERS: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Parker?

10 COMMISSIONER PARKER: Yes.

11 COMMISSIONER BERGMAN: Commissioner

12 Peralta?

13 COMMISSIONER PERALTA: Yes.

14 COMMISSIONER BERGMAN: Commissioner Gant?

15 COMMISSIONER GANT: Yes.

16 COMMISSIONER BERGMAN: Commissioner

17 Shearman?

18 THE CHAIR: Yes.

19 COMMISSIONER BERGMAN: Commissioner

20 Bergman votes "Yes."

21 That is a 9-to-0 vote in favor of that
22 motion.

23 THE CHAIR: Thank you. The decision is
24 unanimous to accept the withdrawal of the goals
25 amendment by ACE Leadership High School at this

1 time. Thank you very much.

2 MR. IVEY-SOTO: Thank you very much.

3 Thank you, members of the Commission.

4 COMMISSIONER TOULOUSE: Madam Chair, I
5 know I'm talking a lot today, and I know that we
6 have a long agenda. But I just wanted to comment
7 that this is one of the schools in the district that
8 I represent. And they invited me to come visit, and
9 I did.

10 And I want to concur that the word "team"
11 is the right word. And I want to say that, years
12 ago, when I was on the CNM Governing Board, I heard
13 a presentation from a teacher at West Mesa High
14 School, who taught math through music. And I was
15 disappointed when that changed. Well, he now
16 teaches for them.

17 So, I think those kind of innovative
18 things are important to do. And I'm trying --
19 anybody who asks me, I'm trying to go visit, because
20 I am still learning, and they're all helping me
21 learn.

22 But I did like this teamwork approach I
23 saw. So, thank you for the invitation.

24 MS. STEPHENS-SHAUGER: Thank you,
25 Commissioner.

1 THE CHAIR: Thank you all very much.
2 Southwest Primary Learning Center. Good
3 morning.

4 MR. PAHL: Madam Chair, Southwest Primary
5 Learning Center is requesting permission to change
6 the wording of its mission to better clarify the
7 intent of the school and to be more prepared for the
8 renewal process in October. The CSD recommends
9 approval of this amendment.

10 THE CHAIR: Thank you very much. Just
11 give us a minute, would you please, so that we can
12 get the documents located?

13 Commissioners, let me just ask you. I am
14 looking for the minutes from Southwest Primary
15 Learning Center. I am finding -- I am finding
16 Southwest Intermediate, Southwest Secondary; but I'm
17 not seeing Southwest Primary. Were they in yours?

18 COMMISSIONER BERGMAN: Yes.

19 THE CHAIR: Okay. Does everyone else have
20 them?

21 COMMISSIONER CARR: Yes.

22 THE CHAIR: Okay. Then mine was -- let's
23 move ahead, please, with Southwest Primary Learning
24 Center.

25 MR. PASZTOR: Madam Chair and

1 Commissioners, my name is Robert Pasztor -- that's
2 P-A-S-Z-T-O-R -- administrator for Southwest Primary
3 Learning Center.

4 MS. CARRILLO: Good morning, Madam Chair
5 and Commissioners. My name is Coreen Carrillo,
6 C-O-R-E-E-N, Carrillo, C-A-R-R-I-L-L-O, a
7 fifth-grade teacher at Southwest Primary Learning
8 Center.

9 THE CHAIR: Okay. I cannot hear you. I'm
10 sorry.

11 MS. CARRILLO: I'm Coreen Carrillo,
12 fifth-grade teacher, Southwest Primary Learning
13 Center.

14 THE CHAIR: And you're --

15 MR. PASZTOR: Robert Pasztor.

16 THE CHAIR: And your position is?

17 MR. PASZTOR: Administrator, Southwest
18 Primary.

19 THE CHAIR: Please go ahead. You have an
20 amendment request?

21 MR. PASZTOR: I do.

22 THE CHAIR: Okay.

23 MR. PASZTOR: To -- so --

24 THE CHAIR: Hold on just a second. We're
25 still trying to find --

1 COMMISSIONER BERGMAN: I've read it, so
2 I'll let you read it.

3 MS. LEWIS: It looks like the minutes are
4 labeled "Southwest Secondary." I wonder if any of
5 them specifically say "Southwest Primary." The one
6 I got from e-mail and the one in the binder says
7 "Southwest Secondary."

8 MS. STOFOSCIK: We have it.

9 MS. LEWIS: Does it say the same --

10 MS. STOFOSCIK: No, it doesn't. It must
11 have just been a --

12 MS. LEWIS: If it's not just a
13 copy-and-paste, do you mind e-mailing it?

14 MS. STOFOSCIK: Yeah.

15 THE CHAIR: So, Rachel, are you saying you
16 do have the minutes for Southwest Primary?

17 MS. STOFOSCIK: It must have just been a --
18 yes.

19 THE CHAIR: And the governing council did
20 consider this amendment request and vote to approve
21 it?

22 MS. STOFOSCIK: Yes. It just must have
23 been a mix-up in "Secondary, Intermediate, Primary"
24 language.

25 THE CHAIR: Cindy, did you get that?

1 Please -- I'm sorry. I interrupted you again.

2 Please, go ahead.

3 MR. PASZTOR: So, I don't need to read the
4 amendment to you?

5 THE CHAIR: Please, just give us the
6 rationale for it, or whatever you feel we need to
7 know.

8 MR. PASZTOR: Okay. So, in January 2014,
9 we went through reaccreditation with North Central
10 Association in Advanced Ed. And one of their
11 recommendations was to amend our mission statement,
12 make it more focused, more concise, more focused.
13 One of our goals of our charter is to maintain that
14 accreditation, and, so, why we were going through
15 the process.

16 And, then, in March of 2014, when the
17 Charter School Division came and did our fourth-year
18 site visit, because we are in our fourth year, about
19 to go through renewal in October, one of the
20 recommendations was to make our mission statement
21 more concise, for the purpose of developing
22 mission-specific goals when we go through the
23 renewal process in October.

24 And, therefore, we put everybody through
25 the process of developing a new mission statement,

1 everybody; students, teachers, parents, community
2 members, stakeholders, board members. And we are
3 here today.

4 THE CHAIR: Thank you. Commissioners,
5 you've heard the recommendation from CSD. You've
6 heard the presentation from Southwest Primary
7 Learning Center.

8 Are there questions? Comments? Concerns?
9 Commissioner Bergman?

10 COMMISSIONER BERGMAN: I just -- I'm all
11 in favor of concise and short. And you are coming
12 up for renewal this fall, and we're going to see you
13 again.

14 MR. PASZTOR: Yes, yes.

15 COMMISSIONER BERGMAN: I know I'm asking
16 you -- we're not going to go through this again in
17 just a few months, are you? Do you anticipate
18 you're going to use this mission statement on your
19 renewal application?

20 MR. PASZTOR: Absolutely, that's the
21 reason.

22 COMMISSIONER BERGMAN: Thank you,
23 Madam Chair.

24 THE CHAIR: Are there comments or
25 questions, Commissioners?

1 I have to say, I certainly am in favor of
2 short and concise. But I liked your original
3 mission statement just fine. But if you think the
4 other one will meet your needs better, I certainly
5 have not a problem with that.

6 Commissioners, anything else?

7 Hearing none, the Chair would entertain a
8 motion.

9 COMMISSIONER GANT: Madam Chair?

10 THE CHAIR: Commissioner Gant?

11 COMMISSIONER GANT: Madam Chair, I move
12 the Public Education Commission move to approve the
13 amendment presented by the Southwest Primary
14 Learning Center to change its mission statement.

15 THE CHAIR: Do we have a second?

16 COMMISSIONER TOULOUSE: Second.

17 THE CHAIR: Let's go with Commissioner
18 Toulouse. Motion by Commissioner Gant, second by
19 Commissioner Toulouse, to approve the amendment
20 request presented by Southwest Primary Learning
21 Center to change its mission statement, as has been
22 read into the record.

23 Further discussion?

24 Mr. Secretary, may we have a roll-call
25 vote?

1 COMMISSIONER BERGMAN: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER BERGMAN: Commissioner Carr?
5 COMMISSIONER CARR: Yes.
6 COMMISSIONER BERGMAN: Commissioner
7 Conyers?
8 COMMISSIONER CONYERS: Yes.
9 COMMISSIONER BERGMAN: Commissioner
10 Parker?
11 COMMISSIONER PARKER: Yes.
12 COMMISSIONER BERGMAN: Commissioner
13 Peralta?
14 COMMISSIONER PERALTA: Yes.
15 COMMISSIONER BERGMAN: Commissioner Pogna?
16 COMMISSIONER POGNA: Yes.
17 COMMISSIONER BERGMAN: Commissioner Gant?
18 COMMISSIONER GANT: Yes.
19 COMMISSIONER BERGMAN: Commissioner
20 Shearman?
21 THE CHAIR: Yes.
22 COMMISSIONER BERGMAN: Commissioner
23 Bergman votes "Yes."
24 Madam Chair, that is a 9-to-0 vote in
25 favor of that motion.

1 THE CHAIR: Thank you. The motion to
2 approve the amendment request presented by Southwest
3 Primary Learning Center to change its mission
4 statement is unanimously approved. Thank you all
5 very much.

6 Next on the agenda is -- if I can find the
7 agenda -- Southwest Intermediate Learning Center.
8 Same group? All right.

9 Give us a minute to gather up our
10 paperwork here. While we're doing that, if you'd
11 care to make any presentation you would care to
12 make?

13 MR. PASZTOR: Actually, this would be
14 exactly the same. Southwest Intermediate also went
15 through reaccreditation. During the same week, we
16 had three committees come from North Central
17 Association Advanced Ed to do all three schools.
18 So, Southwest Intermediate was one of those. Again,
19 the recommendation was to have the mission statement
20 be more specific, concise.

21 The same thing when we had our charter
22 school fourth-year annual site visit in March of
23 2014. The recommendation was, again, to have the
24 mission statement be more concise for the purpose of
25 developing measurable mission-specific goals when we

1 go through the renewal process in October.

2 THE CHAIR: Thank you.

3 COMMISSIONER CARR: Madam Chair?

4 THE CHAIR: Commissioner Carr?

5 COMMISSIONER CARR: Since these are -- no?
6 Okay. I'll withdraw my statement.

7 THE CHAIR: Okay.

8 COMMISSIONER CARR: He reads my mind.

9 THE CHAIR: Further comments or questions?
10 Commissioners? Mr. Pahl?

11 MR. PAHL: Sorry.

12 THE CHAIR: I'm sorry. I thought you made
13 a blanket recommendation when we started them.

14 MR. PAHL: We can treat it as such for
15 this group.

16 THE CHAIR: That's fine. Perhaps, for the
17 record, we should have individual recommendations.

18 MR. PAHL: I'd be happy to, sure. The
19 Charter School Division recommends approval of this
20 amendment for Southwest Intermediate Learning
21 Center.

22 THE CHAIR: Thank you very much.

23 MR. PAHL: Yes. And thank you.

24 THE CHAIR: Other comments, Commissioners?
25 Hearing none, the Chair would entertain a

1 motion.

2 COMMISSIONER PERALTA: Madam Chair?

3 THE CHAIR: Commissioner Peralta?

4 COMMISSIONER PERALTA: I'd move that the
5 Public Education Commission approve the amendment
6 presented by Southwest Intermediate Learning Center
7 to change its mission statement.

8 COMMISSIONER BERGMAN: Second.

9 THE CHAIR: Thank you. I have a motion by
10 Commissioner Peralta, second by Commissioner
11 Bergman, to approve the amendment by Southwest
12 Intermediate Learning Center to change its mission
13 statement.

14 Further discussion, Commissioners?

15 Hearing none, roll-call vote, Commissioner
16 Bergman.

17 COMMISSIONER BERGMAN: Commissioner Carr?

18 COMMISSIONER CARR: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Conyers?

21 COMMISSIONER CONYERS: Yes.

22 COMMISSIONER BERGMAN: Commissioner
23 Parker?

24 COMMISSIONER PARKER: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Peralta?

2 COMMISSIONER PERALTA: Yes.

3 COMMISSIONER BERGMAN: Commissioner Pogna?

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Toulouse?

7 COMMISSIONER TOULOUSE: Yes.

8 COMMISSIONER BERGMAN: Commissioner Gant?

9 COMMISSIONER GANT: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Shearman?

12 THE CHAIR: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Bergman votes "Yes."

15 Madam Chair, that is a 9-to-0 vote in
16 favor of that motion.

17 THE CHAIR: Thank you. By unanimous vote,
18 the amendment by Southwest Intermediate Learning
19 Center to change its mission statement is approved.
20 Thank you very much.

21 Is this going to be your encore act?

22 Mr. Pahl, your recommendation -- CSD's
23 recommendation on Southwest Secondary.

24 MR. PAHL: Thank you, Madam Chair, members
25 of the Commission. The CSD recommends approval of

1 Southwest Secondary Learning Center's amendment to
2 change the wording of its mission statement.

3 THE CHAIR: Thank you very much. If you
4 would care to enlighten us?

5 MR. PASZTOR: Absolutely. Again,
6 reaccreditation went through the process in January
7 2014. It was recommended by North Central
8 Association that we revise our mission statement to
9 be more specific and concise; and, then, during our
10 charter school fourth-year annual site visit in
11 March of 2014, also, same recommendation for the
12 purpose of developing measurable, mission-specific
13 goals, when we go through the renewal process in
14 October of 2014.

15 THE CHAIR: Thank you very much.

16 Commissioners, you've heard the
17 recommendation and the presentation. Do you have
18 questions?

19 Commissioner Bergman?

20 COMMISSIONER BERGMAN: I would just like
21 to ask, as a matter of curiosity, have you heard on
22 accreditation yet?

23 MR. PASZTOR: Oh, yes. Yes, yes.

24 COMMISSIONER BERGMAN: Have you received
25 it?

1 MR. PASZTOR: We received our
2 accreditation. We actually received some of the
3 highest scores ever given: 3.6. And we can get as
4 high as 4. So, it was pretty tight, yes.
5 [Verbatim.]

6 COMMISSIONER BERGMAN: Congratulations.
7 Thank you, Madam Chair.

8 THE CHAIR: Thank you. Further comments
9 or questions?

10 Hearing none, the Chair would entertain a
11 motion? Commissioner Toulouse, I'm looking at you.

12 COMMISSIONER TOULOUSE: Madam Chair, I
13 move that the Commission approve the amendment to
14 change the mission presented to us by the Southwest
15 Secondary Learning Center.

16 COMMISSIONER POGNA: Second.

17 THE CHAIR: We have a motion by
18 Commissioner Toulouse, seconded by Commissioner
19 Pogna, to approve the amendment presented by
20 Southwest Secondary Learning Center to change its
21 mission statement.

22 Further discussion, Commissioners?

23 Hearing none, Commissioner Bergman,
24 roll-call vote, please?

25 COMMISSIONER BERGMAN: Commissioner

1 Conyers?
2 COMMISSIONER CONYERS: Yes.
3 COMMISSIONER BERGMAN: Commissioner
4 Parker?
5 COMMISSIONER PARKER: Yes.
6 COMMISSIONER BERGMAN: Commissioner
7 Peralta?
8 COMMISSIONER PERALTA: Yes.
9 COMMISSIONER BERGMAN: Commissioner Pogna?
10 COMMISSIONER POGNA: Yes.
11 COMMISSIONER BERGMAN: Commissioner
12 Toulouse?
13 COMMISSIONER TOULOUSE: Yes.
14 COMMISSIONER BERGMAN: Commissioner Carr?
15 COMMISSIONER CARR: Yes.
16 COMMISSIONER BERGMAN: Commissioner Gant?
17 COMMISSIONER GANT: Yes.
18 COMMISSIONER BERGMAN: Commissioner
19 Shearman?
20 THE CHAIR: Yes.
21 COMMISSIONER BERGMAN: Commissioner
22 Bergman votes "Yes."
23 Again, that is a 9-to-0 vote in favor of
24 that motion.
25 THE CHAIR: Thank you very much. The

1 motion passes unanimously to approve Southwest
2 Secondary Learning Center's amendment to its charter
3 to change its mission statement. Thank you all very
4 much.

5 MR. PASZTOR: Thank you.

6 THE CHAIR: Next on the agenda is Item F,
7 Albuquerque Sign Language Academy and Amy Biehl.

8 Mr. Pahl?

9 MR. PAHL: Madam Chair, members of the
10 Commission, the Albuquerque Sign Language Academy is
11 requesting an amendment to serve grades K through 12
12 in order to continue to serve its students with
13 severe disabilities. The Charter School Division
14 recommends approval of that amendment.

15 As some additional information: I think
16 it's -- it's a -- the fact that Amy Biehl and the
17 Albuquerque Sign Language Academy are collaborating
18 together, I think is a good sign for our charter
19 community in general. This type of collaboration is
20 something that charters are uniquely engineered to
21 do. And I think regardless of what happens to this
22 amendment, I just want to publicly state for the
23 record that this type of collaboration is something
24 that is exciting for charters in our state.

25 THE CHAIR: Thank you very much. Hello

1 again. Please introduce yourself.

2 MR. MARTINEZ: Raphael Martinez, the
3 executive director of the Albuquerque Sign Language
4 Academy.

5 THE CHAIR: Thank you. And remember, we
6 have no mics. So, if you would speak rather loudly,
7 we will appreciate it.

8 Please tell us what's happened since our
9 last meeting with you.

10 MR. MARTINEZ: So, Madam Chair, members of
11 the Commission, I think you have -- we've submitted
12 a few documents to you from PSFA, a letter from Brad
13 Jackson, stating that moving this direction falls
14 within kind of the compliance issues that is
15 overseen by PSFA.

16 We've also submitted a draft of the
17 proposal of how the -- the project -- how the
18 partnership would -- would work, which doesn't
19 necessarily require any type of amendment from the
20 PEC. But it just -- it's out of being kind of
21 transparent and hopefully providing clarity around
22 the partnership, where the PEC -- where we ask in
23 waiting for the amendment is allowing us, the
24 Albuquerque Sign Language Academy, to push up into
25 the high school grades for the most -- the students

1 with the most severe needs.

2 And in the proposal, you'll see the number
3 of kids we're talking about -- you'll see the number
4 of kids we're talking about in the next few years.
5 So, I think it's two this coming year and then one
6 thereafter for the next three years.

7 So, we're talking about the kids that
8 are -- that have most -- the most severe needs, that
9 those kids would stay in, or, as students of record
10 at the Albuquerque Sign Language Academy. The other
11 students that would move on to Amy Biehl, we would
12 be partnered with Amy Biehl to provide programming,
13 support, and professional development around service
14 of deaf students and students with disabilities.
15 But those kids would move wholly into the Amy Biehl
16 student roster, if that helps.

17 THE CHAIR: I know we were sent out a
18 document by e-mail that sort of laid out this whole
19 process. Am I just missing it, or is it not in the
20 notebook? Yeah, this is not here.

21 MS. LEWIS: You can read it into the
22 record.

23 THE CHAIR: You know, since Commissioners
24 do not have that in their notebooks -- and it is
25 important, this is what we ask -- or, certainly,

1 what I asked that you come back to us with that was
2 going to answer so many of our questions. Would
3 you -- if you have a copy of this document, would
4 you read it into the record?

5 MR. MARTINEZ: Sure.

6 THE CHAIR: And that way, everyone can
7 hear it, and it's official that we all know what
8 you're talking about here.

9 MR. MARTINEZ: Okay.

10 THE CHAIR: And rather loudly, if you
11 would, please.

12 MR. MARTINEZ: All right.

13 MS. LEWIS: And less than 250 words a
14 minute.

15 MR. MARTINEZ: So, it's the Albuquerque
16 Sign Language Academy and Amy Biehl High School
17 Community Partnership is the title. And it starts
18 off with the mission statement of -- for the
19 Albuquerque Sign Language Academy is:

20 "The mission statement for the Albuquerque
21 Sign Language Academy is to improve educational
22 outcomes for deaf, hard of hearing, and hearing
23 students in the greater Albuquerque area by
24 providing a rigorous, standard-based, bilingual
25 education program, which utilizes American Sign

1 Language and English to achieve academic excellence,
2 support family involvement, and promote
3 multicultural community partnerships."

4 Next space down is the mission statement
5 for Amy Biehl High School:

6 "Amy Biehl High School was founded in the
7 spirit of Amy Biehl, a young scholar dedicated to
8 social justice and service. We graduate diverse
9 learners and leaders who demonstrate the
10 intellectual, social, and ethical habits to improve
11 their communities. Our graduates are civic-minded,
12 college-bound, and career-ready."

13 So, the merging of those two has come with
14 a proposed ASL and Amy Biehl collaborative mission
15 statement:

16 "The Albuquerque Sign Language Academy and
17 Amy Biehl High School have formed a community
18 partnership with a social justice mission. Our
19 collective mission is to provide a rigorous,
20 standards-based, bilingual education program,
21 utilizing American Sign Language and English, and
22 graduate diverse learners and leaders who
23 demonstrate intellectual, social, and ethical habits
24 to improve their communities."

25 So, that's the program that would exist at

1 Amy Biehl.

2 "Statement of need: The Albuquerque Sign
3 Language Academy looks to create a viable and
4 supportive high school option for students with a
5 variety of needs, including a large population of
6 deaf and hard-of-hearing students and students with
7 severe disabilities. If approved, the Albuquerque
8 Sign Language Academy intends to expand into high
9 school to provide students with severe disabilities
10 the opportunity to grow in a bilingual academic
11 program with access to a variety of unique resources
12 which will provide them the life skills that they
13 need beyond high school.

14 "In addition, the Albuquerque Sign
15 Language Academy is committed to -- is committed to
16 continue supporting and ensuring the ASL deaf and
17 hard-of-hearing students who are accepted into
18 the -- who are accepted into the lottery at
19 Amy Biehl High School remain in the Albuquerque Sign
20 Language Academy bilingual program, as well as in a
21 rigorous and inclusive academic environment.

22 "Amy Biehl High School is equally
23 committed to serving a diverse population and hopes
24 to expand on this part of their mission by
25 proactively expanding their program to inculcate

1 American Sign Language into their learning
2 community. Albuquerque Sign Language Academy and
3 Amy Biehl High School are both dedicated to social
4 justice, and thus seek to enhance their programs by
5 developing a rigorous, inclusive, and tailored
6 educational option to a population of traditionally
7 marginalized students."

8 Next section, "Program Logistics."

9 Am I okay so far?

10 THE REPORTER: Yes. You're a little fast.

11 MR. MARTINEZ: Okay. I'll slow down.

12 THE REPORTER: Thanks.

13 MR. MARTINEZ: The high school initiative
14 would happen within two distinct pathways:

15 One, the diploma-eligible pathway, both
16 career and technical pathway, and the standard
17 pathway, are the students who are eligible for a
18 high school diploma, as determined by State-mandated
19 testing -- testing needs -- and as recommended by
20 the IE team -- IEP team.

21 The other pathway would be the alternative
22 certification pathway. Those are the kids with
23 severe disabilities, students who are not -- so,
24 those students would not be eligible for a high
25 school diploma, as determined by the IEP team, and

1 through them being eligible to take the alternative
2 assessment, the MAP.

3 So, students who qualify for the
4 diploma-eligible pathway, the first group of
5 students, would matriculate wholly to Amy Biehl High
6 School, and the Albuquerque Sign Language Academy
7 would act as a programmatic partner in designing
8 curriculum and advising potential teacher support
9 staff, the hires of those people.

10 Amy Biehl High School would hire a teacher
11 with experience in deaf education who would work
12 closely with the entire Amy Biehl High School staff
13 to serve deaf and hard-of-hearing students in a
14 team-teaching approach setting that would follow the
15 existing Amy Biehl curriculum, while infusing
16 bilingual deaf ed pedagogy.

17 In addition, Amy Biehl High School would
18 offer American Sign Language as a foreign language
19 credit to be taken by the general Amy Biehl High
20 School population.

21 Of the students who would fall into the
22 other pathway, the students with severe needs, would
23 remain at the Albuquerque Sign Language Academy on
24 their specifically designated -- oh, I'm sorry.

25 The students who would fall into the

1 alternative certificate pathway would remain in the
2 designated program at the Albuquerque Sign Language
3 Academy, providing, of course, that the New Mexico
4 PEC approves this amendment.

5 The Albuquerque Sign Language Academy is
6 currently finalizing a community-based instructional
7 program to serve as the high school curriculum. And
8 I have a copy of that, by the way. That aligns with
9 all State standards and would provide the
10 alternative certification to those students that
11 stay.

12 So, it's a research-based, community-based
13 program that is kind of rooted in the Common Core,
14 as we said, but it's tailored toward students with
15 severe disabilities.

16 Compliance concerns, next section.

17 Highly qualified teaching staff. Through
18 this collaboration, all requirements regarding
19 having highly qualified teaching staff will be
20 satisfied through each pathway. So, Amy Biehl,
21 then, would be able to -- would provide the highly
22 qualified staff that would team with the special-ed
23 deaf-ed teacher in the classroom. So, it's an
24 inclusive environment.

25 So they -- they then would provide all

1 require -- would serve -- would meet all
2 requirements tied to least restrictive environment
3 and those things tied to special ed programming.
4 The deaf-ed special-ed teacher will work closely
5 with Amy Biehl High School teachers in co-planning,
6 co-teaching, and ensuring that deaf students have
7 direct communication to the content.

8 The ASLA staff. The ASLA certificate
9 eligibility pathway program will be staffed with a
10 highly qualified deaf-ed special-ed teacher who will
11 serve as the case manager and will be responsible
12 for direct instruction and program implementation.
13 So, that will be happening at the Albuquerque Sign
14 Language Academy.

15 Building requirements. PSFA, per
16 Commissioner Gant's recommendation. We called and
17 got a letter from Brad Jackson, stating that --
18 assuring them that we would stay under the cap of
19 our charter and the cap of our building, but moving
20 up into high school doesn't affect it in any way,
21 any type of compliance issues with PSFA.

22 Enrollment cap. So, again, along those
23 same lines, we would stay under our 100 -- our cap
24 in enrollment through the charter and with the
25 building. And, then, the other piece, which you

1 don't have access -- but it's basically a projection
2 of the number of students that would be existing in
3 each kind of leg of the partnership.

4 So, for next year, we would have two
5 students stay as ninth-graders. They would
6 matriculate to the ninth grade, but they would be
7 our kids, provided that the amendment gets passed.
8 And those are kids with severe disabilities. Two
9 students who are profoundly deaf would move to Amy
10 Biehl, but they are cognitively eligible for the
11 diploma. They would be -- they would move wholly to
12 Amy Biehl, but we would provide programmatic support
13 to Amy Biehl to support those students. And, then,
14 two more just regular-ed kids, who are actually
15 brother and sister to the deaf students, would
16 actually enter into Amy Biehl and just be part of
17 that community that promotes that inclusivity.

18 The year after that, we're looking at one
19 student in our -- that would stay with us; the year
20 after that, one; the year after that, one. And it
21 follows that same trend. So, our classes aren't
22 big. We're talking -- our biggest class right now,
23 our biggest grade, is we have 13 kids in third
24 grade. And that's our biggest class. And it's a
25 mix of regular ed, special ed, deaf, not deaf, that

1 kind of thing.

2 So -- the last piece of it is development
3 of the MOU, the memorandum of understanding. So,
4 the -- we have a draft copy. I did not bring it
5 today, because I thought it was -- we haven't
6 presented it to the governing council. The idea has
7 been presented, but the actual MOU has not been
8 presented to the governing council. So we did not
9 want to inappropriately overstep those boundaries.

10 So -- but the ASLA and Amy Biehl High
11 School will develop a memorandum of understanding
12 which outlines the agreed-upon responsibilities of
13 each party. This MOU will be approved by each
14 school's respective governance board and signed by
15 designated school leaders. And that's it.

16 THE CHAIR: Thank you very much.
17 Mr. Pahl, did you have a recommendation on this
18 school? Have you given it already, and I just
19 forgot?

20 MR. PAHL: I have, but I'd be happy to
21 repeat this, Madam Chair. The Charter School --

22 THE CHAIR: As long as you did, that's
23 fine. I'm starting to roll them all together.

24 Commissioners, you heard the
25 recommendation; you heard the discussion -- the

1 presentation by the school. Do you have questions,
2 Commissioner Bergman?

3 COMMISSIONER BERGMAN: Not a question. My
4 packet does not have the board minutes that address
5 this specific minute -- this amendment. The minutes
6 that are in my packet are from a year ago that
7 address the amendment, where we increase their
8 enrollment cap. So, I would like to suggest that if
9 none of us have the board minutes, that we do the
10 same deal as we did with the previous school -- with
11 our attorney's approval, of course -- that we go
12 ahead and vote on this amendment today, with the
13 understanding that whichever of your board minutes
14 specifically address this amendment request and
15 state clearly that you're increasing from K-8 to
16 K-12 -- I assume that has already been done by your
17 board -- that you furnish that at the earliest
18 possible date to the CSD, so they can furnish it to
19 us.

20 MR. MARTINEZ: Madam Chair, Commissioner
21 Bergman, absolutely, I can get it to you within the
22 hour. We have done it. It has been sitting there.
23 We wanted, from the previous meeting, to be
24 transparent about the idea and follow whatever
25 recommendations came from that. So, we absolutely

1 have it. I can get it to you by this afternoon.

2 COMMISSIONER BERGMAN: Thank you. That's
3 all I have. Thank you.

4 THE CHAIR: Thank you. Other concerns or
5 questions?

6 Commissioners, let me ask again. This
7 is -- the concern I brought up originally is
8 somewhat addressed in this statement that you just
9 read.

10 Your students at -- at the Sign Language
11 Academy will apply to Amy Biehl High School and go
12 through the same lottery process as every other
13 student. And they may not be selected. If they're
14 not successful in the lottery, they will not attend
15 Amy Biehl; is that correct?

16 MR. MARTINEZ: Madam Chair, that is
17 correct. That is exactly right.

18 THE CHAIR: While I think this is a
19 marvelous idea, and I think -- you know, your
20 students will do very well there, the law says you
21 go through a lottery process. And this Commission
22 follows the law very closely. And, so, I just want
23 to make sure that that's not an issue, that there's
24 not any provision where your students get preference
25 or that -- I'm -- I'm trying not to say that

1 wouldn't maybe be a good idea, but it's not what the
2 law allows for. So, they do have to apply through
3 the lottery and be selected through the lottery.

4 MR. MARTINEZ: Madam Chair, absolutely.
5 And we've consulted a few lawyers around that to see
6 if there was something that could help us. And it
7 doesn't look now that there is anything.

8 However, you know, we are just hoping that
9 things work out, and, yes, we will follow the law,
10 as well. Understood completely where you're coming
11 from.

12 THE CHAIR: If you, by chance, do come up
13 with some legal avenue that you think might allow
14 your students to be selected for attendance at Amy
15 Biehl a different route, please run it by us first,
16 would you, please?

17 MR. MARTINEZ: Absolutely.

18 THE CHAIR: Okay. Commissioners, let's
19 consider these anticipated requests one at a time.

20 The first one I happened to pick up is to
21 expand the grades that this -- that the Albuquerque
22 Sign Language Academy serves from the current K-8 to
23 K-12.

24 Any discussion on this amendment?

25 All right. Hearing none, the Chair would

1 entertain a motion on this particular amendment.
2 Commissioner Bergman?

3 COMMISSIONER BERGMAN: Madam Chair, I
4 would move that the Public Education Commission
5 approve the amendment presented by the Albuquerque
6 Sign Language Academy to expand from a K-8 school to
7 a K-12 school, subject to the condition that the
8 board minutes specifically approving this amendment
9 request are submitted at the earliest possible date
10 to the CSD.

11 THE CHAIR: Thank you, Commissioner. Do I
12 hear a second?

13 COMMISSIONER CARR: Second.

14 THE CHAIR: Motion by Commissioner
15 Bergman, second by Commissioner Carr, to approve the
16 amendment request by Albuquerque Sign Language
17 Academy to expand their grades served from K-8 to
18 K-12.

19 Any further discussion?

20 Commissioner Bergman, may we have a
21 roll-call vote, please?

22 COMMISSIONER BERGMAN: Commissioner
23 Parker?

24 COMMISSIONER PARKER: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Peralta?

2 COMMISSIONER PERALTA: Yes.

3 COMMISSIONER BERGMAN: Commissioner Pogna?

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Toulouse?

7 COMMISSIONER TOULOUSE: Yes.

8 COMMISSIONER BERGMAN: Commissioner Carr?

9 COMMISSIONER CARR: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Conyers?

12 COMMISSIONER CONYERS: Yes.

13 COMMISSIONER BERGMAN: Commissioner Gant?

14 COMMISSIONER GANT: Yes.

15 COMMISSIONER BERGMAN: Commissioner

16 Shearman?

17 THE CHAIR: Yes.

18 COMMISSIONER BERGMAN: Commissioner

19 Bergman votes "Yes."

20 Madam Chair, that is a 9-to-0 vote in
21 favor of that motion.

22 THE CHAIR: Thank you. The vote to
23 approve the amendment request of the Albuquerque
24 Sign Language Academy to expand from the current K-8
25 grade level to K-12 is unanimously approved. Thank

1 you very much.

2 Let's move on. The next amendment request
3 I'm looking at is to change the number of
4 academy-sponsored events that families will attend
5 from four to three. May we hear from you, please?

6 MR. MARTINEZ: Yeah. So, this -- so,
7 Madam Chair, members of the Commission, this was the
8 attempt, because we are coming up for recharter this
9 year, to kind of clarify things in the charter to
10 make sure that things align with actual practice.
11 So, when the charter was written, we -- it was an
12 arbitrary number of four that we pulled out.

13 But as we have grown and kind of codified
14 what we do and understand why we do what we do, we
15 run in trimesters. And our theme-based learning is
16 tied to each trimester. So, then, each kind of big
17 event that we have kind of tied to parent
18 participation and celebration and exhibition comes
19 within those trimesters, at the end of each
20 trimester.

21 It's an attempt to clean it up to make
22 sure we have the data that matches -- what we're
23 saying, you know, and there's a logical approach to
24 what we do. So, it's more of an attempt to kind of
25 tidy up the charter in preparation for the

1 recharter.

2 THE CHAIR: Thank you. Commissioners, do
3 you have questions?

4 Commissioner Parker?

5 COMMISSIONER PARKER: Madam Chair,
6 Commissioners, Director Pahl, can you mandate how
7 many -- the participation of the parents? I mean,
8 is -- we ran into something -- was it volunteering
9 that was the issue?

10 MS. LEWIS: I think that's what you're
11 thinking of, yeah.

12 COMMISSIONER PARKER: Never mind.

13 MS. LEWIS: But it's good to keep your eye
14 on that issue. Thank you.

15 THE CHAIR: Other questions or comments?
16 Hearing none, the Chair would entertain a
17 motion.

18 COMMISSIONER PERALTA: Madam Chair?

19 THE CHAIR: Commissioner Peralta?

20 COMMISSIONER PERALTA: I move that the
21 Public Education Commission approve the amendment
22 presented by the Albuquerque Sign Language Academy
23 to change their parent participation goal.

24 THE CHAIR: Thank you. Do I hear a
25 second?

1 COMMISSIONER PARKER: Second.

2 THE CHAIR: I have a motion and second to
3 approve the amendment request of American Sign
4 Language Academy to change their mandated family
5 involvement from four to three Academy-sponsored
6 events annually.

7 Further discussion?

8 Secretary Bergman, may we have a roll-call
9 vote?

10 COMMISSIONER BERGMAN: Commissioner
11 Peralta?

12 COMMISSIONER PERALTA: Yes.

13 COMMISSIONER BERGMAN: Commissioner Pogna?

14 COMMISSIONER POGNA: Yes.

15 COMMISSIONER BERGMAN: Commissioner
16 Toulouse?

17 COMMISSIONER TOULOUSE: Yes.

18 COMMISSIONER BERGMAN: Commissioner Carr?

19 COMMISSIONER CARR: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Conyers?

22 COMMISSIONER CONYERS: Yes.

23 COMMISSIONER BERGMAN: Commissioner

24 Parker?

25 COMMISSIONER PARKER: Yes.

1 COMMISSIONER BERGMAN: Commissioner Gant?

2 COMMISSIONER GANT: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Shearman?

5 THE CHAIR: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Bergman votes "Yes."

8 Madam Chair, that is a 9-to-0 vote in
9 favor of that motion.

10 THE CHAIR: Thank you. The motion to --
11 as previously stated, passes unanimously. Thank
12 you.

13 Let's next consider the "Amendment to
14 change short-cycle assessment." May we hear from
15 you, please?

16 MR. MARTINEZ: Madam Chair, members of the
17 Commission, again, this is an attempt to kind of
18 tidy up things before we step into the recharter
19 mode.

20 This one gets a little -- it's a little
21 different, given the state that we're in right now
22 working with New Mexico Assessment Bureau and
23 creating kind of these alternative assessments
24 around deaf kids and kids that are in need of a
25 second language, and then how to validate and make

1 reliable the tests, through -- with -- in
2 partnership with the assessment.

3 So, we had originally gone with, I think,
4 the -- we started out with STAR math and DRA reading
5 when the charter was initially granted. And, then,
6 the State kind of reshuffled some things and
7 declared Discovery Ed to be the short-cycle
8 assessment that they were kind of sanctioning. And
9 since then, in trying to kind of work -- in moving
10 with the State's mandates and trying to work within
11 those systems, this is how we discovered those
12 things were not normed to our students.

13 So, in the past year, as it was discussed
14 in the last meeting with Michelle from Assessment,
15 that's the work, that we've been trying to create
16 assessments that would fit our school that,
17 hopefully, once they're validated, can be used for
18 the rest of the state for students where they would
19 apply.

20 So, right now, we are -- it's moving into
21 Discovery Ed, because that's what we're moving and
22 trying to adapt to, because the State has given that
23 to the -- and mandated to the whole state. And that
24 now is also being recreated in our building.

25 I'm not sure how you want to do that. If

1 it's around the amendment, to move -- that signifies
2 that there is work being done in partnership with
3 PED Assessment to create our own short cycles? I'm
4 not sure how that -- how that would actually fit to
5 prepare for recharter.

6 I -- I know we wrote the amendment to show
7 that we've gone from what was originally our short
8 cycle to Discovery Ed. But even now, as I sit here,
9 I'm not sure if that's applicable.

10 THE CHAIR: Rachel, may we hear from you?
11 Are you the school's liaison?

12 MS. STOFODIK: Yes, okay.

13 THE CHAIR: Let's get your name on the
14 record, please.

15 MS. STOFODIK: Madam Chair, Commissioners,
16 I'm Rachel Stofocik.

17 THE CHAIR: Thank you.

18 MS. STOFODIK: So, to clarify, what had
19 happened was -- and I should change it within the
20 rationale the State mandated. Actually, the State
21 started funding different short-cycle assessments.
22 I think you've seen amendment requests similar in
23 the past, and Discovery was one of them.

24 So, Albuquerque Sign Language Academy
25 actually adopted Discovery as their short-cycle

1 assessment. And what we've tried to do in these
2 fourth-year site visits for the schools who are
3 coming up for the recharter, the renewal process, is
4 if they were using a different short-cycle
5 assessment than what was stated in their charter
6 goals, we said, "You know, you need to let everyone
7 know that you've changed, so that when we go through
8 the renewal process, and we collect that data on how
9 you've done, we're not collecting it on the wrong
10 short-cycle assessment, so everyone is very clear on
11 what the data being presented comes from."

12 So, that was the recommendation for the
13 amendment request from CSD.

14 THE CHAIR: And your thought is -- or
15 CSD's thinking -- is that Discovery is a -- is a
16 good fit for Albuquerque Sign Language Academy, as
17 far as testing for their unique student body?

18 MS. STOFOSIK: I believe Rafe can speak to
19 that. But from my knowledge, speaking with his
20 curriculum director and speaking with Rafe and the
21 team there, I think that it is being used
22 appropriately. I think they've even had
23 conversations directly with Discovery Ed about how
24 to use it appropriately for their students. And,
25 so, using it, they have shown us growth.

1 MR. MARTINEZ: So, Madam Chair, members of
2 the Commission, yes, that's true. It's appropriate,
3 when modified kind of to suit the challenges that
4 have been happening with deaf students.

5 THE CHAIR: Okay.

6 MR. MARTINEZ: And remember, half of our
7 population are regular ed kids. Not half.
8 30 percent, 35 percent are regular ed kids, as well.
9 So, those kids, we do use it wholly as Discovery Ed
10 tells us. But the other percentage of our student
11 body requires some modification. And it's -- and so
12 that's what we're working with.

13 THE CHAIR: As long as it works.

14 Commissioners, do you have questions?

15 Commissioner Bergman?

16 COMMISSIONER BERGMAN: Not a question,
17 necessarily. But I am remiss on the last one. We
18 also are going to need the minutes on these -- the
19 prior amendment and this one, because the minutes
20 are not on these two, either.

21 MS. LEWIS: Commissioner Bergman, Chair,
22 we do have those. And those ones are more specific.
23 I will pull them up.

24 COMMISSIONER BERGMAN: I didn't see them
25 as I went through all my stuff.

1 MS. LEWIS: I have the electronic version.
2 It didn't make it into the binder.

3 COMMISSIONER BERGMAN: My mistake. That's
4 fine. If it's there, it's there. That was just my
5 concern.

6 THE CHAIR: If you say it's there, that's
7 fine.

8 Any other questions from Commissioners?

9 Well, let me just state mine. And I'm
10 rather surprised that Commissioner Bergman didn't
11 bring this up. We're changing an assessment here,
12 but we have no validation, no -- no targets for -- I
13 mean, a goal is not simply the assessment. Goals
14 are you take the assessment, and you -- your
15 students grow to a certain level.

16 Is that in your current charter, and all
17 you're doing is changing just the instrument you're
18 using? Or are you just saying, "We're going to use
19 a different instrument and be evaluated on whatever
20 the results are"?

21 MS. STOFOS: Well -- Madam Chair, if you
22 don't mind if I could address part of that? I think
23 right now in their charter, it specifically says
24 what short-cycle assessments the school will be
25 using. And we wanted to make sure that it's clear

1 that that's not -- those aren't the short-cycle
2 assessments that they are actually using.

3 And, then, by setting that up, they're
4 ready for renewal, insofar as creating
5 mission-specific indicators around Discovery, which
6 they are working closely with Assessments and
7 Accountability right now to clarify.

8 THE CHAIR: But when they come up for
9 renewal --

10 MS. STOFOSIK: Hopefully, we'll have them.

11 THE CHAIR: -- and we say, "Oh, good,
12 you're using Discovery. You didn't have to do
13 anything other than just take the test. That's
14 good." I'm being sarcastic here.

15 But, normally, we have, you know,
16 10 percent of the kids are going to grow this much,
17 20 percent are growing this much --

18 MR. MARTINEZ: Madam Chair, members of the
19 Commission, those goals are in our charter. We're
20 not changing those goals. The goals --

21 THE CHAIR: Tied to short-cycle
22 assessment, okay.

23 MR. MARTINEZ: Right. All we're doing is
24 changing the name of short-cycle we're using. But
25 the goals we set in our original charter, those are

1 there. So, those, you'll see how we fared in
2 reaching those goals when we come for recharter.

3 We're just trying -- in order to be
4 transparent, again, to kind of tidy up the recharter
5 process, we're trying to be upfront about that the
6 assessment itself has changed.

7 THE CHAIR: Okay. Just want to make sure
8 we're not missing anything here. I was surprised
9 you didn't bring that up.

10 COMMISSIONER BERGMAN: Madam Chair, as if
11 I didn't already have enough things to think about
12 in my life, I have actually found myself, on
13 occasion -- because of all our recent discussions
14 and the fact that the State of New Mexico does not
15 have a lot of data or a lot of even expectations for
16 this particular class of students -- is I've been
17 thinking about, should they be approved for renewal
18 at the appropriate time, that that's probably going
19 to be one of the most interesting contract
20 negotiations that I'm ever going to sit in, because
21 we will have to formulate reasonable and rigorous --
22 the whole gamut of goals for a class of students
23 that is different than the normal student bodies in
24 this state.

25 And, so, I have actually given it some

1 thought. I just wasn't going to take a lot of our
2 time today. Thank you, Madam Chair.

3 THE CHAIR: Thank you. Mr. Pahl?

4 MR. PAHL: Thank you, Madam Chair, members
5 of the Commission. I just wanted to underline what
6 Rachel had underlined earlier on the amendment
7 request form. Under "Rationale," it says,
8 "State-mandated change."

9 It's clear that this was an assessment
10 that worked on ASLA. It's a State-incentivized
11 assessment, something that we would pay for. So,
12 just want to just offer, again, that clarification.
13 Thank you.

14 THE CHAIR: Thank you.

15 Other comments?

16 Hearing none, the Chair would entertain a
17 motion. Commissioner Parker?

18 COMMISSIONER PARKER: Madam Chair,
19 Commissioners, I move that the Public Education
20 Commission approve the amendment presented by the
21 Albuquerque Sign Language Academy to change the type
22 of short-cycle assessment used, from --

23 THE CHAIR: Do I have a second?

24 MS. LEWIS: He's not done.

25 THE CHAIR: I'm sorry.

1 MS. LEWIS: Speak up just a little.

2 COMMISSIONER PARKER: Short-cycle
3 assessments from the DRA and Star Math to the
4 short-cycle assessments you -- Discovery, as
5 mandated by the State.

6 THE CHAIR: Not mandated, no.

7 COMMISSIONER PARKER: No.

8 MS. LEWIS: I was just going to suggest
9 you maybe include in the motion the change in the
10 rationale from "mandated" to "incentivized." If you
11 would recognize that in the motion, I would
12 appreciate that.

13 COMMISSIONER PARKER: Can I just change
14 this now, or do I need to start over?

15 MS. LEWIS: Just start over. Cleaner.

16 COMMISSIONER PARKER: Let me amend my
17 motion, please.

18 I move that the Public Education
19 Commission approve the amendment presented by the
20 Albuquerque Sign Language Academy to change the type
21 of short-cycle assessment from the DRA and Star Math
22 to the short-cycle assessment, Discovery Ed, as
23 incentivized by the State.

24 THE CHAIR: Thank you. Do we have a
25 second?

1 COMMISSIONER BERGMAN: Second.

2 THE CHAIR: Seconded by Commissioner
3 Bergman and motion made by Commissioner Parker, to
4 approve the amendment to change the short-cycle
5 assessment used by Albuquerque Sign Language
6 Academy, as further stated in the motion.

7 Is there any discussion?

8 Commissioner Bergman, may we have a
9 roll-call vote?

10 COMMISSIONER BERGMAN: Commissioner Pogna?

11 COMMISSIONER POGNA: Yes. Yes.

12 COMMISSIONER BERGMAN: Commissioner
13 Toulouse?

14 COMMISSIONER TOULOUSE: Yes.

15 COMMISSIONER BERGMAN: Commissioner Carr?

16 COMMISSIONER CARR: Yes.

17 COMMISSIONER BERGMAN: Commissioner
18 Conyers?

19 COMMISSIONER CONYERS: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Parker?

22 COMMISSIONER PARKER: Yes.

23 COMMISSIONER BERGMAN: Commissioner
24 Peralta?

25 COMMISSIONER PERALTA: Yes.

1 COMMISSIONER BERGMAN: Commissioner Gant?

2 COMMISSIONER GANT: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Shearman?

5 THE CHAIR: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Bergman votes "Yes."

8 Madam Chair, that is a 9-to-0 vote in
9 favor of that motion.

10 THE CHAIR: Thank you. The vote to
11 approve the amendment submitted by Albuquerque Sign
12 Language Academy to change their short-cycle
13 assessment, as stated in the motion, has been
14 approved unanimously.

15 Let the record also state that the
16 Commission is in receipt of the -- of the governance
17 council minutes, where all three of these amendments
18 were approved by the governance council. We will
19 see that a copy of those minutes is included in the
20 official minutes of this meeting.

21 Anything else from American -- the
22 Albuquerque Sign Language Academy?

23 MR. MARTINEZ: Madam Chair, in getting the
24 minutes to the Commission, do you want me -- who
25 would I send them to directly -- to get the

1 minutes -- the board-approved minutes for adding
2 high school -- or pushing up to twelfth grade? Who
3 would I send those to?

4 THE CHAIR: Is that in these amendments?

5 MS. LEWIS: He's welcome to send them to
6 me, because I'm hooked up right now, so I'll get
7 them right away.

8 THE CHAIR: Please send those to our
9 attorney.

10 MR. MARTINEZ: Thank you.

11 THE CHAIR: I believe we're done.

12 MR. PAHL: Madam Chair, if I may add, if
13 you could send it to Rachel, as well, so we both
14 have it?

15 MR. MARTINEZ: Sure. Thank you.

16 MR. PAHL: Thanks.

17 THE CHAIR: Commissioners, we're about
18 halfway through the list of schools with amendment
19 requests this morning. And I know it's getting
20 towards the lunch hour. We can either take a break
21 for lunch now -- we can take a short comfort break
22 now and come back and finish up, or what is your
23 pleasure?

24 I would rather go ahead and -- the folks
25 are here. I'd hate to make them wait any longer.

1 But I think it would be appropriate if we take a
2 short break.

3 Let's come back at noon, 12:00 noon.

4 Thank you all very much. We are recessed.

5 (Recess taken, 11:50 a.m. to 12:05 p.m.)

6 THE CHAIR: Let the record state that it's
7 five minutes after 12:00, and we're ready to get
8 back in session.

9 We're ready for Item 8G, Dream Dine'
10 Charter School. Mr. Pahl?

11 MR. PAHL: Yes, Madam Chair and members of
12 the Commission. Dream Dine' Charter School is
13 changing the wording in its mission to put into the
14 contract with the PED. The school's application
15 included two paragraphs under the mission statement
16 prompt, and the second paragraph is meant to serve
17 as a vision statement.

18 The Charter School Division recommends
19 approval of this amendment. I also note, in your
20 written documents -- this is from the help of
21 Abby -- it says in the school's renewal application,
22 but this would be its initial application. Thank
23 you.

24 THE CHAIR: Thank you. Good morning --
25 good afternoon. Please introduce yourselves and let

1 us hear from you.

2 MR. SOSA: Madam Chair, thank you.
3 Commissioners, thanks for having us. My name is
4 Gavin Sosa. G-A-V-I-N, last name is S-O-S-A. I'm
5 the director of operations for Dream Dine' Charter
6 School.

7 MS. BOBROFF: Good afternoon. My name is
8 Kara Bobroff, K-A-R-A, B-O-B-R-O-F-F, and I'm on the
9 Dream Dine' governance council. Good afternoon.

10 THE CHAIR: Thank you. Do you --

11 MR. SOSA: As Mr. Pahl had said, we are
12 basically asking just to clarify our mission
13 statement. The charter itself had two separate
14 paragraphs listed. During our contract negotiation
15 with some of the Commissioners, the suggestion was
16 made to just clarify that by having the first
17 paragraph stand as our mission statement, and the
18 second to stand as a vision statement.

19 So, they are -- the two statements kind of
20 go together in guiding the school's vision, but the
21 one would be clearly stated as the mission.

22 THE CHAIR: Okay. Thank you. Let me
23 clarify. Was this revised mission statement
24 included in your negotiated contract?

25 MR. SOSA: Yes, I believe so.

1 THE CHAIR: Do you remember, Commissioner
2 Bergman?

3 COMMISSIONER BERGMAN: I'm thinking, based
4 on what we have done with the past schools, that we
5 may have left the old one, and that's why they're
6 sitting here today. I know we discussed this.
7 Their rationale states here that they had a mission
8 statement and a vision statement really combined
9 into one thing, and didn't want to separate that.
10 So, this was as a result of, certainly, those
11 discussions.

12 THE CHAIR: Okay. All right. Thank you.
13 Questions or comments, Commissioners, on
14 this change to the mission statement?

15 Hearing none, the Chair would entertain a
16 motion.

17 Commissioner Toulouse?

18 COMMISSIONER TOULOUSE: Madam Chair and
19 Commission members, I move that the PEC accept the
20 change to the mission statement for Dream Dine'
21 Charter School, as clarification of what they had
22 previously.

23 THE CHAIR: Did you include the word
24 "amendment"?

25 COMMISSIONER TOULOUSE: I probably didn't.

1 Okay. I'm getting tired already. I'm not used to
2 long meetings anymore.

3 THE CHAIR: If you would, please.

4 COMMISSIONER TOULOUSE: I move that we
5 accept -- that the PEC accept this amendment
6 changing the wording in their charter contract to
7 clarify what was previously in there.

8 THE CHAIR: Do we hear a second?

9 COMMISSIONER BERGMAN: Actually --
10 unfortunately, I didn't hear the words "mission
11 statement" in that restated --

12 COMMISSIONER TOULOUSE: I thought I said
13 "mission statement."

14 Again, you guys need to let me eat pretty
15 soon.

16 THE CHAIR: Try it again.

17 COMMISSIONER TOULOUSE: Okay. I'm doing
18 this for you folks.

19 MR. SOSA: Thank you.

20 COMMISSIONER TOULOUSE: I move that the
21 PEC accept the amendment clarifying the wording of
22 the mission statement to be put into the contract
23 with the PEC.

24 THE CHAIR: By Dream Dine' school.

25 COMMISSIONER TOULOUSE: By Dream Dine'.

1 THE CHAIR: Do I have a second?

2 COMMISSIONER BERGMAN: Second.

3 THE CHAIR: All right. Motion by
4 Commissioner Toulouse, seconded by Commissioner
5 Bergman, to approve the amendment by Dream Dine'
6 Charter School to change its mission statement.

7 Further discussion?

8 Commissioner Parker?

9 COMMISSIONER PARKER: Madam Chair,
10 Commissioners, I'll be abstaining from voting as
11 Principal Bobroff is both a friend and a neighbor.

12 THE CHAIR: Thank you very much. Anything
13 else, Commissioners?

14 Commissioner Bergman, may we have a
15 roll-call vote?

16 COMMISSIONER BERGMAN: Commissioner
17 Toulouse?

18 COMMISSIONER TOULOUSE: Yes.

19 COMMISSIONER BERGMAN: Commissioner Carr?

20 COMMISSIONER CARR: Yes.

21 COMMISSIONER BERGMAN: Commissioner
22 Conyers?

23 COMMISSIONER CONYERS: Yes.

24 COMMISSIONER BERGMAN: Commissioner Parker
25 abstains.

1 Commissioner Peralta?

2 COMMISSIONER PERALTA: Yes.

3 COMMISSIONER BERGMAN: Commissioner Pogna?

4 COMMISSIONER POGNA: Yes.

5 COMMISSIONER BERGMAN: Commissioner Gant?

6 COMMISSIONER GANT: Yes.

7 COMMISSIONER BERGMAN: Commissioner

8 Shearman?

9 THE CHAIR: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Bergman votes "Yes."

12 Madam Chair, that is an 8-to-0 vote, with
13 one abstention, in favor of that motion.

14 THE CHAIR: The motion passes unanimously
15 to approve the amendment request by Dream Dine'
16 Charter School to amend its mission statement.
17 Thank you very much.

18 MS. BOBROFF: Thank you.

19 MR. SOSA: Thank you very much.

20 THE CHAIR: La Academia Dolores Huerta.

21 COMMISSIONER CARR: Madam Chair, are we
22 going to go through all these schools before we go
23 to lunch?

24 THE CHAIR: That's what I asked a while
25 ago.

1 COMMISSIONER CARR: Oh, you did. I was
2 just thinking about Carmie.

3 THE CHAIR: Okay. Then, let me ask it
4 again. Do we want to finish all the amendments
5 before we break for lunch?

6 COMMISSIONER POGNA: Yes.

7 COMMISSIONER BERGMAN: I believe so.

8 THE CHAIR: Finish the amendments, and
9 then break for lunch?

10 COMMISSIONER TOULOUSE: Madam Chair, I'm
11 just feeling my blood sugar is getting low. But
12 I've got a couple of candies. That's why I
13 apologize for the statement, but my brain doesn't
14 work as fast when my blood sugar is getting low.
15 Thank you.

16 THE CHAIR: Mr. Pahl?

17 MR. PAHL: Yes. Members of the
18 Commission, La Academia Dolores Huerta requested
19 amendments during the May PEC meeting. The PEC
20 requested more information before they could approve
21 the request regarding the school's amendment request
22 to increase its enrollment cap.

23 The school has requested a cap increase
24 from 200 students to 300 students. The Charter
25 Schools Division recommends approval of this

1 amendment on the condition that the school not admit
2 more students than the student capacity of their
3 facility, as identified by PSFA.

4 THE CHAIR: Thank you. Good morning.

5 MR. CASILLAS: Good afternoon.

6 THE CHAIR: It is afternoon. Please
7 identify yourselves, and let us hear your
8 presentation, please.

9 MR. CASILLAS: Octavio Casillas,
10 O-C-T-A-V-I-O, Casillas, C-A-S-I-L-L-A-S, director
11 of La Academia Dolores Huerta.

12 MR. DAVIS: I'm William Davis,
13 W-I-L-L-I-A-M, D-A-V-I-S. I am a consultant to the
14 school for development of school facilities.

15 MS. SILVA: Bertha Silva, governing
16 council chair. S-I-L-V-A.

17 MR. SERRANO: Rick Serrano, board member.
18 R-I-C-K, S-E-double-R-A-N-O.

19 THE CHAIR: Thank you. Please go ahead.

20 MR. CASILLAS: Good afternoon. So, we
21 meet again, Madam Chair, and members of the
22 Commission. I want to welcome Mr. Pahl to the CSD.
23 Welcome to the fun part of the charter schools.

24 I want to thank the PEC for giving us some
25 guidance in the last meeting with regards to how I

1 can hopefully increase the cap at our school. This
2 is a formal request, and it is actually not to
3 increase from 200 to 300, as we stated before, but
4 to go from 200 to 240 students.

5 The reason for the increase is there is an
6 unmet need that exists for our school's vision and
7 mission, locally, at our school.

8 Currently, students and parents seek our
9 program because of our tradition in excellence in
10 academics and the performing and visual arts. We
11 have a cap of 200. Currently, we have about
12 22 students that are on the waiting list. I have
13 increased, in the past two years, the enrollment
14 from 120 to 155 is what we have now. I can't
15 increase anymore. Our current facility would not
16 allow us to have more students. So, I'm actually --
17 although the cap is 200, I'm capped at 155 because
18 of the facility.

19 I have met with PSFA, Martica Casias, who
20 said that the facility that we are pursuing, which
21 is located at 1405 South Solano, will accommodate a
22 total of 240 students, if our cap was increased by
23 the PEC.

24 The PSFA, the architects, contractors, and
25 I have been working together to come up with a way

1 to make the facility we're pursuing for the
2 additional students a safe place for them, to not
3 only provide -- continue providing an excellent
4 academic and visual and performing arts program, but
5 to also make sure that they're safe.

6 And I've submitted some information to you
7 in the past. I have some information that's
8 additional, if you need it, if you would like to see
9 it. And it's public records. So, I believe you can
10 see it, if you'd like.

11 In this packet, we have a letter from
12 Wooten Construction, that they went and they
13 assessed the building, and they ascertained that the
14 building is in good standing condition. Wooten
15 Construction built the facility in 1974 -- I was
16 going to say 2004; I wish -- in 1974, and they would
17 be some of the people that would be bidding on the
18 contract if we were allowed to increase the cap and
19 pursue the facility.

20 I also have a land plot so that you could
21 see where it's located in our city and the streets
22 that surround it, so that you could see that the
23 pickup and dropoff for our students will be a lot
24 safer, because now we have four streets for our
25 parents to enter the parking lot and exit the

1 parking lot, as where in the other school, we only
2 have one street.

3 We have received a Certificate of
4 Incorporation from the Secretary of State for a
5 foundation, which is what we're going to use in
6 order to pursue the lease purchase contract for the
7 facility.

8 And I also have a letter from Morgan -- or
9 Lloyd Morgan. Mr. Morgan has been maintaining the
10 HVAC unit at the facility since it was developed in
11 1974. And in the letter, he states that the HVAC
12 unit, although it is considered an old unit, it has
13 been used so little by the church in the past
14 13 years, that it's actually in very good condition.

15 And I don't have anything more to say,
16 other than I'm really hungry like the rest of the
17 Commissioners and everybody else. So, I stand for
18 questions, if you have any.

19 THE CHAIR: Thank you. Commissioners, do
20 you have questions?

21 Commissioner Bergman?

22 COMMISSIONER BERGMAN: Well, actually, I
23 heard you use the number "240" in your presentation
24 just now.

25 MR. CASILLAS: Yes, sir.

1 COMMISSIONER BERGMAN: And you said
2 Martica said this new building will only accommodate
3 240 students. Did I hear that correctly?

4 MR. CASILLAS: Yes, Commissioner, you did.
5 I was requesting a cap increase to 300. I had been
6 under the impression that the facility would hold
7 300 students. At the last PEC meeting, Martica
8 stood here and said that it would only accommodate
9 240. I spoke with her afterwards, and she said
10 that's the number that she comes up with. So, I
11 will do what Martica says and just request the 240
12 cap instead of 300.

13 COMMISSIONER BERGMAN: That would be my
14 point, that I believe it would be not in our best
15 interest to approve a cap of 300 for a building that
16 holds 240. But, I'll, here again, let my fellow
17 Commissioners weigh in on that.

18 THE CHAIR: Well, I believe -- I'm glad
19 you brought that up, because I believe that PSFA
20 told us that your building must be able to
21 accommodate your enrollment cap. So, if your
22 enrollment cap were 300, your building would have to
23 be able to accommodate that.

24 MR. CASILLAS: That is correct -- if I
25 may, Madam Chair? That is correct. And that's why

1 I request, instead of 300 students, that we just
2 increase it, if you would, please, to 240.

3 THE CHAIR: Okay. I'm looking at your
4 governance council minutes.

5 MR. CASILLAS: Yes.

6 THE CHAIR: And their approval is,
7 "Increase the cap, 200 to 300."

8 MR. CASILLAS: Yes. And I spoke with
9 Mr. Ron Christopherson, our liaison, about that.
10 And he spoke with Rachel Stofocik -- I believe
11 that's her last name -- about that, as well. And
12 they told us we did not have to resubmit a new
13 amendment, because the amendment was petitioning up
14 to 300 students. Since we were requesting a number
15 below 200 [verbatim], and the governing council had
16 already approved up to 300, that we didn't need to
17 submit a new amendment.

18 MS. LEWIS: Madam Chair?

19 THE CHAIR: Yes.

20 MS. LEWIS: First question is, did you
21 receive a letter from me a few weeks ago
22 illustrating the differences between CSD rules and
23 PEC rules, and saying that any questions about PEC
24 procedure need to come directly to me? Did you
25 receive that letter?

1 MR. CASILLAS: I don't recall. But I get
2 about 150 e-mails a day, so I'm sorry if I
3 overlooked it.

4 MS. LEWIS: I'm going to read it into the
5 record this afternoon, so you'll have another
6 opportunity to hear it. However, my concern is that
7 procedure wasn't followed here.

8 But I -- you know, your governing council
9 approved for more. But it still sits a little funny
10 that they approved an amendment that isn't coming
11 before us here. They approved something different.

12 THE CHAIR: And you don't have a facility
13 yet.

14 MR. CASILLAS: Well, we have the facility
15 that we're leasing right now. But it's -- it's not
16 suitable for our kids, and it cannot accommodate the
17 cap of 200 students, not even that cap. It's --
18 with 155 kids.

19 THE CHAIR: So, you don't have the new
20 facility.

21 MR. CASILLAS: No. The new facility -- I
22 cannot pursue acquiring the new facility until I
23 know that I'm going to have students to be able to
24 put in the new facility. The 155 students that I
25 have will not allow me to make the payments for the

1 new facility. So, I'm stuck at the old facility.

2 That's why I asked Mr. Davis if he would
3 please join me, because I'm an educator. And when
4 you guys have asked me, in the past -- and I
5 understand your concerns. They're all very
6 legitimate questions about the facility. I just
7 couldn't answer them.

8 THE CHAIR: I'm asking our legal counsel
9 for a recommendation how we proceed from here.

10 MS. LEWIS: Do you have something?

11 MR. PAHL: I think so. If I may propose
12 something to the committee, Madam Chair.

13 I think our condition for our
14 recommendation was that they -- they not request
15 a -- an enrollment cap that's higher than what their
16 building can house.

17 I think they've done that here. And,
18 perhaps, like we've done in other instances, the new
19 condition for approving this amendment would be for
20 their board to adjust their approved cap to 240.

21 THE CHAIR: Do we put conditions on
22 amendments?

23 MS. LEWIS: Not traditionally. And as we
24 discussed before, the one Matt's describing is what
25 the law says, anyway. So, it would be a little

1 superfluous here, as far as the paperwork.

2 But the procedure of -- do you have a
3 governing council meeting scheduled pretty soon?

4 MR. CASILLAS: We are in the process of
5 scheduling one for this coming week. It's going to
6 be a special meeting.

7 MS. LEWIS: Okay. It's your discretion to
8 apply the same procedure, since we seem to be having
9 a hiccup here with minutes that we'll need to think
10 long-term about whether to solve that. Whether
11 that's Open Meetings Act training through the
12 Attorney General's Office or CSD training, I don't
13 know.

14 COMMISSIONER BERGMAN: It will certainly
15 be a part of our amendment protocol, as we work on
16 them. I'm sure Director Pahl has been making
17 copious notes.

18 THE CHAIR: Good, good.

19 Commissioner Carr?

20 COMMISSIONER CARR: Madam Chair, I
21 understand the intricacies of this. But, you know,
22 I -- common sense is, you know, if the speed limit
23 is 55 and I go 50, it's okay. You know, I mean -- I
24 don't -- you know, I don't want that to make them
25 delay anymore.

1 I think -- I think we would be okay if we
2 approve them for 240. That's just my opinion. I'm
3 not a lawyer, but I -- that's what I think.

4 THE CHAIR: Commissioner Gant?

5 COMMISSIONER GANT: And members, others,
6 what I have a problem with the amendment request, it
7 says they want an increase of 200 to 300. Okay.
8 That's up for discussion, to 240. But in the
9 rationale, it says, "We want to go from 9,000 square
10 feet to 25,000 square feet to accommodate student
11 needs and alleviate waiting lists."

12 Well, to me, this is two amendments.
13 You're asking for an increase in students' cap, in
14 one block, and then you're looking like you're
15 asking for an amendment to move to a
16 25,000-square-foot building. It's in the same
17 amendment.

18 It's confusing to me. I mean, I'm simple.
19 You have to divide the two between them. Of course,
20 if Legal over here, Ms. Abby, says it's okay to
21 go -- but I would like to hear her opinion. But,
22 you know, I just -- it's just -- the way it's laid
23 out bothers me.

24 MS. LEWIS: From a legal perspective, I
25 agree it would be much cleaner and clearer as two

1 separate amendments. I'm not sure, legally, the
2 rationale fits, as you pointed out.

3 COMMISSIONER GANT: It doesn't.

4 MR. CASILLAS: If I may, it's a very
5 difficult amendment for me to write, because I
6 cannot request for permission to move to a facility
7 that I know I'm not going to be able to afford.

8 So, at that point, then the Commissioners
9 could question, "Well, if we approve the move" -- so
10 it is two amendments; I agree with Commissioner Gant
11 that they are two amendments. But I need to do one
12 before I do the other.

13 In order for me to be able to request for
14 your permission to move to a new facility, I've got
15 to be sure that I'm going to be able to pay for the
16 new facility. And I hate to talk about students and
17 money. But in this instance, they're inseparable,
18 and I cannot afford the new facility and request
19 your permission to move unless I know I'm going to
20 have the additional students necessary to be in the
21 new facility.

22 So, if I get the approval for the
23 enrollment cap of 240, once negotiations go
24 through -- and Mr. Davis and I have been working on
25 this diligently. We believe in about 30 days, you

1 told me? -- in 30 days, I'm going to know how to go
2 about acquiring the new facility. At that point, I
3 will submit an amendment to request to relocate to
4 the new facility.

5 THE CHAIR: Commissioner Gant?

6 COMMISSIONER GANT: Madam Chair, members,
7 back at our last meeting, we tabled your request.
8 And at that time -- and I read what's in the
9 minutes:

10 "Based on the discussion we had about the
11 facility, I move we table this request for a cap
12 increase until at least the next meeting with the
13 Public Ed Commission, at which time the school
14 leadership can bring -- hopefully -- they will have
15 their 18-month plan together; they'll have their
16 Facility Master Plan and Ed Specs together, and we
17 will know for sure that what this school could
18 actually -- how many students this school can
19 actually hold."

20 So, I don't -- I understand you've turned
21 in FMP Ed Specs, but they have not been approved
22 yet. You have not turned in an 18-month plan. And
23 I don't know how much this building is going to
24 cost. I asked you the appraisal. You can't pay
25 more for that building than what it's worth. So,

1 we're still missing the stuff we asked you to do at
2 the last meeting.

3 MR. CASILLAS: Commissioner Gant, I
4 actually did submit the 18-month improvement plan.
5 And I submitted it to Martica Casias from the PSFA;
6 John Valdez replied on it.

7 And I also -- I believe I sent the
8 Commissioners a copy of my 18-month improvement plan
9 for your review last week. So, it's -- I do have
10 the documents that you requested.

11 And the appraisal -- the only reason I
12 haven't gotten the appraisal is because the landlord
13 is not willing to spend any money on the facility in
14 any way until he knows that I'm going to be able to
15 afford purchasing it. And at that moment, when he
16 tells me, "Can you afford it," without the cap
17 increase, I cannot afford it. So, then, he's
18 unwilling to spend any monies on it.

19 And I'm really caught up in a very
20 difficult place. I want to make sure that you're
21 comfortable with the decisions you make. I want to
22 make sure that the landlord is comfortable with the
23 decisions he makes. But I -- he won't move forward
24 until I can say I can afford it.

25 And if you guys don't allow me to move

1 forward with increasing the cap, then I'm just stuck
2 in a difficult place, and I have nowhere to go.

3 COMMISSIONER GANT: Madam Chair, if I
4 could, this is going around in circles and circles
5 and circles. And I recommend that we just separate
6 the cap, which I -- you know, to me, that's -- he's
7 been put in a bad place by several people, and they
8 know it. And they're using him and using his
9 school. And it's starting to really upset me.

10 So, I suggest we separate the cap from the
11 facilities and go forward with it, because -- and I
12 have not received the 18-month plan; I did not
13 receive it; I don't know if anybody else did. And
14 Martica says it's not there. I talked to her
15 yesterday.

16 MR. CASILLAS: Commissioner Gant, I have
17 been unable to get ahold of Martica, and I was just
18 informed this morning that she had extenuating -- an
19 extenuating emergency, so she has not been able to
20 get back with me.

21 Mr. Davis prepared the 18-month
22 improvement plan for me, in collaboration with
23 Weller Architects. I can make that available to you
24 as soon as I can get to my jump drive and plug it
25 onto a printer, and I can bring it to you today as

1 soon as I leave the building.

2 THE CHAIR: Send it to our attorney.

3 MR. CASILLAS: Absolutely.

4 COMMISSIONER GANT: Madam Chair, another
5 point. How can you proceed with an 18-month plan,
6 Mr. Davis, if you don't know how much it's going to
7 cost to renovate that building if the owner will not
8 tell you anything?

9 MR. DAVIS: Madam Chair and
10 Commissioner Gant, what we have done is, over the
11 last three months, had a variety of engineers,
12 subcontractors, and contractors completely go over
13 the building, top to bottom, and, per Ms. Casias' --
14 Martica's -- direction, prepare an 18-month
15 remediation plan, which is in two phases.

16 We have cost numbers from the contractors
17 and subcontractors and from the architect. We have
18 cost estimates that basically divide the costs up
19 into two phases.

20 The initial phase would provide immediate
21 health safety concerns that the City has and achieve
22 the E-Occupancy.

23 The second phase would be a phase to
24 divide the classroom -- or build new classrooms, per
25 Mrs. Casias' direction, per PSFA's requirements, to

1 meet the program space for the building.

2 The initial amount required,
3 Commissioner Gant, to answer your question, is about
4 \$250,000 for the first phase that will make the
5 facility safe and can house the students with
6 additional bathrooms and exit-ways for accessibility
7 for the handicapped. That's the immediate concern
8 that the City has for their E-Occupancy.

9 And we also are aware that we have to get
10 the E-Occupancy from the State and the same
11 requirements.

12 And then the second phase, to build out
13 the classroom space, will take about \$700,000, in
14 total, for that classroom construction.

15 Within that classroom construction, at
16 that time, we will be adding additional HVAC,
17 electrical, the actual room spaces themselves, and
18 any other remedial action that we come upon, because
19 it is a remodel, and sometimes there are things you
20 don't see -- basically, this is a very sound
21 building. The original builder, Mr. Wooten, went
22 out over the building, spent an entire day going
23 over the building, top to bottom. We've had roof
24 inspectors inspect the roof. We've had HVAC
25 inspectors inspect the HVAC.

1 So, we're very confident that the numbers
2 that we have will be numbers that the school can use
3 to go forward. Now, we had to get those numbers,
4 not only for your benefit, but in order to achieve
5 the permanent financing for the acquisition of the
6 building, as well as the improvements. And all of
7 those fall within the ability of the school's
8 ability to afford them at the 240 cap.

9 There is an issue that we were trying to
10 talk to Ms. Casias about regarding the possibility
11 that the calculation that she used was primarily for
12 the public schools adequacy standard for a high
13 school. And several people that work for her, the
14 area manager, regional manager, and the charter
15 school rep at the PSFA indicated that when obtaining
16 certain waivers that charter schools are given for
17 space requirements that don't coincide with the
18 public schools -- and I know you've heard that many
19 times; I'm kind of preaching to the choir -- that
20 there is a possibility that the building could hold
21 more students than the 240.

22 But right now, to move the project along,
23 to make the building into a safe environment and to
24 move the negotiations forward with the owner,
25 240 students will satisfy all the requirements for

1 PSFA, the financing people, and the City. Actually,
2 according to code, the building could have under 500
3 in it, because it's not an assembly building.

4 But we've tried to cover all the bases,
5 and I think we've covered all of them. I apologize
6 if you did not receive the 18-month remediation
7 plan. I did work on it diligently with the school,
8 with Mr. Casillas. And Ms. Casias reviewed it. And
9 I'm not sure why she said she didn't have it, but it
10 was sent to them.

11 COMMISSIONER GANT: I don't know.

12 MR. DAVIS: But I can assure you that
13 everything is in place, and we're more than happy to
14 provide you with the information before we depart
15 today.

16 MR. CASILLAS: And I have -- if you'd
17 like, I have the information here. I also made each
18 one of you kind of bite-sized blueprints -- because
19 the real blueprints are kind of big -- some small
20 blueprints of the way the building stands now and
21 the proposed changes, so that you could see -- it's
22 been certified by an architect, and everything is up
23 to code.

24 And I would love to answer any questions
25 you may have and take any guidance you may provide

1 as to how it is our school could move forward with
2 the cap so that we can continue offering more
3 students our -- we have an exceptional academic and
4 visual arts and performing arts program. So,
5 anything you have.

6 THE CHAIR: Two questions occur to me.

7 Number one, even if you are approved for
8 an increase in your enrollment cap to 240, what if
9 you don't get that many students? What's your
10 contingency plan?

11 MR. CASILLAS: Madam Chair, I hope you did
12 receive that I had a projected enrollment plan sent
13 to you. And I had three, four years included on
14 there. As I told you, when I first started in 2012,
15 the school only housed 120 students. I increased it
16 the first year to 132, because at that time, I had
17 about 40 kids on the waiting list, and some of the
18 kids really needed our program. I increased it to
19 132.

20 THE CHAIR: Let me rephrase my question.
21 If you get an enrollment cap of 240, you get the new
22 building based on funding for 240 students, and only
23 200 enroll, what's your backup plan for being able
24 to continue to occupy that facility?

25 MR. CASILLAS: Well -- and this is

1 something the bank won't consider, but, hopefully,
2 you guys will see. We have a large cash carryover.
3 And this year we have a \$193,000 carryover, the
4 largest we've ever had. And I sent you a separate
5 sheet with the numbers. I hope you got that one.
6 And it's not a final product, but it's in the works.

7 With the \$195,000, the bank wouldn't allow
8 me to carry that over so I can pay next year's
9 mortgage, because it's a savings. But if we don't
10 make -- if we are not able to enroll the 240 kids --
11 which is a four-year plan to get it to 240 -- if I'm
12 not able to enroll the 240 kids in four years, I
13 have quite a large carryover, so that I can
14 supplement in case I needed to. So --

15 THE CHAIR: What if it needs a new roof,
16 and the plumbing goes south and all kinds of things?
17 Never mind. You've answered my question. Thank
18 you.

19 Let me bring up my second question -- or
20 my second statement. We do not do combination
21 amendments, okay? And you said this is really two
22 amendments in one, okay? I want to make it very
23 clear, we don't do that. It's either an amendment
24 request for an enrollment cap, or it's an amendment
25 request for a new facility, okay?

1 I know you're pretty clear on that. But I
2 want to absolutely state that with clarity. So, if
3 we consider this, I think we need to get some
4 wording changes here so that it does not go forward,
5 and that anyone ever would think it's a combined
6 amendment request for two different things. Okay?

7 MR. CASILLAS: Definitely. I'm sorry --
8 if I may? I apologize for making it difficult and
9 confusing things. I took the guidance from the
10 Charter School Division in making those amendments.
11 100 percent, they guide me. When I submitted it to
12 them, I was told it was an acceptable amendment.
13 So, I apologize. But we will separate it and do
14 whatever it is you ask us to do with that amendment.

15 THE CHAIR: Mr. Pahl, will you please make
16 sure that that word goes out? Apparently, someone
17 told them that this was the way to write it, and
18 it's not. So, we need to clarify that.

19 Okay. Commissioners, what is your
20 pleasure? Do you want to consider this amendment
21 with some changes to it, or do we want to send them
22 back and ask them to come to us again?

23 Commissioner Toulouse?

24 COMMISSIONER TOULOUSE: Madam Chair,
25 having been a lifelong bureaucrat, I get very tired

1 with some of this bureaucracy. And I think we've
2 made them come up here twice. I think if we do a
3 wording and put it in the record, an amendment
4 change, wording on just that one, we ought to go
5 ahead and vote on this one, because this is the
6 second time we've asked them to come up.

7 And I think then we work on the facility
8 one as that progresses and be as kind as a
9 bureaucracy can be to people, where there are rules
10 you have to follow, because I just -- this sounds
11 like we're sticking this into one of those
12 bureaucratic messes that lets everybody point
13 fingers, and pretty soon you're back around the
14 circle. And I've been in those, and I don't like
15 doing it.

16 So, my recommendation would be to reword
17 this, make sure it's in the record with that
18 wording, and pass it -- or that we have a vote on
19 it.

20 MS. LEWIS: I agree that there can be some
21 wordsmithing worked with this. But I would advise
22 that part of the motion be -- because then we've
23 changed it -- it has been changed completely -- not
24 "completely" -- but significantly from what the
25 governing council president signed and what the

1 governing council approved, not just from 300 to
2 240. But I assume when the motion is made, the
3 rationale will be revised to include the
4 square-footage language, because that's part of the
5 confusion.

6 So, I'd advise size -- again, we need to
7 think more about this issue of conditions with
8 amendments. But this seems to be what we're faced
9 with today. So that condition that their governing
10 council approved, whatever this ends up looking like
11 or whatever the motion is, so that's clean.

12 COMMISSIONER TOULOUSE: Madam Chair,
13 Ms. Lewis, would you recommend, then, that the -- it
14 would say that this would be effective upon the
15 approval of their governance council of this change
16 after we approved it?

17 MS. LEWIS: Correct.

18 COMMISSIONER TOULOUSE: Okay. Thank you.

19 THE CHAIR: Further discussion? All
20 right. Let's talk about wordsmithing to this
21 amendment.

22 COMMISSIONER GANT: I'm working on it.

23 THE CHAIR: Ms. Lewis, would you have a
24 recommendation for us as to wording that would
25 suffice?

1 COMMISSIONER BERGMAN: Commissioner Gant
2 is working on something.

3 MS. LEWIS: Commissioner Gant, have you
4 got something? I mean, changing it from 300 to 240,
5 obviously. And then I'd recommend removing the
6 language about --

7 COMMISSIONER BERGMAN: All that rationale
8 language, yeah.

9 MS. LEWIS: -- square footage. I mean,
10 you still will need a rationale for the cap
11 increase. So, I think "alleviate waiting list"
12 belongs in that column; but the "9,000 to 25,000
13 square feet" does not.

14 COMMISSIONER BERGMAN: The first sentence,
15 moving the first sentence?

16 COMMISSIONER GANT: I'm doing it.

17 THE CHAIR: Do you have suggested wording,
18 or are we -- Commissioner Gant is just typing away.
19 Let's see what he comes up with.

20 Commissioner Parker?

21 COMMISSIONER PARKER: Madam Chair,
22 Commissioners, when you guys are submitting for the
23 renovation on there -- and this is just kind of a
24 sidebar -- I'm not sure what the current building
25 codes are down in your area. However, up here,

1 there was a big -- or down in Albuquerque, sorry --
2 there was a big to-do about the energy efficiencies
3 of your mechanical units, of the building itself,
4 the windows, the walls.

5 I'm sure that was all taken into
6 consideration when you did your proposal on there.
7 However, I've seen construction costs skyrocket just
8 because of that.

9 So, I would make sure that that is
10 something in the back of your mind, because as soon
11 as you start renovating a certain portion of the
12 building, they -- at times, they can make you bring
13 everything up to current building code. And, so, I
14 would just caution you to be aware of that.

15 MR. CASILLAS: Thank you, Commissioner
16 Parker. And, actually, that has already come up
17 with the lighting. So, I appreciate that you're
18 looking out for us.

19 THE CHAIR: Do you have something?

20 COMMISSIONER GANT: Are you ready?

21 THE CHAIR: Do you want to propose some
22 wording?

23 COMMISSIONER GANT: Yes. Do you want to
24 listen?

25 THE CHAIR: Yes.

1 COMMISSIONER GANT: Madam Chair, I move
2 that the Public Education Commission approve the
3 amendment to increase the student cap to 240 to
4 allow La Academia Dolores Huerta Academy to move
5 forward, that this amendment does not apply to
6 moving to a new facility, that the board of
7 directors for the school must provide to the Public
8 Education Commission, through the Public Education
9 Commission attorney, new amendments, again voted on
10 and provided -- provided to said attorney.

11 THE CHAIR: And leave the rationale as it
12 is with the first sentence removed? Because the
13 rationale has got to be worked on.

14 MR. CASILLAS: I will reword the rationale
15 to make sure that it focuses on student enrollment
16 cap and not on the facility.

17 THE CHAIR: But if we vote on it today, it
18 is the wording. It can't be something that you
19 bring to us, unless you want to come back to us.

20 MR. CASILLAS: If you guys want to see me
21 again, I have no problem coming to Santa Fe.

22 COMMISSIONER BERGMAN: I agree this is
23 getting to be a black hole. This is getting to be a
24 black hole.

25 COMMISSIONER GANT: The first sentence of

1 the rationale is to be removed from the requested
2 amendment?

3 MS. LEWIS: Uh-huh.

4 COMMISSIONER GANT: Like that?

5 THE CHAIR: Your first motion died for
6 lack of a second. Would you like to try again?

7 COMMISSIONER GANT: No. But I'll do it.

8 THE CHAIR: Please do.

9 COMMISSIONER GANT: I move that the Public
10 Education Commission approve the changes to the
11 requested amendment to increase the student cap to
12 240 students to allow La Academia Dolores Huerta
13 Academy to move forward, that this amendment does
14 not apply to moving to a new facility, that the
15 board of directors must provide to the Public
16 Education Commission, through the Public Education
17 Commission attorney, a new set of amendments that
18 have been voted on by the board, period.

19 The first sentence of the rationale is to
20 be removed from the requested amendment.

21 THE CHAIR: Is that --

22 MR. CASILLAS: That is fine with us,
23 definitely.

24 MS. FOX: Madam Chair -- sorry -- members
25 of the Commission?

1 THE CHAIR: We didn't know you were
2 coming.

3 MS. FOX: Yeah, sorry. My only concern
4 there is that there's a statement that it doesn't
5 apply to moving to a new facility. I think that can
6 be -- we all understand what we mean. But I think
7 that could be misinterpreted in the future, as when
8 they want to move to a new facility, 240 doesn't
9 apply.

10 So, I think it might be clearer if we
11 said, "This amendment is separate from a request to
12 move to a new facility," instead of saying it
13 doesn't -- the 240 doesn't apply to a new facility.

14 Or am I being -- I'm sorry. Everyone
15 wants to go to lunch.

16 MS. LEWIS: It sounds cleaner. I think
17 the whole of the record will support what you're
18 saying. But at the pleasure of the Commission, a
19 friendly amendment would work, rather than
20 Commissioner Gant having to start over, if that's
21 what the pleasure of the Commission is.

22 COMMISSIONER GANT: What was it you wanted
23 there?

24 MS. LEWIS: Instead of saying this doesn't
25 apply to -- moving, say -- moving will be a separate

1 amendment?

2 THE CHAIR: The facilities issue would be
3 a separate amendment.

4 COMMISSIONER GANT: Let me back off here.

5 COMMISSIONER BERGMAN: Madam Chair?

6 THE CHAIR: Yes.

7 COMMISSIONER BERGMAN: While
8 Commissioner Gant is doing that, I'm just going to
9 note, we're already in a situation where an
10 amendment was not clear, and it involved a school
11 moving, and we do not want to go down that road ever
12 again. Let's be absolutely certain.

13 THE CHAIR: Whatever time we're spending
14 getting this one right is worth it.

15 COMMISSIONER BERGMAN: Yeah.

16 COMMISSIONER GANT: This is -- I took that
17 part out about the school -- the movement piece and
18 added a sentence. "This amendment does not apply to
19 any request in the future by the school to move to a
20 different facility."

21 THE CHAIR: Did you hear that?

22 MS. FOX: I just think it would be a
23 little clearer if we said this is just a separate
24 issue from moving to a new facility. I just don't
25 want to say 240 -- have anyone say 240 doesn't apply

1 to a new facility.

2 MS. LEWIS: So, how would you say it?

3 MS. FOX: I would just say, "This
4 amendment is separate from a request to move to a
5 new facility."

6 THE CHAIR: We've got the "Great American
7 Novel" going here.

8 COMMISSIONER BERGMAN: Madam Chair, I
9 would note, if they even teach civics anymore, this
10 would be a great day for a civics class sitting out
11 there.

12 MS. FOX: And I'm Susan Fox, for the
13 record. I know the court reporter knows me already.

14 THE CHAIR: Collaboration and cooperation,
15 too.

16 COMMISSIONER GANT: Let's try this
17 sentence: "The amendment -- "This requested
18 amendment is separate from any future request by the
19 school to move to a different facility."

20 MS. FOX: That's great. Thank you.

21 THE CHAIR: Now, may we have that as a
22 motion?

23 MS. LEWIS: You'll withdraw the previous?

24 THE CHAIR: It died for lack of a second.

25 COMMISSIONER GANT: I move that the Public

1 Education Commission approve changes to the
2 requested amendment to increase the student cap to
3 240 students to allow La Academia Dolores Huerta
4 Academy to move forward. The first sentence -- the
5 first sentence -- wait a minute. I'm sorry.
6 Period.

7 The public -- the board of directors must
8 provide to the Public Education Commission, through
9 the Public Education Commission's attorney, a new
10 set of amendments that have been voted on and
11 approved, to the attorney, as stated.

12 The first sentence of the rationale is to
13 be removed from the requested amendment. This
14 request is separate from any future request by the
15 school to move to a different facility.

16 Can we buy all this?

17 THE CHAIR: Everybody?

18 COMMISSIONER GANT: I want a second.

19 COMMISSIONER TOULOUSE: I'll second.

20 COMMISSIONER GANT: I want to vote.

21 COMMISSIONER PARKER: I'll third it.

22 THE CHAIR: Everybody's in agreement that
23 the wording is correct? Okay.

24 COMMISSIONER GANT: Call for the question.

25 THE CHAIR: Had a call for the question.

1 The motion has been made by Commissioner Gant,
2 seconded by Commissioner Toulouse, as is recorded in
3 the record. I will not attempt to restate that
4 motion.

5 Is there any discussion of the motion?
6 Commissioner Parker?

7 COMMISSIONER PARKER: Not to berate this
8 any further, but I just want to make sure, on the
9 record, this is what you guys want.

10 MR. CASILLAS: Yes, Commissioner Parker,
11 that is what we want, just to make sure that this
12 amendment is for an enrollment cap increase. And at
13 the moment we're ready to move, we will submit a
14 different amendment for the relocation.

15 THE CHAIR: Thank you. Anything else?
16 Commissioner Bergman, may we have a
17 roll-call vote?

18 COMMISSIONER BERGMAN: Commissioner Carr?

19 COMMISSIONER CARR: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Conyers?

22 COMMISSIONER CONYERS: Yes.

23 COMMISSIONER BERGMAN: Commissioner
24 Parker?

25 COMMISSIONER PARKER: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Peralta?
3 COMMISSIONER PERALTA: Yes.
4 COMMISSIONER BERGMAN: Commissioner Pogna?
5 COMMISSIONER POGNA: Yes.
6 COMMISSIONER BERGMAN: Commissioner
7 Toulouse?
8 COMMISSIONER TOULOUSE: Yes.
9 COMMISSIONER BERGMAN: Commissioner Gant?
10 COMMISSIONER GANT: Yes.
11 COMMISSIONER BERGMAN: Commissioner
12 Shearman?
13 THE CHAIR: Yes.
14 COMMISSIONER BERGMAN: Commissioner
15 Bergman votes "Yes."
16 That is a 9-to-0 vote in favor of that
17 motion.
18 THE CHAIR: Thank you, Commissioner. The
19 vote is unanimous to approve the amendment requested
20 by La Academia Dolores Huerta to increase their
21 enrollment cap to 240, and the other stipulations as
22 noted on the record.
23 Please be sure that your board of
24 directors does consider this and get us the minutes
25 of that board of directors' meeting through our

1 attorney, Ms. Lewis. And I'm sure CSD also wants a
2 copy of it.

3 MR. CASILLAS: Certainly. Thank you,
4 guys, very, very much for helping us and supporting
5 us in this.

6 I just have one more question for you.
7 Would you like for me to leave these documents for
8 you?

9 THE CHAIR: I don't need them. Thank you.
10 Keep those for your board. I'm sure they'd love to
11 see them.

12 MR. CASILLAS: Thank you very much.
13 You've made my Friday. You have a good Friday, as
14 well.

15 THE CHAIR: Thank you.

16 Taos International School? I'm sorry.
17 La Tierra. I apologize.

18 MR. PAHL: Madam Chair?

19 THE CHAIR: Good afternoon.

20 MR. PAHL: Do you want me --

21 THE CHAIR: Why don't we hear from
22 Mr. Pahl?

23 MR. PAHL: Madam Chair, members of the
24 Commission, La Tierra School for the Arts and
25 Sciences is requesting permission to change the

1 wording of its mission to put into the contract with
2 the PEC.

3 I think we can look at this one much like
4 the Southwest Learning Centers, where there are
5 changes in the mission to -- in anticipation of
6 contract negotiations. The Charter School Division
7 recommends approval of this amendment.

8 THE CHAIR: Good afternoon. Please
9 introduce yourself.

10 MS. DAVIS: Sandra Davis. And I am the
11 Interim Head Learner at La Tierra Montessori.

12 THE CHAIR: And if you have a presentation
13 for us?

14 MS. DAVIS: I don't have a presentation,
15 beyond the amendment itself. The rationale for the
16 change is really to distill the mission to the
17 essence of the charter school. And the original one
18 had some wording that was rather vague, and also
19 included goals. We would like to make the wording
20 more simple and -- and more clear, as we move into
21 the contract negotiation.

22 THE CHAIR: Thank you. Commissioners, do
23 you have questions?

24 I have one. In the original statement, on
25 the one, two, three, four -- fifth line, it says,

1 "Potential -- potential through an integrated
2 experiential curriculum." And that is not in the
3 changed statement. Does that mean you no longer
4 will be doing experiential?

5 MS. DAVIS: No, that -- it is still an
6 experiential program. And that is through our
7 integrated arts and sciences program.

8 THE CHAIR: Okay. So, it is elsewhere,
9 still in --

10 MS. DAVIS: It is, absolutely, still the
11 focus of our integrated arts and sciences program.

12 THE CHAIR: Okay.

13 MS. DAVIS: It is an experiential
14 approach.

15 THE CHAIR: Okay. And how long have you
16 been at the school?

17 MS. DAVIS: Since mid-March, when Ed Wood
18 came to the PED for -- and then I was principal of a
19 local charter school, Turquoise Trails, for 12
20 years.

21 THE CHAIR: Thank you. Other questions?
22 Comments? Concerns?

23 Hearing none, the Chair would entertain a
24 motion.

25 Commissioner Bergman?

1 COMMISSIONER BERGMAN: Madam Chair --
2 excuse me -- I move that the Public Education
3 Commission approve the amendment presented by the
4 La Tierra Montessori School for the Arts and
5 Sciences to change its mission statement.

6 COMMISSIONER PERALTA: Second.

7 THE CHAIR: I'm sorry?

8 COMMISSIONER PERALTA: Second.

9 THE CHAIR: Commissioner Peralta. Motion
10 by Commissioner Bergman, second by Commissioner
11 Peralta, to approve the amendment request by
12 La Tierra Montessori School.

13 Is there further discussion?

14 Hearing none, Mr. Bergman -- Commissioner
15 Bergman, may we have a roll-call vote?

16 COMMISSIONER BERGMAN: Commissioner
17 Conyers?

18 COMMISSIONER CONYERS: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Parker?

21 COMMISSIONER PARKER: Yes.

22 COMMISSIONER BERGMAN: Commissioner
23 Peralta?

24 COMMISSIONER PERALTA: Yes.

25 COMMISSIONER BERGMAN: Commissioner Pogna?

1 COMMISSIONER POGNA: Yes.

2 COMMISSIONER BERGMAN: Commissioner

3 Toulouse?

4 COMMISSIONER TOULOUSE: Yes.

5 COMMISSIONER BERGMAN: Commissioner Carr?

6 COMMISSIONER CARR: Yes.

7 COMMISSIONER BERGMAN: Commissioner Gant?

8 COMMISSIONER GANT: Yes.

9 COMMISSIONER BERGMAN: Commissioner

10 Shearman?

11 THE CHAIR: Yes.

12 COMMISSIONER BERGMAN: Commissioner

13 Bergman votes "Yes."

14 Madam Chair, that is a 9-0 vote in favor
15 of the motion.

16 THE CHAIR: Thank you. By a unanimous
17 vote, the motion carries to approve the amendment
18 request of La Tierra Montessori School.

19 MS. DAVIS: Thank you very much.

20 THE CHAIR: Thank you. Now, Taos
21 International.

22 MR. PAHL: Madam Chair, members of the
23 Commission, Taos International has brought forth two
24 amendment requests, the first of which Taos
25 International School is requesting to change the

1 wording of its mission to put in the contract with
2 the PEC. The Charter School Division recommends
3 approval of this amendment.

4 THE CHAIR: Thank you. Hello. Please
5 introduce yourselves and let us hear your
6 presentation.

7 MS. VIGIL: My name is Nadine Vigil. I am
8 the head administrator/director for Taos
9 International School. N-A-D-I-N-E, V-I-G-I-L.

10 MR. MARTINEZ: My name is Robert Martinez,
11 and I am the president of the governing council.

12 MR. VIGIL: Again, we would like to make
13 the amendment for our mission statement to make it
14 clearer, and so that -- for the purpose of
15 developing our mission-specific goals.

16 THE CHAIR: That's short and sweet. Thank
17 you very much.

18 Commissioners, do you have questions?
19 Well, I do.

20 I noticed on your original mission
21 statement that you have included, "Strategies will
22 be aligned to Common Core standards."

23 And, then, in the last paragraph, "The
24 study of a second and third language will be a
25 required component of the school."

1 Both of those items have been left out of
2 the amended statement.

3 MR. VIGIL: Okay. The second -- the study
4 of a second and third language is in the new
5 revision, where it says that we will be providing
6 the students the acquisition of languages, including
7 Spanish immersion and Mandarin Chinese.

8 THE CHAIR: However, it does not say that
9 it is a required component, as the original
10 statement said.

11 MR. VIGIL: Yes. And the reason for that
12 is because, with the -- well, we start- -- where we
13 ended up to community, the rest of that is just like
14 the -- some of the requirements that the parents
15 will know is going to be happening. Also, the
16 curriculum and materials instruction, they're more
17 strategies than what they were with part of the
18 mission statement.

19 But the mission statement covers what we
20 are trying to teach within our curriculum.

21 THE CHAIR: Is the acquisition of a second
22 and third language required?

23 MR. VIGIL: It'll be part of our Spanish
24 immersion classes.

25 THE CHAIR: Is it required of all

1 students?

2 MR. VIGIL: Yes, it will be.

3 THE CHAIR: Both languages?

4 MR. VIGIL: Yes.

5 THE CHAIR: Then, may I ask why you're
6 taking the wording out?

7 MR. VIGIL: We wanted to make it clear,
8 and we also wanted to make it more concise.

9 THE CHAIR: What about the Common Core
10 standards?

11 MR. VIGIL: Within our curriculum, they
12 have to be aligned to the Common Core standards.
13 So, that is a given to everybody that is involved in
14 our mission.

15 THE CHAIR: And I don't know about
16 everyone else. But the last sentence in the
17 original statement, "Students at TIS will be
18 expected to be proficient by..." -- is there a page
19 missing?

20 MR. PAHL: Madam Chair?

21 MR. VIGIL: "...by the end of eighth
22 grade." There must be a page missing.

23 MR. PAHL: Madam Chair, I think some of
24 the material terms in the contract might help inform
25 this. May I ask Brad Richardson, the liaison to the

1 Taos International School?

2 THE CHAIR: I was in on the negotiation.

3 MR. PAHL: Oh, okay.

4 THE CHAIR: I'm wondering what happened
5 here. Is that part of the change or not, or -- it
6 isn't, I don't think. But I just want to clarify
7 that it was not an intentional omission.

8 MR. VIGIL: No, it's not an intentional
9 omission.

10 THE CHAIR: Okay. Thank you very much.
11 Commissioners, further questions?
12 Anything of concern you want to bring up at this
13 point?

14 Hearing none, the Chair would entertain a
15 motion.

16 Oh, I'm sorry. Ms. Lewis?

17 MS. LEWIS: I would just recommend that
18 somewhere in the motion, you acknowledge and clarify
19 whatever is supposed to come after "by."

20 THE CHAIR: And what is it?

21 MS. LEWIS: "Eighth grade."

22 MR. VIGIL: "Students at TIS will be
23 expected to be proficient by the end of eighth grade
24 in both English and Spanish, and to begin studying a
25 third language, Mandarin Chinese, at the beginning

1 of fourth grade. Spanish proficiency will be
2 measured not only by the students' ability to speak
3 the language, but, also, by the students' ability to
4 engage with native-like fluency in writing and
5 reading activities. TIS will using a 'one-way'
6 language emergent approach to read languages."

7 THE CHAIR: Just refer to that.

8 MS. LEWIS: Rather than memorize it.

9 COMMISSIONER BERGMAN: But it's being
10 deleted by their shortened mission statement. They
11 didn't want to keep that in there.

12 MS. LEWIS: But it just looks incomplete
13 and inadequate without the extra language.

14 THE CHAIR: Anything else, Commissioners?
15 The Chair would entertain a motion.

16 COMMISSIONER BERGMAN: I'll do it.

17 THE CHAIR: Commissioner Bergman?

18 COMMISSIONER BERGMAN: Madam Chair, I
19 would move that the Public Education Commission
20 approve the amendment presented by the Taos
21 International School to change its mission
22 statement.

23 THE CHAIR: Do I hear a second?

24 COMMISSIONER PERALTA: Second.

25 COMMISSIONER PARKER: Second.

1 COMMISSIONER POGNA: Second.

2 THE CHAIR: Motion by Commissioner
3 Bergman, second by Commissioner Pogna, to approve
4 the amendment request, as presented by Taos
5 International School, to change their amendment
6 request, noting the information that was read into
7 the record to complete the original mission
8 statement.

9 Further discussion?

10 Commissioner Bergman, may we have a roll
11 call?

12 COMMISSIONER BERGMAN: Commissioner
13 Parker?

14 COMMISSIONER PARKER: Yes.

15 COMMISSIONER BERGMAN: Commissioner
16 Peralta?

17 COMMISSIONER PERALTA: Yes.

18 COMMISSIONER BERGMAN: Commissioner Pogna?

19 COMMISSIONER POGNA: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Toulouse?

22 COMMISSIONER TOULOUSE: Yes.

23 COMMISSIONER BERGMAN: Commissioner Carr?

24 COMMISSIONER CARR: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Conyers?

2 COMMISSIONER CONYERS: Yes.

3 COMMISSIONER BERGMAN: Commissioner Gant?

4 COMMISSIONER GANT: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Shearman?

7 THE CHAIR: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Bergman votes "Yes."

10 Madam Chair, that is a 9-0 vote in favor
11 of the motion.

12 THE CHAIR: Thank you. By unanimous vote,
13 the amendment is approved to change the mission
14 statement of Taos International School. Thank you
15 very much.

16 MR. VIGIL: I have another one.

17 THE CHAIR: Do we have another one? I'm
18 sorry. We certainly do.

19 MR. PAHL: Madam Chair, members of the
20 Commission?

21 THE CHAIR: Please do.

22 MR. PAHL: Okay, thank you. Madam Chair,
23 members of the Commission, Taos International School
24 is requesting permission to change the requirement
25 in their bylaws requiring that they have between

1 five and seven governing council members, and change
2 that to between five and nine members of their
3 governing board.

4 The Charter School Division recommends
5 approval of this amendment.

6 THE CHAIR: Thank you. Do you have any --

7 MS. VIGIL: We would like to amend our
8 governing council bylaws so that it will give us
9 the -- the council the flexibility in recruiting
10 members. This will ensure that the governing
11 council will have sufficient number of members to
12 conduct business, should resignations occur.

13 THE CHAIR: Thank you. Do we have the
14 minutes where these amendments were approved by
15 their governing council?

16 COMMISSIONER BERGMAN: Not in our packet,
17 we don't.

18 THE CHAIR: Electronically?

19 COMMISSIONER CARR: Madam Chair, that's
20 not -- this amendment is not on the agenda.

21 THE CHAIR: Yes, it is.

22 COMMISSIONER CARR: Where? "GB,"
23 governing board.

24 THE CHAIR: I think we need a break for
25 lunch.

1 COMMISSIONER CARR: Yeah, we do.

2 THE CHAIR: But I'm not finding minutes.

3 You've got them?

4 MS. LEWIS: Yeah.

5 THE CHAIR: They were sent electronically?

6 MS. LEWIS: I got them when Kimberly sent
7 everything out.

8 THE CHAIR: I don't see them in here.

9 That's fine. As long as we -- it's there?

10 MS. LEWIS: Yeah, there's some specificity
11 here. The actual vote doesn't reflect what the
12 amendments were, but in the paragraph above --

13 THE CHAIR: Do you think that's
14 sufficient?

15 MS. LEWIS: For now. I would definitely
16 advise that all charter schools undergo Open
17 Meetings Act training, because that way, you avoid
18 Open Meetings Act problems.

19 THE CHAIR: Okay. Commissioners, we're
20 considering Taos International School's amendment to
21 change their governing council membership from at
22 least five and shall not be more than seven, to not
23 less than five and not more than nine.

24 Is there any discussion?

25 Hearing none, the Chair would entertain a

1 motion.

2 COMMISSIONER CONYERS: I'll do one.

3 THE CHAIR: Commissioner Conyers?

4 COMMISSIONER CONYERS: I move that the
5 Public Education Commission approve the amendment
6 presented by the Taos International School to
7 changes bylaws which would require seven to nine
8 governing board members.

9 THE CHAIR: Thank you. Do I hear a
10 second?

11 COMMISSIONER PARKER: Second.

12 THE CHAIR: Who was that? Commissioner
13 Parker? Motion by Commissioner Conyers, second by
14 Commissioner Parker.

15 COMMISSIONER BERGMAN: Actually,
16 Madam Chair, that's a misstatement. Would require
17 seven to nine governing board members, and it's five
18 to nine governing board members. That's what the
19 original -- seven to nine. It should say "five to
20 nine."

21 MS. LEWIS: Friendly amendment?

22 COMMISSIONER CARR: I'm friendly. You can
23 call it what you want. I'm friendly.

24 THE CHAIR: Do you agree?

25 COMMISSIONER CONYERS: Yes. I'm sorry.

1 THE CHAIR: Thank you very much. Do you
2 agree, Commissioner Parker?

3 COMMISSIONER PARKER: Yeah. The language
4 was five; we were just going off of the paper, so,
5 yeah.

6 MS. LEWIS: Discussion? Yes?

7 MS. FOX: Madam Chair and members of the
8 Commission, when we were working on these charter
9 school contracts, I think we had some discussion
10 that bylaws themselves don't have to come up before
11 you for amendment. However, I think maybe what
12 we're talking about here is there's something in
13 your charter contract that says you're going to have
14 five to seven members; so, it's that statement
15 rather than the bylaws, I think, that the school is
16 asking for an amendment, the statement in the
17 charter contract, rather than -- than Commissioner
18 Peralta's statement that it was the bylaws.

19 So, after you amend -- allow amendment to
20 the contract, numbers in the contract, the school
21 would then go back and amend the bylaws. But,
22 technically, the bylaws don't come up for an
23 amendment. I just wanted to make that
24 clarification.

25 COMMISSIONER BERGMAN: I see what she's

1 saying. We need to remove the bylaws in here and
2 put "performance contract" is what we call it.

3 "Performance contract."

4 MS. FOX: Yes. Thank you, Commissioner
5 Bergman.

6 COMMISSIONER BERGMAN: Senator Sapien
7 insists on that, as a matter of fact.

8 MS. FOX: Okay.

9 MS. LEWIS: Do you want to withdraw and
10 start over?

11 COMMISSIONER BERGMAN: We never had a
12 second, did we? Well, then the second has to be
13 withdrawn.

14 COMMISSIONER PARKER: I withdraw my
15 second.

16 THE CHAIR: Do you withdraw your motion?

17 COMMISSIONER CONYERS: Yes, I would.

18 COMMISSIONER POGNA: Madam Chair?

19 THE CHAIR: All right. How are we
20 changing the wording now?

21 COMMISSIONER BERGMAN: Move the word
22 "bylaws" in the second sentence to read "performance
23 contract." And then change the "seven" to a "five."
24 And then Commissioner Pogna has something.

25 THE CHAIR: Yes, Commissioner?

1 COMMISSIONER POGNA: I need to hear the
2 motion again.

3 THE CHAIR: It's going to be a new motion.

4 COMMISSIONER BERGMAN: You'll hear it in
5 just a second.

6 THE CHAIR: Would someone like to have
7 this piece of paper that Abby's written on, or do
8 you think you've got it?

9 COMMISSIONER CONYERS: I think I have it.
10 I'm willing to try.

11 THE CHAIR: All right. Let's do it.

12 COMMISSIONER CONYERS: Okay. I move that
13 the Public Education Commission approve the
14 amendment presented by the Taos International School
15 to change its performance contract, which would
16 require five to nine governing board members.

17 THE CHAIR: Okay. But we've got
18 "performance contract" and "five to nine"?

19 COMMISSIONER BERGMAN: As I listened to
20 that, it didn't sound -- "which" does not sound like
21 it belongs in there.

22 THE CHAIR: Well, let's not get too picky,
23 you know.

24 MS. LEWIS: I think given the rest of the
25 record, it's --

1 COMMISSIONER BERGMAN: Do we all
2 understand, then, what was the motion? Okay. If
3 that was the case, I will second that.

4 THE CHAIR: All right. We have a motion
5 and second to approve the amendment presented by
6 Taos International School to change its performance
7 contract, which would require five to nine governing
8 body members.

9 Any discussion?

10 Commissioner Bergman, may we have a
11 roll-call vote, please?

12 COMMISSIONER BERGMAN: Commissioner
13 Peralta?

14 COMMISSIONER PERALTA: Yes.

15 COMMISSIONER BERGMAN: Commissioner Pogna?

16 COMMISSIONER POGNA: Yes.

17 COMMISSIONER BERGMAN: Commissioner
18 Toulouse?

19 COMMISSIONER TOULOUSE: Yes.

20 COMMISSIONER BERGMAN: Commissioner Carr?

21 COMMISSIONER CARR: Yes.

22 COMMISSIONER BERGMAN: Commissioner
23 Conyers?

24 COMMISSIONER CONYERS: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Parker?

2 COMMISSIONER PARKER: Yes.

3 COMMISSIONER BERGMAN: Commissioner Gant?

4 COMMISSIONER GANT: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Shearman?

7 THE CHAIR: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Bergman votes "Yes."

10 Madam Chair, that is a 9-to-0 vote in
11 favor of the motion.

12 THE CHAIR: Thank you. The vote is
13 unanimous to approve the amendment request, as
14 recorded in the record. Thank you all very much.

15 MR. VIGIL: Thank you very much.

16 COMMISSIONER TOULOUSE: Madam Chair, a
17 point of order. All of my training on Robert's
18 Rules of Order on doing motions never once said they
19 had to be exactly grammatical. They just had to
20 cover specifically the issues that you want covered
21 in a way that is understandable. But "grammatical"
22 was never in any of the training. Thank you.

23 THE CHAIR: Thank you. Mission
24 Achievement and Success, please. Mr. Pahl?

25 MR. PAHL: Madam Chair, members of the

1 Commission, Mission Achievement and Success Charter
2 School is requesting permission to expand from a
3 grades-six-through-12 school to a school that serves
4 grades kindergarten through 12 in the 2015-'16
5 school year. The school has letters of approval
6 from PSFA regarding this explanation from their
7 facility.

8 The principal has also presented data
9 indicating the success of the program and the
10 school's ability to grow students. The principal is
11 willing to explain this information as rationale to
12 their amendment request.

13 The CSD recommends approval of this
14 amendment.

15 THE CHAIR: Thank you. Good afternoon.
16 Please identify yourselves.

17 MS. MYERS: I'm JoAnn Myers. I'm the
18 principal and founder of MAS Charter School.

19 MS. JARAMILLO: Kristina Jaramillo,
20 instructional coach at MAS Charter School.

21 K-R-I-S-T-I-N-A, J-A-R-A-M-I-L-L-O.

22 MS. MYERS: Would you like mine?

23 THE REPORTER: Got it.

24 THE CHAIR: Go ahead.

25 MS. MYERS: I have a copy of the stuff I'm

1 going to talk about that's not part of your packets,
2 because our SBA scores just came out, so we included
3 updated information.

4 Would you like hard copies of this?

5 THE CHAIR: Let's go with what we have for
6 now.

7 MS. MYERS: Okay. Sounds great. I will
8 refer to mine to keep me on point.

9 All right. So, we're requesting,
10 obviously, to amend our charter to serve -- we
11 currently serve students in grades 6 -- we're
12 approved to serve students in grades 6 to 12, and
13 right now, we're grades 6 through 9 for the upcoming
14 school year.

15 And we're requesting an expansion to
16 include elementary, K to 5, with an expansion plan
17 to start with kindergarten and first next school
18 year, for the '15-'16 school year, and to keep
19 adding a grade level till we get to the fifth grade
20 and, naturally, to roll to the sixth grade.

21 So, our rationale is that our students --
22 and this is part of the information you already
23 have, but I also added it to information that I can
24 supplement. Our students are entering our school
25 with SBA scores that are significantly below State

1 averages in reading and math. The majority of our
2 students are making more than one year's gain in one
3 academic year.

4 Theoretically, this will close the
5 achievement gap. However, we believe that with an
6 elementary expansion, we will close the achievement
7 gap at an earlier time in a child's education, or
8 not allow the gap to exist in the first place.

9 I'm trying to stay focused because, I'm
10 long-winded to talk, so give me a second.

11 So, we propose to add 40 students -- so,
12 our current charter is 96 students per grade level
13 for the middle- and high-school program. But for
14 our elementary program, we're requesting to only add
15 40 grades per -- 40 grades -- 40 students per grade
16 level. And our rationale for that is because we
17 felt like -- well, a couple of things:

18 One, we really wanted to be able to make
19 sure that there were still middle school spaces
20 available for kids who didn't apply in the
21 elementary years, to make sure -- because we just --
22 that's why we originally opened the charter is we
23 felt there was a huge need for middle and high
24 school, especially in our area.

25 And, then, when looking at the PED website

1 for the charters that exist, elementary charters in
2 our area, there's only two elementary charters out
3 of the 20 charters that are on the website. Only
4 two charters exist in our area, and they're both
5 bilingual charters. So, this -- our elementary
6 would serve a different need.

7 Why we opted to request an amendment,
8 rather than a whole new school, because we actually
9 submitted an intent to open an elementary school
10 instead, and we withdrew our intent. And the reason
11 was is, after we did a little bit more research, and
12 we learned that it would be two separate schools,
13 and it would require a complete separate lottery
14 process, and if we did get approved for an
15 elementary, our fifth-graders would not naturally
16 become part of our sixth grade; they would have to
17 apply to get into a sixth-grade seat, it kind of
18 defeated the purpose of what we were trying to do by
19 having the continuity in kindergarten straight
20 through.

21 So, that's one of the reasons we requested
22 an amendment, rather than looking to write a whole,
23 entire new charter.

24 And, then, the other thing was just a
25 resource-type issue, like, when we started looking

1 at the expenditure of resources, it would mean just
2 more time and money being allocated to run two
3 separate schools, rather than having things like one
4 Title I application, one Title II application, one
5 IDEA application, and so on.

6 So -- and then I just put in -- the
7 additional presentation stuff that I gathered was
8 just to highlight one of the reasons that we were
9 looking to move back was an expand- -- and I know
10 that you're very well aware of this and well-versed
11 in it -- there's a lot of research on the importance
12 of reading by third-grade level. They talk about it
13 being a pivotal point in a child's educational
14 career, the time when kids shift from learning how
15 to read to actually being expected to use reading to
16 learn.

17 That's what we're finding profiled. If
18 you flip to one of the pages in your packet, we show
19 the proficiency rates that the State has for average
20 proficiency rates, based on 2011-'12 SBA scores, and
21 then based on 2012-'13 SBA scores. And you can see,
22 if you look at that, that we're coming in usually at
23 about 10, and, in some cases, 20 percent lower than
24 what the State averages are.

25 That's not what -- how the kids are

1 performing, like, once they get there. But that's
2 as entry. As they walk through the doors of our
3 school, that's the scores that they're generally
4 coming through with.

5 What I produced today in today's data --
6 and, again, we literally, in the mail, got our SBA
7 scores two days ago. They were released on the
8 computer, so we were trying to sort through that.
9 So, we put together the seventh- and eighth-grade
10 SBA data for you to -- the reason we selected -- we
11 have sixth, seventh, and eighth, so we really tried
12 to focus, for the purpose of today, seventh- and
13 eighth-grade data, because those are kids, generally
14 speaking, who have been with us for two years.

15 Our first year was not as big as our
16 second year. We completely capped our enrollment
17 our the second year. But in our first year, we were
18 a little bit smaller, being a new school.

19 So, again, the seventh- and eighth-grade
20 data that I'm going to present are kids that,
21 generally speaking, been with us two years. And I
22 did not have the time to sort out and disaggregate
23 literally which of these kids were here for two
24 years and which are here just this year.

25 But what I can tell you is that, for our

1 reading scores, we started as the kids came through
2 the door, or how they started from last year to this
3 year, at 33 percent of the kids were proficient.
4 That was our proficiency rates for seventh-grade
5 reading. We increased proficiency by 23 percent in
6 one school year.

7 This year, we ended the school year based
8 on SBA scores of 53 proficient for seventh-grade
9 reading. With that said, for seventh-grade reading
10 we went 71 percent of our seventh graders made more
11 than one year's academic growth.

12 So, the 71- -- and I didn't separate,
13 again, for you if that's 1.1 year, if it's 1.5.
14 Some kids have profound -- again, I've only reported
15 proficiency with 23 percent growth. But we had a
16 lot of kids who moved from basic level to a nearing
17 proficient, and so on. But just for the purposes of
18 time and not to keep everybody here forever, but I
19 can bring back more data if you all need it.

20 And, then, eighth-grade reading, we went
21 from 35 percent; so, at the start of our school
22 year, the way that our kids came in, and where we
23 were, we were at 35 percent. We ended this school
24 year with fresh data that was delivered two weeks
25 ago at 56 percent. We increased 21 proficient in

1 eighth-grade reading. And, then, if we look at the
2 eighth-graders, 74 percent of our eighth-graders
3 grew more than -- made one more -- made more than
4 one year's academic growth in this school year.

5 Then, when you look at math scores, our
6 seventh-graders came in at -- 36 percent of our
7 seventh-graders were proficient upon entry. We
8 ended the year at 55 percent proficient; so,
9 19 percent gains in seventh-grade math. And I'll
10 speak to the math just for a second, too.

11 One of the things that we did a little bit
12 different this year is because our math was so much
13 lower as the kids entered than the reading scores
14 based on our first year and our second year, we made
15 a -- we just offered additional math this school
16 year. So, we increased the math for sixth and
17 seventh grade. We did not do it for eighth grade,
18 and the only reason was a staffing issue. We just
19 could not -- like, we kept having -- we just
20 couldn't staff the position.

21 So, as a result, you'll see -- and I
22 attribute some of that -- while I still think that
23 they're good gains -- we made 7 percent gains -- but
24 we started at 21 percent proficient for eighth
25 grade. And I'll point out, going back, that the

1 State averages for math are 50- -- let's see, I did
2 it backwards here. Hold on one second. 41 percent
3 of the kids in the state, based on 2012-'13 test
4 scores, were proficient in the state.

5 In our school -- at our school, the way
6 our kids came in, our kids from last year, only
7 21 percent were proficient. So, again, part of the
8 rationale why we were asking for elementary is we've
9 seen, over the course of two years, really nice
10 gains for our kids. What we feel so strongly, if we
11 just started them in kindergarten, when they were
12 young and we didn't allow this type of gap to exist,
13 then we would get there.

14 What we find with some of our --
15 especially our lowest level readers, this current
16 school year, the 2013-'14 school year, the year
17 we've just completed, we had to add a reading
18 intervention program that went straight back to
19 phonics, because we had so many of our middle-school
20 kids who did not have the basics of phonics to read.

21 And, so, we had to bring intervention back
22 to that level, which we still -- we would not
23 discontinue that. Even if we got approved to
24 include an elementary, we would always keep those
25 components, based on a need for them. But, again,

1 our rationale is that if we could start there, the
2 gap wouldn't exist. Some of what we find that we
3 encounter as a middle school and high school is that
4 when kids hit that grade level, they're in middle
5 school and they're in high school, and they've had
6 six, seven, eight, nine years of failure, where
7 they've been struggling in school, you deal with a
8 lot more emotional and behavioral barriers to start
9 breaking down in order to get kids to engage at
10 school.

11 One of the things that I really hoped to
12 present to you is to literally be able to
13 disaggregate this data and literally show you just
14 the kids who have been with us for two years
15 compared to the kids with a year. While they've all
16 made gains, what we found is that we were able to
17 make so many more gains with kids that we've had for
18 a while, because they just -- they get used to our
19 program; they get used to how we're able to do
20 things. Sometimes it takes us a full school year
21 just to behaviorally break them down to start trying
22 to give us a little more effort.

23 I know you've got to go, so let me keep
24 going.

25 So, seventh-grade math. So, seventh-grade

1 math, we actually do -- we made -- 78 percent of our
2 kids made more than one year's gain. So, while I
3 talked about 19 percent movement to the Proficiency
4 column, 78 percent of those kids did make gains of
5 more than one school year.

6 And eighth-grade math, it was 50 percent
7 of our kids made more than one year's academic gain.
8 And, again, I attribute a bit of that to the fact
9 that we did not offer double the math. We intend to
10 this year. It was just truly staffing. We grew --
11 we increased our staff and our student enrollment
12 three times this current school year. So, we had to
13 fill an enormous number of teaching positions, which
14 proved challenging, especially in math, science, and
15 special education, the three hardest areas to fill.

16 So, that one math position -- they still
17 had math; they just didn't get the additional
18 course, which we tried to add just to supplement,
19 when we saw how low the scores were to begin with.

20 So, then, I included in a supplement --
21 which you guys don't have in front of you, but I
22 have in a PowerPoint that I can hand you, if you'd
23 like to look at it after -- is I included -- just,
24 we triangulate data. We always look at multiple
25 sources of data. So, we obviously look at the SBA

1 scores.

2 But, then, we also use Discovery Education
3 for reading and math, and then we use the Scholastic
4 Reading Inventory for reading assessment.

5 So, we assess our kids four times a year
6 in Discovery and four times a year with the SRI.
7 With the SRI, I've provided data -- for the purposes
8 of this presentation, I provided just this year's
9 data. But, again, I could produce last year's data
10 to show similar growth. And it's similar; it's
11 similar to the SBA. I can just read a column for
12 you, so that you kind of get a sense of it.

13 This is school-wide data. It looks very
14 similar for my sixth-grade data, for my
15 seventh-grade data to my eighth-grade. It's pretty
16 much the same; but, again, it's all in here.

17 We started the school year with 11 percent
18 of our kids testing advanced. We moved that up to
19 22 of our kids were advanced. So, 11 percent gains
20 in one school year to the advanced column, based on
21 the SRI.

22 32 percent of our kids were proficient at
23 the beginning of the school year, and that moved up
24 to 41 percent; so 9 percent gains there. We went
25 from 33 percent nearing, and dropped that down to

1 29 percent. And, then, our biggest growth was in
2 our beginning steps. At the beginning of the school
3 year, our SRI data -- this is school-wide data,
4 again, so, my sixth, seventh, eighth all combined.
5 We started at 24 percent were beginning steps. We
6 ended with only 8 percent of our kids sitting at the
7 beginning steps level, based on our SRI data

8 And then just one other piece that I have
9 in here.

10 Okay. The end. So, I thought I'd somehow
11 flip -- okay. Data. One more thing. Sorry. This
12 is just to give you a general sense of our
13 demographics. So, we have 19 percent of our
14 students -- this current school year, but it was
15 pretty similar last year -- 19 percent of our
16 students are identified as students with
17 disabilities. And I just gave you statewide
18 comparisons to kind of give you a sense.

19 So, 14 percent in the state are students
20 with disabilities. And I base that on middle
21 school. So, I looked at the sixth-, seventh-, and
22 eighth-grade averages. And it's 14 percent for the
23 state. Our school serves -- 19 percent of our
24 students are students with disabilities.

25 10 percent of our students are gifted.

1 And I couldn't find State data, like, on the
2 website. I'm sure it's there someplace, but I
3 couldn't extract that.

4 15 percent of our students are English
5 Language Learners. State averages are 14 percent.

6 State average for free reduced lunch --
7 and this is based on 2012-'13 data -- that's
8 71 percent. And MAS, currently this school year,
9 we're at 71 percent free and reduced lunch, just to
10 kind of give you a profile of our demographic.

11 Okay.

12 THE CHAIR: Thank you very much.

13 MS. MYERS: You're welcome.

14 THE CHAIR: Commissioners, do you have
15 questions? Commissioner Bergman?

16 COMMISSIONER BERGMAN: Thank you, Madam
17 Chair, yes, I do. You had sixth, seventh, and
18 eighth this year?

19 MS. MYERS: Correct.

20 COMMISSIONER BERGMAN: You weren't going
21 to be adding the ninth starting in September or late
22 August?

23 MS. MYERS: Yes.

24 COMMISSIONER BERGMAN: And if this
25 amendment is approved, you're proposing to add K and

1 1 in 2015.

2 MS. MYERS: Right.

3 COMMISSIONER BERGMAN: So, you'll also be
4 adding a tenth grade, then, in 2015.

5 MS. MYERS: Yes.

6 COMMISSIONER BERGMAN: What was your
7 enrollment at the end of this school year?

8 MS. MYERS: At the end of this school
9 year, we were, like, 270. So, our cap for this year
10 was 288.

11 COMMISSIONER BERGMAN: If your cap was
12 672 --

13 MS. MYERS: No. We wrote our cap to -- we
14 wrote ours differently. We did ours per grade
15 level. So, we did 96 kids per grade level, so that
16 we increased our cap each year, rather than -- I
17 know the overall cap. But the way we wrote our
18 charter was 192 kids for year one, 288 for year two;
19 next year is 384; the following year is...so, that's
20 how we did our cap.

21 COMMISSIONER BERGMAN: I understand what
22 you're saying. But the snapshot shows the 672 as
23 the enrollment cap. I'm just thinking, as you add
24 all these grades, if the 672 is the cap, they're
25 going to run up against that cap probably around

1 2015. But the letter from PSFA discusses 900- --
2 potentially, 912 students, when you fully vest the
3 school.

4 So, I guess we don't need to worry about
5 the cap now; it's not of any concern now. But I
6 don't remember us doing that, the rolling cap like
7 that. I believe that's unique.

8 THE CHAIR: That's pretty big.

9 MS. MYERS: So, you might say, okay, I
10 already made a mistake. But, like, the way that we
11 did the amendment, we talked -- it's kind of -- I
12 guess it addresses a cap and an enrollment, because,
13 for us, they go hand in hand. Well, for us they go
14 hand in hand because of the way we wrote it. So, it
15 would be a cap increase, I guess, and an
16 enrollment -- and a grade expansion.

17 THE CHAIR: That was going to be my
18 statement. We don't do combination amendments.
19 And, so, this amendment that you brought forward to
20 us today is only an amendment to add grades, has
21 nothing to do with the enrollment cap; is that
22 correct?

23 MS. MYERS: Well, no, but I understand
24 what you're saying. So, if you need -- I guess I
25 would need clarity on how you want me to correct it,

1 like, because what we did is we did combine it, not
2 knowing -- we combined it -- yeah. We combined it.
3 Like, we did, like, that it's a -- we're looking for
4 grade expansion. But with the grade expansion,
5 because the way that our charter is written and the
6 way that our enrollment is right now, we anticipate
7 that we are completely full right now with a wait
8 list and stuff for our sixth, seventh, eighth, and
9 ninth. And we anticipate to continue that way,
10 where we would need all 672 seats for our
11 six-to-twelve program, and we're looking to add on K
12 to 5, with an additional -- whatever that was -- I
13 don't know without looking at my numbers -- 240?
14 So, I guess it's a combination.

15 So, if you need us to submit something to
16 revise how we're presenting it --

17 THE CHAIR: We need two amendments.

18 MS. MYERS: Okay.

19 COMMISSIONER BERGMAN: But if you've got a
20 rolling cap, you're going to tell us what your
21 rolling cap is going to be after you've got these
22 grades.

23 THE CHAIR: We don't do rolling caps. We
24 know what the end number is.

25 MS. MYERS: Tell me what you want. Tell

1 me what to do to say "yes."

2 MS. LEWIS: To try to drive this point
3 home for all the schools in the audience. The form
4 does require that you send it to me first. And
5 that'll end up saving us a lot of time and needs,
6 because if the Commission's lawyer's eyes are on it,
7 I could have told you that, so you didn't have to --
8 so, schools, please follow the form on the website
9 and supply it to me, as well as to CSD.

10 THE CHAIR: Commissioners, what's your
11 pleasure? Do we want them to come back with two
12 amendments stated very clearly? Do we want to deal
13 with any of this today? What?

14 COMMISSIONER BERGMAN: In this case, since
15 they're not going to do K to 1 for two years,
16 perhaps we can delay them a month and ask them to
17 break this into two amendments, distinct, different
18 amendments, one for just adding the grades K through
19 5. And would we do the enrollment cap before we did
20 that, or would we do the enrollment cap after we do
21 that?

22 COMMISSIONER GANT: We'll work that out
23 when we come to it.

24 COMMISSIONER BERGMAN: We have a meeting
25 on July 11th, yeah. We can put you on that agenda,

1 and with two specific amendments, one for the
2 K-through-5, and one with a specific cap number, no
3 matter how it's calculated.

4 MS. MYERS: Okay.

5 THE CHAIR: Is that amenable to everyone?
6 Do we need to vote on that?

7 MS. LEWIS: Always better safe than sorry.

8 COMMISSIONER CARR: Motion to table.

9 THE CHAIR: Table this?

10 MS. LEWIS: If that's your pleasure. I
11 would take a vote, whichever one you --

12 THE CHAIR: Why don't we move to table
13 this?

14 COMMISSIONER GANT: Okay. I'll try to
15 beat the lawyers this time.

16 Madam Chair, members, I move that the
17 Public Education Commission table the amendment, as
18 provided by the school, Mission Achievement and
19 Success Charter School, and that that they return to
20 us in one month with two separate amendments to
21 cover what they need.

22 THE CHAIR: Do I hear a second?

23 COMMISSIONER BERGMAN: Second.

24 THE CHAIR: Motion by Commissioner Gant,
25 second by Commissioner Bergman, to table the

1 amendment request that's before us now for Mission
2 Achievement and Success and to come back in a
3 month's time with two separate amendments
4 delineating very clearly what they're asking for.

5 Is there further discussion?

6 COMMISSIONER GANT: I just have a couple.

7 THE CHAIR: Yes.

8 COMMISSIONER GANT: I know you have the
9 letter from the Public School Facilities Authority
10 that your facilities will handle 912 -- -10 or -12
11 students, okay? My question is, you're going to put
12 kindergarten kids in with high school kids?

13 MS. MYERS: The way that the building is
14 separated, they won't mix. They won't have to mix
15 or interact. The way that it's separated, we'll be
16 able to keep them segregated from each other; but,
17 yes.

18 COMMISSIONER GANT: And you have enough
19 playground -- you have enough property in which to
20 put the proper playground for all levels?

21 MS. MYERS: The beautiful part about our
22 school is that there's a community center directly
23 to the side of our building that we can use, and
24 we've already worked with the community center.

25 Additionally, we've been working with a

1 landlord, which will not happen for this school
2 year. But there's a huge gym that we've been
3 working with PSFA and our landlord about renovating
4 to be able to use for an additional facility. But
5 that's kind of a future thing that we're just
6 talking and playing out for future rollout.

7 But there is a full playground, like,
8 across -- like, at the community center, which isn't
9 across the street. It's on the same side of the
10 street as our school.

11 COMMISSIONER GANT: Madam Chair, it's all
12 legal, what she says. But I still have concerns
13 that charter schools are not required to have their
14 own facilities, just as traditional public schools
15 are required.

16 MS. MYERS: And I can just add for a
17 comment that we've established a "Friends Of"
18 organization, that we just got our approval for
19 that, like, earlier this school year and stuff, for
20 us to be able to eventually seek our own facility.
21 But in the meantime, we did bring our PSFA letter to
22 show that we do have the space, as you all had
23 requested the last time I was here for
24 transportation amendment. And, then, we also tried
25 to be one step ahead of you all, because I figured

1 you'd all ask me, like, "Do you have space for the
2 kids," to be able to show that if the amendment was
3 approved, that there is space for the elementary
4 program to be added.

5 COMMISSIONER GANT: Call for the question.

6 THE CHAIR: We've had a call for the
7 question. Remember, the motion is to table this
8 amendment request. So a "yes" vote will be to
9 table. A "no" vote would be not to table.

10 Commissioner Bergman, may we have a
11 roll-call vote?

12 COMMISSIONER BERGMAN: Roll call for a
13 tabling motion or not?

14 MS. LEWIS: It's at the discretion of the
15 Commissioners.

16 COMMISSIONER BERGMAN: Okay. Commissioner
17 Pogna?

18 COMMISSIONER POGNA: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Toulouse?

21 COMMISSIONER TOULOUSE: Yes.

22 COMMISSIONER BERGMAN: Commissioner Carr?

23 COMMISSIONER CARR: Yes.

24 COMMISSIONER BERGMAN: Commissioner
25 Conyers?

1 COMMISSIONER CONYERS: Yes.

2 COMMISSIONER BERGMAN: Commissioner

3 Parker?

4 COMMISSIONER PARKER: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Peralta?

7 COMMISSIONER PERALTA: Yes.

8 COMMISSIONER BERGMAN: Commissioner Gant?

9 COMMISSIONER GANT: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Shearman?

12 THE CHAIR: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Bergman votes "yes."

15 That is a 9-to-0 vote, Madam Chair.

16 THE CHAIR: Thank you. It is unanimous.

17 This amendment request is tabled until the next

18 meeting.

19 MS. MYERS: Just a point of clarity. So,

20 I am to rewrite the amendment and do two separate

21 amendments, and then I submit them to you,

22 Ms. Lewis, first?

23 MS. LEWIS: You submit them simultaneously

24 to CSD as well as my --

25 COMMISSIONER BERGMAN: Actually, the

1 addresses are right there at the top of the form,
2 right at the top, little tiny print.

3 MS. MYERS: I just missed.

4 THE CHAIR: Commissioners, we're going to
5 break for lunch. How much time would you like?
6 Thirty minutes?

7 Let's come back at five minutes after
8 2:00. I believe that's the latest lunch we've ever
9 had.

10 (A recess was taken at 1:35 p.m., and
11 reconvened at 2:10 p.m., as follows:)

12 THE CHAIR: I call back into session this
13 meeting of the Public Education Commission. We are
14 ready for Item No. 9, Approval of Charter School
15 Contracts. Mr. Pahl?

16 MR. PAHL: Madam Chair, members of the
17 Commission, we have four contracts ready for
18 approval today, the first of which is Taos
19 International School.

20 Taos International School and a
21 subcommittee of the PEC successfully negotiated a
22 contract for school year 2015 -- sorry --
23 successfully negotiated a contract, a 2015 academic
24 and organizational performance framework, and a
25 waiver exhibit.

1 The school has accepted the renegotiated
2 financial framework. And that framework is included
3 in the 2015 performance framework for the school.

4 In addition, the contract has incorporated
5 the technical changes to the school's mission
6 statement and governing body membership that were
7 presented and approved at today's meeting.

8 The Charter School Division recommends
9 approval of these documents.

10 THE CHAIR: Thank you. Welcome back.

11 MS. VIGIL: Thank you.

12 THE CHAIR: Do you have any presentation
13 before we --

14 MS. VIGIL: No.

15 THE CHAIR: Thank you very much.

16 Commissioners, we're considering the
17 contract, the performance contract, of Taos
18 International School. Do you have questions or
19 comments?

20 I just have one, just for general
21 information. I recall, during the negotiation of
22 this contract, we talked about the cost for the
23 International Baccalaureate program. And at that
24 time, you weren't really sure of the cost. Do you
25 have that?

1 MS. VIGIL: I have some other information.
2 I've been in contact with -- her name is "Ann Wink."
3 Bradley Richardson, from here, gave me her
4 information. And she is sure that she can get us a
5 lot of the trainings a lot cheaper.

6 And we did talk about the fees that we
7 have to pay. And they are really high. They're
8 really high. The first year is \$10,000.

9 THE CHAIR: Now, you're doing two.

10 MS. VIGIL: We're doing the middle and the
11 primary.

12 THE CHAIR: The Middle Years and the
13 Primary.

14 MS. VIGIL: In contact with Ann, she has
15 told me we can do the Primary Years, also, with the
16 sixth grade.

17 THE CHAIR: So, what is your total fee
18 going to be?

19 MS. VIGIL: It's going to be \$10,000.

20 THE CHAIR: What about the second year?

21 MS. VIGIL: The second year is 15, and the
22 third year is, like, 26.

23 THE CHAIR: You've got that all figured
24 into your budget?

25 MS. VIGIL: We've got it in the budget.

1 THE CHAIR: And you feel like it's going
2 to be doable?

3 MS. VIGIL: If I get the enrollment, yes,
4 it's going to be doable.

5 THE CHAIR: Okay. All right. Other
6 questions, Commissioners?

7 COMMISSIONER CARR: Madam Chair, I'd like
8 to hear from the people who took part in the
9 negotiations.

10 THE CHAIR: Commissioner Bergman?

11 COMMISSIONER BERGMAN: We negotiated. No,
12 it was as -- pretty much the same. Fortunately, the
13 experience that I have had in all of these that I've
14 been through, the folks from the schools are
15 cooperative; we are cooperative. It sometimes takes
16 a great deal of discussion.

17 We particularly always spend a great deal
18 of time on the goals, of course. And I always ask,
19 at the end of the negotiations, if the parties are
20 satisfied. And when they say "yes," I take it as we
21 are concluded, and it's time to go.

22 It was -- I considered it routine, and
23 they negotiated a good goal.

24 THE CHAIR: Commissioner Pogna, you were
25 there. Do you have anything to add about the

1 negotiations?

2 COMMISSIONER POGNA: I always listen very
3 carefully, because they are so much more
4 knowledgeable than I am. And I'm just amazed at the
5 responses they can give to the questions asked.
6 They are so knowledgeable about their schools, the
7 curriculum, and everything.

8 THE CHAIR: Thank you. And I will say I
9 was the third one there. And my big concern that
10 day -- and it's still this day -- is the cost of the
11 International Baccalaureate program. You're
12 committed to it. You're going to be evaluated on it
13 when you come up for renewal. It's a tough program,
14 as well as an expensive program.

15 And I just -- I hope you're successful,
16 but I do have reservations that it's just -- it may
17 almost be overwhelming, particularly when you're
18 going for the Primary and the Middle Years program
19 all in your same -- and trying to get a school off
20 the ground, besides.

21 MR. VIGIL: Yes, uh-huh.

22 THE CHAIR: So, I certainly wish you luck.

23 MR. VIGIL: Thank you.

24 THE CHAIR: Commissioner Carr?

25 COMMISSIONER CARR: Well, I have major

1 concerns. I -- the International Baccalaureate
2 program is a very difficult program for an existing
3 school. And many well-established schools do not
4 successfully implement that program. In fact, we
5 had a charter school just recently that backed away
6 from it.

7 I also have concerns about being
8 farsighted in your management, because when we -- if
9 I'm taking a trip to California I'm going to see
10 how much it costs to get there. I don't want to get
11 stuck in Arizona. And, you know, I -- to use these
12 folksy analogies. But, you know, but I think it
13 works. I mean, sometimes it's quite as simple as
14 that.

15 This is something that I think should have
16 been looked into before you even applied. I would
17 have been looking into the cost, the difficulty of
18 putting this forward. And if there's a difficulty
19 in management as far as being farsighted about
20 seeing what the costs would be in the future, "How
21 are we going to implement the program, we'll only
22 have the money if -- if we have enrollment," I would
23 have -- you know, if you were selling stock in the
24 stock market, I wouldn't probably buy your stock,
25 because I don't see a lot of likelihood of success.

1 What I think -- you know, I honestly
2 think, you know, maybe you need to take another
3 year. But that's just me.

4 THE CHAIR: They've already taken two. I
5 think all you can have is two.

6 MS. LEWIS: Under the law, you can only
7 have one. PED and I disagree on this. And PED has
8 allowed schools to take more than one. So, I would
9 say, under the law, you only get one would be my
10 answer to that.

11 COMMISSIONER CARR: Okay. All right.
12 Well, that's all I have to say.

13 THE CHAIR: Other comments, Commissioners?
14 Questions?

15 Hearing none, the Chair would entertain a
16 motion. Commissioner Bergman?

17 COMMISSIONER BERGMAN: Madam Chair, I move
18 that the Public Education Commission approve the
19 performance contract, the 2014-2015 performance
20 framework and exhibits presented by the Taos
21 International School.

22 THE CHAIR: We have a motion. Do we have
23 a second?

24 COMMISSIONER POGNA: Second.

25 THE CHAIR: Commissioner Pogna? Motion by

1 Commissioner Bergman, second by Commissioner Pogna,
2 to approve the performance contract, the 2014-'15
3 performance framework and exhibits, as presented by
4 Taos International School.

5 Any comments? Questions? Discussion?

6 Hearing none, Commissioner Bergman, may we
7 have a roll call?

8 COMMISSIONER BERGMAN: Commissioner
9 Toulouse?

10 COMMISSIONER TOULOUSE: Yes.

11 COMMISSIONER BERGMAN: Commissioner Carr?

12 COMMISSIONER CARR: No.

13 COMMISSIONER BERGMAN: Commissioner
14 Conyers?

15 COMMISSIONER CONYERS: Yes.

16 COMMISSIONER BERGMAN: Commissioner
17 Parker?

18 COMMISSIONER PARKER: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Peralta?

21 COMMISSIONER PERALTA: Yes.

22 COMMISSIONER BERGMAN: Commissioner Pogna?

23 COMMISSIONER POGNA: Yes.

24 COMMISSIONER BERGMAN: Commissioner Gant?

25 COMMISSIONER GANT: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Shearman?

3 THE CHAIR: Yes.

4 COMMISSIONER BERGMAN: Commissioner
5 Bergman votes "Yes."

6 Madam Chair, that is an 8-to-1 vote in
7 favor of the motion.

8 THE CHAIR: Motion passes by an 8-to-1
9 vote. The performance framework, the contract, and
10 exhibits are approved for Taos International School.

11 Thank you.

12 MS. VIGIL: Thank you.

13 THE CHAIR: Dream Dine'. Mr. Pahl?

14 MR. PAHL: Madam Chair, members of the
15 Commission, Dream Dine' charter school, and a
16 subcommittee of the PEC, successfully negotiated a
17 contract, the school year 2015 academic and
18 organizational performance framework, and waiver
19 exhibits. The school has accepted the renegotiated
20 financial framework, and that framework is included
21 in the 2015 performance framework for the school.

22 In addition, the contract has incorporated
23 the clarification regarding the school's mission
24 statement, as it was presented and approved during
25 today's meeting.

1 The Charter Schools Division recommends
2 approval of these documents.

3 THE CHAIR: Thank you, Mr. Pahl.

4 Welcome back.

5 MS. BOBROFF: Thank you.

6 MR. SOSA: Thank you.

7 THE CHAIR: Please introduce yourselves
8 again, and give us your presentation, if you have
9 one.

10 MR. SOSA: Madam Chair, thank you.
11 Commissioners, thank you very much. Once again, my
12 name is Gavin Sosa. I won't spell it this time.
13 I'm the director of operations for Dream Dine'
14 Charter School.

15 MS. BOBROFF: Good afternoon. My name is
16 Kara Bobroff, and I'm on the Dream Dine' governance
17 council.

18 MR. SOSA: And, actually, at this point,
19 we don't have much of a presentation. We really
20 appreciate the time of the Commissioners who sat
21 down with us during the performance contract
22 negotiation process. It was an excellent
23 conversation that helped guide us beyond just year
24 one. We feel like the contract, as negotiated in
25 that process, is excellent, and we hope that the

1 Commission agrees with that.

2 THE CHAIR: Thank you. Commissioners,
3 you've heard the recommendation. Do you have any
4 comments, questions, or discussion?

5 Hearing none, seeing none, the Chair would
6 entertain a motion.

7 COMMISSIONER TOULOUSE: Madam Chair?

8 THE CHAIR: Commissioner Toulouse?

9 COMMISSIONER TOULOUSE: I move that the
10 PEC approve the contract with Dream Dine' Charter
11 School for the 2014-2015 -- to begin that school
12 year, and to approve the performance framework and
13 the other exhibits that we have in our record.

14 THE CHAIR: Thank you. Do we have a
15 second?

16 COMMISSIONER PERALTA: Second.

17 THE CHAIR: Motion by Commissioner
18 Toulouse, second by Commissioner Peralta, to approve
19 the contract, performance framework, and exhibits,
20 as presented by Dream Dine' Charter School.

21 Commissioner Parker?

22 COMMISSIONER PARKER: Madam Chair,
23 Commissioners, I'll be abstaining from voting for
24 the same reasons as before.

25 THE CHAIR: Thank you very much.

1 Anything else?

2 Commissioner Bergman, may we have a

3 roll-call vote?

4 COMMISSIONER BERGMAN: Commissioner Carr?

5 COMMISSIONER CARR: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Conyers?

8 COMMISSIONER CONYERS: Yes.

9 COMMISSIONER BERGMAN: Commissioner Parker

10 abstains.

11 Commissioner Peralta?

12 COMMISSIONER PERALTA: Yes.

13 COMMISSIONER BERGMAN: Commissioner Pogna?

14 COMMISSIONER POGNA: Yes.

15 COMMISSIONER BERGMAN: Commissioner

16 Toulouse?

17 COMMISSIONER TOULOUSE: Yes.

18 COMMISSIONER BERGMAN: Commissioner Gant?

19 COMMISSIONER GANT: Yes.

20 COMMISSIONER BERGMAN: Commissioner

21 Shearman?

22 THE CHAIR: Yes.

23 COMMISSIONER BERGMAN: Commissioner

24 Bergman votes "Yes."

25 Madam Chair, that is an 8-to-0 vote, with

1 one abstention in favor of the motion.

2 THE CHAIR: Thank you. The motion passes
3 unanimously to approve the contract performance
4 framework and exhibits by Dream Dine' School.

5 Congratulations.

6 MS. BOBROFF: Thank you very much.

7 THE CHAIR: Explore Academy.

8 COMMISSIONER CARR: Madam Chair, would you
9 indulge a point of order?

10 THE CHAIR: A point of order?

11 COMMISSIONER CARR: I -- and I don't want
12 to take away your privilege to abstain. But, you
13 know, when I was municipal judge -- and judges in
14 the State of New Mexico only have to abstain when
15 there's a connection with immediate family. And I
16 think, you know, you should have a right to abstain.

17 But it also keeps, you know, judges from
18 just, carte blanche -- you know -- and I forgot --
19 and we've changed our rules. And I don't know if we
20 changed our rules in regards to abstentions and --

21 MS. LEWIS: All the rules say is that the
22 abstention -- the abstention must occur before the
23 vote, not after.

24 COMMISSIONER CARR: Maybe it was the same
25 as it was before. The only reason I bring up the

1 point is you don't have to, if you don't want to.
2 But I'm -- I'm fine either way. But I just wanted
3 to make that point, that I probably -- personally
4 wouldn't abstain unless it was a member of my
5 personal family, or if I was somehow really
6 connected to the school, you know, if I worked for
7 the school or something.

8 I just wanted to make that point. Sorry.

9 THE CHAIR: Thank you very much.

10 COMMISSIONER TOULOUSE: And, Madam Chair,
11 just on our notes here, where it talks about the
12 Explore Academy and the subcommittee that negotiated
13 it, I was a member of that subcommittee, too. And
14 my name isn't there.

15 THE CHAIR: Well, now, you're on my list,
16 anyway.

17 COMMISSIONER TOULOUSE: Want to be
18 correct, Madam Chair.

19 MR. PAHL: Madam Chair, members of the
20 Commission, we're sorry for that omission,
21 Commissioner Toulouse.

22 Explore Academy and a subcommittee of the
23 PEC, which included Commissioners Toulouse,
24 Shearman, and Bergman, successfully negotiated a
25 contract, 2015 academic and organizational

1 performance framework, and a waiver exhibit.

2 The school has accepted the renegotiated
3 financial framework, and that framework is included
4 in the 2015 framework for the school.

5 The Charter School Division recommends
6 approval of these documents.

7 THE CHAIR: Thank you. Good afternoon.
8 Please identify yourselves, and let us hear from
9 you, if you would like.

10 MS. McCARTY: I'm Vickie McCarty. I'll be
11 the principal at Explore Academy.

12 MR. BAIARDO: My name is Justin Baiardo.
13 I'm the founder of Explore Academy. No
14 presentation, no.

15 THE CHAIR: Is that it? All right. Thank
16 you very much.

17 Commissioners, you've heard the
18 recommendation to Explore Academy. Do you have
19 questions? Concerns? Comments?

20 Hearing none, the Chair would entertain a
21 motion.

22 COMMISSIONER PERALTA: Madam Chair?

23 THE CHAIR: Commissioner Peralta?

24 COMMISSIONER PERALTA: I move that the
25 Public Education Commission approve the contract,

1 2014-2015 performance framework, and exhibits
2 presented by Explore Academy.

3 THE CHAIR: Thank you. Do we have a
4 second?

5 COMMISSIONER CARR: Second.

6 THE CHAIR: Motion by Commissioner
7 Peralta, seconded by Commissioner Carr to approve
8 the contract, performance framework, and exhibits
9 presented by Explore Academy.

10 Any discussion?

11 Hearing none, Commissioner Bergman, may we
12 have a roll-call vote?

13 COMMISSIONER BERGMAN: Commissioner
14 Conyers?

15 COMMISSIONER CONYERS: Yes.

16 COMMISSIONER BERGMAN: Commissioner
17 Parker?

18 COMMISSIONER PARKER: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Peralta?

21 COMMISSIONER PERALTA: Yes.

22 COMMISSIONER BERGMAN: Commissioner Pogna?

23 COMMISSIONER POGNA: Yes.

24 COMMISSIONER BERGMAN: Commissioner
25 Toulouse?

1 COMMISSIONER TOULOUSE: Yes.

2 COMMISSIONER BERGMAN: Commissioner Carr?

3 COMMISSIONER CARR: Yes.

4 COMMISSIONER BERGMAN: Commissioner Gant?

5 COMMISSIONER GANT: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Shearman?

8 THE CHAIR: Yes.

9 COMMISSIONER BERGMAN: Commissioner

10 Bergman votes "Yes."

11 Madam Chair, that is a 9-to-0 vote in
12 favor of the motion.

13 THE CHAIR: The notion is unanimously
14 approved, approving the contract and so forth, as
15 noted in the record, of Explore Academy.

16 Congratulations.

17 La Resolana Leadership Academy. Mr. Pahl?

18 MR. PAHL: Madam Chair, members of the
19 Commission, La Resolana Leadership Academy and a
20 subcommittee of the PEC successfully negotiated a
21 contract, 2015 academic and organizational
22 framework, and waiver exhibit.

23 The school has accepted the renegotiated
24 financial framework. And that framework is included
25 in the 2015 performance framework for the school.

1 The Charter Schools Division recommends
2 approval of these documents.

3 THE CHAIR: Thank you. Good afternoon.
4 Please introduce yourselves.

5 MS. J. MONTOYA: I'm Justina Montoya, the
6 principal at La Resolana Leadership Academy.

7 MS. E. MONTOYA: I'm Eileen Montoya,
8 instructional coach, La Resolana.

9 THE CHAIR: Do you have a presentation.

10 MS. J. MONTOYA: I don't have a
11 presentation. I would like to say thank you,
12 Commissioner Shearman and Commissioner Bergman, for
13 a very fair and tough negotiation. Thank you for
14 your guidance through that process. It was a
15 pleasure to work with you, and I'm looking forward
16 to bringing positive information forward and student
17 growth in the next three years. So, thank you so
18 much for approving our contract.

19 THE CHAIR: Thank you very much.

20 COMMISSIONER BERGMAN: Thank you.

21 THE CHAIR: Commissioners, do you have
22 questions? Concerns? Issues?

23 Hearing none, the Chair would entertain a
24 motion. Commissioner Peralta?

25 COMMISSIONER PERALTA: I would like to

1 move that the Public Education Commission approve
2 the contract, 2014-2015 performance framework and
3 exhibits presented by La Resolana Leadership
4 Academy.

5 THE CHAIR: Thank you. Do we have a
6 second?

7 COMMISSIONER POGNA: Second.

8 THE CHAIR: Did I hear a second?
9 Commissioner Pogna? Thank you.

10 Motion by Commissioner Peralta, second by
11 Commissioner Pogna, to approve the contract,
12 2014-'15 performance framework, and exhibits
13 presented by La Resolana Leadership Academy.

14 Any discussion?

15 Commissioner Bergman, may we have a roll
16 call?

17 COMMISSIONER BERGMAN: Commissioner
18 Parker?

19 COMMISSIONER PARKER: Yes.

20 COMMISSIONER BERGMAN: Commissioner
21 Peralta?

22 COMMISSIONER PERALTA: Yes.

23 COMMISSIONER BERGMAN: Commissioner Pogna?

24 COMMISSIONER POGNA: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Toulouse?

2 COMMISSIONER TOULOUSE: Yes.

3 COMMISSIONER BERGMAN: Commissioner Carr?

4 COMMISSIONER CARR: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Conyers?

7 COMMISSIONER CONYERS: Yes.

8 COMMISSIONER BERGMAN: Commissioner Gant?

9 COMMISSIONER GANT: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Shearman?

12 THE CHAIR: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Bergman votes "Yes."

15 Madam Chair, that is a 9-to-0 vote in
16 favor of the motion.

17 THE CHAIR: Thank you. The motion passes
18 unanimously to approve the contract and associated
19 documents, as noted in the record. Congratulations.

20 MS. J. MONTOYA: Thank you, Commissioner
21 Shearman and Commissioners, for your support.

22 MS. E. MONTOYA: Thank you very much.

23 THE CHAIR: Commissioners, next item on
24 the agenda is Discussion and Take Action to Commence
25 Operations for those same schools.

1 Dream Dine' Charter School. Mr. Pahl?

2 MR. PAHL: Yes. Madam Chair, members of
3 the Commission, as a condition of being granted a
4 charter, new schools are required to complete
5 specific requirements during the planning year
6 before they are given authorization to commence full
7 operations for the remainder of their charter
8 together. Of the following items were the
9 conditions imposed on all schools, Planning Year
10 Checklist, Board of Finance designation and a
11 facility.

12 The Charter Schools Division
13 recommendations will refer to the Planning Year
14 Checklist. In some cases, items left incomplete on
15 the checklist are a matter of timing. Some items
16 can't be done until July 1st, when the entity can
17 then receive public funds. There are several items
18 that will not be checked for that reason.

19 The Division will bring these and other
20 unchecked items to the attention of the Commission.
21 And the Charter Schools Division will recommend
22 missing checklist items as conditions for approval
23 prior to the beginning of the school year, 2015.

24 The first school is Dream Dine' Charter
25 School. The Charter School Division recommends that

1 the PEC approve Dream Dine to commence operations in
2 this upcoming school year. Dream Dine's planning
3 year was cut short by three months, compared to a
4 school that was approved during our normal schedule.
5 And I think there's been some excellent progress and
6 the school has substantially completed the checklist
7 to date.

8 THE CHAIR: Thank you, Mr. Pahl.

9 MR. PAHL: Do you mind if I point out a
10 couple of items on the checklist?

11 THE CHAIR: Go ahead.

12 MR. PAHL: Thank you, Madam Chair. The
13 two conditions that I will point out as notable on
14 the checklist that are missing:

15 First is on Page 12, 6-1.6, which is
16 governing council training. That has not been fully
17 completed by Dream Dine's governing board. However,
18 the Charter Schools Division recommends that we
19 extend that to September 30th, so they have the
20 first month of the school year to wrap up that
21 training and begin their new training cycle for
22 their governing board. We will make that
23 recommendation moving forward.

24 And then there are several items that
25 remain unchecked regarding their facilities. Again,

1 this is something that needs to be completed prior
2 to the first day of school. But I believe the
3 operations director will have an update for you on
4 any progress there.

5 THE CHAIR: Where are facilities listed on
6 this? Are facilities listed on the checklist?

7 MR. PAHL: They are several places. And I
8 would just direct you to -- the final one is Page 14
9 of this document, 6-1.13.

10 MR. SOSA: It actually starts on Page 13.

11 MR. PAHL: On Page 13?

12 MR. SOSA: Yeah.

13 MR. PAHL: Yeah. There are a couple of
14 smaller ones there. I think the last one is a good
15 summation.

16 THE CHAIR: Commissioner Gant?

17 COMMISSIONER GANT: Madam Chair, I do have
18 a couple of points or questions.

19 I do have your -- your layout. And I do
20 note that most -- one of the issues I -- it's an
21 issue, and I don't know how you're going to deal
22 with it.

23 You have six portable classrooms. I
24 assume one of them -- one of these portables is
25 administration.

1 MR. SOSA: Correct.

2 COMMISSIONER GANT: So, you have five
3 classrooms. But these portables apparently do not
4 have interior restrooms, so all the kiddies are
5 going to have to run out in the cold to go to the
6 restroom; is that correct?

7 MR. SOSA: Well, it's not cold in Shiprock
8 year-round, Commissioner. But there is a rest-room
9 facility that Santa Fe Public Schools is donating.
10 They're currently using it for their elementary
11 program at Piñon Elementary. We're going to move
12 that modular restroom system to Shiprock.

13 COMMISSIONER GANT: I understand that.
14 But it can blow; it can snow; it can rain,
15 et cetera. To me, it's lost classroom time. You
16 know how kids are; they'll get out there, not doing
17 what they're supposed to be doing.

18 I did read your plan. I believe what I'm
19 reading here, and I'm fairly good at it. You do
20 have all the concrete pillars and all that, by your
21 architect drawings, et cetera, like that. So, you
22 have satisfied that.

23 But when are you going to lay the
24 infrastructure?

25 MR. SOSA: So, the time frame,

1 Commissioner -- and I'm -- our lawyers -- they may
2 clarify.

3 MS. BOBROFF: Architects.

4 MR. SOSA: I'm sorry. Architects are
5 here. So, the time frame right now is we are
6 actually contracting with general contractors this
7 coming week, and they will start to do
8 infrastructure work probably by the end of this
9 month, end of June and into about late July. And
10 that actually aligns with the time of transporting
11 the modulars from Santa Fe to Shiprock at the end of
12 July.

13 COMMISSIONER GANT: Okay. My only other
14 issue -- question -- is that, yes, I understand you
15 have, from Shiprock Chapter, an agreement to put the
16 school there. It's on the reservation; right?

17 MR. SOSA: Correct.

18 COMMISSIONER GANT: They don't own the
19 property. It's federal property. My question is,
20 based on some of the work I've done with the PSCOC,
21 is when we put schools out on reservations, we're
22 required -- it's required -- you're leasing the
23 property, I assume.

24 MR. SOSA: Uh-huh.

25 COMMISSIONER GANT: That lease, at least

1 in the past, has had to go all the way to BIA. Now,
2 I talked to Mr. Gorrell yesterday at PSFA on this
3 subject, because I met with him at another meeting,
4 just because we were there together. And that was
5 one of my concerns, that sometimes this takes a long
6 time.

7 MR. SOSA: Sure.

8 COMMISSIONER GANT: And I would suggest
9 you pick up the phone and you talk to Mr. Gorrell
10 ASAP, because he even had concerns whether you could
11 really do it or not. But the school there,
12 physically, put the school on the ground -- I
13 understand what Shiprock Chapter has done. It's
14 federal property, not Native American property.
15 It's federal -- it's federal property.

16 So, I'm not saying you can't do it. But
17 if you put a building on there, and then all of a
18 sudden, BIA says, "Excuse me, you got a problem."

19 MR. SOSA: Sure.

20 COMMISSIONER GANT: "Is that your
21 permanent building? I don't think so."

22 MR. SOSA: No, Commissioners. This is not
23 meant to be a permanent site. This is a temporary
24 site. I'll just mention -- the Shiprock Chapter did
25 pass a resolution of support, which, if you don't

1 know, is just the community having an opportunity to
2 hear a suggestion, and then vote on it. So, that
3 resolution passed unanimously to allocate the land
4 to Dream Dine' Charter School.

5 And you are correct, Commissioner, that
6 there is this process in working not just with
7 Shiprock Chapter, but the Navajo Nation, and
8 potentially, ultimately, with the BIA. The Navajo
9 Nation -- the Shiprock Chapter president has been
10 facilitating this conversation between us and the
11 Navajo Nation Land Office, which actually gets
12 things going much quicker, versus us trying to reach
13 out to them on a daily or weekly basis; it would be
14 an extremely prolonged period.

15 So, he's kind of taken the initiative of
16 helping us by making that contact and reaching out.
17 And the Navajo Nation will actually be the party
18 leasing the land on behalf of Shiprock Chapter. So,
19 that will be the terms of the lease, as far as the
20 parties involved.

21 COMMISSIONER GANT: Still, I think you
22 better call Mr. Gorrell.

23 MR. SOSA: We will do that, for sure.

24 COMMISSIONER GANT: Of course, today is
25 Friday, but I don't want you to get behind the power

1 curve. I mean, you'll get trapped, because we've
2 worked through them. And, generally, we expect,
3 when we allocate funding through the PSCOC, for
4 renovation or renewing schools on reservations, the
5 minimum is a 25-year lease with an option for the
6 next 25; in other words, PSA- -- you're not getting
7 money from PSCOC yet.

8 But to put taxpayers' money into a
9 building that doesn't have at least that much lease,
10 or guarantee of being on the property, is kind of
11 iffy, you know. It's questionable. And that's why
12 we've always pushed for 25 with an option of 25
13 more. So, I'm just trying give you a heads-up,
14 because you could start building infrastructure and
15 all that, and all of a sudden, somebody says,
16 "Well..." -- okay. That's all.

17 MR. SOSA: Thank you, Commissioner.

18 THE CHAIR: Any other questions?

19 Discussion?

20 Hearing none, the Chair would entertain a
21 motion.

22 COMMISSIONER GANT: I have a motion.

23 Since I can't find one --

24 THE CHAIR: Just make it up.

25 COMMISSIONER GANT: -- I'll make one up.

1 MS. LEWIS: We'll work it out. Right,
2 Matt?

3 MR. PAHL: Yes.

4 COMMISSIONER GANT: I move that the Public
5 Education Commission approve commencement of
6 operations for Dream Dine' Charter School, with the
7 condition that all items on the Planning Year
8 Checklist, Board of Finance, and facilities be
9 completed prior to commencement of operations.

10 Do you buy that, Ms. Abby?

11 MS. LEWIS: Yeah.

12 THE CHAIR: Wait a minute. Wait a minute.

13 MR. PAHL: Madam Chair, members of the
14 Commission, the only exception to that that we
15 propose is that governing board training, that they
16 would have an extended deadline till September 30th.

17 MS. LEWIS: Unfortunately, that's not what
18 the settlement agreement says. It says September 1,
19 rereading it.

20 MS. BOBROFF: Commissioner, can I -- all
21 right.

22 So, four of the five governance council
23 members have completed three hours. One has
24 completed four. And we'll -- we can get that done
25 within that time line, yeah. So, one is completed,

1 five are -- and four have completed three. We can
2 finish the last two.

3 THE CHAIR: We have a motion on the floor.
4 Can we have a second?

5 COMMISSIONER BERGMAN: Second.

6 THE CHAIR: Motion by Commissioner Gant,
7 second by Commissioner Bergman, to approve "commence
8 operations" for Dream Dine' Charter School, with the
9 conditions as noted on the official record.

10 Any discussion? Commissioner Parker?

11 COMMISSIONER PARKER: Yeah. I will be
12 abstaining from this vote, as well.

13 THE CHAIR: Thank you. Anything else?
14 Any other discussions?

15 Commissioner Bergman, may we have a
16 roll-call vote, please?

17 COMMISSIONER BERGMAN: Commissioner Carr?

18 COMMISSIONER CARR: Yes.

19 COMMISSIONER BERGMAN: Commissioner
20 Conyers?

21 COMMISSIONER CONYERS: Yes.

22 COMMISSIONER BERGMAN: Commissioner Parker
23 abstains.

24 Commissioner Peralta?

25 COMMISSIONER PERALTA: Yes.

1 COMMISSIONER BERGMAN: Commissioner Pogna?

2 COMMISSIONER POGNA: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Toulouse?

5 COMMISSIONER TOULOUSE: Yes.

6 COMMISSIONER BERGMAN: Commissioner Gant?

7 COMMISSIONER GANT: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Shearman?

10 THE CHAIR: Yes.

11 COMMISSIONER BERGMAN: Commissioner

12 Bergman votes "Yes."

13 Madam Chair, that is an 8-to-0 vote, with
14 one abstention.

15 THE CHAIR: Thank you. The vote is
16 unanimous to approve "commence operations" with
17 Dream Dine', with conditions, as noted.

18 Explore Academy, Mr. Pahl?

19 MR. PAHL: Madam Chair, members of the
20 Commission, Explore Academy Charter School is before
21 the committee to gain approval to commence
22 operations for this current school year.

23 The Charter School Division recommends the
24 PEC approve the Explore Academy Charter School, and
25 just -- as long as it fulfills the rest of the

1 Planning Year Checklist prior to the beginning of
2 the school year. The only notable piece of that
3 that I'll point out for the Commission is Page 8,
4 6-1.4, stating that they -- that the charter school
5 in question, Explore Academy, has not signed a
6 contract with their administrator at this point in
7 time.

8 They may have an update for us there. But
9 I'd just like to point that one missing item on the
10 checklist that is not due to timing or anything of
11 that nature.

12 THE CHAIR: Which item, again?

13 MR. PAHL: On Page 8 of the Planning Year
14 Checklist document, Item 6-1.4. It's your third row
15 on the list there.

16 THE CHAIR: Oh, I see. Okay. Thank you.

17 MR. PAHL: Uh-huh.

18 THE CHAIR: Hello again.

19 MS. McCARTY: Hello again.

20 THE CHAIR: Commissioners, do you have
21 questions or comments?

22 COMMISSIONER BERGMAN: I have a concern.
23 My Page 2 is blank on this. I do not see that we
24 ever gave them Board of Finance approval; although,
25 I'm sure we must have. Page 3 of my stack is also

1 essentially blank, doesn't have any boxes filled in.
2 And it just doesn't seem there's as much paperwork
3 here as there was on the previous one.

4 THE CHAIR: They're different.

5 COMMISSIONER BERGMAN: I wonder what's
6 missing.

7 THE CHAIR: They're different. They're
8 all different.

9 MS. LEWIS: There's a Board of Finance on
10 this somewhere.

11 THE CHAIR: Has anyone found it?

12 COMMISSIONER GANT: The Board of Finance?
13 (Indicates.)

14 THE CHAIR: Board of Finance approval.

15 MR. WOOD: It is in our possession,
16 Madam Chair, if it please the Commission.

17 THE CHAIR: When was that approved?

18 MR. WOOD: I don't have the date in front
19 of me, but we do have it in our possession. And we
20 also have in our possession the contract with the
21 administrator. It was submitted after the deadline
22 for submission to the PEC.

23 COMMISSIONER BERGMAN: Dream Dine' was on
24 March 26th. I'm guessing we did them all on the
25 same day.

1 THE CHAIR: He says they have them.

2 COMMISSIONER BERGMAN: They do have them.

3 THE CHAIR: Promise? The school assures
4 us that they do have the signed contract, and that
5 they were granted Board of Finance authority.

6 I think, Commissioners -- can we proceed
7 with that assurance? Okay. Let's do that.

8 Commissioners, do you have any questions
9 of the Explore Academy representatives?

10 Hearing none, the Chair would entertain a
11 motion. I would ask Commissioner Gant.

12 COMMISSIONER GANT: Madam Chair, I move
13 the Public Education Commission approve commencement
14 of operations for Explore Academy, with the
15 condition that all items on the Planning Year
16 Checklist be completed, a Board of Finance be
17 recognized, and facilities be in place.

18 THE CHAIR: Do we have a second?

19 COMMISSIONER POGNA: Second.

20 THE CHAIR: Commissioners Pogna?

21 Motion by Commissioner Gant, second by
22 Commissioner Pogna, to approve commencement of
23 operations for Explore Academy, with the conditions
24 as noted.

25 Any discussion? Commissioner Bergman, may

1 we have a roll-call vote, please?

2 COMMISSIONER BERGMAN: Commissioner

3 Conyers?

4 COMMISSIONER CONYERS: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Parker?

7 COMMISSIONER PARKER: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Peralta?

10 COMMISSIONER PERALTA: Yes.

11 COMMISSIONER BERGMAN: Commissioner Pogna?

12 COMMISSIONER POGNA: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Toulouse?

15 COMMISSIONER TOULOUSE: Yes.

16 COMMISSIONER BERGMAN: Commissioner Carr?

17 COMMISSIONER CARR: Yes.

18 COMMISSIONER BERGMAN: Commissioner Gant?

19 COMMISSIONER GANT: Yes.

20 COMMISSIONER BERGMAN: Commissioner

21 Shearman?

22 THE CHAIR: Yes.

23 COMMISSIONER BERGMAN: Commissioner

24 Bergman votes "Yes."

25 Madam Chair, that is a 9-to-0 vote.

1 THE CHAIR: Congratulations. "Commence
2 operations" has passed unanimously. Thank you.

3 MS. McCARTY: Thank you very much. Thank
4 you.

5 Taos International School. Mr. Pahl?

6 MR. PAHL: Madam Chair, members of the
7 Commission, Taos International School is before the
8 Commission to gain approval to commence operations
9 for the 2015 school year. The Charter School
10 Division recommends that the PEC approve Taos
11 International School to commence operations, because
12 they have substantially completed the Planning Year
13 Checklist.

14 As in our previous recommendations, we
15 would note that they need to finish the unfinished
16 items on the checklist. Some notable items, on
17 Page 5, obtaining an E-Occupancy rating on their
18 facility; Page 7, maintaining records in accordance
19 with FERPA, and having a policy for that; and, on
20 Page 8, again, the governing board training.

21 THE CHAIR: Commissioners, you've heard
22 the recommendation. The representatives from the
23 school are here to answer any questions you might
24 have. Do you have questions?

25 Commissioner Bergman?

1 COMMISSIONER BERGMAN: I don't have a
2 question, but -- I think the Chairman just caught
3 it, too. I looked at this form, and this form is
4 different than the other two forms. I want to
5 remind you that this is one of our forms that we've
6 approved. There is a template that is exactly the
7 same for every one of those. So, you may want to
8 track down the template, so it's standardized.
9 We're having a difficult time and stuff because it's
10 different on every form.

11 MR. PAHL: My apologies, Madam Chair and
12 Commissioners. I have made several notes to that
13 effect, and we will be looking to remedy that in the
14 future.

15 COMMISSIONER BERGMAN: Thank you.

16 COMMISSIONER CARR: Madam Chair?

17 THE CHAIR: Commissioner Carr?

18 COMMISSIONER CARR: Mr. Pahl, I notice
19 there's eleven unchecked items altogether; quite a
20 few, compared to our others. Do you still feel that
21 they're ready to go?

22 MR. PAHL: Madam Chair and
23 Commissioner Carr, I would say yes, our
24 recommendation is based off of this checklist. But
25 we also have additional knowledge of how close they

1 were to checking off these boxes.

2 As we've heard from previous checklists
3 and some of our earlier hearings, there's a little
4 bit of a gap between when this checklist was
5 published and right now. So, I would invite -- if
6 it pleases the Commission, to ask questions about
7 these checklist items, so they can get comfortable
8 with where the school is at in progressing. But we
9 do have confidence that they will finish all of the
10 items on this checklist prior to commencing
11 operations.

12 COMMISSIONER CARR: And Madam Chair,
13 again, I'd like to hear from the people who took
14 part in the negotiations and --

15 THE CHAIR: Specifically, in regard to?

16 COMMISSIONER CARR: To the items that were
17 unchecked.

18 COMMISSIONER BERGMAN: Well, the problem
19 with that, Commissioner Carr, is that this document
20 does not necessarily conform to what we did in
21 the -- in the negotiations. I'm not sure I can
22 actually answer it.

23 I know your concerns. But a lot of these
24 items don't actually appear, necessarily, in the
25 contract.

1 COMMISSIONER CARR: Are there -- are there
2 items -- other items that were in your paperwork or
3 in your template that were not in this one that were
4 not met, that we're not privy to in these documents
5 here?

6 MR. PAHL: Because you're saying you had a
7 different template?

8 COMMISSIONER BERGMAN: I'm just saying the
9 forms appear to be different. For instance,
10 employee benefits and risk insurance, that's not
11 covered in the negotiation; that's statutory.

12 COMMISSIONER CARR: Right, right.

13 COMMISSIONER BERGMAN: So, I can't answer
14 as to why they wouldn't have that at this stage.

15 The acquisition of facilities, that would
16 be more in Commissioner Gant's area. There --
17 that's not really what we discuss as part of
18 contract negotiations. That's not -- I'm just going
19 to see what's in the other unchecked boxes.

20 MS. VIGIL: Madam Chairman, can we address
21 those concerns that Mr. Carr has -- Member Carr has?
22 Can you go down the list, Jeff -- I mean,
23 Commissioner Carr -- because we have completed it
24 all. But if you have some concerns, we would like
25 to address them.

1 COMMISSIONER CARR: Actually, no, I don't
2 need to go through the list. I mean, I have gone
3 through the paperwork.

4 MS. VIGIL: Because everything -- Brad,
5 correct me if I'm wrong -- has been completed.

6 COMMISSIONER CARR: Well, I'd just like to
7 say that I still have -- I still have pretty much
8 the same concerns that I had before. And I -- I
9 can't vote for this, because I -- I have serious
10 problems.

11 And I -- you know, another one was a lack
12 of the local public school support, the local
13 community support, people that I've heard from,
14 many, many, many. This is within my district. So,
15 I just want to voice those concerns.

16 COMMISSIONER BERGMAN: I can see why you
17 have your concerns. One of the items that's
18 unchecked here is the budget. I know they're not
19 going to be allowed to open a school if they haven't
20 filed their budget with the Budget Bureau. I know
21 that's going to be done.

22 Have you done that, as a matter of fact?

23 MR. VIGIL: Madam Chair, members of the
24 Commission, all the business area has been
25 completed, NMSIA, ERB, you name it, budget. We have

1 a technical review of the budget. All the new
2 schools are being brought before the PED. It's
3 scheduled for Wednesday. The budget has been
4 accepted. They're doing their analysis now.
5 They've asked for input.

6 So, everything is in place. School Budget
7 Planning and Finance Analysis Unit has approved the
8 budget. We're just waiting for the technical
9 review. And June 20th is when Secretary Aguilar
10 signs them, and they get approved and implemented
11 July 1.

12 So, all the technical specifications of
13 the budget and financial area is completed.

14 COMMISSIONER BERGMAN: Okay. Thank you.

15 I do see one other key area here that the
16 previous school had, too. I see -- have you
17 finished your five hours of governing body training
18 now? If not, you have the same problem -- you need
19 to get it done.

20 MS. VIGIL: Yes. Yes, we do have four
21 that have attended the planning year trainings, and
22 they have completed their hours. I have the others
23 that haven't. But we're waiting again till the
24 September Coalition conference that's being offered
25 for them to be able to do it again. Again, a budget

1 matter.

2 COMMISSIONER BERGMAN: That's about all I
3 could offer. Thank you, Madam Chair.

4 THE CHAIR: Any other comments or
5 questions?

6 MS. VIGIL: Again, Madam Chair, I want to
7 make a comment that everything in our Planning Year
8 Checklist has been completed.

9 THE CHAIR: Has been?

10 MS. VIGIL: Has been.

11 MS. LEWIS: I'd like to follow that with a
12 question. Does CSD have everything that shows
13 that --

14 MR. PAHL: We could ask Brad Richardson,
15 the school's liaison, to address that.

16 MS. LEWIS: The checklist is what we have,
17 and it has unchecked boxes.

18 MR. RICHARDSON: Madam Chair,
19 Commissioners, there may be some boxes unchecked
20 because an item or two, such as the insurance, is in
21 process. They're going to be invoiced this month
22 for NMSIA, so that's been taken care of. The
23 budget, all of the items for the budget is in place.
24 They've submitted it. Nothing can be approved until
25 PED approves it. And so it goes.

1 I think there's a contract but the
2 administrator is hired. They just don't have any
3 money right now. So, they've hired the person.
4 Their governing council minutes show that they've
5 hired the person. There is, on file with us, a job
6 description. So, that box will be ticked come
7 July 1st, because that's when that contract will
8 come into effect.

9 So, I think you can just go down the list
10 and find that -- one correction, too. I don't want
11 you to come around thinking that the school building
12 does not have an E-Occupancy; it does. We just
13 don't have at the paper. And that's what we're
14 asking them to send to us.

15 But we checked when we were on-site. And,
16 yes, they do have it. We just need to get a paper
17 copy in our files.

18 THE CHAIR: Thank you. Commissioner
19 Parker?

20 COMMISSIONER PARKER: Madam Chair,
21 Commissioners, why don't we just go through the
22 list, then, to make it at -- there's not hundreds of
23 items. So, if there's items that have been
24 addressed, then let's --

25 THE CHAIR: I think, as Abby said, what we

1 have is what we have. And I think if the motion
2 simply says everything has to be completed, then
3 that should take care of, it. Unless there's
4 something specific you'd like to get on the record.

5 COMMISSIONER PARKER: No. It was just a
6 matter of if things have been addressed --

7 THE CHAIR: But, still, we don't have the
8 paperwork on it.

9 COMMISSIONER PARKER: Yeah.

10 THE CHAIR: So, we'll let CSD track down
11 the paperwork.

12 Is it raining? I feel like we should all
13 run outside and look at it. Some of us haven't seen
14 rain in a long time.

15 COMMISSIONER CARR: Oh, I've seen a lot of
16 rain.

17 COMMISSIONER PARKER: Madam Chair,
18 Commissioners, that's how I designate who's a Native
19 New Mexican and who is not, based on where they go
20 when it starts raining.

21 THE CHAIR: Absolutely. Absolutely.

22 COMMISSIONER GANT: Madam Chair?

23 THE CHAIR: Commissioner Gant?

24 COMMISSIONER GANT: The first comment is
25 you really don't have the E-Occupancy until we have

1 the E-Occupancy, or the CSD has the paperwork. So,
2 you really don't -- phone calls don't give you the
3 E-Occupancy.

4 Secondly, this is the -- what? -- the
5 second or third time we've heard that they don't
6 have their board training. We've got to figure out
7 something else. I mean, they've had since last
8 September to get it, you know.

9 So, we come up here. This is the record
10 of lots of things that happen when we come down to
11 the end of new charter schools, last minute, jumping
12 through the fifth point of contact and trying to get
13 things done. And that's got to stop, okay?

14 Thank you. Go ahead.

15 THE CHAIR: Thank you, Commissioner. Any
16 other comments or questions?

17 COMMISSIONER BERGMAN: Madam Chair, I'm
18 just thinking, based on Commissioner Gant, we have
19 avoided putting deadlines on all these various
20 categories, for obvious reasons. But perhaps it's
21 time for CSD and us to think about -- some of these
22 things shouldn't be allowed to drag to the very end
23 of the planning year cycle.

24 Sure, there's a way to get training done
25 earlier and things like that. And if we have to

1 perhaps put a deadline on a category, maybe that's
2 what we should do. At least let's talk about it.
3 I'll make that suggestion.

4 Thank you, Madam Chair.

5 THE CHAIR: Good. Good idea; good
6 suggestion. Anything else. Commissioner Parker?

7 COMMISSIONER PARKER: Madam Chair,
8 Commissioners, not to berate it. But would it make
9 sense to defer this? Is this something that has to
10 be taken care of today, or can this be deferred
11 until next month so that these issues can --

12 THE CHAIR: It has to be done today
13 because funding starts 1st of July. If they don't
14 get permission to commence operations, they don't
15 get the funding.

16 Anything else, Commissioners?

17 Commissioner Gant, may we have a motion?

18 COMMISSIONER GANT: I move -- Madam Chair,
19 members, I move the Public Education Commission
20 approve commencement of operations for Taos
21 International School, with the condition that all
22 items on the Planning Year Checklist be completed,
23 Board of Finance be in place, and facilities meet
24 all requirements for E-Occupancy.

25 THE CHAIR: Do we have a second?

1 COMMISSIONER PARKER: Second.

2 THE CHAIR: Commissioner Parker? A motion
3 by Commissioner Gant, second by Commissioner Parker,
4 to approve "commence operations" for Taos
5 International School, with conditions, as noted.

6 Further discussion? Hearing none,
7 Commissioners Bergman, may we have a roll call?

8 COMMISSIONER BERGMAN: Commissioner
9 Parker?

10 COMMISSIONER PARKER: Yes.

11 COMMISSIONER BERGMAN: Commissioner
12 Peralta?

13 COMMISSIONER PERALTA: Yes.

14 COMMISSIONER BERGMAN: Commissioner Pogna?

15 COMMISSIONER POGNA: Yes.

16 COMMISSIONER BERGMAN: Commissioner
17 Toulouse?

18 COMMISSIONER TOULOUSE: Yes.

19 COMMISSIONER BERGMAN: Commissioner Carr?

20 COMMISSIONER CARR: No.

21 COMMISSIONER BERGMAN: Commissioner
22 Conyers?

23 COMMISSIONER CONYERS: Yes.

24 COMMISSIONER BERGMAN: Commissioner Gant?

25 COMMISSIONER GANT: Yes.

1 COMMISSIONER BERGMAN: Commissioner
2 Shearman?

3 THE CHAIR: Yes.

4 COMMISSIONER BERGMAN: Commissioner
5 Bergman votes "Yes."

6 Madam Chair, that is an 8-to-1 vote in
7 favor of the motion.

8 THE CHAIR: Thank you. The motion to
9 allow commencement of operations for Taos
10 International School is successful, with conditions.

11 Thank you all very much, and good luck.

12 MS. VIGIL: Thank you very much.

13 THE CHAIR: Health Sciences Academy.
14 Mr. Pahl?

15 MR. PAHL: Madam Chair, members of the
16 Commission, Health Sciences Academy comes before the
17 Commission to gain approval to commence operations
18 for the 2015 school year. The Charter Schools
19 Division recommends approving the commencement of
20 operations upon -- with the condition that the
21 planning checklist be completed prior to the
22 beginning of the school year.

23 Thank you.

24 THE CHAIR: Thank you. Good afternoon.
25 Would you please introduce yourselves, spell your

1 name, if necessary?

2 MS. DUHIGG: Good afternoon. My name is
3 Nancy Duhigg, D-U-H-I-G-G. I am a Health Sciences
4 Academy board member.

5 MR. ARCHULETA: And I am Tony Archuleta,
6 currently, the interim director at La Jicarita,
7 ending my contract with them in a couple of days.

8 THE CHAIR: Thank you. You heard the
9 recommendation from CSD. Do you have a presentation
10 for us, or are you just here to answer questions?

11 MS. DUHIGG: We're here to answer
12 questions.

13 THE CHAIR: Questions? Thank you very
14 much.

15 You heard the recommendation. If we have
16 any questions? Commissioner Toulouse?

17 COMMISSIONER TOULOUSE: Madam Chair, I
18 have a problem with this checklist, that there is so
19 much left off of this one. It's -- I counted --
20 like, what? -- 24, just very quickly, going through
21 boxes. And I have a real concern, even though we
22 have to hit the July 1st deadline, that with all of
23 these things not marked, that I want to authorize
24 money that -- where we don't have all of this.

25 The other thing that concerns me here is

1 the note that one of the reasons I voted for this
2 was the man you were hiring as administrator. And
3 it says now he will not be there; it will be
4 somebody else.

5 I knew he could get this up and running.
6 I am not as sure, until we know what else you've
7 got, when there is so much of this left out. I
8 don't know about the rest of you but there -- I have
9 some real concerns.

10 MR. PAHL: Madam Chair, if --

11 THE CHAIR: Mr. Pahl?

12 MR. PAHL: Madam Chair, members of the
13 Commission, may we ask Ed Wood -- he's the secondary
14 liaison on this school -- to address some of the
15 gaps between the checklist and what has been
16 completed?

17 MR. WOOD: I think, Madam Chair, and
18 Committee members -- Commission members -- do you
19 want me to stand up?

20 THE CHAIR: Come up a little bit closer so
21 we can be sure and hear you.

22 MR. WOOD: I think part of the issue is
23 because we are required to submit these well in
24 advance to the PEC meetings, a lot of these issues
25 come into us, a lot of these requirements come into

1 us between the time we submit the documents and the
2 time the PEC meeting happens. That's been the case
3 here. That was the case with Explore Academy with a
4 couple of their options. I can't speak to the
5 others, because they weren't my school.

6 I know that is the issue here. I've been
7 in close contact with Raphael. He's in Canada right
8 now. But all their checklist items have been
9 completed. They met with OBMS last week. I was
10 present at that meeting.

11 So, everything, as far as I know, on the
12 checklist has been completed. And I would ask maybe
13 Tony would address the issue with their previous
14 head of school. There was a health issue that
15 occurred. And maybe you'd like to talk specifically
16 to that.

17 MR. ARCHULETA: Members of the Commission,
18 I just wanted to let you know that I have been a
19 charter school director/principal for the last nine
20 years, started at Walatowa for six, two at San Diego
21 Riverside. Then I went to La Jicarita, after they
22 had an administrative issue. And, so, I've
23 completed that contract, and I've agreed to be their
24 director upon the implementation of the program.

25 THE CHAIR: Could -- would you feel

1 confident in speaking to the items that are not
2 completed on this checklist?

3 MR. ARCHULETA: I do not feel confident.
4 However, Mr. Raphael told me that he was satisfied
5 with the required documentation that had been
6 submitted.

7 MS. LEWIS: So, do you have your policies,
8 and they're just not checked? Or you don't have the
9 policies? Item 6-1.8 through Page 9.

10 MR. PAHL: Madam Chair, members of the
11 Commission, in a case like this, where we have
12 several unchecked items, we recommended for
13 approving the commencement of operations because
14 while they weren't finished at the time of this
15 checklist, with the information we had between our
16 liaisons and the school, we knew they were on track
17 to complete them prior to commencing operations.

18 THE CHAIR: When were these documents
19 submitted?

20 MR. PAHL: They were submitted -- it would
21 be roughly two weeks, Madam Chair, ago.

22 THE CHAIR: Two weeks.

23 MR. PAHL: Yeah.

24 MS. LEWIS: I'm sorry. What was the
25 answer to the question on the procedures, State and

1 federal law? So, there's no way to just ignore
2 those.

3 MS. DUHIGG: Yeah, they should be. But I
4 don't have them with me, or a list.

5 MS. LEWIS: What about special ed? That's
6 a big concern regarding federal law. None of those
7 items are checked.

8 MR. VIGIL: The idea of the application,
9 that every school is required to fill out a Web
10 EPSS, has a list of requirements of IDEA B. You
11 have one choice: Check "yes" or leave it blank. I
12 know that a bunch of schools have done it.

13 So, as part of the application, the school
14 automatically complies with the federal law in its
15 entirety. So, I know for a fact that, in working
16 with the IDEA B people, that application is in
17 place. Matter of fact, the IDEA B, PED supports
18 that, has already awarded the school an IDEA B
19 application.

20 The same thing has occurred in Title I,
21 Title II applications, which they have to do through
22 Web EPSS, those have also been -- those have also
23 been -- the application has submitted and completed.

24 On the PSCOC, the facilities issue is
25 always a big issue. The University of Phoenix's

1 prior building, that building has been evaluated by
2 the PSFA, and it has been given the lowest score of
3 all facilities in the state of New Mexico, meaning
4 it's the best school building in the state of New
5 Mexico.

6 So, it far exceeds the requirements of
7 the -- of the State. You're required to come at the
8 average or below the average index score. And they
9 came in at the lowest score in the state.

10 So, all these issues have actually been
11 addressed. And I've been working with Raphael
12 Nevins and his group to put together an application.

13 I can't really speak to all the
14 instructional policies. But I know that they have
15 put them together and submitted -- I was talking
16 with Ron Christopherson. We did have our technical
17 review with the budgets -- this week?

18 MR. WOOD: Last week.

19 MR. VIGIL: Last week. Get my weeks mixed
20 up here. And they have approved the budget. As a
21 matter of fact, there was no questions on the
22 budget. Everything is in place as far as from a
23 financial standpoint. Everything is set up and
24 ready to go. But I don't know -- I believe
25 everything has been submitted, to date.

1 One of the issues are the training, and I
2 know it's brought up to every school. Past
3 administrations, starting with Dr. Duran, stated the
4 law states that you have one year from the time you
5 become a governing council member to get the
6 training. These schools were all approved in
7 October. I believe one year means October. So,
8 none of them are late.

9 Secondly, the interpretation by Dr. Duran
10 and his staff was the planning year was not a
11 required training year; it was the year subsequent
12 to that. So, they've changed the interpretation as
13 the administrations have changed.

14 And then the last administration, Tony
15 Gerlicz came back and said, "We're going to go back
16 to the one year."

17 And the problem is it doesn't coincide
18 with what the trainings that were being offered are
19 being given. So, we have a number of schools
20 asking, "How can we get trainings when there aren't
21 trainings available after we've been approved?"

22 And when the federal auditors came in,
23 they also said, "An individual should not have to
24 pay out of their own pocket to become a governing
25 council member."

1 And without planning funds, that's been
2 the -- kind of the problem with that issue.

3 So, I hope I didn't give you too much.

4 THE CHAIR: Commissioner Gant?

5 COMMISSIONER GANT: Madam Chair, members
6 of the Commission, you know, I've been on this thing
7 for eight years. And this is, in my view, the worst
8 checklist we have received. It is the worst
9 checklist we have received. As far as what Duran
10 did and Gerlicz did, those were discussions between
11 themselves, and Gerlicz never told us that they went
12 back to the one year. It was always -- I'll make
13 that point clear.

14 If the New Mexico Coalition of Charter
15 School Association wants to give the training, then
16 the charter schools should step up and say, "Send
17 your people out to train."

18 They should not have to wait till the
19 Coalition has the annual, or whatever it is,
20 conference or conventions or whatever you want to
21 call them, okay?

22 So -- and if you got them two weeks ago,
23 there's a lot of this stuff that could have been
24 checked off prior to two weeks ago. So, I'm not
25 going to vote "yes" on this one.

1 MS. LEWIS: Madam Chair?

2 THE CHAIR: Yes.

3 MS. LEWIS: Commissioner Gant brings up a
4 very good point that Mr. Vigil was trying to get at,
5 and I'm going to use this opportunity, and probably
6 Matt a little bit.

7 Unfortunately, the regulations restrict
8 the entities that the governing councils can get
9 training from to two. And this has been an ongoing
10 problem when they're not offered. So, I would ask
11 Matt to please go up your ladder to Dan Hill or
12 whatever and ask, please, that those regulations be
13 amended to conform with reality.

14 MR. PAHL: Madam Chair, members of the
15 Commission, we are looking into that currently and
16 will update you, as necessary, and ask for your
17 input, as well, before moving forward in that
18 processing.

19 THE CHAIR: Thank you.

20 COMMISSIONER CARR: Madam Chair?

21 THE CHAIR: Commissioner Carr?

22 COMMISSIONER CARR: All right. Okay.
23 I -- you know, it's -- it's to every school's
24 benefit, even -- you know, regular public school
25 boards, that -- regular public school boards don't

1 get the training they need. They're required to do
2 it, but they don't enforce them. And a lot of them
3 don't even take training, you know?

4 And I -- you know, it's just -- we're in
5 the education business, you know. If I was starting
6 a charter school, I would want my board members
7 trained ASAP, as soon as possible. And that's to
8 protect you, too, because people who aren't trained
9 make serious mistakes and call negative attention to
10 you. We know that. We see it all the time, right?

11 So, you know, even -- you know, I -- I,
12 personally -- you know, I'm my own worst critic. I
13 like to go above and beyond what the minimum
14 requirements are. That's what I do in my classroom,
15 I hope, you know.

16 I -- so, I just wanted to make that
17 statement. I -- you know, we all want the same
18 thing. We want a great education for all of our
19 children, and we -- a minimum of problems and
20 issues. And it's important that we work really hard
21 to make sure that we're creating schools that are
22 excellent from day one, you know.

23 And it's also an example for our students,
24 you know, as well. Hey, education is important.
25 Our board's trained; teachers are trained; our

1 administrators are trained.

2 And I'll shut up.

3 MR. ARCHULETA: Madam Chair,
4 Commissioner Carr, I would like to let you know that
5 my first task in starting the program would be to do
6 a desktop audit, which would do everything from the
7 inception of the program, everything that's
8 required, to ensure that the program is implemented
9 in accordance with rules and regulations.

10 I've done it three times already. I'm --
11 I don't know why I can't do it again.

12 I also was superintendent in Questa, with
13 Red River, when Roots & Wings were renewed in 2005;
14 and those programs are running very well. One is
15 still a locally authorized school. The other one is
16 a State-chartered school.

17 So, I have all the confidence in the world
18 that I can do what is necessary in accordance with
19 the PEC regulations, CSD regulations, to be in
20 compliance.

21 THE CHAIR: Yes.

22 MR. PAHL: Madam Chair, members of the
23 Commission, if I may?

24 THE CHAIR: Yes, please.

25 MR. PAHL: Ed Wood --

1 THE CHAIR: I was getting to you, Ed.

2 Thank you.

3 MR. PAHL: -- is the secondary liaison for
4 this school. If we may just walk through this list,
5 Ed can tell you what he knows has been completed, as
6 the secondary liaison, even though it has not been
7 represented on this checklist, which, again, is an
8 oversight on our part.

9 Ed, I think if we can kind of get started
10 here -- if that pleases the Commission?

11 THE CHAIR: Is that all right with
12 everybody?

13 Yes, please do.

14 MR. WOOD: Madam Chair and Commission
15 members, I did attend the site year visit, the
16 planning year site visit. And I can attest to all
17 these areas that were checked in here.

18 First of all, on 228.1, Employee Benefits.
19 Because they haven't actually started operation,
20 they can't have employee benefits in place yet.
21 They do have a letter requesting membership.

22 Their budget has been prepared, as
23 Mr. Vigil has said. We met with OBMS last week, and
24 it was approved. The first year operating budget is
25 in place.

1 I can't -- cannot address transportation.
2 The interim director is sitting in front of you.
3 There is a contract with them.

4 Hours of training. I can't attest to that
5 because I know those were in process.

6 But regarding the policies, I've actually
7 had hands on the policy manual. We went through at
8 the time of the site visit.

9 MS. LEWIS: I'm sorry. Can you slow down?
10 We're trying to follow along. Back up at
11 transportation. What did you say about that?

12 MR. WOOD: I can't address the
13 transportation issue.

14 MR. VIGIL: I can address the
15 transportation issue. We've been awarded -- the
16 school has been awarded an amount of \$102,000-plus,
17 approximate, for transportation. They did put out
18 an RFP to the local school districts that
19 surround -- that are nearby, to their contractors,
20 to see if they would provide transportation.

21 We are waiting for that time period to end
22 to give us back the bid and see who wants to provide
23 the transportation for the charter. And I believe
24 that's going to happen next week. We are working
25 with Antonio Ortiz in the Student Transportation

1 Department here at PED, to finalize it and
2 correctly, you know, go through the process, as he
3 leads us through that transportation award.

4 So, that's being done. We're just in the
5 process of it to make sure we contact the local
6 school districts and their contractors.

7 THE CHAIR: Thank you. All right.
8 Continue, please.

9 MR. WOOD: I apologize for going so
10 quickly. So, as I said, the contract with
11 Mr. Archuleta is in place.

12 6-6.1 --

13 MR. PAHL: And that's on Page 8.

14 MR. WOOD: -- which is the governing body
15 completing the required hours, I can't address that;
16 although, I know they were in process on it at the
17 time we made the site visit.

18 And 6-1.8, Basic Policies and
19 Procedures --

20 COMMISSIONER GANT: Excuse me. 6.15,
21 Nepotism.

22 MR. WOOD: That is in place, also. That
23 is part of what we review when we're on campus for
24 the policies and procedures checklist.

25 THE CHAIR: Okay. The policies and

1 procedures.

2 MR. WOOD: I have had hands on all of
3 those documents, and they are in place. Again, I
4 apologize. I don't know why they're not on the
5 check list.

6 THE CHAIR: Okay.

7 COMMISSIONER GANT: Madam Chair, one
8 moment. Policies are the governing council's. Has
9 anybody voted on them, or are they required to?

10 MR. WOOD: They are required.

11 COMMISSIONER GANT: Huh.

12 MR. WOOD: They are required.

13 COMMISSIONER GANT: So, has the governing
14 council voted on them?

15 MS. DUHIGG: Yes.

16 MR. WOOD: Yes.

17 THE CHAIR: When you say they're in place,
18 are you including 6-1.9, Special Education?

19 MR. WOOD: Special Education is in place.
20 As Mr. Vigil indicated earlier, that's part of the
21 requirement for their Web EPSS fulfillment. And the
22 Web EPSS has been completed as of last week, when
23 Mr. Christopherson left.

24 THE CHAIR: And your staffing plan and
25 contracts for special ed?

1 MR. WOOD: Yes, those are, also.

2 THE CHAIR: Everything else on that page?

3 MR. WOOD: I don't know, at the present
4 time, about the mentorship for new teachers. We
5 discussed it. I didn't see a plan, a physical plan
6 for it at that time. But I know it's something that
7 was in consideration.

8 And facilities has been met. We toured
9 the facilities. And as Mr. Vigil indicated, they
10 did get the lowest rating in the state of New Mexico
11 for facilities.

12 THE CHAIR: I know there was a note here:
13 "When will school have tangible E-Certificate to
14 post?"

15 So, they don't have their E-Occupancy
16 certificate yet?

17 MS. DUHIGG: I can answer that. We are
18 still doing slight renovations, putting carpets and
19 upgrading a little bit. Bud if we needed to open
20 tomorrow, we can get a provisional certificate is
21 what I understand.

22 COMMISSIONER GANT: I never heard of a
23 provisional certificate.

24 MR. VIGIL: Madam Secretary, I guess it
25 was a school before. It already had an E-Occupancy.

1 So, where they're doing the cleanup and
2 minor renovation, they have to get a new certificate
3 after that renovation is done. But their building
4 currently had their E-Occupancy before. So, now, it
5 was just -- the landlord has put in new carpet, and
6 I think they're moving a wall. They're moving one
7 wall or something like that.

8 MS. DUHIGG: Yeah, small details.

9 MR. VIGIL: It already had E-Occupancy.
10 We're just going to get it renewed once this
11 construction is done.

12 THE CHAIR: All right. Any other comments
13 or questions?

14 MS. DUHIGG: Madam Chair, I can just do a
15 quick -- to ease your mind, maybe, we had -- all our
16 board members were trained right away, at that
17 meeting, the Congress, in October, I think it was,
18 or November? But some dropped out, and we added new
19 of them. [Verbatim.] So, those ones will need
20 training. But half of us are trained, at least.

21 THE CHAIR: Anything further,
22 Commissioners? Commissioner Toulouse?

23 COMMISSIONER TOULOUSE: Madam Chair, I
24 still have concerns. And I'm trying not to be the
25 bureaucrat, because I complained about bureaucracy

1 before. And I don't want to go just on the document
2 in front of me, because you tell me there's other
3 things there.

4 But one of the first things I learned, if
5 it's not in writing, it doesn't exist. That got --
6 I mean, that's -- when I first started working for
7 the State back in 1969, that's the first lesson I
8 learned, so, that, yes, we have it on the record.
9 Yes, we have people saying it.

10 I will believe Mr. Wood that it is there.
11 But it's very hard for me to look at this and
12 believe, when there are so many blanks, when I don't
13 see it.

14 Another thing I grew up with, my father
15 was a lawyer. And he says, "You never believe
16 somebody who says, 'Trust me,' because, right there,
17 they're saying, 'I must not be trustworthy or I
18 wouldn't have to tell you that.'"

19 Again, you haven't said this in words.
20 I'm concerned Mr. Nevins is in Canada and not here
21 for what I think would have been a very important
22 meeting for him, the way he has pushed through this
23 and done this. And I think he might have had some
24 additional answers, if he had been here.

25 And the board can't depend on one person

1 or one founder doing it. But I think that's also
2 created a certain problem here with all of this.
3 And I don't quite know at this point how I'm voting.

4 THE CHAIR: Thank you. Commissioner
5 Bergman?

6 COMMISSIONER BERGMAN: Madam Chair, a
7 couple of the members of the Commission were not
8 here when we did this. We have had this situation
9 one other time, some of you may remember. We
10 actually did not approve them to commence. We had
11 to come back up here for a special meeting on June
12 the 30th, when they did, then -- then presented the
13 proper documentation and everything.

14 But we, some of us, drove six hours for
15 about a 30-minute meeting. And I would like to
16 avoid that, if we can. But I guess that would be
17 another option, if we all want to drive back up here
18 on June 30th, or 29th, whatever is the last working
19 day of the month.

20 We have that option. We have the option
21 to turn them down, or we have the option to accept
22 all the wording we heard or the "pig in the poke"
23 that Commissioner Toulouse has talked about and
24 things like that.

25 So, we have several options. Let's throw

1 it out and figure out how we can get this done and
2 get -- thank you.

3 THE CHAIR: Thank you. Let me just throw
4 in my two cents' worth. I've been -- I can remember
5 clear back to the time we considered this
6 application. And I remember that so many of the
7 questions were answered by the principal -- and I'm
8 sure I would pronounce his name wrong -- Haugen.

9 MS. DUHIGG: Haugen.

10 THE CHAIR: So many answers were answered
11 by him. The founders would defer to him and say,
12 "Oh, he knows how to do that. Oh, he knows about
13 that. He knows everything, and he's going to keep
14 us legal and on track."

15 And, now, all of a sudden, the person that
16 everyone was pointing to and saying, "He's going to
17 keep us on track, he knows everything," is not here.
18 And there's -- there's just -- there's a feeling of
19 sort of disconnect, of a little bit of panic going
20 on in my mind.

21 Nobody can answer questions like they
22 ought to be able to, in my mind. So I am concerned,
23 as well. I am. So, Commissioners, how are we going
24 to handle this?

25 MR. ARCHULETA: Madam Chair, members of

1 the Commission?

2 THE CHAIR: Yes.

3 MR. ARCHULETA: I would like to assure
4 you, in the event that I -- you approve start dates,
5 I will assure you that I will follow up on
6 everything that is required. I am ready to take on
7 the task in terms of staffing. I have been doing
8 some desktop audits, and I know what's required to
9 make the program legal.

10 So, I feel totally confident that this can
11 start. I have been there once. And I was really
12 impressed with the enthusiasm that I witnessed
13 there. So, I just think that it's a great
14 opportunity to bring a charter school to a
15 population that is in so need of that particular
16 service. Thank you.

17 THE CHAIR: Thank you for that
18 reassurance.

19 Commissioners, what's your pleasure? Oh,
20 Commissioner Parker?

21 COMMISSIONER PARKER: Madam Chair,
22 Commissioners?

23 THE CHAIR: Commissioner, really, speak
24 up. It's getting hard to hear.

25 COMMISSIONER PARKER: I'm sorry. My head

1 is kind of foggy right now.

2 It seems like a lot of these things, if
3 we're just going based upon the conversations that
4 we have, have been met. However, it would be nice
5 to have something in front of us that is concrete
6 that things have been taken care of.

7 And I know a lot of people have a long
8 drive to get here. But it seems to me if it is to
9 get approved -- in my opinion, anyway -- the best
10 track would be, as Commissioner Bergman had
11 mentioned, is to come up here one more day, if -- I
12 mean, otherwise, it's kind of just --

13 COMMISSIONER GANT: Madam Chair, I'd be
14 willing to make the trip. You and I live about the
15 farthest.

16 THE CHAIR: That's right, we do.

17 COMMISSIONER BERGMAN: I'd be willing to
18 make the trip. But, you know, we have an attorney.
19 Can we legally schedule a meeting for right at the
20 end of the month, or are we already past the
21 deadline for scheduling a meeting?

22 MS. LEWIS: If it's a special meeting, it
23 only requires three days' notice.

24 COMMISSIONER BERGMAN: Oh, okay. So, I
25 guess -- who's got the calendar? Anybody got a

1 calendar? What's the last --

2 THE CHAIR: The 30th is on a Monday. The
3 30th of June is on Monday.

4 COMMISSIONER BERGMAN: Are we going to be
5 able to get a quorum on that day, enough
6 Commissioners to be able to come on that --

7 COMMISSIONER TOULOUSE: I can.

8 MS. LEWIS: Yeah, you'll have a quorum.

9 THE CHAIR: We'll have a quorum. Are you
10 ready?

11 COMMISSIONER GANT: I'm ready.

12 THE CHAIR: Are you going to include that
13 as part of your motion?

14 COMMISSIONER GANT: We'll do that
15 separately.

16 COMMISSIONER BERGMAN: Director Pahl,
17 you're going to have to get all this stuff back in
18 writing, and you're going to have to get it to us
19 before that, of course, so we can look at it and be
20 assured that all the X's are filled in and all the
21 I's are dotted.

22 MR. PAHL: Yes.

23 COMMISSIONER BERGMAN: So, you've got a
24 responsibility on that, too.

25 MR. PAHL: Yes.

1 THE CHAIR: Commissioner Parker?

2 COMMISSIONER PARKER: Madam Chair,
3 Commissioners, is that something you guys could get
4 together? The lion's share of things is going to be
5 resolved prior to that?

6 MS. DUHIGG: Absolutely, yes.

7 THE CHAIR: Commissioner Gant?

8 COMMISSIONER GANT: Madam Chair, members
9 of the Commission, I move that the Public Education
10 Commission deny commencement of operations for
11 Health Sciences Academy, until such time that all
12 items on the Planning Year Checklist are complete --
13 completed, the Board of Finance is in place, and
14 all -- and the facilities meet all requirements of
15 E-Occupancy.

16 THE CHAIR: We have a motion. Do we have
17 a second?

18 COMMISSIONER PARKER: Second.

19 THE CHAIR: Who was that? Commissioner
20 Parker.

21 Motion and second to deny the "commence
22 operation" by Health Sciences Academy, with
23 conditions as noted. Any discussion?

24 COMMISSIONER BERGMAN: Is that, then, with
25 the understanding that we will come back, if they've

1 satisfied --

2 THE CHAIR: We'll do that as a separate
3 motion.

4 COMMISSIONER BERGMAN: Okay. as a
5 separate -- okay.

6 THE CHAIR: Any discussion?
7 Mr. Secretary, may we have a roll-call vote?

8 COMMISSIONER CARR: Yes.

9 COMMISSIONER GANT: Mr. Secretary, clarify
10 the vote. What does a "yes" mean and a "no" mean?
11 Oh.

12 THE CHAIR: Yes.

13 COMMISSIONER BERGMAN: Yes, a "yes" vote
14 in this case is to deny the commencement of
15 operations. A "no" vote is in favor of them
16 commencing operations.

17 So, I just ran out of paper. I can't
18 believe we've taken as many votes as we've taken
19 today. I'm just kidding. We've got to laugh here
20 at some point.

21 Okay. Commissioner Peralta?

22 COMMISSIONER PERALTA: Yes.

23 COMMISSIONER BERGMAN: Commissioner Pogna?

24 COMMISSIONER POGNA: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Toulouse?

2 COMMISSIONER TOULOUSE: Yes.

3 COMMISSIONER BERGMAN: Commissioner Carr?

4 COMMISSIONER CARR: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Conyers?

7 COMMISSIONER CONYERS: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Parker?

10 COMMISSIONER PARKER: Yes.

11 COMMISSIONER BERGMAN: Commissioner Gant?

12 COMMISSIONER GANT: Yes.

13 COMMISSIONER BERGMAN: Commissioner

14 Shearman?

15 THE CHAIR: Yes.

16 COMMISSIONER BERGMAN: Commissioner

17 Bergman votes "yes."

18 Madam Chair, that is a 9-to-0 vote in
19 favor of the motion to deny.

20 THE CHAIR: All right. It is a unanimous
21 vote to deny the "commence operation" of Health
22 Sciences Academy. At this time -- now,
23 Commissioners, let me ask you this.

24 June the 30th is on a Monday. That would
25 be the latest that we could schedule a meeting to

1 deal with this issue. Shall we go ahead and vote to
2 meet that day, or shall we wait to hear from
3 Mr. Pahl and Ms. Lewis to tell us that, yes, they do
4 have the documents in hand that we need to proceed
5 with this action? And if you could -- we need three
6 days' notice; right?

7 MS. LEWIS: For a special meeting,
8 correct.

9 THE CHAIR: So, if we were notified by the
10 previous -- by the preceding Wednesday, which is the
11 25th of June --

12 COMMISSIONER BERGMAN: Let's give
13 ourselves a little wiggle room, yeah.

14 THE CHAIR: The 24th? The 24th is
15 Tuesday. This could give Wednesday, Thursday,
16 Friday, for notification of a special meeting. Or
17 do we just want to schedule it now, whatever is your
18 pleasure?

19 COMMISSIONER GANT: We'll have to just
20 schedule it.

21 THE CHAIR: Just schedule it? I suppose
22 we could always just cancel it. I'm hearing let's
23 just go ahead and schedule the meeting. If, by some
24 chance, the paperwork is not all there, we could
25 cancel, or go ahead and meet and do the same thing

1 again. Commissioner Pogna?

2 COMMISSIONER POGNA: Madam Chair, I move
3 that we schedule a meeting for June the --

4 THE CHAIR: A special meeting.

5 COMMISSIONER POGNA: -- for June the 30th.

6 THE CHAIR: Okay. We have a motion. Do
7 we hear a second?

8 COMMISSIONER TOULOUSE: Second.

9 THE CHAIR: Commissioner Toulouse.

10 Motion and second to schedule a special
11 meeting on June 30. Any discussion?

12 COMMISSIONER CARR: Yes, Madam Chair.

13 THE CHAIR: Okay.

14 COMMISSIONER CARR: So, are we saying that
15 they are going to have to meet every one of these?
16 Because we're not requiring the other schools to
17 meet every one of these by the 24th.

18 I mean, I -- I mean, I just want to make
19 sure that we're not requiring them to go above and
20 beyond what -- you know, what we're requiring of the
21 other schools, because I -- you know, some of these
22 are what -- that has to be accomplished before the
23 school actually starts.

24 I mean, are we going to -- you know, I --
25 so how are you going to make a decision?

1 THE CHAIR: Commissioner Gant?

2 COMMISSIONER GANT: Madam Chair, I
3 recommend that, based upon the reading that Mr. Pahl
4 has made in the past, that a significant amount of
5 the checklist be completed. Those were the words he
6 used when he gave up -- when he recommended approval
7 of the others; "significant number" or some words to
8 that effect.

9 MR. PAHL: "Substantial."

10 COMMISSIONER GANT: "Substantial" or
11 "significant."

12 THE CHAIR: Want to change the motion?
13 Who made the motion?

14 MS. LEWIS: Unless, Matt -- do you -- when
15 you use the word "significant" or "substantial," do
16 you have a number, like, that means 80 percent or
17 something?

18 MR. PAHL: The interpretation of
19 "substantial," in the end, is the interpretation of
20 the Commission. We feel that it is substantially
21 met when we presented those other items to you.

22 If you agree with us, then you would then
23 vote in the affirmative that they can commence
24 operation. So, I think that it's defined by the
25 vote of the Commission.

1 COMMISSIONER CARR: I would be willing to
2 leave that up to the Exec- -- I'm sorry,
3 Madam Chair.

4 I would be willing to leave that up to the
5 Executive to decide if it's substantial or not. If
6 you guys are happy with it, then I'll probably be
7 happy with it.

8 COMMISSIONER BERGMAN: I would note that
9 80 percent could leave some very big loopholes. If
10 they had done 80 percent, I'd just have to throw the
11 math part into it.

12 COMMISSIONER TOULOUSE: Madam Chair, it
13 seems to me that what we've been allowing everybody
14 should be allowed here, which is the training of the
15 boards, that that will get done; it must get done.

16 But my concern on all of this were that
17 whole list of vacant stuff on the policies. And
18 that's just my personal thing I would want to see,
19 because that's very doable. And you all may already
20 have it, but we don't have it.

21 I want to see this school get their money
22 and get started in their fancy new facility, which I
23 heard from a friend of mine, who lives in Santa
24 Teresa and who has seen it, that it -- in fact, he
25 thinks it's not fair that the charter school gets

1 that, and when he went to school up here in Northern
2 New Mexico, he didn't have a school anywhere near as
3 nice.

4 I'd like to see this go, but I'm concerned
5 until I actually can see the pieces of paper.

6 COMMISSIONER BERGMAN: I appreciate
7 Mr. Carr's suggestion that the Executive Committee
8 be the final arbiters on what is "substantial." If
9 the rest of the Executive Committee is comfortable
10 with that, I am, too.

11 THE CHAIR: I'm comfortable with that,
12 too. We can also do that at the meeting where we're
13 considering their paperwork. I think either way, it
14 will get done.

15 We do have a motion on the floor, though,
16 to set a special meeting on June 30. Is there any
17 further discussion?

18 Hearing none, can we do a verbal vote --

19 COMMISSIONER BERGMAN: I think so.

20 THE CHAIR: -- since you've run out of
21 paper?

22 All those in favor, please say "Aye."

23 (Commissioners so indicate.)

24 THE CHAIR: Any opposed, please say "No."

25 (No response.)

1 THE CHAIR: Thank you. We have a special
2 meeting set for June 30. And if we schedule it for,
3 like, 1:00 in the afternoon --

4 COMMISSIONER BERGMAN: Do we want to wait
5 until 1:00, drive in that morning?

6 COMMISSIONER PERALTA: Would an
7 alternative site be -- so that it's convenient for
8 folks that are going to be able to attend -- so,
9 it's Albuquerque or something? I don't know.

10 THE CHAIR: Well, that's a thought.

11 COMMISSIONER BERGMAN: Albuquerque is
12 better for Mr. Gant, and about the same for you and
13 I.

14 THE CHAIR: Where are you all from? How
15 far do you have to drive?

16 MS. DUHIGG: I live, right now, in
17 Albuquerque.

18 MR. ARCHULETA: So do I.

19 THE CHAIR: I'm sorry?

20 MR. ARCHULETA: So do I, ma'am.
21 Rio Rancho.

22 THE CHAIR: And you, sir? You're in
23 Albuquerque?

24 MR. VIGIL: I'm from Albuquerque.

25 COMMISSIONER BERGMAN: Can Staff handle a

1 meeting in Albuquerque and find us a nice place to
2 have it?

3 MR. PAHL: We can do that, yes.

4 THE CHAIR: 1:00? Would that work for
5 you?

6 COMMISSIONER PERALTA: Fine.

7 THE CHAIR: Jim, would that work for you?

8 COMMISSIONER CONYERS: I can't commit to
9 that day, anyway, so --

10 THE CHAIR: Anybody else have a problem
11 with that day?

12 COMMISSIONER BERGMAN: 1:00 will work for
13 me.

14 THE CHAIR: All right. Let's say 1:00.
15 All right. Thank you all so much.

16 MR. ARCHULETA: Madam Chair, may I ask a
17 question?

18 THE CHAIR: Yes.

19 MR. ARCHULETA: Who would you suggest be
20 our guide? Should I work directly with you?

21 THE CHAIR: Work directly with CSD, and
22 make sure that our attorney, Ms. Lewis, is kept in
23 the loop.

24 MR. ARCHULETA: Thank you so much.

25 THE CHAIR: Thank you.

1 Next item on the agenda is report on
2 New Mexico Connections. Mr. Pahl?

3 MR. PAHL: Madam Chair, members of the
4 Commission, we've been requested to provide a report
5 on New Mexico Connections Academy.

6 The most informative practice, that we
7 would have to do a full report, is our final
8 site-visit document that we use to -- to document
9 and share between us and the charters. That is not
10 complete, and it isn't scheduled to be done until
11 next week with full feedback.

12 However, our -- our liaison, Brad
13 Richardson, conducted a site visit in April, I
14 believe it was. So, I'll ask him to stand to
15 provide the Commission a synopsis of that site
16 visit.

17 THE CHAIR: Brad, why don't you come up to
18 this table so we can hear you?

19 MR. RICHARDSON: I'll use my outside
20 voice.

21 THE CHAIR: Yes, please use your outside
22 voice.

23 MR. RICHARDSON: Okay. Julia Barnes,
24 Karen Ehlert, and I went on an all-day visit to --
25 site visit to New Mexico Connections on April 8. At

1 the time, we used the site-visit tool I think we
2 reviewed with the Commission -- I think it was in
3 January, if I'm not mistaken.

4 And that's the framework that was
5 organized -- or the tool that's organized around the
6 three performance frameworks: The academic, the
7 financial, and the organizational. But it also
8 includes an exploration of the school's material
9 terms and the performance goals.

10 At the time, we met with teachers, the
11 administration. We were also able to observe a live
12 language arts class that was taking place in one of
13 their rooms. And at the end of that -- end of the
14 visit, a full-day visit, we were able to give the
15 school a preliminary site-visit report that included
16 any questions that we had, any outstanding items
17 that they were not prepared to address. And there
18 were several other kinds of follow-up assignments.

19 This is typical of all of the schools that
20 we went to visit this year, and we gave them until
21 June 15 to prepare their responses and to fill out
22 any outstanding items.

23 The head administrator turned in their
24 responses yesterday. So, we haven't had a chance to
25 go over those. But we will analyze those and fill

1 out a final site-visit report, and that will be what
2 you will see, along with the performance framework
3 rating that's associated with that.

4 And that will happen -- well, we're not
5 quite clear if it will happen in July or not. But
6 that's a technicality we're still working on in the
7 Division.

8 So, it was a very good site visit. And,
9 in fact, the head administrator of the school is
10 here, Athena Trujillo. And she shared with me
11 yesterday that they had their first graduating class
12 of ten students. So, we were celebrating with them
13 a little bit yesterday.

14 So, that's just the -- a quick overview of
15 that site visit. I didn't have any details, because
16 I'm not quite sure what it is the Commission would
17 like to hear about. But if you have any questions,
18 I'm happy to address those, or Ms. Trujillo could
19 address any questions.

20 THE CHAIR: How many students do they
21 have?

22 MR. RICHARDSON: I think I may have to
23 invite her up here to answer those questions. Let
24 me move over and let her sit.

25 MS. TRUJILLO: Madam Chair, Commissioners,

1 this school year, we ended our school year with
2 436 students.

3 THE CHAIR: What did you start with?

4 MS. TRUJILLO: We got up to approximately
5 500 students.

6 THE CHAIR: So, you've had fairly
7 significant attrition, would you call it?

8 MS. TRUJILLO: Well, I think what is
9 interesting about our school is I think there is a
10 mentality or a thinking about what New Mexico
11 Connections Academy is, that we're a diploma mill,
12 that we let kids just take classes, and then they
13 can leave the school.

14 And when they find out that there's an
15 accountability system, there's a rigorous
16 curriculum, there's intensive tracking and
17 participation by students, then -- and we also --
18 what is most important is the triad by which we
19 operate, where the learning coach, who is the adult
20 at home, along with the teacher, works with that
21 child. And, so, our attrition is attributed to not
22 having complete information about our school.

23 We've had people say, you know, "I didn't
24 realize my responsibilities as a parent were going
25 to be so significant. We didn't realize that -- the

1 rigor of the curriculum. We thought that we could
2 just work at any time we want."

3 And we require certain number of hours per
4 week, you know, just like any of the State laws for
5 any other public school. And, so, there's a
6 different -- a changing of the mind about what our
7 school is.

8 THE CHAIR: When you say you require
9 certain hours, do you mean a certain number of hours
10 or certain seat-time hours?

11 MS. TRUJILLO: Certain number of hours,
12 seat-time hours, correct.

13 THE CHAIR: Seat-time hours?

14 MS. TRUJILLO: Seat-time hours.

15 THE CHAIR: Interacting with a teacher?

16 MS. TRUJILLO: Not necessarily interacting
17 with a teacher, but interacting in the curriculum,
18 working within the curriculum. Because the teachers
19 are all accessible. You know, live lessons are
20 scheduled for students, and with the number of
21 teachers that we have all through the week. So,
22 there's a weekly schedule of live lessons.

23 But the students are always working. The
24 teachers are always available, and spend a bulk of
25 their time on the phone or online with the kids.

1 THE CHAIR: Is this your first year?

2 MS. TRUJILLO: This is my first year with
3 the school, yes.

4 THE CHAIR: I mean, the school's first
5 year in existence?

6 MS. TRUJILLO: Yes.

7 THE CHAIR: So, this is your first year to
8 do SBA testing or whatever we're doing out there?

9 MS. TRUJILLO: Correct. And, of course,
10 exams.

11 THE CHAIR: What was your participation
12 rate?

13 MS. TRUJILLO: I believe our participation
14 rate was 96 percent.

15 THE CHAIR: I understand you had to go out
16 and knock on doors.

17 MS. TRUJILLO: We did. But we did it,
18 and --

19 THE CHAIR: And when you say you have
20 classes -- Brad, you said you observed a class?

21 MR. RICHARDSON: A live lesson, right.

22 THE CHAIR: I live in Artesia. If my kid
23 was going to this school, they can't be in that
24 class, that live class.

25 MR. RICHARDSON: They're not physically

1 present. They're connected through the computer, so
2 the software allows the student with the --

3 THE CHAIR: So, like, is "live" through
4 the computer, not "live," in person.

5 MR. RICHARDSON: Synchronous; maybe that's
6 a better --

7 MS. TRUJILLO: "Synchronous" is a better
8 word.

9 THE CHAIR: I know others have questions.
10 I'll yield to Commissioner Gant.

11 COMMISSIONER CARR: Madam Chair and
12 members, some of the questions I had -- or I have --
13 and I've provided them to Madam Chair, who provided
14 them to Mr. Pahl -- in your -- in the application,
15 they bragged about -- the founders bragged about all
16 the activities that students would have for
17 socialization. They talked about 22 clubs and/or
18 more activities to explore interests, field trips,
19 community outings, et cetera, et cetera, parent
20 volunteers who will organize all this good stuff and
21 participating in exciting contests and competitions,
22 field trips.

23 Well, I'd like to know the number of field
24 trips, the locations of the field trips, what the
25 contests and competitions were, how many students

1 participated, what was their success. Part of the
2 data should include the number of students
3 participating in each activity, location of the
4 activities, whether or not all students enrolled in
5 Connections actually participated in all or any of
6 the activities. They would also be interested to
7 know how many parent volunteers helped.

8 You know, I would like to know the 40-,
9 80-, 120-day student count. You know, the founders
10 made all these promises. And my biggest issue was
11 the socialization of children. And if they're
12 sitting at home behind the one-eyed monster, they're
13 not getting socialization. They're not learning how
14 to deal with their peers, or how to deal with
15 society, in general. And that's my opinion.

16 So, all these questions I'm asking you is,
17 have they actually gone out and done anything?
18 Have -- how -- when you go down to do the PARCC, how
19 are you going to do the PARCC? How are the kids
20 going to -- are you going to do it in their homes,
21 or are you -- who's going to haul them to the
22 locations?

23 MS. TRUJILLO: Would you like me to
24 respond, Commissioner?

25 COMMISSIONER GANT: Yes, I would.

1 MS. TRUJILLO: With all due respect, we
2 have had very low attrition rate with respect to
3 socialization, so that I would say that first. We
4 did have approximately ten field trips, I believe,
5 this year. We went down to Alamogordo. We were in
6 Albuquerque -- I will say most of the field trips
7 took place in Albuquerque, because it is a
8 centralized location. And the concentration of our
9 student -- student population comes from the
10 Santa Fe area down to the Socorro area, so we felt
11 like we could hit most of the kids by centering in
12 that area.

13 The school being what it is, there was a
14 learning curve for all teachers involved. We're
15 excellent teachers; we know how to teach; we know
16 what it takes to run a school. But we purchased a
17 learning management system that we had to become
18 familiar with. And until we're familiar with that,
19 we can't be as good to students.

20 So, we did a lot of training. We worked
21 very hard in getting to be the best we could on our
22 management system.

23 We had an end-of-the-year school dance for
24 kids. We -- we had three students involved in
25 Literatures for Writing. We had the state winner

1 come out of our school, who was recognized at the
2 Roundhouse. And we had two runner-ups.

3 We had a student in sixth grade who was
4 recognized by Mayor Berry for a project she did
5 within her sixth-grade class on the environment and
6 cleaning up Albuquerque parks.

7 We have the gamut of students enrolled in
8 our school that any traditional school would have.
9 We face the same challenges that any school does.
10 But they are getting socialization.

11 We have parents who are involved with the
12 school. Our State testing, we actually went to
13 12 different testing sites, and we set up locations.
14 The testing materials follow protocol, and we tested
15 our kids at those sites.

16 We've also thought about the PARCC
17 assessment next year, and the realization that it's
18 going to be an online assessment. So, our school
19 has set aside, in our budget, funding to purchase
20 either the iPads or the Chrome-books, so that our
21 students have access to those as we travel to test
22 them.

23 The largest issue that we had in testing,
24 when you ask participation rate, I think we missed
25 in one subgroup; it was in reading and in the White

1 demographic. We missed it by one kid. We got a
2 95.9 percent. And the PED does not round up; they
3 round down. So, we missed that rate by that
4 percentage.

5 My school board president -- because we
6 are determined to do everything that we need to do
7 to keep this school open -- because I can tell you,
8 I have spoken with kids, I have met parents, and
9 this has made a difference in their lives.

10 I -- I can't say enough about the school.
11 Is it for everybody? No. But the traditional
12 brick-and-mortar school is not for everybody,
13 either. And one of those children was my own son.

14 COMMISSIONER GANT: I guess my question --
15 I guess most of them from Socorro to Albuquerque,
16 Santa Fe. So, the promises to do the whole state
17 are not being really fulfilled, are they?

18 MS. TRUJILLO: I would say within the one
19 year -- as I was hired July 1st and had to get
20 acclimated with the new environment, get my
21 staffing, get in line with the PED requirements,
22 with the PEC requirements, with the CSD
23 requirements, and get my school running and doing
24 everything that I needed to do within the school,
25 this has been a tough year. I've never worked so

1 hard in my life. But I wouldn't take it back.

2 And, so, did we meet everything we needed
3 to meet in the first year? No, sir, we did not.
4 But it wasn't for lack of trying.

5 COMMISSIONER GANT: That's all I had.

6 THE CHAIR: All right. Other questions?

7 COMMISSIONER GANT: I'd still like to have
8 had the 40, 80, 120 days.

9 THE CHAIR: Let's ask Mr. Pahl for that.

10 COMMISSIONER CARR: Madam Chair?

11 THE CHAIR: Mr. Carr?

12 COMMISSIONER CARR: I remember when we
13 were going through the application process, it was
14 promised that computers would be provided to all
15 students who couldn't forward them, and the
16 addressing whether or not they had high-speed
17 Internet, because many of our students -- it may be
18 a reason why the whole state is not being -- jumping
19 on board with this, is because a lot of our state
20 does not have high-speed Internet available to them,
21 at all. They're working on it.

22 So, first question is, are you -- you
23 know -- and this was promised for the second year,
24 not this year.

25 MS. TRUJILLO: Uh-huh.

1 COMMISSIONER CARR: So, in the second
2 year, are you going to make sure that all children
3 have computers?

4 MS. TRUJILLO: All children who ask for a
5 computer get a computer. We also do an Internet
6 subsidy for families to make sure that they have
7 that access to the Internet. We do serve students
8 on the reservation, where there's limited Internet
9 accessibility. In talking with those families, they
10 do what it takes to do our schooling, because they
11 believe in what we're doing. This was brought to my
12 attention as I did testing in Gallup, and they
13 expressed that to me.

14 COMMISSIONER CARR: One other question:
15 Do you have data on how many students enrolled in
16 your school from public schools, versus
17 home-schoolers?

18 MS. TRUJILLO: Yes, I believe we do.

19 COMMISSIONER CARR: Do you have those?

20 MS. TRUJILLO: I don't have the figures
21 off the top of my head, but I could certainly
22 provide it.

23 COMMISSIONER CARR: Do you have a guess?

24 THE CHAIR: We have a large home-school
25 population that are coming to us. I really don't

1 want to give you --

2 COMMISSIONER CARR: Less than 50? More
3 than 50 percent?

4 MS. TRUJILLO: To be safe, I'd say less
5 than 50.

6 THE CHAIR: Okay. Other questions?

7 COMMISSIONER CARR: I'm sorry. Could you
8 get that information --

9 MS. TRUJILLO: Certainly.

10 COMMISSIONER CARR: -- to us? You could
11 go through -- (indicates).

12 MS. TRUJILLO: Certainly.

13 THE CHAIR: Commissioner Bergman?

14 COMMISSIONER BERGMAN: Based on how you
15 answered Commissioner Carr's last question, you say
16 if they ask for a computer, they provide it. Do you
17 make all the other families and all the students
18 aware that if financial considerations do affect
19 them -- so, they know to ask?

20 MS. TRUJILLO: Maybe I didn't express that
21 correctly; but a computer is provided for any
22 family, yes.

23 COMMISSIONER BERGMAN: I understand that
24 if they don't have the money, that you guys will
25 provide.

1 MS. TRUJILLO: Yeah.

2 COMMISSIONER BERGMAN: Thank you.

3 MS. TRUJILLO: We have families asking for
4 two and three computers now.

5 THE CHAIR: Commissioner Bergman, are you
6 finished?

7 COMMISSIONER BERGMAN: Yes, thank you,
8 Madam Chair.

9 THE CHAIR: One of the things that I
10 brought up during the initial application open
11 meeting was how -- how do you verify that the
12 student is actually the one doing the work?

13 MS. TRUJILLO: We have -- we have constant
14 communication between our students and our teachers.
15 And the questioning techniques -- we have what we
16 call the CBA. And every -- periodically, in every
17 subject area, a teacher will call and just ask a
18 minimal number of questions of the student to see
19 how they're progressing within the curriculum. I
20 mean, it can become quite clear. If they can't
21 answer questions directly if connected to their
22 content but they have an A in the class, then
23 there's an issue that's going on.

24 And we can tell by grades. We can tell by
25 the testing at -- we can tell by the questions and

1 the attendance in the live lessons, the kids.

2 We've made a great attempt to get to know
3 our families and get to know them as people, what
4 they think about the curriculum, what they think
5 about the school and how it works. And you get that
6 sense of who does and who doesn't. But the CBA is a
7 quick way to do that.

8 THE CHAIR: Brad, can I ask what were the
9 questions or the issues that were brought to the
10 school as a result of that first site visit? I know
11 you don't have the responses ready yet, but can you
12 share with us what those questions were?

13 MR. RICHARDSON: Well, some of the -- in
14 the -- the academic performance framework, we go
15 over the negotiated performance indicators, the
16 goals. And we talk about, "How are you reporting
17 this? What data are you tracking? Is this the
18 instrument you're using, and is this going to work?"

19 And I think, in a couple of cases, it
20 wasn't clear that the test being used provided the
21 report that was being asked for in the -- in the
22 goal. It wasn't clear to us. They -- the school
23 said, "Well, we're going to have to go back to the
24 test provider, the test manufacturer or developer,
25 and find out how do we determine" -- for example --

1 and I'm making this part up -- if they said, "We're
2 going to show you a year's worth of growth."

3 So, we asked, "Okay, how does this test
4 show a year's worth of growth?" And, so, we started
5 teasing that out.

6 And it became clear that perhaps it didn't
7 show it as clearly as the goal would suggest. So,
8 we asked them to go back and check with the test
9 developers to determine how it would do that and
10 report that back to us. So, those kinds of things.

11 There was also, within the organizational
12 framework, maybe there was a policy that was not in
13 place, or there was a record not being kept. Maybe
14 something was -- you know, was not up to date. So,
15 we needed to get evidence that that was going to be
16 done. So, that was the kind of follow-up that the
17 school would do.

18 THE CHAIR: Let me just ask you. Next
19 month, will you have the questions and the responses
20 ready to bring to us?

21 MR. RICHARDSON: Yes, yes.

22 THE CHAIR: Just a list of them?

23 MR. RICHARDSON: Quite apart from the
24 report itself, you want to see the questions and
25 answers?

1 THE CHAIR: I would really like to see
2 what the concerns were and what the responses were
3 to those concerns. Was there any discussion or --
4 whatever -- on the number of students that are
5 current on their work? Do we have a lot of kids
6 that are behind, or -- did you --at the very
7 beginning of the conversation, the school showed us
8 the software that they use to track students'
9 progress, attendance, as well as progress through
10 their curriculum. At the time we were there, we saw
11 a fair number of students who were behind, and so we
12 asked about that.

13 Ms. Trujillo indicated that this was
14 testing time, and so they expected that there would
15 be a slowdown in progress through the -- through the
16 curriculum while tests were going on, but that that
17 should be corrected by the end of the year. So, we
18 wanted to see, at the end of the year, how did that
19 improve.

20 THE CHAIR: Was that one of your
21 questions?

22 MR. RICHARDSON: Right. I think that was
23 one of my questions.

24 MS. TRUJILLO: I answered it, then. I
25 don't think it was part of the follow-up, no.

1 MR. RICHARDSON: No? Okay. Well, we'll
2 talk through that, yeah, yeah.

3 THE CHAIR: Be sure. Because I -- having
4 taught online classes, I know that's a huge problem
5 that students think, "I'll do that after a while, or
6 I'll do it tomorrow," or whatever. And it just
7 snowballs.

8 So that, as well as attrition, are, in my
9 mind, two of the big factors that online education
10 has to look at.

11 Other questions, Commissioners? I know
12 the time is growing late, and I don't want to
13 begrudge that -- yes, sir. Commissioner Gant?

14 COMMISSIONER GANT: You mentioned the test
15 developer. Who is it?

16 MS. TRUJILLO: It's called "LEAP" -- "LEAP
17 Scores" or "LEAP Test" and "Scantron," which is part
18 of the LMS that we're using. So, it's already tied
19 into the system. And when they went into
20 negotiations into looking at STAR testing and
21 possibly Discovery, the integration of those systems
22 would have been more difficult, since we already had
23 something in place that worked within -- because we
24 can track our students' participation metrics. We
25 can track their attendance.

1 The tests are already built in, so we can
2 track the completion and the work that they're doing
3 with those. "Longitudinal Assessment Protocol" -- I
4 can't remember what the "E" stands for, and I
5 apologize. We call it the "LEAP."

6 THE CHAIR: Any further questions?

7 Mr. Pahl, I would appreciate if we would
8 keep this on the agenda for next month, please, with
9 the requested information.

10 Is there anything else that the
11 Commissioners would like to know about, on this
12 school, next month? No?

13 Okay. Thank you so much. Appreciate your
14 being here.

15 MR. RICHARDSON: Thank you.

16 MS. TRUJILLO: Thank you.

17 THE CHAIR: Next item on the agenda is
18 Report from Options for Parents. Mr. Pahl?

19 MR. PAHL: Yes, and I'll try to be brief,
20 Madam Chair, and members of the Commission.

21 The big report from the Division that I'd
22 like to -- like to announce -- and I think we all
23 knew about this -- is that Karen Ehlert had her last
24 day on Tuesday. She has retired from the Public
25 Education Department, and she put in some excellent

1 service here at the Department, both with the
2 Charter Schools Division and elsewhere.

3 We can expect new faces in the next two
4 meetings. We closed up a couple of positions there.

5 Forms update: The site worksheet -- site
6 visit worksheet has been transferred to a web-based
7 system. I mentioned that earlier. Again, no
8 changes to the site visit form, but is now in a
9 web-based system to make it more accessible for our
10 liaisons.

11 And update on school closures: The
12 process continues to move forward. Sandy Beery has
13 provided an itemized checklist, which you can find
14 on your pages -- your subsequent pages in your
15 binder. I'll let that speak for itself, if that's
16 okay, Madam Chair, and allow Sandy to answer any
17 questions that the Commission may have, maybe once
18 I'm done or now, whatever is the pleasure of the
19 Chair.

20 THE CHAIR: Does anyone have any questions
21 on closure?

22 No, I think we're fine.

23 MR. PAHL: Okay. And The Learning
24 Community, similarly, there is a checklist included
25 in your binder. Sandy Beery is here and available

1 to answer any questions.

2 We have a couple of schools of concern
3 that we'd like to notify the Commission about, the
4 first of which is Walatowa High Charter School.
5 It's in its tenth year of existence and second year
6 as a State-authorized charter.

7 There are several concerns regarding
8 governing council membership bylaws and policies
9 which have yet to be rectified since the first-year
10 visit. There are also concerns about data
11 reportings, teacher evaluation, and other compliance
12 issues, which attention was drawn in the 2014 formal
13 site visit report.

14 And the back page. Charter School Staff
15 required evidence that some of these items be
16 rectified by May 9th. To date, only one of several
17 of these items have been addressed. The deadline
18 for all major compliance items is June 15th.

19 Two charter school Staff inquiries have
20 yielded no progress as of the date of this printing;
21 though I do know that their liaison, Ed Wood, has
22 had some conversations and feels like he's gaining
23 some traction. That isn't enough to take them off
24 our school-of-concern list. But I think he feels
25 like they have begun moving in the right direction

1 to remedy these compliance issues.

2 THE CHAIR: Would it be legally possible
3 that we ask for a report on this school when we have
4 our special meeting on the 30th, or do we have to
5 limit it to -- to certain matters?

6 MS. LEWIS: You can ask for it.

7 THE CHAIR: If everything is supposed to
8 be due on the 15th, and we have a meeting on the
9 13th, I would like an update.

10 MR. PAHL: And we would be happy to
11 provide that to you.

12 Sage Montessori School. They have
13 officially hired Eileen Montoya as the school's
14 full-time administrator. I believe she was in the
15 crowd. I think she has left now. But she was here.

16 The school continues to improve and
17 address all the findings from the site visit report
18 and instructional audit, which is from our Priority
19 Schools Bureau earlier this year.

20 From those reports, there are only two
21 outstanding pieces: The first is their academic
22 charter goal. The school would like to come in
23 front of the PEC next month to present a S.M.A.R.T.
24 goal that is more aligned to the work that is
25 actually happening at the school. That would be a

1 request from the school.

2 MS. LEWIS: They want to amend a goal.

3 MR. PAHL: They want to amend one of their
4 goals. So, they will request an amendment to change
5 their goals to better reflect the practice that's
6 happening at the school.

7 THE CHAIR: I don't know why I was
8 thinking they wanted to do a contract negotiation.

9 MR. PAHL: Oh, okay. Okay. The second
10 piece has to do with the functionality of their
11 facility when implementing the Montessori program in
12 upper grades. So, the school is currently looking
13 at different buildings to move to. And while they
14 have come close several times, they still have not
15 found a new spot for themselves.

16 La Tierra Montessori School for the Arts
17 and Sciences. La Tierra is making tremendous
18 progress in addressing all of the findings from the
19 instructional audit, as well as the site visit,
20 under the interim leadership of Sandy Davis. There
21 are some more details here in your notebook. But I
22 think progress is being made.

23 So, these have been identified as a
24 school-of-concern earlier, and I think that's the
25 broad point that we're trying to make there.

1 COMMISSIONER BERGMAN: Madam Chair?

2 THE CHAIR: Commissioner Bergman?

3 COMMISSIONER BERGMAN: This might be the
4 appropriate time for me to say what I need to say
5 about this, about La Tierra. Just a brief
6 interruption, Mr. Pahl, because you're going to be
7 involved in this.

8 As noted, we have a July 10th negotiation
9 with this school. We, right now, have no
10 facilitator to handle that negotiation. I am deeply
11 reluctant to cancel the -- a contract negotiation
12 and punish a school that has nothing to do with
13 what's going on internally right now with that
14 situation.

15 I want to suggest that if that situation
16 is not resolved, my suggestion would be that Rachel
17 would handle the facilitation. She is the liaison
18 for that school. But I have been around her enough
19 in several of these negotiations that I believe she
20 would be fair and impartial. And I have seen her
21 with her own schools, when we've talked about goals,
22 get on board and help us convince those schools that
23 they need to raise those goals.

24 So, that's going to be my suggestion to
25 Director Pahl, that if you -- my preference is that

1 Julia Barnes be sitting there on July 10th. If
2 that's not possible, I think we're going to have to
3 go with Rachel. I believe she has the computer
4 skills -- since you're not familiar with what Julia
5 had to -- she sat there in the negotiations with her
6 computer, and we revised the document right there,
7 so when we walked out of the room, it's done.

8 There may have been a few occasions where
9 she might have to sit down with Abby or Sue,
10 Patricia Matthews or somebody. But I had faith that
11 Julia would make sure those things got in the final
12 document, as we walked out.

13 I think Rachel can do that. We may need
14 to talk about that. I'm not sure. Since she now
15 works for you, you're going to have to be on board
16 with that, too. But that's my suggestion,
17 Madam Chair, at this time, given what we know at
18 this time.

19 THE CHAIR: Well, since Commissioner
20 Bergman has brought it up, I think it's appropriate,
21 perhaps, to say we'd really rather have Julia. We'd
22 really rather have Julia.

23 And I -- I don't know what else to say to
24 anybody at PED, that they would work with Julia and
25 get her back on board. We need her. We truly do

1 need her. But I don't much think we're going to get
2 her.

3 So, I have -- so, if we're not -- we
4 prefer Julia. But if we're not going to get her,
5 we've got to do something else, because these
6 contracts must be negotiated.

7 And I agree with Commissioner Bergman. I
8 think Rachel is probably the only one on the Staff
9 who has the combined knowledge to get it done. But
10 it's going to be rough.

11 We'd rather have Julia. Thank you.

12 Commissioner Gant?

13 COMMISSIONER GANT: Madam Chair, members,
14 just for the record, Commissioner Pogna and
15 Commissioner Carr have left. They are no longer --

16 THE CHAIR: Oh. They did leave. Thank
17 you very much.

18 COMMISSIONER GANT: Just for the record.

19 THE CHAIR: Thank you. All right.

20 Some -- yes, please.

21 MS. DAVIS: May I ask a question? I'm at
22 La Tierra Montessori. I'm under the understanding
23 that that meeting had been changed to July 9th.

24 THE CHAIR: Yes, from the afternoon.

25 MS. DAVIS: From the afternoon.

1 Mr. Bergman said it was the 10th.

2 COMMISSIONER BERGMAN: My memory has gone
3 south. My -- I'm here, and my memory is down in
4 Roswell somewhere. Did we schedule that for 1:00 in
5 the afternoon? I believe that's why we did it, so
6 we could drive up that morning.

7 THE CHAIR: Yes, we did.

8 COMMISSIONER BERGMAN: Okay. Mr. Pahl may
9 need to verify. I hope we're still going to be able
10 to be at the Bar building. That's where we had all
11 these other negotiations.

12 THE CHAIR: The Bar Association.

13 COMMISSIONER BERGMAN: In Albuquerque.
14 Please verify that for 1:00 on the 9th.

15 MR. PAHL: I need to check on the date --
16 the location.

17 THE CHAIR: Does that conclude your
18 report?

19 MR. PAHL: Yes, and thank you.

20 THE CHAIR: Okay. Thank you very much.

21 Let's go on to 13. It's also your item,
22 "Discussion and Possible Action on Transportation
23 for Charter Schools."

24 MR. PAHL: Yes, Madam Chair, members of
25 the Commission. I think, based on my earlier

1 presentation on amendment protocols, I think the
2 appropriate thing to do here is to get the
3 Commission a draft of that proposal, so we can begin
4 hammering that out together through work groups.

5 I will just briefly state that -- you
6 know, there are two ways a charter would generally
7 have transportation. It's already in their charter
8 when they ask to be chartered and are approved, or
9 they ask for an amendment.

10 We don't foresee any issues between newly
11 chartered charters requesting transportation. We
12 are going to account for that in our -- our budget
13 request for transportation funding. However, a time
14 line that aids us in preparing our budget is
15 something we are -- we are striving for, in addition
16 to those amendment protocols of what is the
17 documentation you'll be providing.

18 Currently, we are awarding transportation
19 funding on a -- through a formula that's slightly
20 modified from the school districts' formula. We
21 will be creating a new formula for charter schools
22 and work through the same group of mathematicians at
23 New Mexico Tech to help us in creating the algorithm
24 for that formula. That will be brought to the
25 Commission for -- for an informative item.

1 THE CHAIR: Why would it need to be a
2 different formula for charter schools?

3 MR. PAHL: Well, maybe because charter --
4 there are factors in the district formula that just
5 aren't -- don't translate well into the charter
6 school formula, most notably, the -- the size of a
7 district, you know. Gallup-McKinley County Schools
8 is the size of Connecticut. Other districts are
9 much smaller. We don't really have a district
10 for -- we don't have district boundaries for a state
11 charter. And, so, there are considerations like
12 that that are being incorporated into a new way of
13 distributing adequate funding for transportation of
14 charter school students.

15 THE CHAIR: Thank you.

16 MR. PAHL: Uh-huh.

17 THE CHAIR: So, you have a draft of that
18 for us, or you will have a draft?

19 MR. PAHL: Will.

20 THE CHAIR: And we'll have it when?

21 MR. PAHL: As soon as possible. This is
22 something that I have a rough draft of that I'd like
23 to just clean up and hopefully get to you by the end
24 of next week.

25 THE CHAIR: That will be fine. Thank you.

1 What about No. 14, Discussion and Possible
2 Action on Forms, so on and so forth? On that item,
3 I penciled in a time line for new applications
4 process.

5 MR. PAHL: Oh, uh-huh.

6 THE CHAIR: Do you have that for us?

7 MR. PAHL: Yeah, I do. The draft, again,
8 is complete. And this one's ready to distribute to
9 you, probably right after the meeting. But, again,
10 I envisioned these sections of the agenda going a
11 little differently. So, you can expect that to be
12 e-mailed out to the Commission by the end of today.

13 And, basically, what it does is outline
14 some basic time lines with the distribution of
15 preliminary scores and analyses delivered to the PEC
16 by August 11th, at the very latest, and then setting
17 final recommendations from the Charter Schools
18 Division to the PEC by September 5th.

19 But, again, you'll have a hard-copy
20 document of that. And I'll just underline again my
21 misunderstanding of how the process worked in
22 proposing protocols. But we'll move forward with
23 what we have. And, again, this is something that's
24 immediately available for you.

25 COMMISSIONER BERGMAN: Madam Chair?

1 THE CHAIR: Commissioner?

2 COMMISSIONER BERGMAN: Just for your
3 information, that is also -- a time line is always a
4 first draft, and it's always sent to us so we can
5 coordinate calendars, too. We know you have
6 deadlines; everybody has deadlines. So, it's always
7 sooner or better on those time lines.

8 MR. PAHL: Yeah. Yes.

9 COMMISSIONER BERGMAN: But we always have
10 voted on those; so, that's another item, believe it
11 or not, that we vote on.

12 MR. PAHL: Yes, Commissioner Bergman.

13 THE CHAIR: Any other questions?

14 COMMISSIONER BERGMAN: Actually, I did.

15 Under Item 14, there under No. D, we had
16 put, on our agenda, "Protocols for New Governing
17 Body Members." And I'm trying to think where that
18 came from. I'm thinking that Julia Barnes suggested
19 we might need to look at that area. But what say do
20 we, as a Commission, have in governing bodies' rules
21 and procedures? Do we have a say? I'm not sure why
22 we --

23 THE CHAIR: I honestly am drawing a blank.

24 COMMISSIONER BERGMAN: So am I. Maybe
25 that's not in our purview.

1 THE CHAIR: Anybody else have a thought on
2 it, what we might have been thinking about there?

3 MS. LEWIS: Training, maybe?

4 COMMISSIONER BERGMAN: Maybe we should
5 drop it until we figure out what we were talking
6 about, in the future.

7 THE CHAIR: Matt, going back to the time
8 line, do you have a copy of a previous one to go
9 from?

10 MR. PAHL: No, I don't -- I guess my
11 answer to that is "I don't know." This is a result
12 of Staff work, who would be privy to a previous time
13 line. But I can check with them and include that in
14 the e-mail that I send to you.

15 THE CHAIR: Would you, please? Because
16 there was a lot of detail in those time lines, a lot
17 more dates, a lot more --

18 COMMISSIONER BERGMAN: This is going to
19 sound catty, but so that you get Julia back on
20 board, she'd know all about the time lines.

21 THE CHAIR: That's right. Get Julia back
22 on board.

23 Anything else on Item 14?

24 MR. PAHL: Not from me, Madam Chair.

25 THE CHAIR: Okay. And you'll get us a

1 preliminary time line out right away, and then check
2 with Staff on a more detailed one?

3 MR. PAHL: Yes. I would imagine -- I'm
4 not sure that the preliminary time line we have is
5 not the detailed time line. So, I'll send that to
6 you, and also just note if it's based off of
7 previous work.

8 THE CHAIR: Good, good.

9 Item 15, Statement of Roles of PED and the
10 CSD. Ms. Lewis?

11 MS. LEWIS: Last meeting, the PED had
12 asked me to make a statement about what the statute
13 says about the roles of CSD and PEC. As a result of
14 that, the Commission requested that I send a letter
15 to the State-chartered schools, outlining what we
16 had said, because it was the afternoon, and we had
17 even less than we do now.

18 The request from the Commission -- sorry,
19 I'm hearing a buzzing. The request from the
20 Commission is now that I read it into the record.
21 Basically, the goal here is to splash it anywhere
22 and everywhere, so that this information gets to the
23 schools.

24 And, Kimberly, on that note, I asked
25 Beverly if it could be posted on the PEC website.

1 But I'm not sure if she was able to get that done.
2 But that would be another area that I would advise
3 having it.

4 So, I am just going to quickly read --
5 Cindy, I'll try not to do over 250 words -- the
6 letter that was sent on May 22nd.

7 "There has been some ongoing confusion
8 about the roles and responsibilities of the Public
9 Education Commission, PEC, and of the Charter
10 Schools Division, CSD, of the Public Education
11 Department, PED, and about the relationship between
12 these entities. The intent of this letter is to
13 inform you of the significant differences.

14 "While understaffed, the CSD is charged
15 with providing Staff support to the PEC. This term
16 is not defined, nor expanded upon in the law.
17 Therefore, because CSD are not employees of PED" --
18 I'm sorry. "Therefore, because CSD employees are
19 employees of PED, and not of PEC, PED is responsible
20 for the interpretation of what this term means.

21 "Because CSD employees are not employees
22 of PEC, while they are to provide staff support to
23 PEC, they cannot and do not speak for PEC. Your CSD
24 school liaison is an invaluable resource and will be
25 able to help you with most of your questions.

1 However, should you have a question specific to the
2 PEC, PEC procedure, or PEC requirements, you will
3 need to contact me.

4 "Under statute, the duties of CSD are to:

5 "1. Provide staff support to the
6 Commission;

7 "2. Provide technical support to all
8 charter schools;

9 "3. Review and approve State charter
10 school budget matters; and

11 "4. Make recommendations to the
12 Commission regarding the approval, denial,
13 suspension, or revocation of the charter of a
14 State-chartered charter school.

15 "It is important to note that the PEC is
16 not bound by, nor obligated to, follow any
17 recommendation made by CSD. PEC is an independent
18 body with decision-making vested in it, and not in
19 CSD.

20 "Under the statute, the powers and duties
21 of PEC include, but are not limited to:

22 "1. Receive applications for initial
23 chartering and renewal of charters for charter
24 schools that want to be chartered by the State, and
25 approve or disapprove those charter applications.

1 "The Commission may approve, deny,
2 suspend, or revoke the charter of a State-chartered
3 charter school, in accordance with the provisions of
4 the Charter Schools Act.

5 "2. To evaluate charter applications.

6 "3. To actively pursue the utilization of
7 charter schools to satisfy identified education
8 needs and promote a diversity of educational
9 choices.

10 "4. To approve charter applications that
11 meet the requirements of the Charter Schools Act.

12 "5. To decline to approve charter
13 applications that fail to meet the requirements of
14 the Charter Schools Act or are otherwise
15 inadequate."

16 I think I'm on 6.

17 Next. "To negotiate and execute in good
18 faith charter contracts that meet the requirements
19 of the Charter Schools Act with each approved
20 charter school."

21 Next. "To monitor, in accordance with the
22 requirements of the Charter Schools Act and the
23 terms of the charter contract, the performance and
24 legal compliance of the charter schools under their
25 authority."

1 Next. "To determine whether a charter
2 school merits suspension, revocation, or
3 non-renewal.

4 "And, finally, to develop and maintain
5 chartering policies and practices consistent with
6 nationally recognized principles and standards for
7 quality charter authorizing in all major areas of
8 authorizing, including organizational capacity and
9 infrastructure, evaluating charter applications,
10 performance contracting, charter school oversight
11 and evaluation, and charter school suspension,
12 revocation, and renewal processes.

13 "If you have any questions, please do not
14 hesitate to contact me at alewis@nmag.gov, or
15 505-827-6921. Thank you. Abby Lewis, Assistant
16 Attorney General for the Public Education
17 Commission."

18 So, that was the intent of that agenda
19 item, and if you have any questions about the letter
20 or anything in it.

21 THE CHAIR: Any questions? All right.
22 Thank you, Ms. Lewis. Quite comprehensive.

23 Let's move on. Next item is "2014 PEC
24 Meeting Calendar." It's in your notebooks. I don't
25 believe there's been any changes -- there have been

1 any changes, except for the addition of the June 30
2 meeting. Commissioner Bergman?

3 COMMISSIONER BERGMAN: Since Beverly is
4 gone somewhere, someone is going to -- as soon as
5 Beverly gets back -- is going to tell her that,
6 because she will not know about it. She will not
7 know about it when she gets back.

8 MS. ULIBARRI: I will definitely get with
9 her on that.

10 THE CHAIR: Kimberly will take care of it.

11 COMMISSIONER TOULOUSE: Madam Chair, on
12 July 10th, is there a work session?

13 THE CHAIR: Yes. There's a negotiation on
14 the afternoon of the 9th, work session on July 10th,
15 and regular PEC meeting on July 11.

16 Anything else?

17 Okay. Thank you. Let's move on to PEC
18 Budget. And I'm going to defer to Commissioner
19 Toulouse.

20 COMMISSIONER TOULOUSE: Madam Chair, as
21 you know, we discussed last meeting that we would
22 like to decide for ourselves and request where the
23 "2 percent" money goes. As an administrative
24 attached agency, our budget does flow through PED,
25 but that doesn't necessarily mean it is budgeted as

1 such by PED.

2 So, we wanted to try. I did a request to
3 the Secretary Designee with copies to both Deputy
4 Secretaries, for basic information on budgeting on
5 the 2 percent, and on the staffing pattern, and
6 other information on the Charter Schools Division.

7 I gave them five working days, did not get
8 any response. So, Ms. Lewis did a request for
9 Public -- the Public Records request for us. We
10 received a letter back stating that it was too
11 burdensome to provide until next month.

12 On my own, and with considerable help from
13 other entities, I have collected a fair amount of
14 information. And I met yesterday afternoon with our
15 Executive Committee, who just happens to be the rest
16 of my Budget Committee, and we went over what I had
17 done so far, and we seem to be on the right
18 direction.

19 We will meet again prior to the July 11th
20 meeting, and we will present the best budget we can
21 come up with for that 2 percent money, whether we
22 have or have not received the Public Records
23 information.

24 I worded it -- and I want this on the
25 record. I worded it carefully enough and asked for

1 material that only should have been instantly
2 available, because it is the budget cycle and people
3 were working on it. I do not consider it, having
4 been a 30-year State employee and high enough up in
5 doing budget information for many years, that it was
6 burdensome. However, I -- there's no way to contest
7 that without getting even more into a problem with
8 it.

9 But we do have other access through
10 informal channels to different information, and I
11 intend to get some more beyond that, and we will
12 present, at the July 11th meeting, a budget of that
13 2 percent.

14 THE CHAIR: Thank you. I know that's a
15 lot of work, and I appreciate -- we appreciate you
16 taking that on. Do you have any questions?

17 COMMISSIONER BERGMAN: I thought --
18 weren't we going to also discuss it during the
19 workshop session on the 10th, or are we just going
20 to wait until after?

21 THE CHAIR: Afterwards, because we can't
22 have a quorum.

23 COMMISSIONER TOULOUSE: Yes, Madam Chair.
24 I forgot to say that we planned to have the Budget
25 Committee meet after that, rather than do some kind

1 of other meeting around all of this. And, again,
2 regardless of the information we get -- and I do
3 expect we will get it right at the last minute --
4 and our format is such we can plug it in.

5 So, we will present whatever information
6 we have available. And it will be accurate to
7 within what we can gather. Thank you.

8 THE CHAIR: Thank you very much for that.

9 Next item is the Legislative Report. And
10 since Commissioner Carr is not here, we will move
11 on.

12 Next item is the Charter School Committee
13 report. Commissioner Bergman?

14 COMMISSIONER BERGMAN: I really have very
15 little. We have essentially finished with
16 La Tierra, we will finish the current cycle, just in
17 time to then begin, in September, the next cycle,
18 when we will have -- who knows yet? We won't know
19 until July 1st how many actual applications we're
20 going to get.

21 Oh, and we would like to know as soon as
22 you know how many applications you did get.

23 MR. PAHL: Absolutely.

24 COMMISSIONER BERGMAN: We've got to start
25 thinking about that, too. I want to know how much

1 travel we're going to be doing. That could be eight
2 or ten schools. We have heard that there's going to
3 be at least 19 schools in our renewal cycle. So, we
4 could be looking at another 25 to 27 -- or somewhere
5 in that range -- of negotiations in the next cycle.

6 We are becoming busy bees, I can assure
7 you. And as this process grows, as I've said
8 before, CSD has got to have more staff. I'm talking
9 to the wrong people, not the people that determine
10 those things.

11 But their liaisons are overworked. As it
12 grows, they've got to have more staff. So, I'll
13 just put that in the record at this time.

14 I think that's all I'll say. Thank you,
15 Madam Chair.

16 THE CHAIR: Thank you. Any questions of
17 the Charter School Committee?

18 All right. Let's move on to "PEC
19 Comments."

20 Any of the Commissioners have anything
21 they'd like to share at this point? Commissioner
22 Parker?

23 COMMISSIONER PARKER: I do not.

24 THE CHAIR: Commissioner Toulouse?

25 COMMISSIONER TOULOUSE: Madam Chair, I'll

1 be brief, since I know we're all tired. But I did
2 want to tell you all that I was invited to the
3 graduation for Cesar Chavez Community School, which
4 I attended. I did RSVP, but I did not let them know
5 when I arrived, because I wanted to sit with the
6 parents and the siblings and the relatives to talk
7 with people.

8 And I was impressed, because, for the ones
9 of you who know, this is really one of the
10 last-chance schools. It's a SAM school. These are
11 kids who have been in trouble, who have been in and
12 out of school, who may have gone to three or four
13 different schools. And they did want a diploma.

14 They graduated 48 students. They work
15 intensively with these students. Each one is
16 assigned to a faculty member from day one, whether
17 they take a class from them or not, who works with
18 them. And I know, because I worked for many years
19 with this population of students, where they've come
20 from. And I know where they would be going without
21 this school. And many of them still will probably
22 not get there -- where we need them to go now. But
23 the success rate will be much higher.

24 They have, of 48 students, 39 of them are
25 already enrolled at CNM. There have already been --

1 gotten in touch with the various resources at CNM,
2 who pick up these kinds of students to work with.
3 25 of those have already successfully applied for
4 and been granted the Bridge Scholarship. They have
5 another five in the works.

6 They have one student who received a
7 full-ride scholarship to UNM. They have four
8 students who are working with DVR. I think, for
9 this population of students, that's 44 of the
10 students who, at least, for the fall, are moving
11 ahead. So that I -- knowing -- again, 30 years in
12 the Human Services Department, I know that that
13 population, without the intervention and without
14 going to the school, probably 5 percent or less
15 would become what we would consider successful down
16 the road.

17 I am willing to bet that 50 percent of
18 these kids will get somewhere. It may not be as far
19 as we would like them to, but they will get
20 somewhere. And that's what I talked to their
21 principal about, because she wants, of course,
22 100 percent. And I agree with her that you want it,
23 and you go for it, but that's not what you get.

24 But it was -- the parent involvement, the
25 family involvement in this group, the faculty

1 involvement, who got up and individualized each
2 student -- and it was a faculty member who did it --
3 to me, was an impressive deal.

4 And they made it a big deal. They had it
5 down at the Hispanic Cultural Center in the big
6 auditorium. It was a very, very nice program. And
7 I just -- I want to say I think they need to be on
8 the record with what they've done so far for these
9 students.

10 THE CHAIR: Thank you. Appreciate that.
11 Commissioner Gant?

12 COMMISSIONER GANT: Just a couple of
13 things, Madam Chair. I told you all about the thing
14 that -- the item I gave Mr. Pahl this morning
15 about -- about the end-of-course examinations. And
16 I did ask the principal if there were any others
17 that felt the same. He said it was across the
18 board. So, it was just not his school, okay?

19 And as far as school graduation, I am
20 proud to say that in Las Cruces, New Mexico, we have
21 an Early College High School that 100 percent of the
22 freshmen that started four years ago all graduated
23 this year. 61 of them graduated with two-year --
24 two-year degrees from the branch college down there.

25 And, also, the last item is that

1 apparently, the -- the Governor and others are
2 trying to change the formatting of how -- or the way
3 our next teachers will be coming out of the College
4 of Education, and they'll all be judged upon how
5 well our students do on the exam to be given to them
6 each -- the standardized exam and many other things.

7 So, they're trying to come in and tell our
8 professional educators at the universities and
9 colleges of education how to run their business,
10 when none of them, for the most part, have ever
11 taught a day in their lives. Thank you.

12 THE CHAIR: All right, Commissioner.

13 Commissioner Conyers?

14 COMMISSIONER CONYERS: Just wanted to say
15 I'm sorry I wasn't able to attend last month's
16 meeting. I was ill. But I think I'm going to make
17 it now, so --

18 THE CHAIR: We hope so.

19 COMMISSIONER CONYERS: Thank you.

20 THE CHAIR: Commissioner Peralta?

21 COMMISSIONER PERALTA: I'm good,
22 Madam Chair.

23 THE CHAIR: Commissioner Bergman?

24 COMMISSIONER BERGMAN: I'm done.

25 THE CHAIR: Ms. Lewis?

1 MS. LEWIS: I'm good. Thank you.

2 THE CHAIR: All right. I believe I've
3 said enough, as well. Are we ready to adjourn? Do
4 we have anybody to speak?

5 MS. ULIBARRI: Yes, we do. Do I announce
6 those, or bring those to you?

7 MR. PAHL: Madam Chair, if I may, just --

8 THE CHAIR: Yes, go ahead.

9 MR. PAHL: Under "PEC Comments," I want to
10 address a comment and a question from
11 Commissioner Gant regarding waivers. We'd be happy
12 to, on a monthly basis, depict all the waivers that
13 have been approved from the Secretary that apply to
14 charter schools.

15 I think that's something -- the rationale
16 for why the Commission wants that, knowing what the
17 practice is happening on the ground, it's important
18 information for you all to have.

19 So my proposal would be -- and we can work
20 through the work sessions, if you'd like. But I'd
21 be happy to provide a summation of the waivers that
22 have been approved each month.

23 And, so, for this past month, there
24 haven't been any waivers approved. If you go from
25 the last meeting in the last calendar month, the

1 AIMS waiver is one that has been approved, and we
2 spoke about that at length in the morning.

3 So, just -- I did forget that in Item 14.
4 But since it was Commissioner Gant's comment that
5 generated that response, I felt like this might be
6 an appropriate time.

7 COMMISSIONER GANT: Madam Chair, just on
8 that subject, I think it would also be appropriate,
9 not only the ones approved, but all that have been
10 submitted, because it gives you a flavor of what's
11 going on out there in the schools.

12 THE CHAIR: You mean, for each -- a
13 school -- by school?

14 COMMISSIONER GANT: Whatever waivers come
15 in, whether they're approved or not, we should be
16 notified to what they are. It gives you a flavor of
17 what's going on.

18 THE CHAIR: Correct.

19 MS. LEWIS: I would respectfully request,
20 from the legal compliance point of view, that the
21 Commission, as well as myself, get the actual
22 waiver, versus just a summation.

23 COMMISSIONER GANT: 10-4. Yes.

24 MR. PAHL: Two responses to that: I can't
25 commit to the waivers that haven't been approved

1 yet, and, just, yes, we can provide copies of the
2 waivers that have been approved. But I'll just note
3 that I think the negotiations are an indicator of
4 this. I think there's going to be a lot of paper
5 involved with those and some of the other items.

6 So, I will be happy to provide the paper
7 of the approved waivers. We can discuss whether --
8 whether applied-for waivers are something that's
9 appropriate to share with the Commission.

10 MS. LEWIS: I'm sorry. I still have a
11 legal compliance question in my head as to why they
12 wouldn't be appropriate to share.

13 MR. PAHL: I guess it's --

14 MS. LEWIS: Like, the letter I just read
15 said that the Commission is charged with ensuring
16 that the schools are legally in compliance. So, to
17 me, that means as much information as possible. I'm
18 not sure why you're drawing a line between approved
19 and not approved.

20 MR. PAHL: Ms. Lewis, I think that's an
21 interpretation that reaches pretty far. And, so,
22 what we have committed to is sharing the approved
23 waivers.

24 MS. LEWIS: Okay. I'm happy to IPRA
25 anything the Commission would like to see that isn't

1 readily provided.

2 COMMISSIONER TOULOUSE: Madam Chair,
3 wouldn't it be important for us to also know, if
4 it's denied, one that's had an action taken on it,
5 because we'd also like to know what are people
6 thinking they want? Again, it has nothing to do --
7 for me, the case of a waiver has a lot to do with
8 the schools and the environment of the schools and
9 the students; so, is there something that somebody
10 wants, but they couldn't get? And I think that's
11 important.

12 MR. PAHL: I'll take that back to the
13 Secretary, Commissioner Toulouse, Madam Chair.

14 THE CHAIR: I certainly agree with that.
15 If it's been asked for, regardless of how the -- how
16 the final action was, we'd like to know about it, if
17 you would.

18 COMMISSIONER TOULOUSE: Madam Chair, Abby,
19 don't they become public record at the time they're
20 acted on?

21 MS. LEWIS: Well, before they're acted on.

22 COMMISSIONER TOULOUSE: I'm just saying
23 from the standpoint of having the complete picture,
24 rather.

25 MS. LEWIS: Uh-huh.

1 THE CHAIR: All right. "Open Forum." I
2 have several names here, though I would be surprised
3 they're still here.

4 COMMISSIONER BERGMAN: I see a group back
5 there, and I bet some of them are in that group.

6 THE CHAIR: We'll see.

7 Let me just remind you, if anyone is here
8 who wants to speak in the Open Forum section, we
9 have a four-minute time limit. We ask that anyone
10 from the same group, that you appoint a spokesperson
11 and allow that spokesperson to provide the point of
12 view for the entire group, so that we don't hear
13 repetitious comments.

14 So, if you're -- if some of you are from
15 the same group, we ask that you honor that request,
16 please, and remember a four-minute time limit.

17 First of all, I have Carl Harper.

18 I'm sorry. Coletta -- I'm not sure of the
19 last name. Rio Rancho Public Schools? No?

20 Alicia Trinidad? Jared Barnes? Are you
21 Jared?

22 MR. BARNES: Yeah.

23 THE CHAIR: Please come forward, if you'd
24 like to speak.

25 COMMISSIONER BERGMAN: We don't bite.

1 THE CHAIR: Well, not hard, anyway.

2 MR. BARNES: Where would you like me to
3 sit?

4 THE CHAIR: Please take that chair right
5 there, or if you prefer to stand, that's fine.

6 MR. BARNES: This chair?

7 THE CHAIR: That's fine. Please introduce
8 yourself to the recorder here, and then let us hear
9 what you have to say.

10 MR. BARNES: My name is Jared Barnes.
11 J-A-R-E-D, B-A-R-N-E-S.

12 COMMISSIONER BERGMAN: Madam Chair, might
13 I ask -- young man, you have a very soft voice.

14 MR. BARNES: I'll speak up, if you'd like.
15 Sorry.

16 COMMISSIONER BERGMAN: I'm getting along
17 in years.

18 MR. BARNES: Okay. Would you like me to
19 speak?

20 THE CHAIR: Please do.

21 MR. BARNES: I -- I'd like to. Would you
22 like me to use this?

23 I'd like to describe my experience with
24 MAS moreover than describing all the statistics and
25 such. And when I first came to MAS, I had my doubts

1 about it, because it was brand new and opening, and
2 it sounded like too good to be true.

3 And there was a rough patch with it.
4 And -- and there was a lot of -- it was a little bit
5 messy at first. But there was this one class in MAS
6 called "Success Principles." And it -- instead of
7 teaching academics in "Success Principles," it
8 teaches principles on how to succeed in life and how
9 to get into colleges and positive thinking and so
10 on, so forth.

11 And I've come across -- I have come across
12 multiple friends, all of us different. And the only
13 thing some of us had in common was that our lives
14 were being changed by "Success Principles." And I
15 believe that's something we need in our elementary
16 schools and our high schools, as well.

17 "Success Principles" has completely
18 changed my life for the better in almost every way,
19 shape, and form. I have more of a sense of purpose
20 in my life. And even without "Success Principles,"
21 I am -- there has only been positive results from
22 the -- from MAS.

23 I am doing far better academically. I
24 came to MAS with a sixth-grade reading level in
25 seventh grade, and now, I'm in the College Lexile.

1 I had a really hard time with math. I was in -- I
2 forgot as to what the name is. It was,
3 essentially -- it was the -- it was not professional
4 math. I was beginning steps math when I came into
5 MAS. And, now, I'm advanced -- or not beginning
6 steps. My apologies. I mean, near proficient.

7 And I went from nearly proficient in math
8 to advanced in my SBAs. Thank you.

9 THE CHAIR: Thank you very much.

10 (Applause.)

11 THE CHAIR: Jared, may we ask you a couple
12 of questions?

13 MR. BARNES: Yes, ma'am.

14 THE CHAIR: Are you the designated
15 spokesman for this group?

16 MR. BARNES: Not officially.

17 THE CHAIR: You're a very brave young man
18 and a very fine speaker. We appreciate you coming
19 forward.

20 MR. BARNES: Thank you, ma'am.

21 THE CHAIR: Commissioner Parker?

22 COMMISSIONER PARKER: Madam Chair,
23 Commissioners. Jared, what's your last name,
24 please?

25 MR. BARNES: Barnes.

1 COMMISSIONER PARKER: When you get home,
2 look in the mirror and pat yourself on the shoulder,
3 because what you did is very cool.

4 MR. BARNES: Thank you.

5 COMMISSIONER TOULOUSE: I know your school
6 does campus visits, and I want you to tell me what
7 you thought of your campus visit this spring. Tell
8 them where you went and what you thought.

9 MR. BARNES: So, this spring -- it was
10 right after spring break, I believe. We went on
11 a -- we went on an out-of-state trip to Arizona to
12 visit multiple colleges. We went to NAU, ASU,
13 and -- or -- NGCC. And we had fully detailed tours
14 of the campuses and how they all worked.

15 And that -- and we found out, while we
16 were there, the requirements to get into most
17 colleges -- or what could help us get into colleges,
18 different kinds of scholarships, so on -- or, et
19 cetera.

20 Does that answer your question?

21 COMMISSIONER TOULOUSE: Yes, it does.
22 Their sixth-graders go visit campuses in
23 Albuquerque. Their seventh-graders go visit other
24 campuses in New Mexico. And their eighth-graders go
25 out of state.

1 So, by the time they're ready to hit ninth
2 grade, they're ready to look at, "Where am I going
3 to go to college, and what kind do I want?"

4 And that's what -- I wanted to know how
5 that trip had gone. So, thank you very much.

6 THE CHAIR: Commissioners?

7 COMMISSIONER BERGMAN: Jared, as you went
8 over to NAU, did you get to stop at the Meteor
9 Crater or the Petrified Forest, or anything like
10 that?

11 MR. BARNES: No, but we did get to go to
12 the Lowell Observatory, and we got to see the Grand
13 Canyon.

14 COMMISSIONER BERGMAN: Outstanding, yes.

15 MR. BARNES: And we learned the science
16 behind both.

17 COMMISSIONER BERGMAN: Thank you. Thank
18 you, Madam Chair.

19 THE CHAIR: Okay. Anything else? Jared,
20 we thank you very much for your comments.

21 MR. BARNES: Thank you.

22 THE CHAIR: Is there anyone else from the
23 group? I have an A. J. Craig or a Bill Sharp, or
24 has Jared represented you?

25 COMMISSIONER BERGMAN: He's been here all

1 day. Let him speak.

2 COMMISSIONER TOULOUSE: It's not fair,
3 Madam Chair, to put just one of them through it,
4 even though you said one person should represent a
5 group. No. It's a good learning experience for
6 each one of you to have to face us. So, you can
7 tell us what you want to tell us.

8 THE CHAIR: Please introduce yourself.

9 MR. CRAIG: Are you guys a jury?

10 MS. LEWIS: Judge, jury, and executioner.

11 MR. CRAIG: My name is A.J. Craig. I've
12 been attending MAS for about -- this is my second
13 year. I was here since the very beginning in
14 seventh grade. And all I can really say is -- I'm
15 going to take too long -- but this school really did
16 change my life.

17 If it wasn't for this school, I probably
18 wouldn't be going to high school. I was everything
19 bad under the sun back in sixth grade. I'm not
20 going to name what APS school; it was just not good.
21 Had a bad everything. You know what I mean?

22 Went to this school. It's good staff,
23 good students, not really -- no pressure to do
24 anything bad whatsoever. It's a really safe
25 environment. Just a big change. And when I went in

1 the school, I was about -- about seventh grade. I
2 was at grade level reading. But now, as like Jared,
3 I'm at a college-level reading, and I am now -- I
4 just took my IEP this year, and I'm just now gifted
5 in math, and either creativity or critical thinking,
6 I don't remember which one. But that's all because
7 of this school.

8 Like, everyone has it in them to be great
9 academically, in a sense. But, like, you have to
10 get the right people around you to really push it
11 out on you and show who you are, because some
12 people, they just don't show it right away. And
13 they didn't give up on me, not once. They didn't
14 give up. I thought they were crazy at first,
15 because I was a wreck at first when I got to the
16 school.

17 But they pushed me, and they just brought
18 out the best in me and put away all the bad stuff
19 behind me. And now, I feel like a totally different
20 person, and everything it's done for me, in a sense,
21 I, like, owe my life to it. And it's just been a
22 great experience. And that's about it.

23 THE CHAIR: Thank you very much.
24 Commissioners, questions?

25 I think we're going to let you off easy.

1 No. Commissioner Parker?

2 COMMISSIONER PARKER: I'm not going to --
3 again, when you get home, you look at yourself in
4 the mirror and you tell yourself, "Nice work."
5 Because it's hard to get in front of these people.
6 You see the adults get up there, and they're a
7 little shaky, for whatever reason. But nice work.

8 (Applause.)

9 THE CHAIR: I have a "Bill Sharp"? No
10 Bill Sharp?

11 All right. That's all the people that are
12 on the list for Open Forum.

13 COMMISSIONER BERGMAN: She's not on the
14 list.

15 COMMISSIONER PARKER: She's a late entry.

16 THE CHAIR: Are you Alicia Trinidad?
17 You're going to have to get a lot closer than that.

18 MS. TRINIDAD: Alicia Trinidad.

19 THE CHAIR: Please take a seat and
20 introduce yourself.

21 MS. TRINIDAD: I'm Alicia Trinidad,
22 A-L-I-C-I-A. Trinidad is like the -- Trinidad.

23 THE CHAIR: And do use the mic, please.
24 Please speak up, if you would.

25 COMMISSIONER TOULOUSE: Yell at us like

1 you were at home.

2 MS. TRINIDAD: Well, what can I say about
3 MAS? Like A.J. says, it changes your life. It
4 really does. Like, they care about you like if you
5 were their own child. Like, if you mess up, they
6 tell you -- they don't lecture you. They're just,
7 like, "It's okay to mess up. Everyone messes up."
8 And they give you chances after chances.

9 They care so much about you, it's just so
10 shocking. It's just -- when you're there, you just
11 feel so happy. You feel loved, and you just want to
12 work hard for them and want to do the best for them
13 and show them that we're -- we care about them,
14 also. And -- this is so intimidating, actually.
15 I'm so shaky.

16 But MAS is an amazing school. I mean, if
17 kids came and asked me if I should go to MAS, I
18 would say, "Yes," quickly. No doubt. I would have
19 nothing negative to say about MAS. It is really
20 good.

21 I mean, like I says, at first, it was a
22 little messy, yeah. But they got a hang of it.
23 They've got us, and they understand us. They
24 just -- they make it more easy for us when we don't
25 understand, 'cause they get one-on-one with us.

1 They're just not -- when we don't understand it
2 personally, they're, like, "Okay, we'll come back to
3 you, personally, one-on-one," not just the whole --
4 the whole class again, so, the whole class don't
5 have to hear it again.

6 So, it's really good when they do that,
7 'cause you understand more. You're like, "Okay, I
8 really get this," and you're just so motivated to
9 work, and you just want to -- you just want to do so
10 good. And they just make you feel -- they make you
11 feel amazing. Even when you think you're bad, or if
12 you get a test, low score, they're, like, "It's
13 okay. Next time, you're going to get this. And I'm
14 going to push you there. I'm going to push you
15 until you get there."

16 And then once you get there, they give you
17 that -- props. They're just, like, "I'm so proud of
18 you." They giving you that side hug, and they say,
19 "I'm proud of you," and you just feel so great.
20 Some of us at that school don't have good families.
21 So, when they're caring like a family, it just -- it
22 brightens you. It's like, "Oh, yeah. Got a test
23 score high, 'cause I got help." And you're just so
24 happy.

25 That school makes me really happy, and I

1 enjoy it. I do, like, a lot. I want to go there
2 the rest of my year, and I want to graduate there.
3 And I know that I'm going to get where I want,
4 because that school pushes you to where they're just
5 not, like, "Okay, you're going to -- you're just
6 going to go by grade by grade." They're not -- they
7 care. They're, like -- like, APS, they're, like,
8 "Okay. You're going to ninth grade. You're going
9 to ninth grade."

10 This school, they're, like -- I don't
11 know. It's hard to explain. But they want you --
12 they want you there. Like, I want to be a police
13 officer. And they want to push me there. Every
14 day, they're, like, "Officer Trinidad," and this and
15 that. I'm, like, "Yeah." I feel like an officer,
16 and I want to get there.

17 And they're -- they just push you to --
18 not push you, like, aggressively, but they push you
19 where your limits are, and they know where that
20 limit is. It's a phenomenal school. Really is.
21 Changed my life.

22 The college trip. Have more
23 opportunities. I didn't even know there was
24 colleges out there like that. And now, I do. I've
25 seen it. I'm just like, "Wow, I can go there." I'm

1 just, like, "Maybe that's my school," and -- it's
2 just more opportunities, and it's better. I enjoy
3 MAS a lot.

4 THE CHAIR: Thank you. How long have you
5 been a student there?

6 MS. TRINIDAD: Two years, since seventh
7 grade.

8 THE CHAIR: This is your second year?
9 Commissioner Parker?

10 COMMISSIONER PARKER: When you get home,
11 look in the mirror. You're the one doing the work
12 there. The school is providing you with the
13 opportunity. You're the one who is doing the work.
14 And, also, I drive a brown Toyota pickup, so if you
15 pull me over --

16 THE CHAIR: Other questions?

17 COMMISSIONER BERGMAN: All of you are very
18 well-spoken.

19 MS. TRINIDAD: Thank you so much.

20 (Applause.)

21 THE CHAIR: We appreciate all of you
22 coming. Thank you.

23 Okay. I believe that takes care of our
24 Open Forum list. We are now down to adjourn, if I
25 haven't missed anything else.

1 Do I hear a motion to adjourn?

2 COMMISSIONER GANT: No.

3 COMMISSIONER TOULOUSE: So moved.

4 THE CHAIR: Yeah. All those in favor,
5 please say "Aye."

6 MS. LEWIS: You need a second.

7 COMMISSIONER BERGMAN: Second.

8 THE CHAIR: I thought I heard a second.

9 All those in favor, please say "Aye."

10 (Commissioners so indicate.)

11 THE CHAIR: Any opposed?

12 (No response.)

13 THE CHAIR: We are adjourned.

14 (Proceedings concluded at 5:30 p.m.)

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1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

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4
5 REPORTER'S CERTIFICATE

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

13 In testimony whereof, I have hereunto set my
14 hand on June 26, 2014.

15
16
17 _____
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