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BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
COMMUNITY INPUT HEARING  
New Mexico Gateway Academy  
August 18, 2015  
10:30 a.m.  
CNM Workforce Training Center  
5600 Eagle Rock Avenue, Northeast  
Albuquerque, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219  
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A P P E A R A N C E S

COMMISSIONERS:

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

STAFF:

MS. KATIE POULOS, Director, Charter Schools Division  
MS. JULIE LUCERO, General Manager, Options for  
Parents

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1 VICE CHAIR BERGMAN: I have 10:30, so I'm  
2 going to call us back from recess. We were just in  
3 recess from our previous hearing.

4 Today, we are meant to have a Community  
5 Input hearing for the New Mexico Gateway Academy.

6 Today's date -- you are ready, are you  
7 not, Cindy?

8 THE REPORTER: (Indicates.)

9 VICE CHAIR BERGMAN: Today's date is  
10 Tuesday, August 18th, 2015. We're not going to do  
11 the Pledge and the Salute, because we did that at an  
12 earlier hearing. We will have a form of a roll  
13 call.

14 I am Vice Chairman of the Commission,  
15 Vince Bergman. I represent District 8, which is --  
16 I'm in Roswell and the southern counties, and I run  
17 up through the central part of the state, all the  
18 way to Mora County, believe it or not. So I have a  
19 fairly large district.

20 I would just ask each Commissioner -- I'll  
21 start to my left this time -- please introduce  
22 yourself and identify your districts, please.

23 COMMISSIONER POGNA: I am Millie Pogna  
24 from Albuquerque. I am District 2, which is  
25 basically the Northeast Heights and the East

1 Mountains.

2 COMMISSIONER CARR: Jeff Carr,  
3 representing District 10, which is Colfax County,  
4 Taos County, Rio Arriba, and Santa Fe.

5 COMMISSIONER CONYERS: Jim Conyers, I  
6 represent District 5, which is all of San Juan, all  
7 of McKinley County, part of Rio Arriba and part of  
8 Sandoval.

9 COMMISSIONER TOULOUSE: I'm Carmie  
10 Toulouse. I represent District 3, which is the bulk  
11 of Albuquerque. I don't have the Northeast and I  
12 don't have most of the West Side; but I have one  
13 little section on the far north end of the West  
14 Side, and I have everything from the river to I-40  
15 over here, and then I have from Montgomery, to  
16 Louisiana, to Central, then up to Eubank, then  
17 across, and then down up against the Base and down  
18 around the Airport.

19 And so I have Old Town. I have all of  
20 this, which means most of the charter schools in  
21 Albuquerque, whether they're ours or APS's, are in  
22 my district.

23 And last meeting, Mark said he thought all  
24 the APS ones were. But East Mountain Academy, now,  
25 that one's not in mine. Thank you.

1 COMMISSIONER GIPSON: I'm Patti Gipson. I  
2 represent District 7 which is all of Doña Ana  
3 County, plus a little bit of Otero.

4 COMMISSIONER ARMBRUSTER: I'm Karyl Ann  
5 Armbruster. I represent District 4, which is all of  
6 Los Alamos, some parts of Santa Fe, some -- probably  
7 what Carmie doesn't have in Albuquerque, and the  
8 Jemez.

9 COMMISSIONER CHAVEZ: Eleanor Chavez. I  
10 represent District 1 in Albuquerque.

11 VICE CHAIR BERGMAN: Thank you so very  
12 much. We do have -- I'll note for the record that  
13 we do have eight Commissioners present today. That  
14 is a quorum.

15 However, it is not necessary for us to  
16 have a quorum, because we have no action items  
17 today. But we do have eight Commissioners, and I  
18 appreciate their interest in being a part of this  
19 process.

20 Before I move on, I do need -- we do  
21 need -- it's a very brief agenda, but I would ask  
22 someone to move for approval of our agenda.

23 COMMISSIONER ARMBRUSTER: I move we  
24 approve the agenda, as --

25 VICE CHAIR BERGMAN: I guess we did that.

1 It's a different agenda, though.

2 COMMISSIONER TOULOUSE: We don't have this  
3 one.

4 VICE CHAIR BERGMAN: Okay. So let's  
5 assume that we did that this morning, also, then. I  
6 guess we consider that -- I do have a statement that  
7 I will now read before we proceed into the  
8 proceedings.

9 This meeting is being conducted pursuant  
10 to New Mexico Statutes Annotated, Title 22, Section  
11 8B-6J, 2009.

12 The purpose of these Community Input  
13 hearings that will be held from August 17th through  
14 August 21st, 2015, is to obtain information from the  
15 applicants and to receive community input to assist  
16 the Public Education Commission in its decision  
17 whether to grant the proposed charter application.

18 According to this section of the law, the  
19 Commission may appoint a subcommittee of no fewer  
20 than three members to hold a public hearing. We  
21 have satisfied that requirement.

22 According to law, these hearings are being  
23 transcribed by a professional court reporter. The  
24 total time allocated to each application is  
25 90 minutes, which will be timed to ensure an

1 equitable opportunity to present applications.

2           During the hearing, the Commission will  
3 allow for community input about the charter  
4 application. The time for public comments will be  
5 limited to 20 minutes. If you wish to speak  
6 regarding the application, please sign in at least  
7 15 minutes before the applicant's presentation.  
8 Please be sure that you indicate on the sign-up  
9 sheet whether you are here in opposition or support  
10 of the application.

11           The Commission chair -- in this case, the  
12 acting chair -- based on the number of requests to  
13 comment, will allocate time to those wishing to  
14 speak. If there are a large number of supporters or  
15 opponents, they are asked to select a speaker to  
16 represent common opinions.

17           We will try to allocate an equitable  
18 amount of time to represent the community  
19 accurately.

20           The Commission will follow this process  
21 for each community input hearing:

22           The Commission will ask each applicant or  
23 group to present at the table in front. They will  
24 be given 20 minutes to present their application in  
25 the manner they deem appropriate.

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1           The Commission will not accept any written  
2 documentation from the applicant; but the applicant  
3 may use exhibits to describe their school. If  
4 necessary, however, the setup time for exhibits,  
5 et cetera, will be included in the applicant's  
6 20 minutes.

7           Following the applicant's presentation,  
8 the local school district representative or  
9 representatives, which could include the  
10 superintendent, administrators, and board members,  
11 will be given ten minutes to comment.

12           Subsequently, the Commission will allow  
13 20 minutes for public comment, as described above.

14           Finally, the Commission will give itself  
15 40 minutes to ask questions of the applicant.

16           Those are the guidelines we will follow,  
17 and the times are very strict. One of the CSD staff  
18 will be timing, and she will tell us when various  
19 times are up, and then we will stop at that point.  
20 I don't wish to be rude; but I will stop you at that  
21 point.

22           Let's see. I think we're ready.

23           Commissioners, are you ready to proceed?

24           VICE CHAIR BERGMAN: All right. We're --  
25 all right. I would ask that the Gateway Academy

1 please come forward. I assume you have already done  
2 that.

3 For the record, please state each of your  
4 names, describe who you are and what your  
5 relationship will be to this charter school, and you  
6 will have 20 minutes to present your information.

7 But that -- I won't start that time. Your  
8 introduction is not a part of your 20 minutes. So  
9 please introduce yourselves, loud enough for the  
10 reporter to hear. Take that microphone down,  
11 please. Use that. It's wireless. Just pull it out  
12 of there. Well, it's not that easy. And it sounds  
13 like it's already on; so -- thank you.

14 MS. UNSER: My name is Susan Unser. I am  
15 one of the three cofounders of New Mexico Gateway  
16 Academy.

17 MS. ADKINS: My name is Mari Adkins. I am  
18 one of the cofounders.

19 MR. SHEEHAN: I am Tim Sheehan. I am a  
20 potential governing board member.

21 MS. DeVESTY: Hi. My name is Janet  
22 DeVesty, and I am one of the founders.

23 MR. FRY: My name is Sean Fry. I'm a  
24 business manager with the Vigil Group. And I am  
25 donating my time to help with the financial

1 preparation of this application.

2 VICE CHAIR BERGMAN: Before we jump into  
3 their presentation, please mute your cell phone or  
4 put it on buzz or vibrate or whatever you would  
5 like. I've already heard a ding here.

6 Please, if you have any other electronic  
7 devices that might interrupt us, please do something  
8 that we don't have any interruptions, and I thank  
9 you for your cooperation for that.

10 Are you ready, Katie?

11 All right. Your 20 minutes starts now.  
12 Please proceed.

13 MS. UNSER: My name is Susan Unser. And  
14 because I'm the senior member of the three founders,  
15 I have been given the opportunity to begin our  
16 statement regarding New Mexico Gateway Academy.

17 At some point in the past ten years, I  
18 went from being savvy and with it to left out and  
19 old-fashioned. My sense of traditional and normal  
20 is not my grandson's normal. I send written notes  
21 to him in cursive; he messages me. I tell him how  
22 his father was just a baby when Neil Armstrong  
23 landed on the moon; and he talks to me about Google  
24 Glass. We are treading lightly in the generational  
25 gap in communication. He is a millennial child, and

1 I was a flower child.

2 I have much to learn about his normal. I  
3 doubt that there's anyone in this room that was not  
4 born in the 20th Century, a hundred-year span that  
5 produced the automobile, the airplane, the  
6 submarine, radio, television, the personal computer,  
7 the Internet, rocketry, nuclear power, and  
8 antibiotics. We are living in a daily changing  
9 world. Cars that will drive themselves, robotics,  
10 genetic engineering are today's news.

11 Children under the age of 18 represent  
12 24 percent of the American population, one out of  
13 four Americans is under 18. And those students who  
14 will enter the first grade this year -- this week,  
15 or next week -- with the medical advances at hand,  
16 might well live into the 22nd Century.

17 My normal is never going to be my  
18 grandson's normal. And as educators and advocates,  
19 can we predict today what these children will need  
20 to succeed? How will we prepare these children to  
21 meet the needs of perhaps a global workforce?

22 My colleagues and I believe that virtual  
23 learning has the potential to expand the educational  
24 opportunities of New Mexico's students, that a need  
25 exists for a skilled technical and vocational

1 workforce, and that New Mexico Gateway is supported  
2 by a statewide community and is worthy of our energy  
3 and resources.

4 My cofounders and I are three very  
5 different women.

6 Mari Adkins is an educator with nine years  
7 of experience; and to relax, she climbs rocks.

8 Janet DeVesty has her degree in  
9 accounting, is a museum director; and to relax, she  
10 makes quilts.

11 I have been a businesswoman for over  
12 40 years; and to relax, I raise alpacas.

13 However, what we do have in common is our  
14 passion and mutual desire to create the New Mexico  
15 Gateway Academy, which will provide a statewide  
16 online learning environment with a comprehensive  
17 career focus that begins in kindergarten, and upon  
18 graduation, prepares the students to enter directly  
19 into the workforce, or to continue their  
20 post-secondary education.

21 My cofounders and I have known each other  
22 for the past eight years through our various roles  
23 with Cottonwood Classical Preparatory School, a  
24 New Mexico public charter school, which was recently  
25 ranked by the U.S. News and World Report as the

1 No. 1 high school in New Mexico and the 76th  
2 highest-ranked high school in the United States.

3 When Cottonwood began in 2007, Janet  
4 served as the director of operations; Mari Adkins  
5 was manager of special programs; and I was  
6 privileged to serve on the founding governing  
7 council.

8 Now, we feel these details are important  
9 to our presentation today, in that we want you to  
10 know that we know firsthand what a Public Education  
11 Department A-graded school looks like.

12 Two years ago, we began meeting to discuss  
13 developing a public virtual charter school with a  
14 strong emphasis on career readiness. We identified  
15 goals and established a criteria we wanted to meet.  
16 First, we explored demand and just where the student  
17 population would come from.

18 It was determined that we would appeal to  
19 advanced learners, students with special needs,  
20 parents with limited options, whose children were  
21 attending low-performing schools,  
22 geographically-challenged students, and students  
23 interested in specific career options that we can  
24 offer. We identified that many traditional schools  
25 have dropped CTE trades and vocational classes from

1 curriculums in an effort to meet budget constraints;  
2 and we accepted the fact that all students who  
3 graduate from high school are not college-bound.

4 We each have had personal experiences with  
5 people who did not thrive in traditional schools.  
6 My husband did not want to go to school. He acted  
7 out every day at school. He only wanted to go  
8 racing. Finally, in the tenth grade, his parents  
9 relented and agreed to let him drop out. Now, when  
10 he speaks to young people, he always tells his story  
11 and emphasizes that not paying attention in school  
12 and not getting his diploma is one of his biggest  
13 regrets.

14 Yes, he could drive cars. He had a  
15 vocation. But he was not prepared to read the  
16 contracts that car drivers presented him with, or do  
17 the investing and finance that came with a  
18 successful career. He was not prepared to speak  
19 appropriately to the media or even to write legibly.

20 Last year, the three of us cofounders  
21 realized that just the three of us needed additional  
22 members of our team to advise and help us as we  
23 prepared this charter for your review. We each took  
24 one piece of the project and went to work.

25 Mari explored whether there were virtual

1 curriculums already available which addressed the  
2 career pathways we wanted to serve.

3 Janet was to find answers to whether or  
4 not this was a financially sound project.

5 And I was to look at the leadership  
6 employment picture.

7 Would other stakeholders embrace our  
8 vision? We each knew that without statewide  
9 community support and strong leadership from a  
10 governing council, it would not be successful. So  
11 we began holding community meetings, asking leaders  
12 from education and industry to answer our questions  
13 about the viability of this charter.

14 The meetings, usually scheduled for an  
15 hour, lasted over two hours, as all the attendees  
16 stood to voice their support, ask questions, and  
17 offer to become involved. Currently, we have ten  
18 individuals from health, finance, education, youth  
19 development, and industry, who believe in and want  
20 to act -- be active advocates for the values,  
21 mission, and vision of New Mexico Gateway by serving  
22 on the governing council.

23 If you will grant approval for the  
24 New Mexico Gateway Academy charter, we intend to  
25 immediately form the governing council, who will be

1 required to attend an annual training regarding  
2 New Mexico financial, ethical, and legal  
3 requirements; and as founders, we feel strongly that  
4 additional standing committees in finance, facility,  
5 foundation, and academic excellence will, and  
6 shall -- should -- require members from the  
7 community, parents, staff, students, and faculty, as  
8 well as members from the governing council.

9           During the planning year, the governing  
10 council will develop policies and procedures,  
11 student and employee handbooks, secure a facility,  
12 begin the procurement process for curriculum and  
13 virtual platforms, and advertise for and hire a  
14 director.

15           My husband and I have been rewarded well  
16 in our careers; yet we both believe that the true  
17 measure of our lives should be not in how we achieve  
18 success, but in how we made a difference in the  
19 lives of others.

20           Tim Sheehan is one of these attendees from  
21 our community meetings who is anxious to serve on  
22 our founding governing council. He's president and  
23 CEO of the Boys and Girls Club of Central New Mexico  
24 and has been involved with Boys and Girls Club  
25 across the United States for four years.

1 Sean Fry is a CPA with the Vigil Group  
2 who's donated his time to work with Janet and our  
3 team to crunch the numbers and give us advice about  
4 the financial viability.

5 Parents and students are searching for  
6 options to traditional brick-and-mortar education.  
7 Business and industrial leaders want focused and  
8 skilled employees that are prepared to enter the  
9 workforce. We are here today to ask you to join us  
10 as pioneers in this brave new virtual world and to  
11 receive your approval for the New Mexico Gateway  
12 Academy charter. Allow us to demonstrate our  
13 ability to govern, operate, and educate students in  
14 New Mexico.

15 Now, I'd like to refer to Mari Adkins to  
16 speak about how this virtual online learning  
17 environment will evolve.

18 MS. ADKINS: Thank you. As Susan  
19 mentioned, our school's mission came about out of a  
20 desire to provide an option for students around the  
21 state of New Mexico who are looking for an education  
22 that would provide them with guidance towards  
23 post-secondary goals that include joining the  
24 workforce directly out of high school or entering  
25 college.

1 I can speak both as a parent and as an  
2 educator of how I've seen the impact the appropriate  
3 setting for students can have in their long-term  
4 goals and overall self-esteem while they're going  
5 through the educational process.

6 We aim to target school-age children  
7 around the state of New Mexico who need an  
8 alternative to their traditional school setting that  
9 is self-paced and learner-centered, a self-paced and  
10 learner-centered model, by providing an academic  
11 foundation to promote students who are able to  
12 problem-solve and think critically, to build  
13 leadership and teamwork, to support a strong sense  
14 of ethics, and prepare our students for  
15 employability and career development, to encourage  
16 non-traditional fields, the opportunity to think  
17 outside of the box.

18 We also intend to use tools to help  
19 students begin to identify their strengths and  
20 interests using excursions, field trips, guest  
21 speakers, clubs, surveys, and the individual  
22 learning plans that every student will have in place  
23 that monitor their progress and adjusts as they do.

24 We seek to accomplish -- to provide a  
25 statewide, online learning environment with a

1 comprehensive career-readiness focus that begins in  
2 kindergarten, and upon graduation, prepares the  
3 students to enter directly into the workforce or to  
4 continue their post-secondary education.

5 As I mentioned, we will serve students  
6 throughout the state who wish to be educated outside  
7 of that traditional brick-and-mortar school. We  
8 expect to enroll students from rural communities who  
9 are lacking access to either public school choice or  
10 to a career-readiness focus school, students  
11 pursuing artistic careers, students who are far  
12 ahead or behind their peers in school, and students  
13 coping with social issues or disabilities who may  
14 greatly benefit from individualized instruction.

15 Our model is fully linked to New Mexico's  
16 educational landscape. Current career options for  
17 schools in New Mexico are site-based, only  
18 accessible to students and families who are able to  
19 physically access the school on a daily basis.  
20 There are no options in New Mexico for a  
21 kindergarten-through-12th-grade college-readiness  
22 and career-focus school. The virtual school breaks  
23 down barriers that are based on location, geography,  
24 and transportation.

25 So how are we going to do this? We plan

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1 to introduce to elementary students, K through 8,  
2 all of the career clusters. And I have a poster up  
3 here of the 16 national career clusters. And  
4 outlined in black are the seven that New Mexico has  
5 cross-walked with the national clusters as a focus,  
6 based upon potential labor needs.

7 So in kindergarten, we will provide the  
8 kindergarten -- excuse me -- kindergarten to fifth  
9 grade with identifying and introducing them to all  
10 the career clusters. Then when they go into middle  
11 school, they'll work with advisers on in-depth  
12 career exploration.

13 What we expect is that by the time a  
14 student is in ninth grade, they will have the  
15 knowledge to choose a career pathway that will lead  
16 to graduation, certification, employment, and/or  
17 post-secondary education.

18 Instruction at the Gateway Academy will be  
19 provided by New Mexico licensed teachers, who will  
20 work in partnership with universities and industries  
21 in high-demand career areas in New Mexico. This  
22 will result in students graduating with either the  
23 preparedness to take national competency tests in  
24 their chosen pathway, a career certification, or  
25 post-secondary education readiness.

1           The career pathways program is a design to  
2 engage students in collecting coursework that piques  
3 their interest in a future career and makes  
4 coursework relevant.

5           Of course, the curriculum will be aligned  
6 to the New Mexico Content Standards, and we intend  
7 to develop partners -- and we've already begun to  
8 develop these partnerships -- with business,  
9 industry, and colleges throughout the state to  
10 enhance Core curricular offerings with work-related  
11 experiences, internships, as well as dual-credit  
12 opportunities.

13           Progress will closely be monitored with a  
14 variety of formative and summative assessments that  
15 are aligned to the curriculum, as well as  
16 portfolios, individual learning plans, Next Step  
17 Plans, project-based activities, internships, and  
18 results from skills assessments, such as ACT and  
19 COMPASS.

20           So the individual learning plan will begin  
21 in kindergarten and transition through a student's  
22 senior year in order to provided documented,  
23 effective, and sequential learning approaches unique  
24 to every student.

25           We'll use a learner-centered model that

1 puts individualized learning at its core. The ILP  
2 will be aligned to New Mexico's Next Step plan to  
3 assure that all students are on track to graduation.

4 We will offer comprehensive services and  
5 programs that will include special education and  
6 English Language Learners, counseling support, and  
7 on-boarding to orient students to online education.

8 One of the best tenets that we have found  
9 in online learning is direct parental involvement.  
10 Communication among teachers, parents, and students  
11 will occur often, sometimes daily. Parental  
12 involvement in their child's education has long been  
13 established as an effective means to approve student  
14 achievement and help students stay in school longer.

15 So our initiative, as I mentioned, is to  
16 focus on the seven core strategic market career  
17 clusters, as I referenced in the poster, and the  
18 multiple career pathways. By working with business  
19 leaders around the state, we can identify the  
20 workforce needs and prepare students to fill those  
21 positions.

22 Research has shown, according to the  
23 Center for Innovation in Career and Technical  
24 Education, that high school students involved in  
25 career-readiness programs are more engaged, perform

1 better, and graduate at higher rates.

2 For example, 81 percent of high school  
3 dropouts say relevant real-world learning  
4 opportunities would have kept them in high school.  
5 The average high school graduation rate for students  
6 concentrating in a career- or college-readiness  
7 program is 90 percent, compared to a national  
8 average of freshmen, graduation rate of 74 percent.

9 So why do we need career education and  
10 career-readiness programs?

11 The skilled trades are the hardest jobs to  
12 fill in the United States, with recent data citing  
13 806,000 jobs open in the trade, transportation, and  
14 utilities sector. Health-care occupations, many  
15 which require an associate's degree or less, make up  
16 12 of the 20 fastest growing occupations.

17 So in addition to the virtual education,  
18 the curriculum, and the career readiness and  
19 post-secondary preparedness, we'll also include  
20 social skills, skills for life. Children who attend  
21 a traditional school are confined to a building or  
22 classroom with people of similar ages and  
23 background. Everything they do is monitored, from  
24 when they eat to how they learn. Students who  
25 attend an online program experience the real world

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1 and have more opportunities to socialize.

2 MS. POULOS: Time.

3 VICE CHAIR BERGMAN: Time is up. Thank  
4 you very much.

5 All of us could probably talk for hours on  
6 things like this; so your time is up.

7 We're now at the portion of the  
8 proceedings where the local school district -- in  
9 this case, APS -- will have an opportunity to  
10 address that application.

11 If there's someone present from APS,  
12 please state your name and the role you play in the  
13 local school district. And you will have ten  
14 minutes to make a presentation.

15 MR. TOLLEY: I'm Mark Tolley. I'm  
16 Director of Charter and Magnet Schools for APS. And  
17 I will be brief.

18 As I stated earlier today, I am for school  
19 choice. I believe that the right fit for students  
20 is most important. I appreciate the work done  
21 around career academies. I appreciate the work done  
22 school-to-career. I appreciate the work done,  
23 because I think we, in this country, probably assume  
24 that every kid is going to go to college; and that's  
25 just not true. So to have kids think about career

1 is important.

2           However, as I reviewed the application,  
3 although there was a lot around career education, I  
4 didn't see goals around academics. Now, I feel the  
5 necessity to say that I'm a Native New Mexican; I  
6 grew up here. As we researched a virtual online  
7 school at APS, we realized there was no shortage of  
8 vendors that got in line to assist us. We have  
9 since put that school on hold for a year to develop  
10 our own program.

11           The application speaks to K12 Inc., and  
12 they say a curriculum that is known for using all  
13 modalities to help learners to meet standards.

14           Let me tell you what else K12 Inc. is  
15 known for:

16           Teacher certification problems in Florida.  
17           Investigated in eight other states for  
18 financial problems.

19           The NCAA has banned coursework completed  
20 by athletes in 24 of their schools.

21           They do offer a lot of programs. If  
22 you're a foreign student, six online courses and  
23 transcript review and a test can get you a high  
24 school diploma in the United States.

25           They run inside schools, flex schools.

1           They do online programs for prisons.

2           They market an online program to toddlers,  
3       preschools, and daycares.

4           K12 has found a way to make money on  
5       students who do not necessarily perform well on  
6       their online courses by providing remedial courses  
7       for the same charge they charge for the online  
8       courses, an additional amount.

9           They have found a way to tap into federal  
10       money: Head Start, Title I, and IDEA funds meant  
11       for the disadvantaged.

12           In the last fiscal year, student  
13       enrollment at K12 schools was up 13 percent. The  
14       revenue from these students was up 28 percent.

15           This educational company, as of June --  
16       the fiscal year ending June 30th, 2015 -- their  
17       revenue was \$948 million.

18           I believe there's a statute in New Mexico  
19       against outside management companies coming into  
20       this state.

21           I met with this group in January, or early  
22       February, and they asked me about coming to APS and  
23       presenting this application. I don't recognize any  
24       of these people. But at the time, it was supposedly  
25       a parent and another person that came and talked to

1 me.

2 The other person, who was a K12 Inc.  
3 representative, did all the talking and presented  
4 the program.

5 I don't doubt the sincerity of the people  
6 here. I don't doubt the workforce training, the  
7 career education. However, I have some grave  
8 concerns about partnering with a company like K12  
9 Inc., that has been so investigated and has so many  
10 problems.

11 I don't want my green chile from Colorado,  
12 and I don't want my educational tax dollars going to  
13 Virginia.

14 APS, after discussing with the  
15 Superintendent and reviewing this application,  
16 cannot support it for this district.

17 Thank you.

18 VICE CHAIR BERGMAN: Thank you for your  
19 presentation. We are now at the portion for  
20 community input. And they will bring me the list  
21 here in just a second.

22 Thank you, Julie.

23 I see six check marks and a dot. So I'm  
24 not sure if the dot wishes to speak or not. Sherry,  
25 the dot, do you wish to speak? Do I need to count

1 you as a --

2 UNIDENTIFIED SPEAKER: I am the dot. And  
3 I -- I would only like to say that I'm in favor of  
4 this, because it's an opportunity, not just for  
5 Albuquerque, but for the rest of the state.

6 VICE CHAIR BERGMAN: So you do want to  
7 speak? That's what I --

8 COMMISSIONER TOULOUSE: I think she just  
9 did.

10 VICE CHAIR BERGMAN: Okay. So then we  
11 still have six more speakers. We have 20 minutes.  
12 And before we start on the list, I will ask -- I  
13 will note for the record that in the past, it has  
14 been the Commission -- this Commission's position  
15 that founders and initial governing council members  
16 should have been at the table and as a part of that  
17 20 minutes presentation.

18 So six names. If I call your name, if  
19 you're a founder, I will not honor your request to  
20 speak. You should have been up here. That is being  
21 consistent with our past practice.

22 So I will stop at the top -- start at the  
23 top. Lance Spencer.

24 And with six of you in 20 minutes, I think  
25 I'll just keep it simple. I'll allow three minutes

1 for each. So Lance Spencer -- oh, did you all come  
2 up -- you don't have to put it in there, but just  
3 hand the microphone. Tell him to get to the hand  
4 microphone, please.

5 If you did indicate you wanted to speak,  
6 you might start making your way up into this aisle  
7 here to kind of accelerate things. I will then call  
8 on you.

9 MR. SPENCER: My name is Lance Spencer. I  
10 am a recent mechanical engineer and graduate from  
11 the University of New Mexico. I also have a prior  
12 degree from UNM in history.

13 I was the project manager for the Formula  
14 SAE team at UNM through the mechanical engineering  
15 department.

16 I'm under our faculty adviser, Dr. John  
17 Russell. Currently, I'm working for the Air Force  
18 Research Lab on base at Kirtland, and I had an  
19 opportunity to attend a community meeting for this  
20 school in the spring.

21 I do think that new technology is  
22 important for the future for learning and for  
23 growth. Everything nowadays has technology or is  
24 bound in technology. And a perfect example is if  
25 you were to take a car from the '50s, all you'd need

1 to fix it is a screwdriver and a wrench; but  
2 nowadays, that's not so much the case.

3 So there is clearly a need to have people  
4 who are involved who have that technological  
5 experience and background. And as an example, this  
6 is a great way to get folks interested in that early  
7 on, who don't necessarily waste time, like I did,  
8 getting the first degree. And I didn't end up using  
9 it and had to go back to school for something else.

10 Like I was saying, my education and work  
11 experience clearly shows how important it is to have  
12 an understanding of technology, not just as it  
13 relates to very specific tasks; but since it is  
14 everywhere around us, to have that hands-on  
15 experience of -- and knowledge of technical systems.

16 For example, what I'm most involved with  
17 revolves around design, analysis, and manufacturing  
18 techniques. So having an opportunity to learn from  
19 a school that is focused on these skills is  
20 extremely important and can be a great benefit to  
21 this community, just -- not just in Albuquerque, but  
22 in New Mexico and the country, as a whole.

23 Thank you.

24 VICE CHAIR BERGMAN: Thank you. The next  
25 name on the list is -- and if I mispronounce your

1 name, please be kind to me. I try and get them  
2 right. Kathy Kegel.

3 MS. KEGEL: You said it right.

4 Good morning. I'm Kathy Kegel. And I  
5 have a background in public education; business  
6 education, specifically, Grades seven through 12.  
7 And I have experience in K-through-12  
8 administration.

9 In my background in business education, I  
10 was a sponsor of Business Professionals of America.  
11 And this is what I have done. It's skill-based  
12 training in accounting, word processing, all the new  
13 technologies. And I've seen the benefit of it.

14 I've sponsored career-technical education  
15 groups, such as Business Professionals of America.  
16 I've been on the New Mexico BPA boards. And I have  
17 seen students flourish when they're given the  
18 opportunity to mentor and be -- and intern, looking  
19 at competitive events in business and being able to  
20 compete and travel with students from across  
21 New Mexico and across the -- across the country.

22 Every year, I had my students all  
23 qualified for nationals and traveled. I have seen  
24 these students go on into college, and/or not go  
25 into college, and start their own businesses and be

1 very productive. I've seen the value of career  
2 education and this college-readiness piece itself.

3 Right now, what I've seen is that we have  
4 a career course that's required for freshmen for one  
5 semester. We're starting out our students in ninth  
6 grade looking at careers.

7 And I feel that New Mexico Gateway Academy  
8 has the right idea by being able to start to  
9 introduce these students into looking at careers at  
10 a younger age and seeing what's out there, focusing  
11 on their innate skills in trades and what they want  
12 to do, so that when they do join the workforce,  
13 they're going to love what they do and be productive  
14 citizens. They're going to be great employees,  
15 having some mentors and being able to shadow people  
16 in the business community.

17 And I believe this is what New Mexico  
18 Gateway Academy is focusing on, starting them early  
19 and having them prepared with their certifications  
20 as they graduate.

21 Thank you.

22 VICE CHAIR BERGMAN: Thank you so much.

23 The next name on the list -- and forgive  
24 me -- Mariemma [verbatim] Horan?

25 MS. HORAN: My name is Mariana Ulibarri

1 Horan. And I, too, am born and raised in  
2 New Mexico. I am from Tierra Amarilla, New Mexico.  
3 I'm a first-generation graduate. I'm also a  
4 military veteran, military intelligence interrogator  
5 and a linguist. I am why this virtual academy  
6 really needs to be considered.

7 Throughout New Mexico, I'm also an  
8 educational diagnostician, licensed in the State of  
9 New Mexico and nationally. I have a bachelor's  
10 degree in Spanish from Colorado. And I also have a  
11 master's degree in special education, because Texas  
12 Tech University is one of the finest special  
13 education schools, with extensive research in all of  
14 the 13 disabilities that we recognize through IDEA  
15 and OCR.

16 I also have a master's degree in  
17 educational diagnostics, and I am currently  
18 completing my dissertation in special education,  
19 with an emphasis in cultural diversity and specific  
20 identification within cultural populations. That's  
21 only offered at the Texas Tech University campus. I  
22 had to go out of my state for the type of education  
23 that they offer -- that they're kind of thinking  
24 about.

25 I think it's a non-traditional classroom.

1 I come from the perspective of the diverse  
2 population and the population in New Mexico that is  
3 in classrooms, where, because of teacher shortages  
4 and things that are not at the discretion of the  
5 superintendents there, you do have situations where  
6 presently, at the school district that my son -- who  
7 has a 147 IQ -- has to be supported through  
8 outside -- out-of-state places, because we don't  
9 have this type of academy in New Mexico right now.

10 I am very familiar with Connections. I'm  
11 very familiar with Ideal, and I'm very familiar with  
12 virtual academies. Superb, awesome, awesome,  
13 awesome. Edgenuity, wonderful.

14 But outside of my field, I feel that --  
15 what I get encountered with a lot from parents is  
16 they'll come and say, "That's great with individuals  
17 with IEPs -- Individual Education Plans -- that are  
18 covered and protected by OCR and IDEA, begin to  
19 develop their professional and business plans when  
20 they get to be 14. And that's protected. It's a  
21 protected right that allows me to vote as a woman in  
22 the United States of America.

23 Sadly, the rest of the population that are  
24 not considered and identified as diverse learners or  
25 covered under IDEA and the 13 disabilities that are

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1 recognized, they start in ninth grade.

2 So when you get someone from  
3 Tierra Amarilla, New Mexico, that wants to do the  
4 things that I did, you have to go to the military.  
5 They're going to teach you how to find your job  
6 there. You'll have to get out of the military.  
7 Somebody other than the people --

8 VICE CHAIR BERGMAN: Time.

9 MS. HORAN: So I very much support this  
10 academy, and I find Northern New Mexico probably  
11 would, too.

12 VICE CHAIR BERGMAN: Mark Kaufman?

13 SPEAKER: He had to leave.

14 VICE CHAIR BERGMAN: Okay. He had to  
15 leave. Lyons. The next one is "Lyons." I can't  
16 tell what the first name is.

17 MR. LYONS: Sir, I'm a founding governing  
18 member.

19 VICE CHAIR BERGMAN: Okay. Then you  
20 should have -- yes, sir. Okay.

21 Jerry Pacheco.

22 MR. PACHECO: Good morning. I'm Jerry  
23 Pacheco. I'm a founding member of what's called the  
24 Border Industrial Association. We're located down  
25 in Santa Teresa, New Mexico. We represent the

1 industrial base between Santa Teresa and Las Cruces.  
2 It's the second largest industrial base in  
3 New Mexico.

4 And you probably read the news that  
5 New Mexico leads the nation in the percentage of  
6 export growth in terms of trade with Mexico. Our  
7 exports to Mexico went up 93 percent last year, and  
8 that's largely because of what's going on at the  
9 New Mexico-Mexico border.

10 We are in the process of building a  
11 binational community that we're looking at maybe  
12 20,000 people on the New Mexico side of the border,  
13 and even more on the Mexican side of the border.  
14 We're master-planning a city down there.

15 While the industrial base is taking the  
16 lead -- and I'm sad to see what's happening in the  
17 rest of the state in Albuquerque; we're struggling  
18 economically. But down at the border, we can't fill  
19 jobs because we're growing so quickly.

20 We're recruiting businesses. Our  
21 association represents 108 manufacturing firms, or  
22 firms that are involved in manufacturing. We  
23 represent about 4,000 jobs, hundreds of millions of  
24 dollars investment, millions of dollars on the tax  
25 rolls every year.

1           And one of our biggest problems is we  
2           can't find skilled people to fill the jobs. We're  
3           not talking just, let's say, on the -- on the  
4           educational side; we're talking on the technical  
5           side. We've got companies down there that need  
6           everything from calibration people to people that  
7           know how to run machines, people that can weld.

8           We have one company that needs 25 welders  
9           that's repairing all the chassis for the big Union  
10          Pacific project, which is the biggest project that  
11          Union Pacific has in its entire network in the  
12          United States. We're down there searching for  
13          workers, and we're trying recruit from the rest of  
14          the state.

15          So I'm very strongly in favor of this  
16          academy. This is exactly what New Mexico needs to  
17          put New Mexicans to work, instead of us, because  
18          we're right on the border with Texas, reverting to  
19          filling some of our jobs with Texans. These jobs  
20          should be going to New Mexicans.

21          The problem we have is there's not that  
22          many that are skilled or industrially oriented.  
23          This is the type of academy our industrial  
24          association would be working with in the future to  
25          bring some of those graduates and get them a job.

1                   And there's upward mobility. We have  
2 people running plants that don't have a college  
3 education, but they worked five years; they're good  
4 workers; they have different soft skills. They have  
5 very basic math skills and English skills. But they  
6 learned the industrial side of the business. And if  
7 they go into that position already trained, those  
8 people have upward mobility, and they can be earning  
9 quite a bit of money in managing a plant on a daily  
10 basis.

11                   So we've got the jobs; we need the skills.  
12 So we're very much in support of this application.

13                   VICE CHAIR BERGMAN: Thank you so much.

14                   Now, I'm guessing, because one has dropped  
15 out, we have a couple of minutes left. I will make  
16 available an opportunity -- if one of you wants to  
17 say something that did not sign up, I would give you  
18 two minutes.

19                   Is there anyone who has decided maybe  
20 they'd like to say something? I'll just make that  
21 opportunity available. I see no hands; so we will  
22 cease with that portion, then.

23                   Thank you so much for your input.

24                   We are now to the final component of this  
25 community input hearing today. That is for the

1 Commissioners themselves receive, the "Public  
2 Education Commission's question period," we call it.

3 We allocate 40 minutes for that. And I  
4 will make two requests, again. Since we have eight  
5 Commissioners, I want to make sure every  
6 Commissioner has an opportunity to ask questions.

7 Please be direct, concise, and succinct in  
8 your questions. I would ask the applicant, in your  
9 answers, to be direct, concise, and succinct as you  
10 answer the questions, please.

11 Commissioner Toulouse, would you like to  
12 start us, please?

13 COMMISSIONER TOULOUSE: Mr. Chair, thank  
14 you.

15 My concern is that while I appreciate that  
16 what I see here is a truly local development, which  
17 I have not seen in the past, I don't see anything  
18 different than is already available through the two  
19 statewide online schools that are already there, the  
20 Connections Academy, which now advertises themselves  
21 as part of the overall Connections network, which  
22 bothers me very much, because our state never  
23 intended to have a chain of charter schools or have  
24 for-profit people in here.

25 And I'm -- to me, my problem is when you

1 go with a provider, you become part of their chain.

2 So my question is, what makes you able to  
3 control that, and what makes you, as totally local,  
4 different from the other online schools? Why  
5 should -- because we need to look at each school  
6 having something unique or different to offer. And  
7 you need to tell me why you think you're unique from  
8 either Connections or from the online charter school  
9 run out of San Juan County.

10 MS. ADKINS: Well, I think Tim can.

11 VICE CHAIR BERGMAN: Please use the  
12 microphone. You're going to have to get it down  
13 again.

14 MR. SHEEHAN: Thank you. Again, I'm Tim  
15 Sheehan.

16 I think that the main -- main difference  
17 is that A, with these -- looking at these careers  
18 for these kids, and starting at K on all the way up  
19 is going to be very important, because these kids  
20 are not all college materials -- material. They  
21 need the diversity.

22 And I think, also, with our network of --  
23 I'm with the Boys and Girls Clubs here; I'm the CEO  
24 locally here. We have 42 organizations,  
25 42 locations in the state. And I've been talking

1 about how we can network together and use them  
2 around the state, as part of this whole network, I  
3 think is very unique, because we have all facilities  
4 that we can use for testing, that these kids can go  
5 out and exercise and do things like that. That will  
6 make us a little different from everybody else.

7 MS. ADKINS: And I'd like to address your  
8 question about the K12 piece of it and how it's  
9 not -- none of that -- when we wrote the charter, we  
10 needed to refer to a curriculum provider to make it  
11 make sense; but none of that is set in stone. We  
12 have -- the governing council makes that decision  
13 after they look at proposals from all different  
14 curriculum providers.

15 And so as far as a managed school, that is  
16 not what we foresee; that is not our vision for this  
17 school.

18 COMMISSIONER TOULOUSE: Well -- and I have  
19 one more question, and that kind of relates to the  
20 younger end of this.

21 I'm also a Native New Mexican, whose  
22 father was a Native, and whose grandfather -- and  
23 whatever. I have six grandsons. The youngest one  
24 is two, and the next one is three-and-a-half. Now,  
25 the two-year-old will take my cell phone, and he

1 will do enough stuff, he finally messes it up and I  
2 have to give it to his nine-year-old brother to get  
3 me back where I need to be.

4 I'm not computer-literate, by any means.  
5 And I look at my little guys, and I cannot see  
6 limiting their education to being in front of a  
7 computer.

8 They both like computers; they like to  
9 play with them. But to me, a major part of your  
10 first several years in school, besides learning  
11 basic math and learning to read, is learning how to  
12 function in a society, to sit down, to behave, to  
13 take your turn, to be part of a larger group. And I  
14 have problems with a school that's going all the way  
15 to kindergarten.

16 I can accept more ones that start at the  
17 mid-school level, because that's also where problems  
18 tend to start with students.

19 So, again, what does your program do for  
20 these little guys to give them those social skills  
21 that you don't get from a computer?

22 MS. UNSER: I would like to start to  
23 address that. We believe that parenting and the  
24 parental involvement to bring the students to the  
25 school is key. There are many children who thrive

1 in their home, going with their mothers to go to the  
2 grocery store. That's part of their interaction.  
3 They -- they have clubs that they belong to.

4 And this begins in kindergarten through  
5 fifth grade, as opposed to being on a bus an hour or  
6 two a day to get to a school where they're with  
7 other children. We believe that they can be  
8 socialized in their own environment of their  
9 neighborhoods or their own families.

10 COMMISSIONER TOULOUSE: Most parents  
11 today, the mothers work or are out of the home. And  
12 I -- that's why I -- and that's not the only  
13 environment your kids need. I'm not arguing with  
14 you. I'm just stating this as from the standpoint  
15 of what I see. I spent 30 years in the Human  
16 Services Department, too. And I see kids who stayed  
17 home with mom and went with her to the grocery store  
18 and did that.

19 But I'm just saying there's a bigger world  
20 out there than that little bit. And kids have to be  
21 able to interact in that today.

22 When I was growing up, our neighborhoods  
23 were our world. That's not true now, you know,  
24 for -- whether it's my, you know, four of them that  
25 are in school, or the two that aren't in school yet.

1 So that's my concern when you're going to the lower  
2 grades.

3 MS. ADKINS: And I completely understand  
4 that concern and that -- but as you mentioned, it's  
5 a different world now. And so many students and  
6 children are involved in so many different  
7 activities that are offered to them that maybe we  
8 didn't have when we were younger.

9 This flexible schedule provides them the  
10 opportunity to go out and do the things that they  
11 may not be able to do if they are in a traditional  
12 school setting. It allows the flexibility for them  
13 to pursue a lot of different extracurricular  
14 activities, in addition to providing them with a  
15 very strong core curriculum, aligned with the State  
16 Standards, and then starting to identify those  
17 strengths and interests at a very young age.

18 In addition to that, if I may, it's  
19 important that we understand and remember that the  
20 whole world is changing this way. And in a virtual  
21 world. The students have the opportunity to  
22 interact with people all over the world, in clubs,  
23 in classrooms, and in a lot of different ways. And  
24 then speaking directly to being able to interact,  
25 the systems that we've looked at are set up to where

1 the students come into a classroom -- if you've ever  
2 taken a blackboard class or an online class, there's  
3 a live teacher; there are other students in the  
4 classroom. You can turn on your video camera or  
5 not; you can chat or answer questions. They can  
6 pick up a marker and walk up and write on the board,  
7 and there's a lot of interaction that goes on.

8 So the students are learning, not only how  
9 to interact on a computer, they're learning  
10 responsibility, respect, computer skills, which  
11 everybody needs now, because the standardized  
12 testing is all on computer.

13 VICE CHAIR BERGMAN: Thank you. Are you  
14 done, Commissioner?

15 COMMISSIONER TOULOUSE: Yes.

16 VICE CHAIR BERGMAN: Commissioner Conyers,  
17 did you have questions for this applicant?

18 COMMISSIONER CONYERS: Just, kind of --

19 VICE CHAIR BERGMAN: I'm not sure that  
20 one's on. Go ahead.

21 COMMISSIONER CONYERS: Okay. Kind of for  
22 personal interest, since potentially, your students  
23 could come from anywhere in the state, have you  
24 thought about how you would make the people aware of  
25 what you have to offer throughout the state?

1 MS. UNSER: Tim is -- has already offered  
2 to provide us with access to a great number of Boys  
3 and Girls Club members who may or may not be  
4 interested in this school. We -- we strongly --  
5 well, Tim, let me have you address this.

6 MR. SHEEHAN: Yeah. We have -- we serve  
7 about 30,000 kids in the state, currently. And a  
8 lot of the kids -- the majority of the kids that we  
9 serve are actually rural. And so that is one area  
10 that we will -- and the kids that we serve are -- is  
11 this type of kid, that not always can sit in a  
12 classroom all day long. I have one myself.

13 And so with that, we will market through  
14 that part of -- that piece of 30,000 kids. And some  
15 definitely would be interested; plus, we also have  
16 technology labs that they can use that they will be  
17 provided a computer at home, but they also have  
18 access at the Boys and Girls Clubs. That is one  
19 piece of our marketing.

20 I think statewide, also, we'll do a lot of  
21 other marketing within the overall -- you know,  
22 education field that, "Hey, this is what we're  
23 seeing right now, what one of the other ones is  
24 doing on TV right now," as mentioned earlier. That  
25 would be important to get our word out there among

1 the media itself, in general.

2 COMMISSIONER CONYERS: Okay. Thank you.

3 VICE CHAIR BERGMAN: Thank you,  
4 Commissioner Conyers.

5 Commissioner Gipson, do you have  
6 something?

7 COMMISSIONER GIPSON: I do; I have a  
8 couple of questions.

9 VICE CHAIR BERGMAN: Please use the mic,  
10 if you can.

11 COMMISSIONER GIPSON: I guess one of my  
12 questions is what makes this different than any  
13 other home schooling co-op that's been created,  
14 number one?

15 MS. ADKINS: Well, it's a free public  
16 charter school with established curriculum, along  
17 with the -- aligned with the Core content standards  
18 of the State. A virtual school is not a home  
19 school. There are deadlines; there are assignments;  
20 there are expectations; there's attendance. So  
21 that's the big difference between a home school --  
22 and there's teachers.

23 COMMISSIONER GIPSON: Okay. But  
24 home-schooling co-ops do have to put their -- have  
25 to provide their curriculums. And there is

1 curriculum, and they do do a lot online. So I was  
2 just looking at what makes it different than the  
3 home-schooling co-ops that I've had? But we're okay  
4 with that.

5 My second question is, with the -- with  
6 the sites that are being made available, my concern  
7 is you've got a 1-to-76 teacher ratio, roughly, when  
8 you're looking at 19- -- you're budgeted, in your  
9 last year, for 19.25 teachers with 1,500 students.  
10 And you've indicated that you're going to have a  
11 drop-in format.

12 So if you're all around the state, how are  
13 you going to accomplish this drop-in format, and  
14 who's going to be overseeing these drop-in formats  
15 throughout the state?

16 I understand the Albuquerque component,  
17 because you've got that. But if -- and I looked at  
18 the chart, where you have expressed interest, and  
19 the numbers of students throughout the state. So  
20 my -- you know, I've got a concern about that  
21 drop-in format.

22 MS. ADKINS: Sure, right. And as you  
23 mentioned, in Albuquerque, there's a facility where  
24 that's available.

25 COMMISSIONER GIPSON: Right.

1 MS. ADKINS: And as the school grows, what  
2 we had envisioned was based upon the demographics of  
3 the students. Because it's impossible to tell right  
4 now where they're all going to be coming from, we  
5 would then take a look at the need there and locate  
6 a facility.

7 Like Tim has said, he has facilities all  
8 over the state, and he has offered that; and then we  
9 have teachers all over the state. So depending upon  
10 the demographics and where the students are, that's  
11 going to help us to determine where we need those  
12 facilities.

13 COMMISSIONER GIPSON: Okay. I'm using up  
14 a lot of time. We had great difficulty when schools  
15 attempted to do the PARCC that were online schools.  
16 There was -- they -- they saw great difficulties the  
17 last time in administering that. So that is truly a  
18 concern when they had to go -- students had to go to  
19 some central site to take the test, and it didn't go  
20 well for them.

21 MS. ADKINS: Well, I can see how that  
22 could be a challenge, because you have to set up  
23 locations around the state and make sure they have  
24 computers and the Internet support and be able to  
25 log in and take the tests.

1           So speaking directly to that, that is a  
2 challenge; but it's something that I think, as the  
3 years go by and time goes on, when people are  
4 starting to do it more, it's going to become easier.

5           However, I know firsthand of facilities  
6 around the state, including Mr. Sheehan's, who would  
7 be able to provide the facilities. And then we  
8 would have proctors administering the test, testing  
9 administrators who are certified and trained on how  
10 to proctor that test.

11           COMMISSIONER GIPSON: Thanks.

12           VICE CHAIR BERGMAN: Commissioner Carr?

13           COMMISSIONER CARR: I do. Really short.  
14 Everybody's pretty much covered most of the items.  
15 I'm going to be a little nitpicky, but it's kind of  
16 not nitpicky to me.

17           Is that photo from New Mexico?

18           MS. ADKINS: Yes.

19           COMMISSIONER CARR: Where is that?

20           MS. ADKINS: I don't know.

21           COMMISSIONER CARR: Okay. All right. I  
22 just didn't know there was an arch like that in  
23 New Mexico. I'm glad to hear that, because I'm a  
24 New Mexican, too.

25           And I'm going to be -- also, as a writing

1 teacher, I heard the phrase "wholly unique." That's  
2 redundant. "Unique" is all you needed to say.

3 However, in that regard, I do not -- I  
4 don't see it as you're offering -- I think you're  
5 offering some nuances and some differences; but I  
6 don't see your school as being unique.

7 The other one is that New Mexico  
8 Connections Academy had to set up testing sites all  
9 over the state, and they had to do their  
10 standardized test, the PARCC exam, on paper, which  
11 is kind of ironic for a cyber school, because it  
12 was -- logistics were extremely difficult for them  
13 to set up computer sites in other parts of the  
14 state.

15 If you wanted to ask parents from  
16 Farmington or from other parts, you know, the  
17 hinter-regions of our state, to come here to your --  
18 you may end up doing the same thing they did. And  
19 if you're -- if we okay -- you know, they've already  
20 tried a lot of different things, you know. So I  
21 would definitely be talking to them. I would think  
22 that maybe you already had, but...

23 The other one is, you know, the former  
24 Attorney General issued an opinion before he left  
25 office in regards to the K12-based school in

1 Farmington that questioned the management and the  
2 connection between K12 Inc., and their school. And  
3 that brings up a lot of legal issues.

4 We've -- to me, our State statutes have  
5 not kept up with the pace, in many ways; not just in  
6 regards to cyber schools, but in regards to lots of  
7 other charter schools. And so, you know, that is  
8 something I'm going to be re-delving into, you know,  
9 before I vote in September.

10 All right. There was -- I probably should  
11 have written everything down -- is that it is -- you  
12 know, I -- you know, I am not sure some of my fellow  
13 Commissioners have a great deal of concerns. I will  
14 look at your application and listen to all the  
15 testimony and not make up my mind until September.  
16 But -- and I'm sure we have a lot of reservations.  
17 And I think that's all, because I'm just going to  
18 start rambling now.

19 Thank you.

20 VICE CHAIR BERGMAN: Thank you,  
21 Commissioner Carr.

22 I'm not sure there was a question in  
23 there; but I'll give you -- if there wasn't a  
24 question, I'm not going to call on you, because  
25 there was not actually a question. I don't believe

1 in that -- actually, we could be here all day,  
2 really, in all honesty.

3 Commissioner Ambruster, do you have  
4 questions?

5 COMMISSIONER ARMBRUSTER: I have a  
6 statement, and then a question. I am from  
7 Indianapolis, Indiana. I went to Shortridge High  
8 School, which was one of the top in the nation, and  
9 graduated. But I just wanted to say that.

10 MS. UNSER: You're a Hoosier.

11 COMMISSIONER ARMBRUSTER: Yes, I am a  
12 Hoosier; although I'm not proud of that right now.

13 I wanted to clarify some things. When  
14 you're doing a virtual school, students stay home,  
15 and someone has to be there supervising them. So  
16 how do they go on field trips and do this  
17 project-based learning? How does that happen?

18 MS. ADKINS: Yeah. What we first see  
19 happening is that there's teachers around the state,  
20 and excursions and outings are provided throughout  
21 the state, both social and educational. And, again  
22 determining based upon the demographics and where  
23 our students are, the teachers or administrators  
24 will travel to those places and have monthly or  
25 bimonthly outings and field trips. And each teacher

1 will be responsible for doing that, based upon their  
2 content area and what's available in your life.

3 We don't ever want to foresee putting a  
4 hardship on families to travel too far for testing  
5 or for any other reason; so we make sure that those  
6 are located within their regions.

7 COMMISSIONER ARMBRUSTER: I would just  
8 think, when you're talking about careers, which I  
9 think is admirable, in order to see some of those  
10 careers, you would have to go a long distance.

11 I'm living in Los Alamos, and there aren't  
12 those careers. So I'm not sure how they would go --  
13 and teachers aren't allowed to drive children; so  
14 that means the parents would have to drive.

15 MS. UNSER: And part of our partnership  
16 with the communities will be the job shadowing, the  
17 people who will have -- if it's an auto mechanics  
18 class, maybe a fellow in that area would get the  
19 children that are closest to him together for a  
20 weekend.

21 And we have -- we have the ability to --  
22 to ask the parents to buy into this, 100 percent.  
23 And we also have the luxury of learning from what  
24 these other schools who have gone before us have  
25 made as mistakes, and we don't intend to make the

1 same mistakes that they did, or have. That's our  
2 luxury.

3 COMMISSIONER ARMBRUSTER: And one of your  
4 goals talked about career-related assessments,  
5 inventory assessments. And I just thought -- okay,  
6 I'm old here; but I think we did the Cooter test, or  
7 some word like that. So it's some sort of an  
8 inventory where you do an inventory, and it tells  
9 you what your inclinations are; correct? So why  
10 wouldn't 100 percent of your students do that?

11 MS. ADKINS: Oh, you're looking at. As  
12 our goals and indicators.

13 COMMISSIONER ARMBRUSTER: Uh-huh. I mean,  
14 I know it says "Exceeds" -- I don't remember  
15 exactly. But it said 95 percent take it, or  
16 something like that. Why wouldn't 100 percent?

17 MS. ADKINS: Well, we would want  
18 100 percent; but on the application -- sorry -- on  
19 the application, we were talking about goals and  
20 indicators. One of the indicators would be that at  
21 least 95 percent of our students are provided that  
22 opportunity. Of course, we would want 100, but  
23 we're looking at indicators. We just went from 95,  
24 and then down, as far as reaching our goal.

25 COMMISSIONER ARMBRUSTER: Does -- and to

1 identify special education, whether that be gifted  
2 or special needs, how do you do that online?

3 MS. ADKINS: As a public school, you abide  
4 by the same rules and regulations as any other  
5 school in the state. So for elementary school  
6 students, Child Find, we would follow the same rules  
7 and regulations, early identification of students.  
8 If they don't come in already identified with an  
9 IEP, then we would provide them the diagnostic  
10 assessments in their area through contracted --

11 COMMISSIONER ARMBRUSTER: How do you know  
12 whether you're online -- I really don't know this  
13 answer, by the way. I'm not trying to beg the  
14 question. But when you're online, how do you know  
15 that a child has special needs, to identify them,  
16 or --

17 MS. ADKINS: So using universal screening  
18 tools for all students and giving Short Cycle  
19 Assessments at the beginning of the school year,  
20 talking with parents, and then interacting with the  
21 students online, and then looking at writing  
22 samples, which are submitted; so you really do have  
23 access to listening to them, seeing them write,  
24 seeing how they interact, getting information from  
25 their families and their parents, and then seeing

1     how they do on assessments and on their curriculum;  
2     and then, you know, identified through the SAT  
3     process, just like in any other school.

4             VICE CHAIR BERGMAN:  Are you done,  
5     Commissioner Ambruster?

6             COMMISSIONER ARMBRUSTER:  (Indicates.)

7             VICE CHAIR BERGMAN:  Commissioner Pogna,  
8     do you have any questions?

9             COMMISSIONER POGNA:  No, sir.

10            VICE CHAIR BERGMAN:  Commissioner Chavez,  
11    do you have questions?

12            COMMISSIONER CHAVEZ:  I do.

13            COMMISSIONER ARMBRUSTER:  One second.

14            COMMISSIONER CHAVEZ:  Thank you.  So I  
15    guess I have both questions and comments.

16            As the conversation continues, this all  
17    gets a little bit more mushy for me; right?  And so  
18    in terms of, you know, kindergarten, how do you --  
19    I'm try to, you know, think about this in my mind.  
20    I have four kids; I have three grandkids.

21            How do you sit a kindergartener in front  
22    of a computer to learn their lesson?  Can you kind  
23    of explain that to me?

24            And the other piece to that is who --  
25    who's going to be monitoring that in the home?

1 MS. ADKINS: Great questions. So part of  
2 enrolling in the school is the commitment by the  
3 family. And so they have to have a learning coach  
4 at home with them.

5 COMMISSIONER CHAVEZ: What's a learning  
6 coach.

7 MS. ADKINS: A learning coach is a parent  
8 or an adult or a guardian who provides them the  
9 support they need there at home. So they're not  
10 left alone at home; they have somebody with them to  
11 guide them and make sure they get on the computer  
12 and interact and read e-mails and that type of  
13 thing.

14 COMMISSIONER CHAVEZ: We're turning the  
15 parent into a teacher, then?

16 MS. ADKINS: No, you're not turning the  
17 parent into a teacher; but you are providing them  
18 with support and resources to support their student  
19 while they're in school.

20 They'll have the learning coach at home;  
21 and there's the flexibility piece of it.

22 Kindergarteners and elementary school  
23 students would not be staying on a computer the  
24 entire time. There's online work and offline work,  
25 synchronous and asynchronous, where they're working

1 with other students and others teachers, or working  
2 on their own with a textbook or a workbook.

3 COMMISSIONER CHAVEZ: You talked about --  
4 there was a question about field trips; right? So  
5 at full rollout; right? So that would be past year  
6 five, or even at year five, you've got 46 teachers.  
7 You started out with 49; but now you have 46 for  
8 845 students, and still 46 for 1,500 students.

9 So how do those teachers travel around the  
10 state and do field trips for all those kids?

11 MS. ADKINS: Well, they would be  
12 identified, first, by where the demographic of our  
13 students are; so if we have a lot of students in  
14 Santa Fe or Las Cruces or Roswell, we have teachers  
15 in those areas, as well, is our hope.

16 And those teachers would then meet those  
17 students and develop those excursions and outings.  
18 So -- and if there's an area of population of  
19 students who don't have a teacher nearby, then a  
20 teacher would travel there and meet them and set it  
21 up and take them on a field trip, or meet them on an  
22 excursion.

23 COMMISSIONER CHAVEZ: So how many times a  
24 year would each child go on a field trip.

25 MS. UNSER: One of the standing committees

1 on the -- on the governance of the school would be  
2 the foundation committee, which we hope will be able  
3 to raise funds to make field trips more available in  
4 terms of renting buses, if that's what needs to be  
5 done. Our foundation is going to be different from  
6 a foundation that needs to go out and find money for  
7 a brick-and-mortar school. Our funding is going to  
8 be able to directly benefit the children.

9 So we intend to have special trips for  
10 these children who are going to need this social  
11 piece of their education.

12 COMMISSIONER CHAVEZ: Earlier, there was a  
13 comment about the curriculum, or you purchasing your  
14 curriculum from K- -- what is it? -- K12, the  
15 virtual school, or the virtual online curriculum  
16 company?

17 What kind of a relationship do you have  
18 with that company right now?

19 MS. UNSER: When we began, Mari was asked  
20 to go out and find what curriculums were available  
21 in the marketplace. K12 was one of the ones that we  
22 looked at. I note that there were several others  
23 that she looked at.

24 They were the most forthcoming about their  
25 curriculum, the platforms that they used, potential

1 figures that we could reach during the course of the  
2 first five years.

3 But that is not to say that K12 would be  
4 the person -- or the company -- that would get  
5 the -- what's the word? -- contract. That is  
6 entirely up to the governing council. And I'm sure  
7 that they will do an RFP and go out and get the best  
8 for the -- for the school.

9 COMMISSIONER CHAVEZ: Which other ones did  
10 you look at?

11 MS. UNSER: Pearson was -- was  
12 forthcoming. Connections; we looked at Connections.  
13 FuelEd.

14 COMMISSIONER CHAVEZ: What was that?

15 MS. UNSER: FuelEd. F-U-E-L-E-D.

16 MS. ADKINS: And Edgenuity.

17 COMMISSIONER CHAVEZ: So you don't have an  
18 ongoing relationship with K12 or any of their  
19 lobbyists?

20 MS. UNSER: No, no.

21 COMMISSIONER CHAVEZ: The reason I ask is,  
22 if I'm correct, one of their lobbyists is in the  
23 room. Just wondering.

24 MS. UNSER: I think that you're referring  
25 to Mr. Bullington.

1 COMMISSIONER CHAVEZ: i am.

2 MS. UNSER: He is a lobbyist.

3 COMMISSIONER CHAVEZ: For K12.

4 MS. UNSER: Yeah. I'm sure he has several  
5 clients.

6 COMMISSIONER CHAVEZ: Uh-huh.

7 MS. UNSER: I'm also -- was on the  
8 governing council of New Mexico Virtual Academy and  
9 stepped off of that in order to pursue this school.  
10 And I know that he also represented them.

11 But I think lobbyists, by -- just by  
12 nature, have several clients. The fact that he has  
13 K12 -- I think he's here in support of what we're  
14 trying to do, if I'm not mistaken.

15 COMMISSIONER CHAVEZ: I just find it  
16 interesting.

17 The other question that I have is you  
18 start out year one, your student -- never mind.

19 The other comment that I wanted to make is  
20 I -- I feel -- I have a real problem, I guess -- no,  
21 I have a real problem with the Girls and the Boys  
22 Club recruiting students for your online academy.  
23 To me, that represents a conflict of interest.

24 Online academies, I think that we need to  
25 be honest, are for-profit entities; right? If you

1 look at the number of teachers that you're -- you  
2 don't have a brick-and-mortar building. You --  
3 well, you have one; right? But you're serving  
4 students around the state. You're serving 1,500  
5 students around the state; right?

6 Your teacher-and-student ratio goes from  
7 anywhere between 49 to 46; right? And that's --  
8 that's a lot of students for one teacher.

9 So in reality, it really is -- when you  
10 talked about, in the beginning of your presentation,  
11 you talked about financial stability. And I'm sure  
12 that you looked at how much money you were going to  
13 be making and all of those other kinds of things.

14 But I think that -- you know, I think it's  
15 a conflict of interest for the Boys and Girls Club  
16 to do that. I don't know if there's anything  
17 illegal about that; but to me, on the surface of it,  
18 that's what it looks like.

19 MS. UNSER: And I hope that we didn't  
20 somehow infer that there was a partnership here that  
21 was inappropriate. Tim is --

22 MR. SHEEHAN: A resource.

23 MS. UNSER: Yeah. Tim is a resource, not  
24 only with the children that frequent the Boys and  
25 Girls Club, but also his connections with UNM, CNM,

1 industrial leaders. He just brings a lot of  
2 resources. One that he has offered to us is that he  
3 has these facilities that we might be able to use to  
4 do testing in; and also, he knows of children whose  
5 parents may well want to apply for this school.

6 But we will do the traditional  
7 advertising. We're doing -- we will need to do that  
8 for the lottery, and we intend to do that as early  
9 as October, if you will approve the charter.

10 COMMISSIONER CHAVEZ: I think one of the  
11 other things that, you know, I'm concerned about, as  
12 well, is that there are studies out there that show  
13 that online academies are not successful, as  
14 successful as folks would put out.

15 And as a matter of fact, there's an NEP  
16 study that really has some interesting information  
17 about virtual schools; just, for example, 41 percent  
18 were deemed academically acceptable. Their  
19 graduation rates are low; they're maybe half of  
20 traditional schools, or they're half of the national  
21 average.

22 And, of course, we already talked about  
23 what the student-to-teacher ratio is; right? It's  
24 almost half. It's twice half of the national public  
25 schools.

1           So I think, you know, when we look at  
2 online schools, I think those are some of the things  
3 that we need to consider. And I don't know if you  
4 all have looked at any of those studies or have  
5 thought about, really, you know, what is unique and  
6 what is different about your school.

7           MS. UNSER: Well, I go back to the  
8 beginning of my statement today. And this is the  
9 brave new world of virtual education, that -- that  
10 there have been schools that have failed. There  
11 have been brick-and-mortar schools that have failed.

12           We don't expect to fail. We are not  
13 setting ourselves up for failure. We believe that  
14 this is an opportunity for New Mexico's students  
15 that does not exist, and it's unique, in that it's a  
16 career-readiness, virtual, online charter, public  
17 school.

18           COMMISSIONER CHAVEZ: And I think, you  
19 know, one of the other pieces, too, is that online  
20 charter schools really serve fewer students of  
21 color, fewer low-income students, and fewer students  
22 who are special ed or have special needs.

23           MS. UNSER: And I would -- given the  
24 resources of time, I would -- I would beg to differ  
25 with you on that. I think that a lot of the

1 students in New Mexico that we will serve, as rural  
2 students, fit that -- do not fit your demographics  
3 of not having children of color or --

4 COMMISSIONER CHAVEZ: Well, I would say  
5 feel free to e-mail me that information -- or,  
6 actually, all the Commissioners. Is that -- is that  
7 okay?

8 MS. UNSER: I will research it.

9 VICE CHAIR BERGMAN: What was your --

10 COMMISSIONER CHAVEZ: She said due to the  
11 lack of time, she can't really respond to my  
12 question. So I asked if she could e-mail me the  
13 information that she has that shows different.

14 VICE CHAIR BERGMAN: No, we don't  
15 communicate directly with the Commissioners, no,  
16 before the vote. Now, in the public comment -- I'll  
17 get to that in the public comment. But they don't  
18 communicate with you. They'll communicate with the  
19 Charter Schools Division, and the information will  
20 be passed on.

21 COMMISSIONER CHAVEZ: That's fine.  
22 However we can get it, I would love to see it.

23 VICE CHAIR BERGMAN: But I also have some  
24 questions I want to address.

25 Are you finished?

1 I notice it's an interesting topic, I  
2 know. And I will announce -- Katie, please tell me  
3 when the 40 minutes is up.

4 MS. POULOS: You have four minutes left.

5 VICE CHAIR BERGMAN: As somebody who has  
6 attended virtually all the community input hearings  
7 in the past six years, there have been occasions  
8 where we have been flexible on the Commission's  
9 time, because we are the ones that actually vote on  
10 the success or lack of success.

11 So I could tell you, I could go for two  
12 hours here. I'm going to be flexible on the time.  
13 And then I'll ask you each for very short, if  
14 something has occurred to you. But I want to get  
15 into some of my questions here, very much so, as a  
16 matter of fact.

17 For instance -- and you've already noted  
18 that the K12 is not on a done deal; we understand  
19 that.

20 MS. UNSER: Right.

21 VICE CHAIR BERGMAN: But throughout your  
22 application, you mention K12. You stated  
23 specifically on Page -- I don't know if you have  
24 it -- "The K12 curriculum..." -- excuse me --  
25 "...has shown student academic success and

1 achievement in schools across the country," period.

2 Now, certainly, there is truth in that.  
3 statement. As a for-profit corporate entity, K12 is  
4 quick to celebrate their success stories around the  
5 country. And there are some, certainly. As a -- but  
6 they are not quick to celebrate their failures, and  
7 there's quite a few of those.

8 I'm reading, for instance, from an article  
9 dated November 26, 2011, that appeared in the  
10 Washington Post.

11 And it stated there, "At the Colorado  
12 Virtual Academy, which is managed by K12 and has  
13 more than 5,000 students, the on-time graduation  
14 rate was 12 percent in 2010, compared with  
15 72 percent statewide. And that very same year,  
16 K12's Ohio Virtual Academy, whose enrollment tops  
17 9,000, had a 30 percent on-time graduation rate,  
18 compared with the state average of 78 percent."

19 And then they go on to say in that  
20 article, "About one-third of K12-managed schools met  
21 the achievement goals required under the..." --  
22 existing at that time -- "...Federal No Child Left  
23 Behind law."

24 And this was according to Gary Miron, a  
25 Western Michigan University professor, who called

1 that performance poor.

2 And then I would note, in an editorial  
3 which was in the New York Times, dated January 10th,  
4 2012, they stated, in that editorial, "The need for  
5 closer scrutiny of these schools by state officials  
6 is underscored in a report published last week by  
7 the National Education Policy Center, a research  
8 center at the University of Colorado at Boulder."

9 And that struck me, because Colorado has  
10 been, quote, acknowledged as a leader in the virtual  
11 schools around the nation. And they have now since  
12 found it -- it isn't a panacea that everyone thought  
13 it was five years ago. There are certainly success  
14 stories.

15 But they went on to say, "The study found  
16 that only 27 percent of privately managed online  
17 schools achieved adequate yearly progress on  
18 standardized tests, as defined by the federal  
19 government, in the 2010 school year, as opposed to  
20 52 percent of privately managed, brick-and-mortar  
21 charter schools."

22 Actually, I have a folder at home that's  
23 this big. (Indicates.) I've been collecting  
24 virtual school stuff for years. I only brought a  
25 handful of what I could have brought.

1           This article appeared in a Reuters  
2 article. And it -- which was headlined, "Online  
3 Schools Face Backlash As States Question Results."

4           And this was dated -- it's October of  
5 2012. And they went on to say that, "In May,  
6 New Jersey and North Carolina officials have refused  
7 to allow new cyber schools to open, citing concerns  
8 about poor academic performance, high rates of  
9 student turnover, and funding models that appear to  
10 put private sector profit ahead of student  
11 achievement."

12           (Timer sounds.)

13           VICE CHAIR BERGMAN: Thank you. As I say,  
14 I'm going to allow flexibility here.

15           "In Pennsylvania, the Auditor General has  
16 issued a scathing report calling for revamping of  
17 the funding formula that he said overpays online  
18 schools by at least \$105 million."

19           "In Tennessee, the Commissioner of  
20 Education called test scores at the new Tennessee  
21 Virtual Academy unacceptable."

22           I could just go on and on.

23           I have one more thing I'm going to do, and  
24 there is a question built into all of this.

25           This, what I'm reading from, the LESC,

1 which is the Legislative Education Study Committee,  
2 has been studying this issue for three or four  
3 years. We all know it is a "hot button" issue, not  
4 only in this state, but nationwide, which is why I'm  
5 exploring these avenues.

6 But this is in a report of July 10th of  
7 2013, which was prepared by Kevin Force, who is one  
8 of their staff members. He noted there that, "A  
9 recent review by the National Conference of State  
10 Legislators said this: When only test scores are  
11 considered, traditional public schools consistently  
12 outperform charter schools nationwide, not only in  
13 reading and math proficiency for fourth- and  
14 eighth-graders, but also in mean SAT and ACT  
15 scores."

16 I believe that's a correct statement.  
17 That's why I'm a demon for the performance  
18 indicators for every charter school that I deal  
19 with, because I think that probably is a true  
20 statement, and I want the charter schools to  
21 outperform the public schools.

22 But then they went on to say, in that  
23 report, "The NCSL report adds that virtual charter  
24 schools have historically shown lower levels of  
25 achievement than traditional charter schools."

1           And then the next paragraph talked about  
2 NACSA, which is the National Association of Charter  
3 School Authorizers. And this Commission is a member  
4 of that organization. And Commissioner Carr and I  
5 and Commissioner Peralta were at their national  
6 conference just a year ago, because we have a deep  
7 interest in this, as do all my fellow Commissioners.

8           But NACSA is specifically for authorizers  
9 and tries to help us in our authorizing ability.

10          And this is what they said.

11                 They said, "The former research is  
12 limited, but generally demonstrates that online  
13 learning shows no significant difference from  
14 traditional physical classrooms. Only a selective  
15 reading of audits and studies can lead to a broad  
16 conclusion that online charter schools show  
17 predominantly good or bad outcome."

18                 And then it goes on to say -- they then  
19 attempt to redefine the question -- NACSA is  
20 redefining the question -- of the effectiveness of  
21 virtual charter schools on student achievement, and  
22 they say this: "students, parents, educators, and  
23 authorizers should ask which type of virtual schools  
24 work, under what conditions, with which students,  
25 with which teachers, and with what training."

1           And I believe that is a valid statement  
2 and something this Commission has spent a lot of  
3 time trying to accomplish.

4           And they went on to say, "Because virtual  
5 schools are a growing part of the public school  
6 landscape, educators and policymakers cannot ignore  
7 them, but should anticipate them."

8           And NACSA then goes on to observe,  
9 "Finding the right balance between ensuring quality  
10 and yet not stifling innovation may be the most  
11 difficult challenge that authorizers and  
12 policymakers face as they contemplate 21st Century  
13 teaching and learning."

14           And as I say, I could just go on and on.  
15 Take a break on that for a second.

16           As I said we were at that national  
17 conference last year. And there is not a wealth  
18 of -- there is no national database that I have been  
19 able to find that is looking at all these online  
20 virtual schools around the country and compiling  
21 their results in the area of academics; because I  
22 believe that's the whole purpose is academics.

23           Commissioner Carr may remember that I  
24 stood up -- they had a general session at that NACSA  
25 conference. And I stood up at a question-and-answer

1 session with 900 or 1,000 people there, and I  
2 specifically asked them.

3 I said, "Because there is a lack of  
4 information on these virtual online charter school  
5 academic results, is NACSA -- since you stress it so  
6 much and talk about it so much, are you going to  
7 form a study group or a task force or something and  
8 drag in all this information from the various  
9 states, and so we out here in the authorizing  
10 business can have something concrete that we can put  
11 our finger on, either about the successes or the  
12 failures of online virtual learning?"

13 And very sadly, their answer was "No," and  
14 they had no intentions of doing it.

15 So we are left, as authorizers, trying to  
16 find suitable information from -- and we don't,  
17 because we don't have access to it. Even with the  
18 two charter virtual online, we don't have a lot of  
19 information from them right now. And one of them is  
20 one of our schools. We're going to be talking to  
21 them, I believe, in the next month. I think they're  
22 one of them we're doing -- we're looking at their  
23 performance framework, or is it not one of them?

24 But you are going to have some results you  
25 can share with us?

1           So we will then have some results on their  
2 academic performance; but there's just a lack of it.  
3 I am concerned because of that.

4           What will you do differently to ensure  
5 that your school will be a success when there seem  
6 to be a lot of failures around the country?

7           I know you could take an hour answering  
8 it. Try to be concise. I know it's hard. A lot of  
9 your answers have already touched on that,  
10 certainly.

11           MS. ADKINS: Well, as far as the  
12 uniqueness, what we hope to provide is in the  
13 curriculum, of course, is both on the core content  
14 and the career-readiness pieces in one. I don't  
15 know of a curriculum that's out there where that's  
16 available. I noted that schools have their core,  
17 and they go to another provider; so there is that.

18           Again, talking to the students in  
19 kindergarten, I know it -- it -- when I had my  
20 kids -- and my kids are 17 and 20 -- but, you know,  
21 when you're talking to a kindergartener, we're not  
22 talking about, "What do you want to be when you grow  
23 up?"

24           We're talking about, "What are your  
25 interests? What are your strengths? What do you

1 like? What do you not like?" And growing that from  
2 kindergarten and rolling it forward and perpetuating  
3 it.

4 We've talked to many people while we're  
5 out talking about this school, who say, "Well, I  
6 wanted to be an astronaut," or, "I wanted to be a  
7 police officer in middle school, but I'm not so" --  
8 we always say, "What if you had been supported in  
9 that? What if you had been given those tools to  
10 fulfill that desire, instead of being derailed at  
11 some point?"

12 So that is one thing -- or two things:  
13 Starting in kindergarten, and providing the  
14 curriculum that has everything we need.

15 And then, you know, we're talking about a  
16 pretty small population of the school-aged kids in  
17 the state of New Mexico. And we're passionate about  
18 increasing graduation. We're passionate about  
19 providing a small percentage of students who need  
20 this choice and providing them with an opportunity  
21 to build a career after they get out of high school  
22 and improving our graduation rate.

23 VICE CHAIR BERGMAN: Thank you. Further  
24 on in your application, you cited a research study  
25 on career-and-technical education. You used

1 Wisconsin and California. I just wanted to note  
2 that the Charter School Division analysis noticed  
3 that those were actually brick-and-mortar studies.  
4 You compared yourself to a brick-and-mortar study.  
5 Those are kind of apples and oranges. I just wanted  
6 to note that.

7 And I have asked this of every applicant  
8 over the years -- and it's already been asked --  
9 that your whole programming is essentially dependent  
10 on the fact that one of the parents is going to be  
11 in the home with the students.

12 And so many parents -- so many families in  
13 this country now have two -- both parents have to  
14 work to survive. They have a car and a house.

15 If both parents are working, how are these  
16 students going to succeed in your school?

17 MS. UNSER: As I said, our normal, when we  
18 were young, is not the new normal. And -- and we  
19 know that there are sometimes grandparents in the  
20 home. There's someone that can act as learning  
21 coach that can be there to help these children.

22 MS. ADKINS: That's really it. It's a  
23 family commitment. It would honestly be the same as  
24 saying, "I want to take my children to two different  
25 charter schools." I have to be available to drive

1       them back and forth and be involved in that  
2       education, as well.

3               MS. UNSER: It really comes down to  
4       teachers not having to parent, as they have -- have  
5       had to do in the last couple of decades. It's time  
6       for parents to get back involved with their  
7       children's education. The roles need to be  
8       reversed.

9               VICE CHAIR BERGMAN: That is absolutely  
10       true; and yet the reality is many of them will not  
11       take the time and effort to do it. That's a sad  
12       fact.

13              MS. UNSER: As they apply for the school,  
14       this is going to have to be one of their -- they  
15       sign off on it. The governing council has already  
16       discussed that there will be an agreement made with  
17       the families that they will meet certain  
18       obligations.

19              VICE CHAIR BERGMAN: Okay. Now, I'm going  
20       to close my portion. Then I'll, like I say, touch  
21       base with the Commissioners again.

22              I'm actually going to cite some  
23       information from a report that the New Mexico  
24       Virtual Academy made to the LESC on July 10th, 2013.  
25       And in this report, they did note that the

1 withdrawal rates vary between middle and high  
2 school, which -- this report covered the 2012-2013.  
3 And you may have been on the board when this report  
4 was delivered out.

5 It stated that the overall withdrawal rate  
6 for this school was 29.8 percent. And what that's  
7 talking about, 30 percent of the students that  
8 started the school year dropped out at some point  
9 before the end of the school year. So it's not for  
10 everyone; they acknowledged that.

11 The middle school withdrawal rate was only  
12 17 percent. However, the high school withdrawal  
13 rate was almost 52 percent. And I will note that  
14 you did, also -- they did also provide academic  
15 results. And for this academy, they actually did  
16 have some favorable academic results. I will  
17 certainly, in fairness, state that. It's a little  
18 hard to read -- because some of it got blocked  
19 out -- but that some of their classes, actually --  
20 they were more proficient compared to both the  
21 Farmington district and statewide scores.

22 So there is a possibility of success. But  
23 there have been so many failures, there's always  
24 that question.

25 I see that -- yeah, I'll say that's a

1 question. So would you like to address that?

2 MS. ADKINS: Thanks. I would just like to  
3 say that right there is a great argument for  
4 beginning it before sixth grade. When you have  
5 students coming in in high school, ninth, tenth or  
6 eleventh grade, trying to take on a whole new  
7 curriculum and setting, it's difficult.

8 So when you start it earlier on, and they  
9 are taught that way, and their individual learning  
10 plan has followed them through, I think that those  
11 numbers would improve.

12 VICE CHAIR BERGMAN: Thank you. I know  
13 the challenges there. And with that, I think I'll  
14 stop my portion.

15 Now, Commissioner Chavez, did you have  
16 anything further?

17 COMMISSIONER CHAVEZ: Well, sure.

18 VICE CHAIR BERGMAN: We do need -- we are  
19 going to wrap this up, too. I want this to be a  
20 very thorough examination.

21 COMMISSIONER CARR: You opened the door.

22 COMMISSIONER CHAVEZ: I have just one  
23 question. I'm just trying to wrap my head around  
24 the student-teacher ratios. You go from 49 to 46 of  
25 a ratio. So are you -- in terms of thinking

1 about -- about different ratios, are there different  
2 ratios that you've thought about for those different  
3 grade levels? For example, kindergarten? Or, like,  
4 elementary school and high school, are the ratios  
5 different?

6 I mean, you started to have just an  
7 average. That's an average number that you have in  
8 your application; right?

9 MR. FRY: So there are definitely going to  
10 be different PTRs broken down by those grades. I  
11 can't tell you what the number that was discussed by  
12 our founders were; but that is just an average, as  
13 you referenced.

14 COMMISSIONER CHAVEZ: Okay. I guess I was  
15 looking for more specifics. Thanks. That's all I  
16 have.

17 VICE CHAIR BERGMAN: Any Commissioners to  
18 my right have any follow-up?

19 Please be brief. Thank you.

20 COMMISSIONER ARMBRUSTER: I'm going to be  
21 brief. So money for -- generally, from SEG, for  
22 public schools and brick-and-mortar charter schools  
23 goes to fund teachers and books and things like  
24 that.

25 So where does the money go when you don't

1 have a lot of teachers or books? Where does the SEG  
2 money that you get from the State go?

3 And I do -- I did read where you were  
4 going to look at -- if you wanted to go, and you did  
5 not have a computer or Internet access, that you  
6 would be funding that. But even the computer was,  
7 like, one year; although, I know you can use them  
8 for, like, four or five, because they're outdated.

9 But it's not an every-year, recurring  
10 expense; although, Internet would be. That's why  
11 I'm asking that.

12 MR. FRY: Yes. So if I could address that  
13 question. The way that the budget was set up, we  
14 took the information based off of the Connections  
15 Academy and the New Mexico Virtual Academy. So on  
16 average, the number we calculated was, on a  
17 curriculum basis, which included the delivery of the  
18 online learning system and the lease of the  
19 computer, it was going to be about \$5,600 per  
20 student. That was just going to be on the  
21 curriculum side.

22 And then we were going to be analyzing  
23 based on the PTR and the staff. The numbers don't  
24 come out drastically different than they would with  
25 the traditional brick-and-mortar school. There's

1 just more given up towards the fact that you have  
2 the computer in the home; you're sending the  
3 instructional materials to the home for the  
4 students. It's just a different breakout.

5 COMMISSIONER ARMBRUSTER: I'll let it go;  
6 but I'm not understanding. But it's okay.

7 VICE CHAIR BERGMAN: Anyone else?

8 COMMISSIONER GIPSON: Just a quick  
9 comment.

10 To my knowledge, you cannot require -- in  
11 a public school setting, you cannot require parents  
12 to sign that they're going to be involved or be  
13 there. I don't -- to my knowledge, you can't do  
14 that.

15 And that's the comment you made, that in  
16 order to sign onto this school, the parents are  
17 going to have to sign that they're going to -- and  
18 to my knowledge, you can't, with public school.

19 MS. ADKINS: Right. And what we mean is  
20 all of the on-boarding and the marketing and talking  
21 to families, and when we talk to them about the  
22 expectation and the commitment, that that's  
23 included.

24 But you're absolutely right. We would not  
25 require them to sign anything.

1 COMMISSIONER GIPSON: But you're asking  
2 them to commit to that.

3 MS. ADKINS: To commit to it, just like  
4 any other parent would be asked to commit to taking  
5 their student to any school.

6 COMMISSIONER GIPSON: But the commitment  
7 has to be that someone's going to be home all day.

8 MS. ADKINS: Yes.

9 VICE CHAIR BERGMAN: Anything else?  
10 Commissioner Toulouse?

11 COMMISSIONER TOULOUSE: I wouldn't say  
12 anything, other than to agree with Commissioner  
13 Gipson. But I think even if you're not asking the  
14 commitment when you're presenting -- until they're  
15 signed on, when you're presenting that as a part of  
16 it, that's getting awfully close to an entrance  
17 requirement. And we've had problems with schools  
18 having those in the public setting and getting the  
19 public money.

20 So you may need to rethink that part of it  
21 and highly suggest it, but even when they come in,  
22 not absolutely require it, because otherwise, you  
23 get in trouble if we did approve the charter.

24 Thank you.

25 VICE CHAIR BERGMAN: Commissioner Conyers,

1 do you have anything further?

2 COMMISSIONER CONYERS: No, I don't.

3 VICE CHAIR BERGMAN: Commissioner Carr?

4 COMMISSIONER CARR: Just a quick comment  
5 to that, too, is I think almost all of the charter  
6 schools ask their parents to sign that. And I have  
7 always had a question about that. And I think we  
8 need to look into that a little bit further in the  
9 future.

10 VICE CHAIR BERGMAN: Commissioner Pogna?

11 COMMISSIONER POGNA: No.

12 VICE CHAIR BERGMAN: I'm going to close my  
13 part. I have asked every applicant over the years  
14 this question, and I get the same answer every time.

15 And I'm talking about cheating. Each  
16 applicant assures me that there's not going to be  
17 any cheating, that there's protocols for logging in  
18 and all that.

19 And I always tell each applicant, I have a  
20 sign-on name for my e-mail; I have a password for my  
21 e-mail. If I give it to everybody in this room,  
22 they can get into my e-mail. But the computer  
23 doesn't know who's in my e-mail. They think it's  
24 me.

25 I'm going to ask you -- let me share this

1 article with you. This appeared in the USA Today in  
2 December of 2011. And I'll give you a chance to  
3 respond to this, to answer that question.

4 It's headlined, "I-Cheating. Students Spin  
5 a Web of Deceit on Tests."

6 And a Mr. Robert Bramucci, who was Vice  
7 Chancellor for Technology and Learning Services at  
8 South Orange Community College in Mission Viejo,  
9 California, said this: "there's an epidemic of  
10 cheating." He's talking about online. "we're not  
11 catching them. We're not even sure it's going on."

12 But he makes the bold statement, "It's  
13 going on." But he says, "We're not sure it's going  
14 on."

15 In other words, they can't catch them.

16 Have you thought about this in your  
17 discussions? How do you stop cheating online?

18 MS. ADKINS: Well, you know, the -- we  
19 would use "Turn It In," which is a program that  
20 looks for plagiarism. And then online curriculum --  
21 I know when I have taken my college courses online,  
22 and my son took online courses in high school, it's  
23 part, just, you know, the responsibility in saying  
24 that you're not going to help your child; but from  
25 what I understand, built within many of the

1 curriculum is some technical -- which is beyond my  
2 scope of -- but some technical ways to determine the  
3 speed and length at which a student is sitting in  
4 front of the computer, compared to where they may  
5 have come in at a different rate.

6 So if you're giving a student a test at  
7 the very beginning of the school year, and they are  
8 off the charts; say, math. But you look at last  
9 year's SBA or PARCC scores and that's not the case,  
10 you can kind of identify it there a little bit.

11 But it is, as I mentioned, the parent and  
12 the student saying that they're not going to do it.

13 VICE CHAIR BERGMAN: Thank you for that  
14 answer.

15 And I know it's hard. Way back when I was  
16 young, there were people around me cheating when I  
17 was in school. It happens. And that just --  
18 there's always somebody that wants to game the  
19 system. But I think it's got to be a question that  
20 the virtual schools need to answer.

21 I am going to note for the record, again,  
22 we did run over our time allotment, because this  
23 Commission -- this is an important vote, and I  
24 wanted each Commissioner to have the full  
25 opportunity to ask their questions and be informed,

1 and I wanted the applicant to have a full  
2 opportunity to answer those questions or comments or  
3 whatever; because this is an issue that is  
4 important, not only in New Mexico. It is important.

5 Even our absent chairwoman, who has never  
6 missed one of these before, has sent us a question  
7 that's already been answered.

8 "How are you different than the..." --  
9 because there are two existing schools. One of them  
10 is your former school. And they're using the exact  
11 same curriculum that you might. So there is concern  
12 about whether your school is innovative and whether  
13 there is a need for it; because there are two  
14 schools -- I don't know -- there are kids in Roswell  
15 that are signed up with Connections. And I  
16 understand they have 38 communities in this state  
17 that they have students from.

18 So it is a concern about whether -- I  
19 think students probably have an opportunity. But  
20 that's why we're exploring this issue.

21 Again, I think we'll close on that note,  
22 then. Here again, thank you for all your  
23 participation.

24 Now, pay very close attention to this,  
25 please. It's my final announcement, because it does

1 reflect what I said earlier.

2 Any member of the public, including the  
3 applicants, may submit written input following this  
4 hearing. Written comments can be sent to the  
5 Commission via the PED website, mailed, or  
6 hand-delivered.

7 I will tell you if you mail it, it's  
8 probably not getting to Santa Fe by the deadline.  
9 You have three days; so it's not going to get there.  
10 So either e-mail or hand-deliver it or fax it or  
11 something. And where you need to go, there's two  
12 paragraphs on the back of this agenda form. There's  
13 a stack of them over there. It has the name of  
14 where you should send your e-mails. And you have,  
15 as I note, three business days.

16 And make sure, in your comments, that you  
17 identify the school application. You'd be surprised  
18 how many people send comments and don't mention who  
19 they're commenting on; and that makes it impossible  
20 to source it.

21 And, now, please note that any input must  
22 be received no later than 5:00 p.m. Now, that's not  
23 5:01 or 5:02. That's 5:00 p.m. on the third  
24 business day following the hearing on the  
25 application upon which you wish to comment.

1           For this -- for the New Mexico Gateway  
2 Academy, that would be Friday, August 21st, 2015, at  
3 5:00 p.m. So you have three days to make -- provide  
4 any additional information that you want to do. And  
5 like I say, in the past, that information has been  
6 made available to the Commissioners; so I'm sure it  
7 will be this time.

8           My final paragraph here, I will thank you  
9 once again for your presentation today, all of you.

10           The Public Education Commission will meet  
11 in Santa Fe on September 24th, 2015, to render its  
12 decision on approval or denial of this and the other  
13 new applications that have been submitted to us. We  
14 are actually just getting started. We are having a  
15 regular PEC meeting tomorrow. And I believe it's in  
16 this room, Katie, at 9:00.

17           If any of you haven't had a chance to come  
18 to one of our meetings, if you want to -- it's open  
19 to the public, of course. Then we all jump in our  
20 cars and get to go to Deming and Silver City next.  
21 I call it "the tour," and I always get to see a lot  
22 of the state every August.

23           Again, thank you for being here. And I'm  
24 going to call this session -- unless anyone has any  
25 final comments, the gavel is up.

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Thank you again very much.

I'm recording that the Public Education  
Commission is adjourned.

(Proceedings adjourned at 12:24 p.m.)

1                   BEFORE THE PUBLIC EDUCATION COMMISSION

2                                 STATE OF NEW MEXICO

3  
4  
5  
6  
7                                 REPORTER'S CERTIFICATE

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

15                 In testimony whereof, I have hereunto set my  
16         hand on August 27, 2015.

17  
18  
19                                 *Cynthia Chapman*

20                                 Cynthia C. Chapman, RMR-CRR, NM CCR #219  
21                                 BEAN & ASSOCIATES, INC.  
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