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BEFORE THE  
PUBLIC EDUCATION COMMISSION  
SANTA FE, NEW MEXICO

TRANSCRIPT OF COMMUNITY INPUT HEARING  
Sandoval Academy of Bilingual Education  
August 20, 2014  
3:00 p.m.

New Mexico Highlands University - Rio Rancho Branch  
1700 Grande Boulevard, Northeast  
Rio Rancho, New Mexico

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## APPEARANCES

### COMMISSIONERS:

MS. CAROLYN SHEARMAN, Chair  
 MR. EUGENE GANT, Vice Chair  
 MR. VINCE BERGMAN, Secretary  
 MS. MILLIE POGNA  
 MR. J. TYSON PARKER  
 MS. CARMIE TOULOUSE

### STAFF:

MR. MATT PAHL, Interim Director, Charter Schools  
 Division  
 MR. ED WOODD, Education Administrator, Charter  
 Schools Division  
 MR. BRADLEY RICHARDSON, School Liaison, Charter  
 Schools Division

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1           COMMISSIONER SHEARMAN: Good afternoon,  
2 ladies and gentlemen. According to my handy-dandy  
3 never-wrong cell phone here, it says it's 3:00, so  
4 let's get started.

5           Thank you all for having us here. Let me  
6 just go through a general description of the process  
7 so everyone will know what we're going to be doing  
8 today. The signup sheet is here. If you want to  
9 speak, be sure you have signed up on this sheet.

10           And I believe you're having them put a  
11 checkmark or X to the right of their name, so that  
12 we know who wants to speak.

13           COMMISSIONER TOULOUSE: Please have  
14 written it legibly. I'm having to read them off,  
15 and the first one this time, I read first names for  
16 everybody because I could read the first name, and  
17 the last name was illegible.

18           COMMISSIONER SHEARMAN: That's why I have  
19 you do it.

20           COMMISSIONER TOULOUSE: So if yours isn't,  
21 would you correct it before we get it?

22           COMMISSIONER SHEARMAN: This meeting is  
23 being conducted pursuant to New Mexico Statutes  
24 Annotated Title 22, Section 8B6J 2009. The purpose  
25 of these community input hearings that will be held

1 from August 18th through August 21st, 2014, is to  
2 obtain information from the applicant and/or receive  
3 community input to assist the Public Education  
4 Commission -- and I might point out the sign out on  
5 the door says Public Education Department. And I  
6 would hesitate to say if you apply to the Public  
7 Education Department, you won't get a charter. They  
8 don't give them. We do. So just a little note  
9 there.

10           These community input hearings assist the  
11 Public Education Commission in its decision whether  
12 to grant a proposed charter application. According  
13 to this section of the law, the Commission may  
14 appoint a subcommittee of no fewer than three  
15 members to hold a public hearing. According to law,  
16 these hearings are being transcribed by a  
17 professional court reporter. When you come up to  
18 the table to speak, if you do, please be sure that  
19 you give her your name and the spelling of it, if  
20 it's unique, and be sure that she can hear you  
21 clearly so what you have to say gets on the record.

22           At this moment I would like to ask our  
23 Secretary, Commissioner Bergman, for a roll call.

24           COMMISSIONER BERGMAN: Commissioner  
25 Toulouse.

1 COMMISSIONER TOULOUSE: Present.

2 COMMISSIONER BERGMAN: Commissioner Pogna.

3 COMMISSIONER POGNA: Here.

4 COMMISSIONER BERGMAN: Commissioner  
5 Parker.

6 COMMISSIONER PARKER: Here.

7 COMMISSIONER BERGMAN: Commissioner Gant.

8 COMMISSIONER GANT: Here.

9 COMMISSIONER BERGMAN: Commissioner  
10 Shearman.

11 COMMISSIONER SHEARMAN: Here.

12 COMMISSIONER BERGMAN: Commissioner

13 Bergman is here. Madam Chair, you have six members  
14 present.

15 COMMISSIONER SHEARMAN: We do have at  
16 least the minimum number, more than, to have this  
17 hearing. Also, if you have electronic devices,  
18 please turn them off.

19 The total time allocated to each  
20 application is 90 minutes, which will be timed to  
21 ensure an equitable opportunity to present  
22 applications. During the hearing, the Commission  
23 will allow for community input about the charter  
24 application. The time for public comments will be  
25 limited to 20 minutes. If you wish to speak

1 regarding the application, please be sure to sign  
2 in. The Commission chair, based on the total number  
3 of requests to comment, will allocate the time to  
4 those wishing to speak. If there are a large number  
5 of people who wish to speak, or from any certain  
6 group, we ask that you select a spokesperson to  
7 speak for you so that you might have a little longer  
8 to speak. We will try to allocate an equitable  
9 amount of time to represent the community  
10 accurately.

11 The Commission will follow this process  
12 for each community input hearing. First the  
13 Commission will ask each applicant or group to  
14 present at the table in front. They will be given  
15 20 minutes to present their application in the  
16 manner they deem appropriate.

17 The Commission will not accept any written  
18 documentation from the applicant at this time.  
19 There is a means to submit written input, and we  
20 will talk about that in just a few minutes. The  
21 applicant may use exhibits if they so wish.

22 Following the applicant's presentation,  
23 the local school district representatives, which  
24 include the superintendent, administrators, and  
25 board members, will be given ten minutes to comment.

1                   Subsequently the Commission will allow 20  
2 minutes for public comment as has been described  
3 above.

4                   Finally, the Commission will be given at a  
5 minimum 40 minutes to ask questions of the  
6 applicant. At this point I would like to point out,  
7 before we really get into the application, that by  
8 law the Commission must deal with the application as  
9 it has been submitted. The information that we hear  
10 today from the applicant, the support or opposition  
11 that we might hear today from the community, can all  
12 be taken into consideration, but we cannot support  
13 changes to the application today. So if there is an  
14 error in the application, it cannot be changed. So  
15 I just want you to know, by law, what we have to  
16 deal with when making our decision as to what has  
17 been submitted. Okay?

18                   If everybody is ready, I would like to ask  
19 the applicants to come forward to the table here. I  
20 would ask that you, for the record, please state the  
21 name of your school, the names of the founders of  
22 the school, and any other person who is here today  
23 on behalf of the school. After you have introduced  
24 everyone, you will have 20 minutes for your  
25 presentation.

1 MR. DIVETT: The name of our school is the  
2 Sandoval Academy of Bilingual Education. My name is  
3 Brennan Divett. This is Miranda Gonzales. Who do  
4 we have on behalf of us? We have Michael Vigil.

5 MS. GONZALES: Our business manager. And  
6 our board members are not here, so far.

7 MR. DIVETT: Okay.

8 COMMISSIONER SHEARMAN: Whenever you're  
9 ready.

10 MR. DIVETT: First and foremost, we  
11 appreciate the opportunity to present this idea to  
12 you. We feel that it's a need in the community  
13 that's not quite being met at the moment, and we  
14 feel that the Sandoval Academy of Bilingual  
15 Education will be able to provide this need as it  
16 exists in the community of Sandoval County and in  
17 the state of New Mexico. So we're here today to  
18 provide a voice to the voiceless, to provide hope to  
19 those who feel a little bit disenfranchised in their  
20 current school situation, and to provide an  
21 opportunity for bilingual education to all students  
22 in Sandoval County and the state of New Mexico.

23 The mission of SABE. SABE enables  
24 students to maintain their native language, to  
25 reconnect with their heritage language, or discover



1 a new enriching language. Students will attain  
2 Spanish and English fluency and literacy through  
3 two-way immersion which will expand their world view  
4 and educational and career opportunities. So that's  
5 the mission of the school and all that we're trying  
6 to do as a school ties into this mission.

7           The need that we see in the community  
8 right now is that there's three types of learners,  
9 and we feel like they all deserve to have access to  
10 bilingual education. There's the maintenance  
11 learners, those for whom Spanish is their first  
12 language, and they would like to maintain it. They  
13 don't want to go to school to lose that language,  
14 but they want to develop it and maintain it.

15           Then we have the heritage learners, those  
16 who have limited exposure to the language through  
17 speaking with family members. A lot of times they  
18 understand the language, but they cannot write it  
19 and they sometimes cannot speak it.

20           And the third type of learner is the  
21 enrichment learner, those who have little to no  
22 exposure to Spanish, and they would like to learn it  
23 to enrich their educational experience and to enrich  
24 their opportunities, both educational opportunities  
25 and career opportunities.

1           We feel that all three types of learners  
2 deserve access to bilingual education services,  
3 regardless of where they live, regardless of what  
4 type of learner they are. We feel like this is a  
5 need not being met.

6           Another need that exists in the current  
7 educational system in Sandoval County is there's an  
8 achievement gap, meaning ELL or English language  
9 learners. According to the Rio Rancho Public  
10 Schools in reading, 65.98 percent of all students  
11 are proficient in reading. On the other hand, among  
12 English language learners, only 31.45 percent are  
13 proficient. So we see that ELLs are half as likely  
14 to attain proficiency in English where they're at  
15 right now as the other students.

16           In math we see a similar trend. Among all  
17 students in Rio Rancho Public Schools, 58.71 percent  
18 of students are proficient in math; and amongst  
19 ELLs, significantly lower, 31.18 percent. So we see  
20 this gap where we have all the students achieving at  
21 one level and the ELLs are falling far below their  
22 potential.

23           Part of that is due to the fact that  
24 bilingual education is not available to all  
25 students. So bilingualism is seen as a weakness and

1 not a strength. Students who are talented, students  
2 who are intelligent, students who are  
3 high-performing in their native language when they  
4 go into the school system are having a hard time,  
5 you know, showing that, because they're tested in  
6 English and according to the scores, they're shown  
7 as not being proficient, you know. They don't have  
8 an opportunity to really achieve their potential  
9 because of their deficiency in the English language.

10 At the Sandoval Academy of Bilingual  
11 Education, both languages will be valuable, both  
12 languages will have the same value and both  
13 languages will be assessed. So performance will be  
14 measured in both languages and those students will  
15 have the opportunity to achieve in both languages.  
16 And we are not only looking for fluency in English  
17 or fluency in Spanish, or proficiency in English or  
18 proficiency in Spanish. We're looking across the  
19 board to have both languages equally proficient in  
20 both bilingualism and biliteracy.

21 COMMISSIONER GANT: Fifteen minutes.

22 MR. DIVETT: So as it exists now in the  
23 Rio Rancho Public School District, of the ten  
24 elementary schools, five of them have no bilingual  
25 program in place. Of the other five, two of them

1 have a bilingual program and the other three have a  
2 45-minute time for Spanish instruction, which we  
3 don't feel is adequate to address the needs of  
4 native speakers or those who are trying to acquire  
5 Spanish fluency.

6           Also, Bernalillo Public Schools has  
7 bilingual classes that are all at capacity, and for  
8 a student in Rio Rancho to get into one of these  
9 classes, they have to get on a wait list and it's  
10 unlikely that they can get in, because preference is  
11 given to students who live within the Bernalillo  
12 district.

13           We also feel like students have the right  
14 to choose, to have a choice in their education,  
15 okay? So some students just can't quite learn as  
16 well in these bigger classes and bigger school  
17 environments. They like the smaller, more intimate  
18 class sizes, the opportunities that a charter school  
19 can provide.

20           MS. GONZALES: Good afternoon. My name is  
21 Miranda. I am a Spanish and English teacher, but  
22 more importantly, I'm a mother of three bilingual  
23 children, so this cause is very close to my heart.

24           One of the main reasons we proposed SABE  
25 is as already been mentioned, it's simply not

1 accessible to all students in Rio Rancho. To  
2 clarify that, two dual-immersion programs out of ten  
3 elementary schools here in Rio Rancho. And at that,  
4 it's only one class per grade level. And those  
5 classes accept 22 students. So if your child goes  
6 to that district and all 22 students have been  
7 accepted, you're left with no option.

8           Also, if you are in an elementary school  
9 district that does not offer the program, you can  
10 ask for a waiver, but again, students that live  
11 within that elementary school district will be given  
12 preference and your chances for getting into the  
13 program are not very good.

14           In addition, there are several  
15 dual-language charter schools that are performing  
16 quite well in Albuquerque, but the fact of the  
17 matter is, they're just too far. Families who are  
18 able to get their children in through the lottery  
19 system face a 30-to-45-minute commute one way in  
20 order to get their children into those schools. In  
21 fact, we have some families here today who are  
22 making that commute every day, and it's a hardship  
23 for the parents and it's a hardship for the  
24 students, and there are some parents who, due to  
25 time constraints and economic reasons, simply cannot

1 make that trip.

2           It's important to remember also that  
3 dual-language charter schools in Albuquerque are  
4 very popular. Corrales International School cites a  
5 waiting list number of over 500 students. So if the  
6 children are lucky enough to get into the lottery,  
7 out of that high demand, then they have to make the  
8 trip. So there are a lot of barriers to bilingual  
9 education here in Rio Rancho.

10           That is notable because one in six people  
11 in Rio Rancho speaks Spanish as their home language.  
12 So when we talk about closing the gap between  
13 English language learners and the general student  
14 body, we are talking about 80 percent of the cases  
15 Spanish-speaking English language learners.

16           Studies done by the Association for  
17 Bilingual Education show that when you teach  
18 students literacy skills in their native language --  
19 in this case, Spanish -- their literacy skills in  
20 English also improve. So we know that if we are  
21 able to improve literacy skills in Spanish, English  
22 scores will also come up, and we'll see  
23 proficiencies improve, and that gap will close.

24           The way we propose to do this is a two-way  
25 immersion system, which means that native English

1 speakers are learning Spanish, and native Spanish  
2 speakers are learning English simultaneously. In  
3 order to achieve this, we need a 50/50 mix of  
4 students. So 50 percent of students that come from  
5 homes that speak Spanish and 50 percent of students  
6 that come from homes that speak English, and that  
7 would be achieved through recruitment.

8 All learning stems from literacy, so with  
9 our focus on literacy, we can also expect the scores  
10 in math and science to improve. We plan to achieve  
11 this through a 90/10 model. We've researched all  
12 the models, and we have found through a study done  
13 in 2013 by the University of Massachusetts at Boston  
14 that the 90/10 model has students achieve the  
15 highest proficiency in Spanish.

16 The 90/10 model was studied, the 50/50  
17 model, and then the FLES model, which is Foreign  
18 Language in the Elementary Schools, which we know of  
19 here in Rio Rancho as maintenance and enrichment.  
20 And surprisingly -- well, not surprisingly, to me --  
21 while Spanish outcomes were higher in the 90/10,  
22 English outcomes remained the same for all programs.  
23 So we can see that Spanish is not a detriment to  
24 English as there is a common misconception that it  
25 does, but actually, instead of having high

1 proficiency in English and low to no proficiency in  
2 Spanish, you have near equal proficiency.

3           We also plan to achieve this by hiring all  
4 bilingual-endorsed instructors. We plan to do that  
5 by offering a competitive salary and a stipend. And  
6 if we are unable to find the number needed to  
7 support the school, we will offer them employment  
8 contingent upon them completing that endorsement  
9 within a year of hire.

10           Also, we will be the only school to offer  
11 a dual-language program in middle school. Right now  
12 in the RRPS district, the only bilingual program is  
13 a 45-minute Spanish at one of the four middle  
14 schools. So that will also make us innovative in  
15 that those students won't lose their Spanish skills  
16 as they move to middle school.

17           One final point before I pass the time off  
18 to my cofounder is that special ed. students who are  
19 native speakers of Spanish will be better served by  
20 our program, as we can offer support services in  
21 their native language.

22           As we were developing the idea for SABE,  
23 we spoke with a number of parents who were concerned  
24 that they were not offered speech and language  
25 pathology in their native language. They were not



1 offered diagnostic services in their native  
2 language. And in some cases, they were discouraged  
3 from speaking Spanish to their children because the  
4 special-needs children -- it was said that it would  
5 confuse them. So we feel that we'll be better able  
6 to serve that population of special ed. students.

7 MR. DIVETT: And part of the innovation  
8 behind the idea of the Sandoval Academy of Bilingual  
9 Education is the curriculum. Important to this idea  
10 is the idea of community, the community of Sandoval  
11 County, and the community of the state of  
12 New Mexico.

13 I grew up in Rio Rancho. I was born in  
14 Albuquerque. I came through the Rio Rancho Public  
15 School District, and the community is central to my  
16 educational vision. I currently work for the ASK  
17 Academy Charter School in Rio Rancho, where I'm the  
18 ESL coordinator, and I teach Spanish and New Mexico  
19 history.

20 I have devoted my time to serving within  
21 this community. And it pains us to see that this  
22 need is not being met, so part of the innovation in  
23 the curriculum is that this curriculum will center  
24 around culturally significant curriculum. This is  
25 going to be developed along with the talented

1 individuals that we're going to hire, the talented  
2 staff of teachers, and our talented principal.

3           Now, the main things that this curriculum  
4 will do is, it will focus on the mission and vision  
5 of the school. Okay? It's going to focus on state  
6 standards and Common Core, focus on best practices  
7 and high-yield strategies for bilingual education,  
8 and it will ensure that the curriculum -- that the  
9 teachers are having the students learning at high  
10 levels of Bloom's taxonomy. It will teach language  
11 through core content. So it's not that language  
12 will be taught in isolation.

13           Considering we're working towards equal  
14 fluency and proficiency in both languages, language  
15 will be taught through content and thus be  
16 meaningful in both languages, because when a concept  
17 is learned, be it learned in Spanish or English,  
18 it's still a concept that is learned.

19           This will also be taught through  
20 culturally significant units --

21           COMMISSIONER GANT: Five minutes.

22           MR. DIVETT: -- focusing on the heritage  
23 that these students bring to Sandoval Academy of  
24 Bilingual Education, focusing on the culture and the  
25 history and the problems that are faced within the

1 community.

2           This curriculum will also focus on  
3 thematic units. So as we stated in our vision, the  
4 expanding student's world view is a central goal of  
5 the academy, and this can be done through thematic  
6 units. Again, language will not be taught in  
7 isolation. It will be taught through content and it  
8 will be taught through thematic units that will  
9 expand the world view. So not only will we focus on  
10 the culture of New Mexico and the culture of  
11 Sandoval County, we're going to expand that to a  
12 world view where they learn about the other  
13 cultures, where their ancestors came from, and all  
14 different parts of Latin America and other  
15 Spanish-speaking countries.

16           This is also important because the  
17 teachers will have a say in what they teach. We're  
18 not taking a curriculum off the shelf and handing it  
19 to them and saying, "This is what you're teaching."  
20 They get to develop this curriculum according to the  
21 needs of the school and the students. They own it,  
22 they internalize it, and as a result, they're better  
23 practitioners and they are more effective teachers.

24           Once again, the purpose of this curriculum  
25 is that both languages are valued equally. It's not

1 to rob from English proficiency to make them more  
2 proficient in Spanish. That would not be the case.  
3 It's to bring them to proficiency in both languages,  
4 Spanish and English, and both languages will be in  
5 force and both languages will be assessed.

6 MS. GONZALES: A major part of SABE's  
7 mission is creating a bridge in the community. One  
8 of the things that we noted when we went out and  
9 surveyed people is that there's a major concern with  
10 the disconnect between the parents and the children.  
11 Oftentimes monolingual Spanish speakers enter the  
12 school system speaking only Spanish, and within a  
13 year no longer speak to their parents in Spanish.  
14 That's a real issue. Parents will talk to them in  
15 Spanish and they'll answer back in English. And as  
16 you can imagine, that creates a less-than-ideal  
17 environment for communication. That leads to  
18 behavioral problems. That leads to disintegration  
19 of familial relationships in general. So it's not  
20 only to have higher proficiency levels; it's also to  
21 strengthen the community and strengthen the  
22 relationships between families.

23 It's also important to note that we are  
24 equally concerned with those who are not native  
25 speakers of Spanish. There are multiple benefits

1 that come from being bilingual that anyone can take  
2 part in, whether they have started --

3 COMMISSIONER GANT: Two minutes.

4 Q. -- their life as bilingual individuals or  
5 not. We have seen in multiple studies that they are  
6 more proficient at solving problems and ignoring  
7 distractions, navigating their way through  
8 activities that create cognitive dissonance. There  
9 are just so many reasons to be bilingual, and I  
10 think we can see from the community that this has  
11 been a long time coming and this is something they  
12 really want. All of those three categories of  
13 learners that we have talked about -- they all want  
14 it and that's why they're here. And we've seen a  
15 lot of community support. We have support from the  
16 Spanish embassy, from the Mexican consulate, from  
17 local leaders, and we hope that you, too, can see  
18 the importance of the mission of our school and that  
19 you will consider it as something that will improve  
20 the academic achievement and also close those gaps  
21 that we have --

22 COMMISSIONER GANT: One minute.

23 MS. GONZALES: -- and help our community  
24 become more tightknit and have a school to help all  
25 students become better in both languages.

1 Thank you.

2 COMMISSIONER SHEARMAN: Thank you very  
3 much. We would ask if you would move to a chair.  
4 We'll have some other people up here just for a few  
5 minutes, and then we'll ask you all to come back.

6 Do we have anyone here from the local  
7 school district who would like to speak? No? Okay.

8 Then let's go on to public comment.  
9 Commissioner Toulouse, how many people do we have  
10 signed up?

11 COMMISSIONER TOULOUSE: Ten.

12 COMMISSIONER SHEARMAN: So we have two  
13 minutes apiece, two minutes for each person to  
14 speak. Okay? If you will start, please.

15 COMMISSIONER TOULOUSE: Andrea  
16 Juarez-Gutierrez.

17 MS. JUAREZ-GUTIERREZ: My children are the  
18 second and third on the list and they'll be speaking  
19 with me. Sit right here.

20 COMMISSIONER TOULOUSE: These are Amaranta  
21 and Carlos. Please state your name, give the  
22 spelling to the reporter, if it's unique, and you  
23 will have two minutes.

24 MS. JUAREZ-GUTIERREZ: Andrea  
25 Juarez-Gutierrez. A-N-D-R-E-A, J-U-A-R-E-Z,

1 G-U-T-I-E-R-R-E-Z. And this is Amaranta,  
2 A-M-A-R-A-N-T-A, Manzanares, M-A-N-Z-A-N-A-R-E-S.  
3 Carlos, C-A-R-L-O-S, M-A-N-Z-A-N-A-R-E-S.

4 I am a Rio Rancho mother, and since August  
5 2011, I have driven more than 1,500 hours to  
6 downtown Albuquerque to take our children to a  
7 dual-language school because there isn't one in  
8 Rio Rancho. It is important to us that our children  
9 speak Spanish because it's not only part of our  
10 heritage, but it is part of our future. Both my  
11 husband and I are native New Mexicans and we share a  
12 common history with many. Our grandparents spoke  
13 Spanish, but did not teach the language to our  
14 parents, because the use of Spanish was discouraged  
15 at that time. I therefore have spent eight years  
16 and more than \$75,000 learning to speak Spanish as a  
17 foreign language in college.

18 We are turning the tide in our family. We  
19 have gained the language that we once lost, and we  
20 want our children to grow up biliterate. Not just  
21 bilingual, biliterate, being able to speak, read,  
22 and write in Spanish, and English.

23 We firmly believe that our children  
24 learning Spanish is not just a heritage tradition  
25 but a requirement for the preparation of their

1 future. With 37 million Spanish speakers in the  
2 US -- and the number is on the rise -- more  
3 companies are looking to hire bilingual employees.  
4 And we believe that monolinguals will soon find  
5 they're at a disadvantage. We want our children to  
6 have every opportunity. We commend Miranda and  
7 Brennan for their courage and enthusiasm in  
8 supporting this school, and we have a dream that all  
9 students in Rio Rancho will have a school much, much  
10 closer to home to learn to speak Spanish.

11 AMARANTA MANZANARES-JUAREZ: (In Spanish.)

12 CARLOS MANZANARES-JUAREZ: I think that  
13 this dual-language course is a good idea because it  
14 will not take 45 minutes to get to school. I like  
15 learning Spanish, and I think other kids will, too.

16 MS. JUAREZ-GUTIERREZ: He is a  
17 third-grader in dual language education, and she is  
18 a kindergartener.

19 COMMISSIONER SHEARMAN: Thank you very  
20 much.

21 COMMISSIONER TOULOUSE: Christina Herrera.

22 MS. HERRERA: My son is back there,  
23 Vicente Pereira, as well. He's accompanying me.

24 I'm Christina Herrera, a long-time  
25 resident of Rio Rancho, mother to two bilingual



1 children. Vicente is in a dual-language program at  
2 Puesta del Sol.

3 I'm here to express my full support for  
4 SABE. I believe very strongly in bilingual  
5 education, and I know that the addition of the  
6 school will be so enriching to our community.  
7 Currently, second-language acquisition in our  
8 schools is largely based on old ideas that  
9 introducing a second language to young children will  
10 confuse them; therefore, they're taught in middle  
11 school and high school.

12 We now know that that is not true and that  
13 bilingual education actually grows your brain and  
14 strengthens your cognitive ability. It enriches a  
15 child's mental development. Currently they estimate  
16 that 66 percent of the world's children grow up  
17 bilingual, but in the United States only 18 percent  
18 of adults speak two languages.

19 We need to get with the times. We need to  
20 make bilingual education available to all children,  
21 or more children, at least. Puesta del Sol has a  
22 really good bilingual program, and I'm very happy  
23 with it. But currently they only accept 22  
24 kindergarteners each year, and that's not enough.  
25 Rio Rancho, Bernalillo, Corrales, Algodones,

1 Placitas, have a larger need, and this type of  
2 education needs to be extended to all of them. It  
3 enriches the lives of these beautiful children and  
4 as they grow, develop, and become a larger part of  
5 the community, it will enrich our community, as  
6 well.

7 So all my support to SABE. They will be  
8 wonderful.

9 COMMISSIONER SHEARMAN: Thank you very  
10 much.

11 COMMISSIONER BERGMAN: And Vicente is a  
12 nice name, as you can see.

13 MS. HERRERA: Look at that.

14 COMMISSIONER TOULOUSE: Yenifer Frank.  
15 Yenifer.

16 COMMISSIONER SHEARMAN: Give us your full  
17 name, please.

18 MS. FRANK: Yenifer Frank. Stand up or  
19 sit? Doesn't matter?

20 COMMISSIONER SHEARMAN: Make yourself  
21 comfortable.

22 MS. FRANK: Okay. So I am originally from  
23 Mexico, but I have been living here for 15 years  
24 now, and I received bilingual education in Mexico.  
25 And I was able to learn English before I came to

1 this country, and that helped me so much and opened  
2 so many doors to me. I was able to find a good job,  
3 and all the jobs that I have had, they have told me  
4 that one of their reasons why they hired me is  
5 because I was able to speak both languages.

6 So I have four daughters, two of them in  
7 middle school and the other two younger ones I hope  
8 can enjoy SABE. And I was so sad when I had to put  
9 my daughter in elementary school and there was no  
10 program for her in her school. She goes to MLK and  
11 there was not any program where she could be. So  
12 she didn't have that blessing or that great  
13 opportunity to have this kind of program when she  
14 was going to elementary school.

15 But I have a younger daughter that's going  
16 to go to first grade pretty soon, and I would love  
17 for her to have the opportunity to go a school like  
18 SABE and be able to be proficient in English and  
19 Spanish, because I know that's going to open so many  
20 doors for her.

21 So all my support to this school and this  
22 project. Thank you.

23 COMMISSIONER TOULOUSE: Gillary Rivero.

24 MS. RIVERO: Gillary Rivero.

25 G-I-L-L-A-R-Y, R-I-V-E-R-O. Okay. I'm here to

1 support SABE. And as a bilingual student in  
2 Rio Rancho High School, I have enjoyed a lot of the  
3 programs of Spanish AP and heritage speaking Spanish  
4 class, and I believe that everybody that wants to  
5 learn and is of heritage speaking culture should  
6 have the opportunity to be in a school where they  
7 have this opportunity of learning English and  
8 Spanish.

9 I also believe that we need to enrich our  
10 learning as heritage and cultural generations, and I  
11 believe that if we can teach many more students,  
12 younger age elementary or middle school, high  
13 school, we will be able to help our future. And  
14 also, bilingual workers, employees, are also very  
15 helpful for all the people that do not speak  
16 English. And that's everything I have to say.

17 COMMISSIONER SHEARMAN: Thank you very  
18 much.

19 COMMISSIONER TOULOUSE: Crista Benavidez.

20 MS. BENAVIDEZ: C-R-I-S-T-A,  
21 B-E-N-A-V-I-D-E-Z. Good afternoon. My name is  
22 Crista Benavidez, and I'm the mother of two  
23 children, one of whom is going to start preschool in  
24 September, and she is bilingual. I speak to her  
25 only in Spanish at home. And our eight-and-a-half-

1 month-old son is also in the process, because I  
2 speak to him only in Spanish.

3 I am the product of a dual-language  
4 education from an informal standpoint, in that I fit  
5 the category of the heritage speaker that was spoken  
6 about previously. I grew up hearing Spanish, but it  
7 was used to communicate messages that my parents  
8 didn't want my brothers or I to understand. My  
9 community, though, in northern New Mexico was  
10 bilingual, and so it was valued, but there was a  
11 time when the adults thought that it wasn't going to  
12 be beneficial because we might not be treated as  
13 fairly.

14 Fast-forward to my own education. I  
15 didn't learn Spanish until college. I was immersed  
16 into Spanish when I took a job as a telemarketer.

17 I support SABE because our children need  
18 the opportunity to be able to communicate with as  
19 many people as possible in as many languages as  
20 possible. If we could have a trilingual program, or  
21 three-or-four-language program like they do in  
22 Europe, I would be all for it.

23 I have worked with exchange students over  
24 the years, as a former exchange student, and have  
25 seen the proficiency of students coming from

1 overseas to the United States and how much higher  
2 they achieve academically because they know more  
3 than one language.

4 I started a bilingual storytime in  
5 Rio Rancho at one of the libraries, and saw the  
6 children thrive and do so well. I have two nephews  
7 who are products of Agua Fria dual-language program  
8 in Santa Fe. They are in high school now, at one of  
9 the few high schools' dual-language programs in  
10 Santa Fe, and my brother is the director of Tierra  
11 Encantada.

12 So I support SABE so we can help the  
13 future, not only of this community, but of our  
14 state.

15 COMMISSIONER SHEARMAN: Thank you very  
16 much.

17 COMMISSIONER TOULOUSE: Yovana Almuina.

18 (The following speaker was interpreted  
19 from Spanish to English by Yenifer Frank.)

20 MS. ALMUINA: I'm Yovana Almuina. I don't  
21 speak English, but my two children are totally  
22 bilingual.

23 I'm going to be straightforward. I have  
24 to drive for an hour to take my son to a bilingual  
25 school. This school that he belongs to doesn't

1 offer that bilingual program. At the school that he  
2 is in right now, 80 percent of the students, their  
3 parents don't even speak Spanish.

4 So I want our children that do speak  
5 Spanish to have the same opportunities that these  
6 other children are having and not have to travel for  
7 so long to enjoy those benefits. Because if my  
8 children spoke just English, they would lose the  
9 communication with their grandparents and with me,  
10 and then we would have a dysfunctional family.  
11 That's all.

12 COMMISSIONER SHEARMAN: Thank you very  
13 much.

14 COMMISSIONER TOULOUSE: Laura Montoya.

15 MS. MONTOYA: Good afternoon. My name is  
16 Laura Montoya, and I am a Rio Rancho resident. I  
17 wrote down the notes so I could be two minutes.

18 Options are always a bonus when it comes  
19 to education. New Mexico is a state that is unique  
20 in that our constitution declares that both Spanish  
21 and English are equally the primary languages of the  
22 state. It builds community and inner strength,  
23 pride of who you are, and respect for others by  
24 embracing both similarities and differences, which  
25 increases and creates peace instead of ignorance and

1 hatred.

2           The best opportunity to do that is with  
3 our children. It provides an opportunity for our  
4 youth and it's an investment in them which  
5 contributes back to our community, especially our  
6 elderly. There was a time that my parents were  
7 shamed for who they were and speaking Spanish,  
8 especially in the schools. When I became a Rotary  
9 scholar, I had an opportunity to study at the  
10 University of Costa Rica, where I developed my  
11 skills again as an adult. As a former at-risk  
12 treatment center counselor, I saw the effect of  
13 young adults who had many issues because their  
14 self-worth was diminished from not being proud of  
15 who they were or where they came from.

16           COMMISSIONER GANT: One minute.

17           MS. MONTOYA: As your elected County  
18 treasurer, it has been detrimental to the services  
19 that I can provide with my office to a lot of the  
20 taxpayers that are voters in this County. It  
21 benefits our youth, our community, and our economy  
22 overall.

23           Again, options are possibilities for our  
24 youth. I would never have had the opportunity to be  
25 a constituent service representative, the youngest



1 in the United States, for Senator Jeff Bingaman  
2 several years ago, had I not known both languages.  
3 There are so many different opportunities that I  
4 have had to teach others or to communicate with  
5 parents who can only speak Spanish, with the  
6 children or with the schools, when I was a tutor for  
7 children in the South Valley.

8           So to me it's a no-brainer, but I ask that  
9 you take strict consideration for this as an  
10 opportunity, and I believe my letter is part of the  
11 packet. Thank you for your time.

12           COMMISSIONER SHEARMAN: Thank you.

13           COMMISSIONER TOULOUSE: All right. Daniel  
14 Ivey-Soto, you're last for the day, for all of our  
15 hearings, so make it good.

16           SENATOR IVEY-SOTO: Madam Chair, members  
17 of the Commission, my name is Daniel Ivey-Soto. I  
18 came originally to this hearing simply because I  
19 support school choice in Rio Rancho and am overjoyed  
20 to see the efforts that these founders have made.  
21 However, I will tell you that this morning we talked  
22 about my having been a dual-language teacher. I  
23 taught Spanish to English-speakers and I taught  
24 English to Spanish-speakers.

25           And the pedagogy of what they're

1 discussing in terms of the model for the school is  
2 spot on. Having substantive classes being taught in  
3 the target language is exactly the way to promote  
4 fluency and literacy, and literacy in one language  
5 equals his literacy in another language. So I just  
6 simply came to listen and to be supportive. But  
7 once I heard what they were doing, that's when I  
8 asked to speak, because I wanted to support the  
9 structure of what they're doing because they're  
10 doing it correctly. Thank you very much.

11 COMMISSIONER SHEARMAN: Thank you,  
12 Senator. We appreciate it.

13 COMMISSIONER TOULOUSE: Madam Chair,  
14 that's it.

15 COMMISSIONER SHEARMAN: Thank you very  
16 much. Thank you, all who spoke. We appreciate your  
17 input and what you had to say.

18 It's now time for the PEC Commissioners to  
19 ask questions of the applicants, so if you all would  
20 like to come back up here, please. And while you're  
21 coming up here, remember these papers that are on  
22 this table up here. On the back is where you may  
23 send input if you have something to say, something  
24 you want this Commission to consider. It can be  
25 e-mailed, it can be snail-mailed, or it can be

1 hand-delivered, and the addresses are all on the  
2 back.

3 If you all are ready, we'll have questions  
4 from Commissioners. Commissioner Bergman.

5 COMMISSIONER BERGMAN: Thank you, Madam  
6 Chair. I have got several things. A couple of the  
7 first ones are clarification.

8 At the start of your application, you  
9 asked for a five-year enrollment cap of 280. But  
10 then you put a note, you said year 7, 360. We can't  
11 have two enrollment caps. To avoid future problems  
12 or misunderstandings, do you want the 280 cap for  
13 your five-year? Seven is outside your five-year.  
14 You're going to have a five-year contract if you're  
15 approved. Do you want to use 360 as your enrollment  
16 cap?

17 MS. GONZALES: Because we wouldn't reach  
18 360 until after the five years have expired, so then  
19 is that on this page that he's talking about?

20 MR. DIVETT: Yes.

21 MS. GONZALES: 280.

22 COMMISSIONER BERGMAN: Be sure CSD gets  
23 the right information in the computer.

24 MS. GONZALES: That's correct.

25 MR. DIVETT: That was just to show a

1 future goal.

2 COMMISSIONER BERGMAN: And you could have  
3 come to us at any time and requested an amendment  
4 anytime you found out you needed a higher cap.  
5 That's a fairly simple process, again, through CSD.  
6 And then actually if you do your renewal, you can  
7 request it again. So you'll have several  
8 opportunities.

9 MR. DIVETT: Okay.

10 COMMISSIONER BERGMAN: I want to be sure  
11 there was no misunderstanding there. I want to  
12 touch on something you said.

13 MS. GONZALES: Yes.

14 COMMISSIONER BERGMAN: You said you want  
15 your student body to be 50 percent Spanish, 50  
16 percent English.

17 MS. GONZALES: Right.

18 COMMISSIONER BERGMAN: That is an ideal  
19 situation, of course, but we have open enrollment in  
20 New Mexico. You can't turn kids away because they  
21 either just speak Spanish or English. So you may  
22 end up with 70/30. I want you to be sure that you  
23 when you got to 50 percent, you couldn't tell some  
24 child, "You can't apply because we've got our 50  
25 percent."

1 MS. GONZALES: Right. That's correct.  
2 We're aware that there aren't separate lotteries.  
3 We would probably try to attain that by, I would  
4 say, recruiting as heavily as possible in  
5 Spanish-speaking areas, and that's what we've done.  
6 In order to get a representative sample for our  
7 survey, we realized that we had to use different  
8 methods, go knock on doors, go through the Spanish  
9 media, so we realize that we will have to be  
10 recruiting very heavily on the  
11 native-Spanish-speaking side in order to achieve  
12 that, if possible, but we're aware that we cannot --  
13 we can't keep anybody out.

14 COMMISSIONER BERGMAN: I wanted to be  
15 sure.

16 MS. GONZALES: Right.

17 COMMISSIONER BERGMAN: On your goals, you  
18 happened to mention that Rio Rancho Public Schools  
19 in reading are 65.98 percent proficient. The goals  
20 that you guys picked for your reading was 66  
21 percent. Now, all you're doing is duplicating with  
22 that goal what the Rio Rancho Public Schools are.  
23 Now, charter schools are supposed to be  
24 innovative, but they're also supposed to be not  
25 duplicative of what is already being done. What's

1 your thoughts on that? Why did you settle on just  
2 doing what Rio Rancho Public Schools did?

3 MR. DIVETT: Because those goals for the  
4 proficiency that RRPS has right now, the 66 percent,  
5 we want to bring students to at least that high in  
6 both languages. So in a sense, it's the same level  
7 of proficiency, at least, because if we're not doing  
8 as good a job as Rio Rancho Public Schools, then  
9 why -- you know what I'm saying? So we need to do  
10 at least as good a job in English and get all the  
11 Spanish proficiencies up to the same, because as we  
12 said, both languages need to be valued, and  
13 proficiency needs to be striven for in both  
14 languages.

15 MS. GONZALES: It's also important to note  
16 that we're trying to pull heavily from English  
17 language learners and their current proficiency rate  
18 is in the 30s. So it also needs to be a realistic  
19 goal.

20 COMMISSIONER BERGMAN: Sure. And at some  
21 point if you're approved, we got the contract  
22 negotiation, we would have a very long discussion  
23 about that, because I always focus on goals when I'm  
24 sitting in those meetings, as most people can attest  
25 to. And we'll talk about how difficult it is for

1 you to achieve those kinds of performances. And I  
2 never ask a school to put through a goal that they  
3 can't reach, because that doesn't accomplish  
4 anything. But I also want schools to be challenged.  
5 So we will talk about that again perhaps down the  
6 road, because I know in an ideal world you and I  
7 both want your students to do better than what  
8 they're getting in Rio Rancho schools. Not to say  
9 that they're doing anything wrong, but so --

10 MR. DIVETT: Absolutely. And the issue  
11 for that was that it is doing better if they have  
12 the same proficiency in both languages. Because in  
13 Rio Rancho, 66 percent are proficient in reading in  
14 English. So it is, in a sense, doing better when we  
15 can bring both languages up to at least that level,  
16 if not higher. But like you said, we want something  
17 attainable. We want something realistic. Okay?

18 COMMISSIONER BERGMAN: Absolutely. I just  
19 wanted to hear you guys say that.

20 And the other thing I wanted to address --  
21 because I'm not a teacher, I never worked in  
22 education -- you indicated you're going to have  
23 Spanish-speakers over here, English-speakers over  
24 here, and they're going to both have to learn the  
25 other, get immersed into the other language. How

1 does that work? It seems like you'd have to have  
2 twice as much staff to run a program like that.

3 MR. DIVETT: No, we have a curriculum  
4 articulation plan, where we're going to start with  
5 the 90/10 and in each year go to 80/20, then 70/30,  
6 then 60/40, and then plateau at 50/50. So we'll  
7 start out kind of front-end-loading, doing more  
8 heavily on the minority language, which is Spanish.  
9 So all students are going to be learning 90 percent  
10 of the day in Spanish and 10 percent of the day in  
11 English. Then on a year basis, that notches down  
12 until both languages are equal at 50/50. So  
13 regardless of whether your native language is  
14 English or Spanish, they're going to be having the  
15 opportunity to use the minority language, because  
16 the minority language within the community is the  
17 language that's less prestigious, less accessible,  
18 and that's why they need to get more of it in the  
19 school, because outside of school they get the  
20 majority language a lot more.

21 MS. GONZALES: And it's most susceptible  
22 to language loss, which is why you heavily weight  
23 the Spanish in the beginning. But all students will  
24 be in the same class, so they would all be learning  
25 90 percent Spanish and 10 percent in kindergarten,



1 everyone is learning 80/20, and so forth.

2 COMMISSIONER BERGMAN: I'm just trying to  
3 see how difficult that would be for English speaker.  
4 Like myself, I don't speak Spanish, but I can  
5 normally pick out three or four words in every  
6 sentence and get the gist of what people are saying.

7 MS. GONZALES: That's another reason for  
8 the 90/10, because the more immersed you are, the  
9 more successful you are. And so that's why it's so  
10 important for those kids that have had zero exposure  
11 to Spanish start out with the 90 percent.

12 COMMISSIONER BERGMAN: I'm thinking it  
13 would be difficult for me to cope with that, though.

14 MS. GONZALES: Little kids are very  
15 resilient and they do very well, which is why you  
16 start young.

17 COMMISSIONER BERGMAN: That's my next  
18 question. Since you're starting K through six, as  
19 you propose, do you find they absorb it better or is  
20 it more difficult? I see a bunch of heads going up  
21 and down.

22 MS. GONZALES: That's why we stopped it at  
23 third grade. We thought that if we started --  
24 because eventually we'd like to be K through 8, but  
25 it wouldn't be a good idea to start K through 8 and

1 pull kids in 6th, 7th, 8th grade who haven't had any  
2 exposure and stick them in a program. And so the  
3 earlier you start, the better. And so we'll see  
4 more success and that's why we're going to build the  
5 grade levels from inside.

6 MR. DIVETT: So effectively we're  
7 front-end-loading the program. We have two  
8 kindergarten classes planned, two first grade  
9 classes, one second, and one third. And so we're  
10 getting them in when it's total immersion, when it's  
11 a 90/10, and then in first grade when it's the  
12 80/20, so that way more of them come up through the  
13 system and they have a higher likelihood of success.

14 COMMISSIONER BERGMAN: Outstanding. Thank  
15 you. Thank you, Madam Chair.

16 COMMISSIONER TOULOUSE: Madam Chair, I'd  
17 like to address -- I have a grandson at Cien Aguas  
18 who is starting third grade. Our family does know  
19 Spanish, but it's New Mexico, it's northern  
20 New Mexico Spanglish, is what we know. My family  
21 have been here for well over 200 years. We were the  
22 French fur trappers and traders who came in,  
23 intermarried with everybody. I probably have some  
24 cousins out there I don't know about.

25 But I just want to speak to the fact that

1 my grandson, who is starting in third grade now,  
2 went in primarily, you know, English-speaking.  
3 Kindergarten, he was no problem at all. He got in  
4 trouble this year because in his art class he forgot  
5 and said something in English, and came home kicking  
6 himself in third grade.

7 But it works, I can guarantee, having seen  
8 it. We took him to Puerto Rico the summer after his  
9 kindergarten year. He was talking to everybody in  
10 sight and that's a different Spanish. And so it  
11 works. He didn't even think about it. He reads in  
12 English, he reads in Spanish. I heard a couple of  
13 bad words in Spanish the other day. He forgot  
14 Grandma understands. Because I don't speak Spanish  
15 to him anymore. He corrects me. But he does tell  
16 me I have a good accent.

17 But what I want to point out is, when he  
18 started Cien Aguas, they were having to do a real  
19 recruitment of families that were primarily  
20 Spanish-speaking because the majority of the  
21 children they had, even from Hispanic families, were  
22 families that were English-speaking and they had to  
23 do quite a recruitment because they wanted the  
24 Spanish-speaking families, and the families that  
25 wanted to be there were the ones who spoke English.

1 MS. GONZALES: That's something we noticed  
2 right away when we began to survey. We had a survey  
3 in English and a survey in Spanish and the survey  
4 responses in English came rolling in, and then the  
5 survey responses in Spanish trickled in.

6 And that's when we realized we've got to  
7 change our approach if we want to reach people. We  
8 can't rely on -- sometimes native Spanish-speaking  
9 families don't have as good access to the Internet  
10 and a lot of our information, the way we disperse  
11 our information, was through the Internet and we  
12 realized that had to change and we had to go  
13 door-to-door and had to talk to the Spanish media  
14 and things like that.

15 COMMISSIONER TOULOUSE: I do have a  
16 question. I'm very pleased to hear you want to  
17 teach the history. I loved my New Mexico history.  
18 I know it, I was raised with it, my dad was raised  
19 with it. But I'm wondering, as you're trying to  
20 make it culturally appropriate, I imagine what you  
21 have are two very different populations of Spanish  
22 speakers. And I wonder how you're going to mesh the  
23 people who have 200, 300, 400 years of New Mexico  
24 families with the people who are first-generation,  
25 second-generation, out of Mexico, where the

1 histories are very, very different when you look.  
2 Our histories coincide, but they split at 1848. So  
3 I just wonder how you're going to address that  
4 cultural problem.

5 MR. DIVETT: As part of what we said in  
6 the mission is that we also want to expand the world  
7 view. So we feel the two can coexist just fine.  
8 You know, part of the importance of the culturally  
9 significant curriculum is that they learn about  
10 local culture, local history, and all of that. But  
11 also, as you mention, you know, histories aren't  
12 exactly the same. So we want to expand the world  
13 view and teach them about the countries in Latin  
14 America, teach them about the history. Because as  
15 you said, not everybody grew up in New Mexico. Not  
16 everyone grow up in Sandoval County. So we have a  
17 wealth of different backgrounds coming into one  
18 place, you know. Some for generations have lived in  
19 New Mexico, and some are first-generation, you know,  
20 immigrant families from Mexico. And so the two both  
21 will coexist just fine next to each other. We will  
22 focus on local history, but also on expanding the  
23 world view of all Latin America, and the history  
24 behind the Spanish language.

25 MS. GONZALES: Making sure that every

1 culture is represented and appreciated.

2 COMMISSIONER TOULOUSE: What about if you  
3 get some of the Native American students?

4 MS. GONZALES: That is something we can  
5 definitely address through culture, and that's a  
6 question that's come up by people in the community  
7 and they want to know, Oh, bilingual. They're going  
8 to teach pueblo languages, too.

9 And while I would love to do that, it's  
10 going to be a struggle, as we know, to find  
11 bilingual-endorsed teachers in Spanish. Can you  
12 imagine what it would be like to find people who  
13 speak the Jemez Pueblo language or things like that?

14 So I think we're very open to that, and  
15 we've just got the option of possibly even having a  
16 language class, but then that would be what they  
17 call integrated art class. So it would be like  
18 music or art or something.

19 It's just not feasible, as far as  
20 resources, to fit into the 90/10 program. But  
21 certainly culturally, we could definitely teach  
22 culturally in the curriculum, and even some of the  
23 language as a supplementary class, and that's  
24 something we definitely would like to research.

25 MR. DIVETT: Another great thing about the

1 school is that, you know, in a traditional school,  
2 you have -- I want to say at ASK Academy you have 10  
3 percent ELL, but in this school, ideally we would  
4 have 50 percent ELL because half of the school is  
5 learning English as they go, because they're native  
6 Spanish-speakers, and so the ELL support that's  
7 going to be in place -- we're going to have really  
8 comprehensive ELL support for those who don't fit  
9 into the, you know, I already speak English, or I  
10 already speak Spanish. Maybe I'm from Jemez Pueblo  
11 and I speak Towa, and so all of this is new to me  
12 and I really struggle. And then we're going to have  
13 that ELL support and the resources and the  
14 accommodations to enable that student to be  
15 trilingual, to acquire these two languages, but not  
16 giving up their native language.

17 COMMISSIONER TOULOUSE: Thank you.

18 COMMISSIONER SHEARMAN: Commissioner Gant?

19 COMMISSIONER GANT: All right. I'm going  
20 to pick up on what Commissioner Toulouse said  
21 because I was going to ask it. There are a lot of  
22 cultures in this state: Native American, Hispanic,  
23 Mexican. My home language, my family language, is  
24 German. We have a lot of Asians that do not speak  
25 English and if one of us, like me, my family -- my

1 children are all fluent in German. They can speak  
2 it and write it. If they walked up to the door,  
3 what are you going to do? I mean, they're going to  
4 want to know if they can get a bilingual education  
5 in German.

6 MS. GONZALES: We would welcome them, but  
7 again, I would go back to my point. Would we be  
8 able to find the teachers and create a whole  
9 separate mission for German? We would certainly  
10 encourage them to use the same techniques that we  
11 use in their home language, but again, we won't be  
12 able to offer instruction in German. That's just  
13 not something that we'll be equipped to handle. But  
14 we will most definitely encourage all students to  
15 use those literacy skills and encourage them to have  
16 their parents read to them in their native language,  
17 and, in fact, that can be something that can be  
18 incorporated into the curriculum, if your native  
19 language is not one of these two, by all means.

20 But again, it's not something we have the  
21 resources to teach everyone 90 percent German when  
22 they come in, 90 percent Navajo, 90 percent -- at  
23 this point we're focusing on the 80 percent of  
24 English language learners in New Mexico, or in  
25 Rio Rancho, and those are the Spanish-speakers.



1                   COMMISSIONER GANT: According to the  
2 Constitution, would that be an equal education for  
3 all students?

4                   MR. DIVETT: It would. It would. But we  
5 can't bite off more than we can chew at the moment,  
6 you know, and so we're starting with the bilingual  
7 education, Spanish and English, and in the future we  
8 would love to expand that, you know, Mandarin  
9 Chinese, incorporate that. Talk about expanding  
10 world views, you know. That's one of the major  
11 languages of business. But at this point we're  
12 starting with Spanish and English, and in the future  
13 we would love to incorporate other languages.

14                   COMMISSIONER GANT: All right. Moving on.  
15 When is the school actually going to open?

16                   MS. GONZALES: 2015/2016.

17                   COMMISSIONER GANT: I find that curious,  
18 because in your application you say the schedule for  
19 the development of SABE curriculum starts July 13,  
20 2015.

21                   MR. DIVETT: Okay. Because with the  
22 unavailability of the startup funds, you know, we  
23 don't have the option to pay teachers during the  
24 planning year. We are seeking for funding. You  
25 know, in January, when we set up all the state tax

1 ID and stuff, we will seek funding. But initially,  
2 the teachers we would like to hire volunteering  
3 their service. Same with the principal that we'd  
4 like to hire. She'll be volunteering her services  
5 during that year.

6 And so they do have commitments to the  
7 schools where they currently teach, and so we really  
8 need to buckle down and get the curriculum created,  
9 you know. They can volunteer their time ahead of  
10 time, and then when their commitment ends to the  
11 school where they teach and they're paid, then we're  
12 going to buckle down and create the curriculum then.

13 MS. GONZALES: That's also something that  
14 will be discussed as soon as we are approved. Then  
15 the principal we have in place will be approved by  
16 the board, and she will get out of the gates running  
17 and start hiring these teachers and they will be  
18 aware that that's a condition of their employment,  
19 that that is a major part of their employment,  
20 creating the curriculum.

21 So while that's a timeline, we certainly  
22 would expect that those curriculum -- that planning  
23 is in place before those due dates. So if someone  
24 is hired in November, they have from November to  
25 July to come up with what they're going to present

1 to the curriculum committee.

2 COMMISSIONER SHEARMAN: How can you hire  
3 them in November? You have no money.

4 MS. GONZALES: Well, and that's another  
5 thing. We have a lot of passionate people here and  
6 our principal has -- they're so excited about the  
7 school that they're willing to work on a volunteer  
8 basis, which is what he's saying, that you can ask  
9 people to get started but you can't really expect  
10 anything from them and you can't set any deadlines  
11 until they can expect a paycheck. So we would  
12 expect that if they really want this job -- and  
13 there are a lot of teachers who have expressed  
14 interest in a bilingual school in Rio Rancho --  
15 they'll be willing to volunteer a little bit of  
16 their time and everyone can pitch in and get it  
17 started.

18 COMMISSIONER SHEARMAN: To develop a  
19 curriculum?

20 MS. GONZALES: Yes.

21 COMMISSIONER SHEARMAN: With unpaid  
22 people? It's going to be more than a little time, I  
23 think.

24 COMMISSIONER GANT: Madam Chair, as you  
25 stated at the start of this, we evaluate and pass,

1 yes or no, on what we're reading right here, not  
2 what you wish.

3 MR. DIVETT: Yes, right. Absolutely.

4 COMMISSIONER GANT: All right. On page  
5 14, the bottom -- actually it's on page 10. Anyway,  
6 what I'm going to ask you, you say you're going to  
7 use educational assistants in fine arts. As you  
8 know, I would hope, in the state of New Mexico, fine  
9 arts -- I mean educational assistants, EAs, have to  
10 be certified. They have to have an education. And  
11 you state you're going to have bilingual EAs.

12 MS. GONZALES: Uh-huh.

13 COMMISSIONER GANT: You're having a hard  
14 time finding bilingual teachers. Where are you  
15 going to find --

16 MS. GONZALES: EAs are actually easier to  
17 find.

18 COMMISSIONER GANT: That have taken their  
19 course work?

20 MS. GONZALES: We still are investigating  
21 that. We have several leads, but I couldn't say a  
22 definitive yes on that.

23 COMMISSIONER GANT: That's what's in your  
24 application.

25 MR. DIVETT: Uh-huh. That's correct.

1           COMMISSIONER GANT:  Although I agree it's  
2   laudable, very laudable, for parents to read to  
3   their children in Spanish and English, that's one of  
4   your requirements.  It's stated, as I read it, it's  
5   a requirement at home.  They read in Spanish and in  
6   English.  As you know, they don't all speak Spanish,  
7   they don't all speak English.  They don't all read  
8   English or Spanish.  So you have a requirement here  
9   that may or may not be able to be met.  How are you  
10  going to take care of that?

11           MR. DIVETT:  Another way is a lot of these  
12  parents that we're targeting work two or three jobs.  
13  So in addition to that, we're going to have parent  
14  volunteers who can help read and volunteer their  
15  time after school and can read to some of the kids  
16  who don't have that facility at home.

17           So we expect the parents to go home and  
18  read to their kids.  We understand that some kids  
19  have the circumstances where the parent is working a  
20  lot and it's really hard, and so we will have an  
21  expectation of reading for the parents, and we can  
22  make accommodations as needed.

23           MS. GONZALES:  And the speaking  
24  English/Spanish issue that you mentioned -- I forget  
25  the name.  The last man that came and spoke.  He

1 said literacy is literacy. So if the native  
2 language at home is English, we would expect them to  
3 be read to in English. And if the native language  
4 at home is Spanish, we would expect them to be read  
5 to in Spanish. The important thing is that they're  
6 being read to.

7 COMMISSIONER GANT: I have this listed at  
8 23, the 501 accommodation plan. The 504, I'm sorry.  
9 And in there you're going to have this plan put  
10 together. What is going to be the makeup of your  
11 team?

12 MR. DIVETT: So on the 504 team -- what  
13 page? Page 20, you said?

14 COMMISSIONER GANT: Let me find it again.  
15 It jumped all over the place. All right. On page  
16 23, you talk about the 504 plan. What does your  
17 planning team consist of?

18 MR. DIVETT: That planning team consists  
19 of the teachers who can observe and fill out  
20 observations on the student, that can speak to a  
21 specific disability, a medical disability, that  
22 could be interfering with their education. The team  
23 is also going to consist of the counselor and our  
24 special ed. certified teacher. And so this team is  
25 going to meet together in order to determine in what

1 ways is a disability affecting the performance of a  
2 student?

3 COMMISSIONER GANT: The reason I ask this  
4 question is, in your budget -- maybe I have missed  
5 it; I have got old eyes -- there's no budget for a  
6 nurse.

7 MS. GONZALES: That's under contracted  
8 services. I'd have to find the exact spot, but in  
9 discussing with our business manager, we determined  
10 that that would be a contracted service and not a  
11 salaried position.

12 COMMISSIONER GANT: Give me the model.

13 MS. GONZALES: Let me see if I can find  
14 it. Under line 11000, purchase professional  
15 technical services. It has other professional  
16 services and in parentheses, nursing services.

17 COMMISSIONER SHEARMAN: 1100, and what's  
18 the rest of the numbers?

19 MS. GONZALES: 2100, function 2100, object  
20 53414.

21 COMMISSIONER GANT: 53414.

22 MS. GONZALES: Yeah.

23 COMMISSIONER GANT: \$10,000?

24 MS. GONZALES: Yes, \$10,000 the first  
25 year, increasing in the subsequent years.

1 COMMISSIONER GANT: All right. I  
2 personally prefer the school to own a nurse instead  
3 of contracting. But that's all I have.

4 COMMISSIONER SHEARMAN: Commissioners?

5 COMMISSIONER PARKER: Madam Chair,  
6 Commissioners, support services for parents, if  
7 they're wanting to engage with their kids in the  
8 language that's not spoken at home. Do you have any  
9 idea about that?

10 MS. GONZALES: That was actually one of  
11 the reasons we selected our principal. That was one  
12 of the reasons we selected our principal. In her  
13 current employment, she has created tutoring  
14 programs in English for those who need it, and in  
15 Spanish, and that includes for the parents. And so  
16 that would be having classes in Spanish for parents,  
17 would probably be -- and having classes in English  
18 for parents.

19 And that is not reflected in the budget  
20 because that is something we would expect to be run  
21 on a volunteer basis, and we believe that there's  
22 enough community support that we can support those  
23 programs to teach English to the parents and even to  
24 teach Spanish to the parents that are interested  
25 when their kids are learning Spanish.



1 Did you have anything to add?

2 MR. DIVETT: Oh, no. Yes. Just the same  
3 thing. She's really talented in her position now at  
4 mobilizing volunteers of parents, having potlucks,  
5 you know, having peer mentoring situations between  
6 the parents where the parents are mentoring the  
7 other parents in the language, in the target  
8 language, and all on a volunteer basis. And that's  
9 part of why we selected her, because she really can  
10 get a good system of volunteer parents together,  
11 working together and mentoring each other, and a  
12 peer-mentoring situation.

13 COMMISSIONER PARKER: It seems like it's  
14 one of those cases where having the whole family on  
15 board, not just with the school, but the idea of  
16 what the school is doing, each language being equal  
17 and so once the kids get home, we don't want --  
18 well, speaking for myself, it seems like if it's the  
19 case where it's do as I say, whether that be in  
20 English or Spanish, not what I do, you know, having  
21 both languages spoken at home as well, not just at  
22 the school, it seems like it would facilitate that  
23 idea that, you know, both are important and then --

24 MS. GONZALES: We would love to get the  
25 parents excited about -- I'll give you an example of

1 Spanish parents at home who don't speak Spanish, get  
2 excited and have events where maybe they're watching  
3 movies in Spanish with their kids, maybe they are  
4 participating in cultural events where everything is  
5 in Spanish. Pairing up parents and having -- with  
6 my background in English as a foreign language, one  
7 of the things that we've noticed is most effective  
8 is putting two people together and making them speak  
9 to each other. Okay, five minutes in English, five  
10 minutes in Spanish. And each person gets a chance  
11 to practice.

12 So we plan on really creating a network of  
13 parents and we would imagine that these parents  
14 would know each other very well by the end of the  
15 school year.

16 COMMISSIONER PARKER: And I forget the  
17 instructional hours. What was that number?

18 MS. GONZALES: What time of day it starts,  
19 or how many instructional hours are in the day? It  
20 would be the same as the state mandated for  
21 elementary, which is five and a half, if I'm not  
22 mistaken.

23 COMMISSIONER PARKER: For the entire year?  
24 What?

25 COMMISSIONER SHEARMAN: Total hours.

1 MS. GONZALES: Total hours? I know it's  
2 180 days at --

3 COMMISSIONER PARKER: Here's where I'm  
4 going with this. My background is in architecture.  
5 They give you a building code. They say, "These are  
6 the minimum standards that you can build with."

7 They are telling you the worst building  
8 that you can build without breaking the law.

9 So the crossover to this is, the  
10 instructional hours that you provide for these  
11 children, these are the least amount of  
12 instructional hours that you can provide to these  
13 kids in a learning environment without breaking the  
14 law.

15 MS. GONZALES: Right.

16 COMMISSIONER PARKER: So I just want to  
17 throw that out.

18 MS. GONZALES: And I think that especially  
19 in the case of being a mother of young children, I  
20 think that more school is not always better. I  
21 think that if your time is used wisely and if your  
22 time -- if your program is very structured and you  
23 have a plan for homework, there's not a reason that  
24 students have to have their bottoms sitting in a  
25 chair for more than the time that is required. So,

1 in fact, I think in some ways in the United States  
2 we've gotten too far away from play and things like  
3 that. So that was a decision that we made based on  
4 the fact that we think that it's quality over  
5 quantity.

6 COMMISSIONER PARKER: So there was a  
7 comparison to the European school system where the  
8 kids have like three languages. Do we know what the  
9 minimum instructional hours in those situations  
10 would be?

11 MS. GONZALES: You know, I'm not familiar  
12 with that, but I think I have always heard that it's  
13 more. I think it's always more. But I think also  
14 we're talking two languages. We're not talking  
15 three or four. Maybe if we were to add a third  
16 language, we'd have to look at those hours.

17 MR. DIVETT: And that's part of why we're  
18 talking about the expectation that the parents go  
19 home and read with their kids. That doesn't change  
20 the amount of time that you're sitting in school,  
21 but these educational experiences follow you home  
22 and you have the time to read in that zone of  
23 proximal development with the more capable adult,  
24 and so, you know, you can go home and read in  
25 English with your parents. And then other students

1 can go home and read in English with their parents,  
2 and literacy is literacy.

3           These students need to be literate, and  
4 this will transfer between languages. But yeah,  
5 it's not just what you learn in class. This  
6 expectation is that the parents have homework, too,  
7 in a sense. They go home and they read to their  
8 students, and for the students who are disadvantaged  
9 and their parents are too busy working, that's why  
10 we'll have after-school volunteer accommodation  
11 where they can be read to by an adult who's not  
12 their parent who comes in on a volunteer basis and  
13 volunteers their time. Because educational  
14 opportunities shouldn't be limited to what occurs in  
15 the classroom. It should follow them home,  
16 everywhere they go, while they're playing. They can  
17 play at the playground, speaking the target  
18 language, you know, playing soccer, and they're  
19 practicing what they learn within the walls of the  
20 school, but the learning opportunities follow them  
21 everywhere they go.

22           That's really the central idea that we  
23 have in this school, is that, you know, we get a  
24 really big buy-in from the community and from the  
25 parents. And when the parents are too busy working,

1 then we get other parents to step in and volunteer  
2 their time and help this learning occur outside of  
3 the school, because we have high expectations. We  
4 expect them to be proficient in both languages with  
5 the traditional school day and so then in order to  
6 do that, we need a buy-in from the parents in the  
7 community and we expect them to go home and read to  
8 their kids.

9 MS. GONZALES: And I think if we hadn't  
10 seen such a strong response from the community, we  
11 maybe would have said, "Well, maybe this isn't going  
12 to work," because it really does require the work of  
13 a lot of volunteers, and even the staff who won't  
14 get paid until the money comes in. We expect a lot  
15 from people. We expect them to volunteer. And you  
16 do things for free when you believe in them, and I  
17 think that we have a lot of people here today that  
18 are an example of that.

19 COMMISSIONER SHEARMAN: Okay.

20 COMMISSIONER BERGMAN: I know you want to  
21 get going on to your stuff. Just one quick  
22 clarification I just spotted. I know you know the  
23 answer to this because you're sitting here in front  
24 of us right now. But on page 38 under your  
25 organizational chart, you stated, "The line of

1 authority extends from the PED to the board of  
2 directors."

3 We on the Public Education Commission are  
4 perhaps overly sensitive to certain issues. We are  
5 the authorizer, the line of authority. We will have  
6 the oversight on your school.

7 MS. GONZALES: Let's just say that was a  
8 typo and it was supposed to be a C.

9 COMMISSIONER BERGMAN: PED does not have  
10 the oversight of your school. I just wanted to make  
11 that point.

12 COMMISSIONER SHEARMAN: Remove the D from  
13 your keyboard.

14 MS. GONZALES: Get me some Wite-Out.

15 MR. DIVETT: Yeah, it's a typo.

16 COMMISSIONER BERGMAN: Just wanted to be  
17 sure you understood.

18 MR. DIVETT: We know who we're talking to.

19 COMMISSIONER SHEARMAN: I think this is a  
20 very first. Every question I have has been asked.  
21 Every one. Generally I have a thousand. So you all  
22 are getting off fairly light today.

23 I think you have a wonderful idea. I  
24 think you have great community support. I'm  
25 extremely concerned about your timeline for the

1 curriculum development. I really am. If you have  
2 faith in your volunteers, I'm a volunteer, and we  
3 work very hard. We're all volunteers, but I know  
4 that when a volunteer gets tired, they can go home.  
5 And if they get ready to go on vacation, they go.  
6 So I really have grave concerns about your  
7 curriculum development and the timeline that you  
8 have here without using, you know, paid people. So  
9 you need to know that's a real concern of mine.

10 COMMISSIONER BERGMAN: If you don't have  
11 anything, can I do one more thing? You used the  
12 word "volunteer" just a second ago. And I had made  
13 a note that on page 16 of your application, you  
14 stated that you expected your parents to volunteer  
15 ten hours a year for your school. Now, to date, the  
16 legislature has not seen fit to make it mandatory  
17 for parents to serve at school. So how are you --

18 MS. GONZALES: We actually changed the  
19 wording. Originally it had "required" and we had a  
20 big discussion about "require" is not a word,  
21 because we will always be compliant within any law,  
22 and that's why it's a very careful choice of words,  
23 and it's an expectation.

24 COMMISSIONER BERGMAN: Okay. Good. I  
25 wish they would work for you 20 or 30 or 40 hours.



1 MR. DIVETT: Ideally, we could send  
2 parents with homework, but that's not the case.

3 COMMISSIONER BERGMAN: I knew you knew the  
4 distinction.

5 MR. DIVETT: It's an expectation. Even  
6 though it can't be a requirement, it's an  
7 expectation.

8 MS. GONZALES: It was a very carefully  
9 selected word.

10 COMMISSIONER BERGMAN: Okay. Thank you.  
11 That's all I have.

12 COMMISSIONER SHEARMAN: Thank you. Does  
13 anyone have anything else?

14 COMMISSIONER POGNA: Just a personal  
15 comment. At some point the speakers made a comment  
16 about being embarrassed about not speaking English  
17 at home, that type of thing.

18 I was one of that generation where my  
19 parents came from Italy in the early 1900s, Ellis  
20 Island, and I lived in Colorado. And it was a large  
21 family, my brothers and sisters. We were all a  
22 little bit embarrassed, a lot embarrassed, when we  
23 were young that my parents did not speak English.

24 My mother died when I was very little, but  
25 my father learned to speak a very broken English,

1 but he didn't speak Italian to us around friends  
2 because we were so embarrassed about it, because we  
3 didn't speak Italian; we had gotten away from it,  
4 and we never lived in an Italian community. We  
5 lived up in the mountains on a ranch, as did our  
6 neighbors who were French and German and so on. So  
7 we didn't live in an Italian community.

8           And as we went through the years, then we  
9 did not learn to speak -- none of my brothers and  
10 sisters spoke Italian. We could understand my aunt  
11 and uncle, for instance, who had been born in Italy,  
12 but didn't speak English. My youngest daughter took  
13 a lot of Italian in high school and college. But  
14 yeah, there is that element. The world has changed.  
15 There's no embarrassment. We are not embarrassed to  
16 speak our languages, but in those days, it was.

17           COMMISSIONER SHEARMAN: Thank you. I  
18 believe we're all getting tired, and I believe our  
19 children have just about had it. They have been  
20 really good and we appreciate the parents bringing  
21 their children and corralling them. I know it's not  
22 easy. This is nap time. Mine, too, if I could  
23 manage it.

24           We appreciate the questions from the  
25 Commissioners. We appreciate your presentation.

1 Let me just finish.

2 Any member of the community, the public,  
3 including the applicant, may submit written input  
4 following this hearing. Written comments can be  
5 sent to the Commission via the PED website, mail, or  
6 hand-delivered. The details and address are on the  
7 back of the handout up here. Please make sure that  
8 if you use e-mail, you identify the name of the  
9 school you're commenting on. Please note that any  
10 written input must be received no later than 5:00  
11 p.m. on the third business day following the hearing  
12 on the application on which you wish to comment, and  
13 for the Sandoval Academy of Bilingual Education that  
14 would be Monday, August 25, by 5:00 p.m.

15 I'm almost through. Thank you all for  
16 your presentation today. The Public Education  
17 Commission will meet in Santa Fe September 25 and  
18 26th, 2014, to render their decision on approval or  
19 denial of this and other charter school  
20 applications.

21 The Commission will now recess this  
22 hearing until 1:00 tomorrow afternoon in the  
23 community of Columbus. And we thank you all for  
24 being here.

25 (The proceeding recessed at 4:25 p.m.)

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1 STATE OF NEW MEXICO )  
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2 COUNTY OF BERNALILLO)

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REPORTER'S CERTIFICATE

I, Mary Abernathy Seal, New Mexico  
Certified Shorthand Reporter, DO HEREBY CERTIFY that  
I did report in stenographic shorthand the testimony  
set forth herein, and the foregoing is a true and  
correct transcription of the proceeding had upon the  
taking of this hearing.

*Mary A. Seal*

Mary Abernathy Seal  
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