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BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

PUBLIC MEETING

DAY ONE

December 12, 2013

9:00 a.m.

Mabry Hall - Jerry Apodaca Education Building  
300 Don Gaspar  
Santa Fe, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

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

STAFF:

- MR. TONY GERLICZ, Director, Options for Parents
- MS. KELLY CALLAHAN, Director,  
Charter Schools Division
- MS. ABBY LEWIS, Attorney for the PEC
- MS. BEVERLY FRIEDMAN, PED Liaison to the PEC

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1 THE CHAIR: I call to order this regularly  
2 scheduled meeting of the New Mexico Public Education  
3 Commission. Secretary Bergman, would you -- I would  
4 ask you for a roll call, please.

5 COMMISSIONER BERGMAN: Commissioner Carr.

6 COMMISSIONER CARR: Here.

7 COMMISSIONER BERGMAN: Commissioner  
8 Conyers.

9 COMMISSIONER CONYERS: Here.

10 COMMISSIONER BERGMAN: Commissioner  
11 Parker.

12 COMMISSIONER PARKER: Here.

13 COMMISSIONER BERGMAN: Commissioner  
14 Peralta.

15 COMMISSIONER PERALTA: Here.

16 COMMISSIONER BERGMAN: Commissioner Pogna.

17 COMMISSIONER POGNA: Here.

18 COMMISSIONER BERGMAN: Commissioner Gant.

19 COMMISSIONER GANT: Here.

20 COMMISSIONER BERGMAN: Commissioner  
21 Shearman.

22 THE CHAIR: Here.

23 COMMISSIONER BERGMAN: Commissioner  
24 Bergman is present.

25 Madame Chair, you have eight members, one

1 absent, and you have a quorum.

2 THE CHAIR: Thank you, Commissioner  
3 Bergman. We have a quorum. But before I continue,  
4 I would ask that everyone with an electronic device  
5 that makes noise, would you please turn it off or  
6 down or "airplane" mode or whatever it is to -- to  
7 whatever it is, so it doesn't disrupt the meeting.

8 Next item on the agenda is Pledge of  
9 Allegiance by Commissioner Pogna, and Salute to the  
10 New Mexico Flag, Commissioner Carr.

11 (Pledge of Allegiance and Salute  
12 to the New Mexico Flag.)

13 THE CHAIR: Next is Statement of  
14 Aspiration. Commissioner Peralta.

15 COMMISSIONER PERALTA: Good morning,  
16 Madame Chair, members of the Board. Allow me to  
17 start by saying that educators are special. They're  
18 special because they care for others and aim to help  
19 students grow to their fullest potential. They are  
20 dedicated and hard-working, along with having an  
21 interest in making a substantial difference in the  
22 future of children. I make this shout-out about  
23 educators, because today we are honoring a couple of  
24 educators, along with a great school and an  
25 outstanding student, and all the great things that

1 they bring to education.

2 So, I will finally say that it is very  
3 important -- I feel that it is very important that  
4 we take every opportunity to speak to the positives  
5 in our schools. There are a lot of good things  
6 happening in New Mexico education. Thank you.

7 THE CHAIR: Thank you, Commissioner  
8 Peralta. Next, we'd like to welcome our new  
9 Commissioner, Tyson Parker. We've already seen him  
10 at work. He was here yesterday, and we had a fairly  
11 marathon session until 6:00 last night, so, I feel  
12 like he has some idea of what he's getting into.

13 Commissioner Parker is from Corrales --

14 COMMISSIONER PARKER: Yes, ma'am.

15 THE CHAIR: -- is an architect and  
16 represents District 4. So we welcome you very much  
17 and look forward to working with you.

18 COMMISSIONER PARKER: Thank you,  
19 Madame Chair, and thank you, Commissioners. Thank  
20 you so far for your warm welcome. For your  
21 clarification, I'm a designer, not a true architect,  
22 so --

23 THE CHAIR: Thank you. Appreciate that.

24 Next item on the agenda is Approval of the  
25 Agenda. Does anyone have any additions,

1 corrections, changes to bring forth at this time?

2 COMMISSIONER PARKER: Madame Chair?

3 THE CHAIR: Commissioner Parker.

4 COMMISSIONER PARKER: I'd just like to say  
5 I'll be abstaining from voting, because I was not at  
6 the meeting for these minutes.

7 THE CHAIR: Did you hear that, Madame  
8 Reporter?

9 (A discussion was held off the record.)

10 THE CHAIR: Thank you for that. Any  
11 further discussion on the agenda?

12 COMMISSIONER CARR: So moved.

13 COMMISSIONER GANT: Second.

14 THE CHAIR: It has been moved and seconded  
15 to approve the agenda, as presented. All those in  
16 favor, please say "Aye."

17 (Commissioners so indicate.)

18 THE CHAIR: Any opposed, same sign? The  
19 agenda is approved.

20 By the way, before we move forward, I  
21 would note that Commissioner Toulouse has let us  
22 know that she will probably not be here today due to  
23 illness.

24 Next item on the agenda is Approval of the  
25 Minutes for the November 1st meeting. Any

1 discussion or corrections to those minutes?

2 Commissioner Parker?

3 COMMISSIONER PARKER: I'm sorry. I think  
4 I was jumping the gun. It was approval of the  
5 minutes that I would like to abstain from.

6 THE CHAIR: Thank you very much. Any  
7 corrections? Discussion?

8 Abby, would you speak to this abstaining  
9 on these issues? Would you just make a statement  
10 now?

11 MS. LEWIS: Commissioner Parker spoke with  
12 me yesterday and said that there were several issues  
13 on the agenda that, because he's a new Commissioner,  
14 he didn't feel it was appropriate for him to vote  
15 on, as well as a couple of conflicts of interest.  
16 So, you'll hear him abstaining throughout the day,  
17 and he'll just verbalize for everyone why it is that  
18 he's abstaining.

19 THE CHAIR: Okay. Thank you for that  
20 explanation. The Chair would entertain a motion on  
21 the minutes for the November 1st meeting.

22 COMMISSIONER CARR: So moved.

23 COMMISSIONER BERGMAN: Second.

24 THE CHAIR: I hear a motion and a second  
25 to approve the minutes as presented. All those in

1 favor, please say "Aye."

2 (Commissioners so indicate.)

3 THE CHAIR: Any opposed? Motion carries.

4 The minutes are approved.

5 Next item on the agenda is Recognition of  
6 New Mexico Charter School Coalition. Bruce, I  
7 mispronounc- -- I misstated that -- New Mexico  
8 Coalition of Charter School Winners.

9 Mr. Hegwer, I would ask you to come  
10 forward to the table, please, and we will recognize  
11 the winners.

12 MR. HEGWER: Good morning, Madame Chair,  
13 members of the Commission. Thank you very much for  
14 allowing me to be here and to present these award  
15 winners to you. Are you able to hear? Is this  
16 okay?

17 (A discussion was held off the record.)

18 Each year the Coalition solicits  
19 nominations from our membership for awards that  
20 exemplify the highest quality of what charter  
21 schools have to offer in New Mexico. It's my  
22 pleasure to present to you this year's New Mexico  
23 Coalition for Charter Schools' outstanding  
24 award-winners.

25 The Charter School of the Year this year

1 is Albuquerque Sign Language Academy. The  
2 Albuquerque Sign Language Academy is one of the most  
3 innovative charter schools in the state, as the  
4 state's only elementary Supplemental Accountability  
5 Measures school, serving a 60-percent special-ed  
6 population. The ASLA is breaking new ground in the  
7 worlds of deaf ed and special ed.

8 Noteworthy accomplishments include ASLA is  
9 the first and only State-certified American Sign  
10 Language-English bilingual school in the nation,  
11 serving deaf, hard-of-hearing and hearing children  
12 through a dual-language program. The ASLA is  
13 working with the New Mexico Public Education  
14 Bilingual Division in order to develop a  
15 State-recognized bilingual teacher certification  
16 program certification, and American Sign Language.

17 In collaboration with the PED Assessment  
18 Division, the Albuquerque Sign Language Academy is  
19 creating an alternative assessment to be used in the  
20 place of the Standards-Based Assessment for those 2  
21 percent of special-ed students who are not fairly  
22 measured by traditional standardized tests.

23 During the recent bus tour of New Mexico  
24 by the U.S. Secretary of Education, Arne Duncan, the  
25 ASLA was recently visited by a representative.

1           It's my pleasure to introduce to you  
2 Mr. Rafe Martinez, who is the principal and director  
3 of Albuquerque Sign Language Academy.

4           (Applause.)

5           THE CHAIR: It is our pleasure to present  
6 you with this certificate in recognition of your  
7 work. I remember when we first approved this  
8 school.

9           MR. MARTINEZ: Yes, yes. Thank you very  
10 much. Thank you.

11          THE CHAIR: If you would, I'm sure the  
12 Commissioners would like to shake your hand.

13          MR. HEGWER: Can I get a picture of you  
14 all? Thank you.

15          This year's Student of the Year award goes  
16 to Cheyenne Chavez. Cheyenne could not be with us  
17 today. Hopefully, she's in school studying. She's  
18 an outstanding young lady. She has a very high GPA.  
19 She's involved in a lot of school activities and  
20 does a lot of volunteer work. So Cheyenne Chavez is  
21 our award-winner for this year.

22          Our Teacher of the Year is Katy Franz from  
23 Roots and Wings Community School. Katy is an  
24 exemplary elementary classroom teacher and SpEd  
25 teacher, and has been for over 20 years. She is

1 dedicated to quality education and to the success of  
2 every one of her students.

3 She instills in her students pride of self  
4 and a love of learning. She continuously utilizes  
5 testing data, technology, and her own professional  
6 skills in the classroom to hone and improve her  
7 lessons. She is well-versed in Expeditionary  
8 Learning and utilizes it to her students' advantage.

9 She manages to get full parent  
10 participation in classroom work, as well as with her  
11 outdoor fieldwork. She works tirelessly after  
12 school without pay to tutor students in need and  
13 communicates daily with all of her parents.

14 Ms. Franz not only exceeds New Mexico PED  
15 Department standards for being a true Master  
16 Teacher, but she also exhibits a love and concern  
17 for her students that goes far beyond her classroom.  
18 It is my pleasure to introduce to you Katy Franz,  
19 Teacher of the Year.

20 (Applause.)

21 THE CHAIR: It is my pleasure to shake  
22 your hand.

23 MS. FRANZ: Thank you.

24 THE CHAIR: Congratulations.

25 MR. HEGWER: The Coalition's Principal of

1 the Year is JoAnn Myers from Mission Achievement and  
2 Success Charter School.

3 JoAnn founded Mission Achievement and  
4 Success Charter School and had a vision for  
5 providing equal access to a high-quality education  
6 for all students in Albuquerque. She approaches  
7 education with a no-excuses attitude and provides  
8 every opportunity for students to learn, no matter  
9 the cost.

10 Myers recognizes that teachers are the key  
11 to student achievement. She invests in teacher  
12 professional development and ensures that a learning  
13 environment is created for teachers that is focused  
14 on high expectations.

15 As an educational leader, JoAnn Myers is a  
16 facilitator, trainer/mentor, motivator, life-long  
17 learner, innovator, provider, teacher, mother, wife,  
18 and friend. JoAnn is her staff's confidante,  
19 enthusiastic critic, and inspiration.

20 It is my pleasure to introduce our  
21 Principal of the Year, JoAnn Myers.

22 (Applause).

23 MR. HEGWER: And, Madame Chair, members of  
24 the Commission, I do have one more word -- group --  
25 I would like to recognize. They're not here today.

1 But it's the Governing Council of the Year. This  
2 was a new award for us to recognize outstanding  
3 Board members from our charter schools. And this  
4 year's award went to the New America  
5 School-Las Cruces, as our Board of the Year.  
6 They're an outstanding board. They have tremendous  
7 passion for the students in their school, as all of  
8 our charter schools do. But they go above and  
9 beyond, I believe. And they're very much involved  
10 with bringing the community into -- into their  
11 school.

12 So they were our award-winner for the  
13 Board of the Year this year.

14 So, thank you very much, and I appreciate  
15 the opportunity to be here with you today.

16 THE CHAIR: Thank you, Mr. Hegwer. We  
17 very much appreciate you bringing forward those  
18 awards. And, certainly, we congratulate all the  
19 winners. This is what education is all about, high  
20 quality, dedicated people. That's what we're  
21 dedicated to; we know you are as well. And we again  
22 congratulate the winners.

23 If I might take a moment of personal  
24 privilege, while we're recognizing outstanding  
25 people, we have one of our Charter School Division

1 staff who will be leaving us at the end of the -- of  
2 the month. And we're so sorry to lose Kelly.

3 Kelly Callahan has been outstanding, an  
4 outstanding member of the Division and the staff,  
5 and we appreciate her work so much. We know she's  
6 going back into education, where she directly  
7 touches the lives of students. And that's where she  
8 wants to be and where she is probably the more  
9 outstanding, if that's possible.

10 But the Commission wanted to thank her for  
11 all of her work, all of her help, and to recognize  
12 how much we appreciate her and will miss her. So,  
13 Kelly, we have a certificate for you.

14 (Applause.)

15 THE CHAIR: All right. Moving forward to  
16 Item No. 5, which is Report from the Secretary. She  
17 cannot be here today. So, we will move on to Item  
18 No. 6, which is report from the Deputy Secretary.  
19 And Deputy Secretary Aguilar let me know that he  
20 could not be here today, but he will be here in the  
21 morning.

22 He is at the LESC meeting testifying, but  
23 can be here in the morning. So, I told him whenever  
24 he could get here in the morning, we could finish up  
25 what item we were on, and then we would go on to his

1 report.

2 Item No. 7 is update on Carl Perkins  
3 program and on moving CTE forward. We ask Eric  
4 Spencer, the Director, to come forward with that  
5 report, please. Good morning.

6 MR. SPENCER: Good morning, Madame Chair,  
7 members of the Commission. It's a pleasure to be  
8 here with you today.

9 So, in your packet of information that was  
10 provided to you, you saw a four-page report from the  
11 College and Career Readiness Bureau specific to the  
12 Perkins implementation. There's a few items to  
13 highlight there, as first, I think we have major  
14 success in the Bureau that we were able to relocate  
15 from the Federal Building to this building directly  
16 across the hall.

17 And I know that, during the last PEC  
18 meeting that you all had, there were a lot of boxes  
19 in the hall and inventory and cabinets and things of  
20 that sort. And I must admit those were part of my  
21 Bureau's assets. And, so, if we created any kind of  
22 cluster of items out there that were in your way, we  
23 do apologize. But we're very happy to be in the  
24 building.

25 And the reason I call that a very

1 significant success is back in 2006, the Bureau was  
2 required to move out of this building into the  
3 Federal Building as a federal program that had the  
4 ability to pay rent, and we had the administrative  
5 dollars to do so at the time. Unfortunately, it was  
6 at the cost of two positions at the time that have  
7 gone vacant since. So, coming back into the  
8 building, it means we no longer have to pay that  
9 rent, and we can move forward with filling at least  
10 one of those positions that we're working with HR on  
11 at this point in time to be able to provide the  
12 support and service to the field of Career Technical  
13 Education and those receiving Perkins.

14 So, in your packet of information, I've  
15 given you a directory of staff that are in our  
16 Bureau and some telephone numbers there, so that you  
17 know who we are and how to get ahold of us if you  
18 have any questions. But feel free to make your way  
19 across the hall into the College and Career  
20 Readiness Bureau. We'd like to show you our space,  
21 if you're interested in looking at that. It's  
22 pretty tight quarters, but we're happy to have it.

23 So, moving forward with regard to the  
24 funding. In our last PEC meeting, I had indicated  
25 to you all that we had received a planning award

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1 from the fed back on July 1, and it was equal to the  
2 amount that we expected that we would be receiving,  
3 pursuant to the application that we submitted to the  
4 federal government earlier in the spring.

5 We did have a reduction, overall, however,  
6 in the federal award. And part of that is that  
7 federal awards are based -- for Perkins, that is --  
8 are based on census information of youth and schools  
9 and percentages of poverty, et cetera. And, of  
10 course, those fluctuations that exist across other  
11 states would have an impact on New Mexico's award.

12 New Mexico is now receiving the award  
13 amount that it once received in 1998. And I believe  
14 that New Mexico would have been at risk of receiving  
15 less dollars than that had it not been for the Safe  
16 Harbor clause in the federal act. And, so,  
17 New Mexico is now receiving equal to the 1998  
18 appropriation from the fed.

19 Looking at the reauthorization of Perkins,  
20 there seems to be a lot of positive, I guess,  
21 collaboration occurring on The Hill in Washington  
22 between the parties and also the two houses. And I  
23 know that this issue of Safe Harbor is certainly on  
24 the conversation block with regard to the  
25 reauthorization. So, that's something that I'll

1 keep you all informed of and let you know how that  
2 dialogue is moving forward and disseminate that  
3 information to you.

4 But there is a proposal by some states  
5 that the "hold harmless" provision hurts other  
6 states that have not yet hit their 1998 level of  
7 funding. So in order to keep New Mexico at its 1998  
8 level of funding, that means that there's another  
9 state out there that hasn't yet hit their threshold  
10 that are having to give up more dollars of their  
11 appropriation to support states like ours that are  
12 already at the threshold amount.

13 And so some of those states are advocating  
14 potentially removing the provision of "hold  
15 harmless" in the law. And, so, we're not really  
16 sure how that is going to play out if there isn't  
17 going to be a change in the funding formula. But,  
18 as I said, I'll keep you informed as those  
19 conversations move forward.

20 Talking to the association for the state  
21 directors of Career Technical Education in  
22 Washington, and also our attorney in Washington,  
23 D.C., Michael Brustein, it doesn't seem likely that  
24 we're going to see a reauthorization of Perkins for  
25 at least two, potentially, even three years.

1 Conversation is that they've got to appropriate and  
2 reauthorize for Elementary Secondary Education Act,  
3 the Workforce Investment Act, et cetera, before they  
4 even get to Perkins. And we know that, on a federal  
5 level, they're several years behind in reauthorizing  
6 those Acts.

7 So, we see that Perkins is probably going  
8 to be following after that, probably two to three  
9 years out.

10 Moving forward with regard to the work  
11 that we are doing with the appropriations that we  
12 have and the staff that we have on deck, I gave you  
13 a report of two pieces of significant work that  
14 we're beginning to embark on. And one of those is  
15 an assessment of Career Technical Education programs  
16 across the state and taking a look at what's  
17 happening in secondary schools and post-secondary  
18 schools to determine whether we have an adequate  
19 alignment, not just from secondary to  
20 post-secondary, but also into workforce development  
21 and the workforce system.

22 Perkins is an education program. But one  
23 of the targets that we aim for is making sure that  
24 students are ready to work in jobs that are  
25 available for them upon the completion of their

1 program of study. So, we want to make sure that, as  
2 we are approving programs of study for secondary and  
3 post-secondary school partnerships, that there is  
4 going to be an alignment to a labor market of high  
5 wage, high demand, and high growth in that  
6 occupational area of a program of study that we  
7 would be approving.

8 We're also looking at bringing together  
9 16 focus groups, one focus group around each one of  
10 the career clusters, to specifically take a look at  
11 the coursework that is being offered across the  
12 state of New Mexico.

13 I've provided a link to our STARS manual,  
14 which is the directory of courses of Career  
15 Technical Education courses that school districts  
16 are offering across the state.

17 And we want to ensure that we have an  
18 alignment to a career pathway to meet the  
19 requirement of Perkins and the basic research around  
20 meaningful programs of study in Career Technical  
21 Education.

22 And in the first crosswalk that we've  
23 conducted in our Bureau over the summer, as we align  
24 our coursework over to, let's say, the 79 career  
25 pathways at a national level, there seems to be a

1 disconnect between some of our programs and the  
2 national 79 pathways. So, for example an automotive  
3 program doesn't seem to be present.

4 We offer automotive programs in the State  
5 of New Mexico. But automotive -- let's say auto  
6 body repair, for example, as a program of study  
7 wouldn't be one of the 79 programs of study under  
8 the 16 Career Cluster Initiative. So, these focus  
9 groups are going to be discussing some of these  
10 policy recommendations to the Bureau to determine  
11 whether we expand beyond those 79. And who knows?  
12 We might have 92 programs of study that we offer in  
13 the state of New Mexico and provide support for.

14 So, we want to make sure that we have a  
15 thorough needs assessment of the Career Technical  
16 Education programs as we move forward, ensuring that  
17 we're creating the opportunities that align to  
18 occupations for students.

19 Madame Chair, members of the Commission,  
20 that concludes my report, but I do stand for  
21 questions.

22 THE CHAIR: Thank you very much. Are  
23 there questions? Commissioner Gant?

24 COMMISSIONER GANT: Good morning,  
25 Madame Chair, members.

1           First of all, is there something we and  
2 the public, the teachers, the principals, who  
3 benefit from -- from Perkins can get to start  
4 working our legislators up in Washington, D.C., to  
5 make sure we have the -- we maintain as we are? Can  
6 we -- should we start now? Is there a list of  
7 specific legislators we need to talk to?

8           MR. SPENCER: I know the recommendation  
9 is -- from the National Association of Career  
10 Technical Education, is to make sure that we're  
11 communicating with our Representatives and Senators  
12 of our state that work on behalf of New Mexico in  
13 Washington, and let them know about the successes  
14 that the program has been able to achieve, make them  
15 aware of the challenges that we have in ensuring  
16 that we align to that labor market and job growth  
17 for kids, et cetera.

18           And, so, if there's any reach-out that you  
19 all, as a Commission, have to those individuals, it  
20 would be appropriate, from the Commission's  
21 perspective, to be able to reach out to them and  
22 have the conversations about what's meaningful for  
23 the State of New Mexico.

24           It's interesting that I had a meeting with  
25 an individual from IBM, who is a Board member on

1 Innovate Educate. And this particular individual  
2 had indicated that he was working in Washington  
3 around the reauthorization of Perkins, and that they  
4 were pretty excited about creating opportunities for  
5 kids.

6 And, so, as I asked him to explain what  
7 those opportunities would be and how, in fact, the  
8 legislation would come about, and how that would be  
9 revealed, you know, he had also started talking  
10 about, well, you know, some states really don't  
11 have, let's say, for example, a need to maintain a  
12 dollar-for-dollar match between state funding and  
13 federal funding. Some states are having  
14 conversations around the fact that maintenance of  
15 effort seems to be an issue in those states.

16 And, so, as I'm working on behalf of the  
17 PEC and the Agency with regard to ensuring that we  
18 maintain a level of funding that's appropriate to  
19 implement Career Technical programs for your  
20 students, the conversation, for example, that I've  
21 shared with him was that the New Mexico Legislature  
22 doesn't take a position and appropriate dollars  
23 specific to support Career Technical Education in  
24 the State of New Mexico, and that's done through the  
25 State Equalization Guarantee, but it's not

1 noncategorical; it's not earmarked.

2           And, so, as a result, many of the schools  
3 do receive a basic level of support for Career  
4 Technical Education. But where the advancement and  
5 the innovation comes from is essentially from the  
6 Perkins set-aside. And, so, to eliminate, for  
7 example, a dollar-for-dollar state match on the  
8 administrative set-aside of our grant would hinder  
9 that innovation, because we wouldn't have that  
10 additional set-aside for which we can tap into and  
11 conduct the work on behalf of schools.

12           And, so, it's those types of dialogues, I  
13 think, that are starting to open up.

14           And just another point is that many states  
15 have been -- and constituents across the state, even  
16 in ours, a lot of teachers are asking, because  
17 they've heard that maybe in President Obama's  
18 position around Career Technical Education, he has  
19 an interest in making the grant competitive for  
20 schools. And a lot of schools are really concerned  
21 about that.

22           Based on the conversations I'm having with  
23 our connections to D.C., it looks like Congress  
24 isn't really in favor of making Perkins a  
25 competitive grant, in like manner as Race to the

1 Top. And, so, those are certainly points of  
2 conversation that still need to occur.

3 Madame Chair, Commissioner Gant, I'll keep  
4 you informed of that and give you the pieces of  
5 information, so that you have the talking points, if  
6 you will, necessary in order to take that forward.

7 COMMISSIONER GANT: Thank you.

8 Madame Chair, for the audience who may or may not --  
9 most of them probably know. But just to make sure  
10 we're clear. The PEC is responsible overall for the  
11 authorization of the State of New Mexico for the  
12 Carl Perkins. And that's why Eric is providing the  
13 briefing. Three or four times a year, we get the  
14 briefing.

15 Secondly, I would recommend that we, as  
16 the individual Commissioners -- and we know many of  
17 the legislators -- we start pushing on our local  
18 legislators to start pushing on the ones in  
19 Washington, D.C. We cannot afford to lose Carl  
20 Perkins. This grant, this money, saves many of our  
21 kids from being on the street or even being in jail.  
22 So, we've got to stand up and push up and make sure  
23 we have what we have left of the Carl -- 1998 level?

24 MR. SPENCER: We're at the 1998 funding  
25 threshold, yes.

1 COMMISSIONER GANT: And, so, the cost to  
2 schools has not stopped rising. Anyway, that's my  
3 speech on this. Anyway, push on this, because if we  
4 lose this, we're going to lose kids, okay?

5 THE CHAIR: Commissioner Carr.

6 COMMISSIONER CARR: I can never let go an  
7 opportunity like Commissioner Gant to, you know  
8 reiterate how important it is to keep this program  
9 and to keep it fully funded. It's been proven very  
10 effective, especially in New Mexico. We're one of  
11 the most effective states in giving those funds out  
12 and actually getting results from it. It's also  
13 extremely important. It's one of the -- it's one of  
14 the best programs for Native Americans. Native  
15 American students have proven to stay in school  
16 because there's some part of the Perkins grant  
17 that's funding some program like culinary arts or  
18 something like that that's keeping them in school,  
19 and it's proven to improve their test scores and  
20 their grades in school.

21 And it's good for, you know, mainly  
22 disadvantaged children, I would say, but everybody,  
23 and we all benefit from it. I -- it's really  
24 important that we do what Commissioner Gant says and  
25 lobby for support of this grant. Thank you.

1 THE CHAIR: Thank you, Commissioner.  
2 Other comments? Seeing none, thank you,  
3 Mr. Spencer. We look forward to seeing you again  
4 soon.

5 MR. SPENCER: Thank you. I appreciate it.

6 THE CHAIR: Thank you. Item 8 on the  
7 agenda is Action on Renewals for Current Schools and  
8 Charter -- State-Chartered Charter Schools.

9 I would ask our attorney, Abby Lewis, for  
10 a little bit of information before we actually get  
11 started on this item.

12 MS. LEWIS: I just wanted to remind the  
13 Commissioners that the written decisions will be  
14 based on the record -- on the transcript that we're  
15 getting. So, if you could please be as specific as  
16 possible when we're going through these, that will  
17 really help in the drafting. Thank you.

18 THE CHAIR: Thank you, Ms. Lewis. And now  
19 I'll ask Director Tony Gerlicz to take over and lead  
20 us through this process. And please notice, before  
21 we get started that there are timed issues here.

22 Kelly, could we ask that you be our timer?

23 MS. CALLAHAN: I will do that, Madame  
24 Chair.

25 MR. GERLICZ: Madame Chair, members of the

1 Commission, and the audience, we have in front of us  
2 today 13 schools that have come before the  
3 Commission for renewal of their charters. Twelve of  
4 them are existing State-chartered schools, and one  
5 of them is migrating from a locally  
6 district-chartered -- Las Cruces -- to the State.

7 This process of renewal actually began  
8 last spring when we conducted training sessions for  
9 the schools that are in front of you now that were  
10 in their fourth year of existence then. And we  
11 explained to them the process of fulfilling the  
12 application requirements, what to look for, how to  
13 do it, and how to present themselves.

14 In the fall of this year, each liaison to  
15 the school, in teams of two, visited the schools for  
16 a two-day site visit; day one, devoted to getting to  
17 know the school well through interviews with  
18 parents, students, teachers, governing body members,  
19 support staff, whoever at the school; and day two  
20 really focused on compliance issues, academic  
21 analysis, following up on questions raised during  
22 day one. It was a thorough review on our part.

23 The schools set the agendas themselves for  
24 the day-one visits. And the Charter School Division  
25 then took this data back to the office and combined

1 it with the prior four years' worth of academic and  
2 governance information to make our recommendations.

3 In doing so, we kept an eye out on the  
4 amended Charter School Act, which is coming up after  
5 renewal. But we're primarily basing our  
6 recommendations on the four years of past data,  
7 four-plus years of past data in academic arenas,  
8 governance arenas, and financial arenas.

9 The liaisons, the charter school liaisons  
10 then presented their case to our entire staff, and  
11 the entire staff made these recommendations. In all  
12 13 of these cases, the recommendation was unanimous  
13 from the Charter School Division to the Public  
14 Education Commission.

15 And should -- as we begin and analyze each  
16 individual school, if the Commissioners have any  
17 questions specifically about our process, I will ask  
18 the liaisons to fill in any of the blanks that I  
19 have left out, since our liaisons work very closely  
20 with our schools and know our schools very well.

21 So, that is the process that was applied  
22 to all of them. And we'll begin with the first one  
23 on the list, the Taos Academy. So Traci, and  
24 whoever you like, if you can come forward?

25 THE CHAIR: And I would remind the

1 applicant -- pardon me -- not the applicants, the  
2 school representatives -- that you have ten minutes.  
3 Please introduce yourselves, and if your name has a  
4 unique spelling, please spell that for our court  
5 reporter, please.

6 MR. GERLICZ: And while Traci is passing  
7 out some information to the Commission, I will say  
8 that the Charter School Division is very  
9 enthusiastic about recommending renewal for the Taos  
10 Academy. This is a school that has pioneered  
11 blended learning in the Taos area. Their results  
12 speak for themselves. Their three-year average  
13 is -- is very good, consistently at a "B" level.  
14 They are guided extremely well with efficient  
15 leadership and an excellent governing council.

16 All of the results that we have looked at,  
17 financially, organizationally, and academically, for  
18 the Taos Academy speak loudly for their renewal,  
19 which we enthusiastically recommend. Just the day  
20 before yesterday, I attended a meeting here in Mabry  
21 Hall. It was an exit meeting for all of the state  
22 charters, their business managers, and their audit  
23 committee findings. Those are not yet public.

24 However, Taos Academy was one of the  
25 schools that had zero findings, which is, quite

1 frankly, unheard of. It doesn't happen, not only to  
2 charter schools, but to hardly any organization,  
3 especially a not-for-profit organization. So, that  
4 speaks consistently with what we have found in the  
5 school in other arenas, as well.

6 Thank you, Madame Chair, members of the  
7 Commission. And I'll turn it over to Traci.

8 THE CHAIR: Whenever you're ready, please.

9 MS. FILISS: Do I push this? Good  
10 morning, Madame Chair, members of the Public  
11 Education Commission. My name is Traci Filiss, and  
12 I am the Director and Cofounder of Taos Academy.

13 MS. MOULTON: Good morning, Madame Chair  
14 and members of the Commission. I am Karin Moulton.  
15 I am a Cofounder and Community Coordinator at Taos  
16 Academy.

17 MS. FILISS: We are here today requesting  
18 the PEC to grant Taos Academy another five-year  
19 charter. We will show you how this innovative,  
20 successful school has made a difference to the  
21 students of Taos County.

22 For our presentation, you have been given  
23 a handout that mirrors the Taos Academy "bragging  
24 board," to our right, so that you can follow along.

25 To begin, the Taos Academy Mission

1 Statement drives all that we do. The three  
2 components of our mission, leadership, academic  
3 achievement, and social responsibility, are woven  
4 together to make up the blended model of education  
5 Taos Academy has successfully developed and  
6 implemented.

7 Through the use of digital core curriculum  
8 and enriching programming, students at Taos Academy  
9 gain skills needed to succeed in the 21st century.

10 MS. MOULTON: One of the components of our  
11 mission statement is leadership. Our equation  
12 there, "College Link + STEM Institute = Career  
13 Pathways," really is -- best reflects this component  
14 of leadership. The College Link is our early  
15 college/high school program. Juniors and seniors  
16 must have a minimum of a 2.5 GPA to participate in  
17 university classes, earning both high school and  
18 college credit toward graduation.

19 This chart, which is included in your  
20 handouts, shows that students in the first year  
21 gained 153 credits. And the chart indicates  
22 continuous improvement, so that by the last year,  
23 there were 741 credits earned by our students. And  
24 that is the equivalent of \$55,575 in college fees,  
25 which doesn't include books or materials, just

1 simply a college fee.

2 So, we're really saving our families quite  
3 a bit of money with this program.

4 Our STEM Institute offers career-related  
5 careers to both middle and high-school students.  
6 The courses are taught by professionals in the  
7 community in the areas of science, technology,  
8 engineering, math, and the arts. Our high school  
9 students gain dual credit in this program as well.

10 Both the College Link and the STEM  
11 Institute, along with our academic achievement,  
12 forms our career pathways.

13 The career pathways give a plan for each  
14 student for post-secondary -- what they're going to  
15 do for post-secondary work, either college or the  
16 workplace, after graduation.

17 MS. FILISS: The second component is  
18 academic achievement. Taos Academy staff and  
19 students hold a high bar for achievement. Our  
20 Common Core-aligned digital curriculum allows for  
21 individualized instruction to meet student needs,  
22 empowering the student to take ownership of their  
23 learning, while still receiving 100 percent of the  
24 content.

25 As we have implemented this innovative

1 learning style, students have shown continued  
2 improvement in their academic performance. In these  
3 charts, comparing SBA -- Standards-Based  
4 Assessment -- target scores represented in blue to  
5 average yearly MAP scores -- Measured Academic  
6 Progress scores -- represented in red, over a  
7 three-year period, you see Taos Academy students  
8 have consistently improved in reading, language  
9 usage, and math, greatly exceeding the SBA targets,  
10 as represented in both our high school and our  
11 middle school.

12 And as you can see on the charts, if you  
13 look in the third year, how we have improved from  
14 the first, second, and third, the change in the blue  
15 and the red is really what I'm talking about, that  
16 growth in those areas.

17 Our data shows that the longer a student  
18 remains at Taos Academy, the greater gains we see in  
19 academic achievement.

20 While continuing to improve academically,  
21 Taos Academy also has shown growth in diversity in  
22 population. As you can see in this chart, the  
23 growth in diversity, our Hispanic population doubled  
24 in one year from year 2011-'12 to 2012-'13. Our  
25 efforts in reaching out to our community have proven

1 successful, not only in our diversity, but, also,  
2 with relations in our community.

3 MS. MOULTON: Okay. That leads us to our  
4 third component of our mission statement, Social  
5 Responsibility. Each student is required to  
6 participate in a community service project.

7 Students are empowered by these projects. They set  
8 goals. They work collaboratively. They challenge  
9 themselves to step outside of their comfort zones.

10 These community service projects also  
11 create strong partners in our Taos community. Our  
12 students worked with professionals at the Taos  
13 Center for the Arts to produce a community musical  
14 theater performance that was open to everyone in  
15 Taos.

16 Farm to Table. Taos Community Economic  
17 Development Corporation and the Town of Taos support  
18 our agricultural program, where the students grow  
19 food in our solar-powered greenhouse. And there is  
20 a farm adjacent to our school where the students  
21 visit regularly and grow more produce on the farm.

22 They completed an entrepreneurial project  
23 in which they took the produce from our gardens and  
24 made salsa in the commercial kitchens in the TCEDC  
25 commercial kitchen. And the proceeds from the sales

1 of their salsa is helping to fund our culinary arts  
2 program.

3 Currently, Taos Academy students are  
4 designing an art exhibit for the Harwood Museum in  
5 Taos that invites all Taos Academy students in  
6 middle school and high school to participate.

7 These community projects, our students'  
8 academic achievements, and our career pathways all  
9 align to 21st Century skills. The 21st Century  
10 skills are things like problem-solving and  
11 communication and global awareness. And it is the  
12 reason why we consider ourselves a 21st Century  
13 learning community, because everything that we do  
14 aligns to those 21st Century skills.

15 The success of each of the components of  
16 our mission statement -- leadership, Academic  
17 Achievement, Social Responsibility -- has resulted  
18 in a final grade of "A" on our School Grade Report  
19 Card from the New Mexico Department of Education for  
20 2013. We appreciate the opportunity we've been  
21 given to create this innovative and creative school  
22 and successful school, and we respectfully request  
23 your approval in supporting the future development  
24 of Taos Academy by granting us another five-year  
25 charter, please.

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1                   And thank you very much for your time.

2                   THE CHAIR: Thank you very much for your  
3 presentation.

4                   Next item is Public Comment. Is there  
5 anyone in the audience who would care to comment?  
6 The Taos Academy.

7                   Seeing none, we will move on to No. 4, PEC  
8 questions.

9                   Commissioners, if you have -- would the  
10 founders just go ahead and stay at the table,  
11 please? That way, if Commissioners have questions  
12 for you -- Commissioners, if you have questions of  
13 the applicants or of CSD, now is the time.

14                   Commissioner Bergman?

15                   COMMISSIONER BERGMAN: Thank you,  
16 Madame Chair. Mine is just more a matter of  
17 curiosity. I noted in your application, you're  
18 using a blended approach between online and  
19 face-to-face. What's the balance? I didn't see  
20 that figure in there. Is it 50/50?

21                   MS. FILISS: Very good question. So, all  
22 of our core content is online. So, math, science,  
23 language arts, social studies, all online. And,  
24 then, all of the other classes that we teach,  
25 enrichment classes, all of our STEM classes, those

1 are all face-to-face.

2 COMMISSIONER BERGMAN: Thank you. Thank  
3 you, Madame Chair.

4 THE CHAIR: Commissioner Gant.

5 COMMISSIONER GANT: Madame Chair, members,  
6 this is more questions based -- I realize facility  
7 is not an important -- is not part of this review at  
8 this time.

9 But my question deals with maybe  
10 financially, down the road, the impacts your  
11 facilities have. I notice the growth. You average  
12 around 20 students a year, and your cap is 200. And  
13 I notice there is, I guess, some discussion on  
14 additional facilities, or moving, or -- something  
15 like that? You're in modules now, that you've  
16 worked with PSFA on?

17 Can you explain what you plan to do in the  
18 future? Do you plan to come to us for increasing  
19 cap? Please tell us.

20 MS. FILISS: Madame Chair,  
21 Commissioner Gant, nice question. Thank you. Yes,  
22 our enrollment continues to increase, as we had said  
23 in the original charter. We also have a  
24 substantial, and have had every year, a substantial  
25 waiting list. Presently, we have approximately

1 30 students waiting to come into Taos Academy.

2 To occupy a building we have purchased and  
3 is -- we should be getting a CO here in January, we  
4 have worked with PSFA through that whole process,  
5 starting last April. We did an RFP and -- to expand  
6 our campus, so that we had more room for students  
7 coming in, and all of the programming.

8 It's really a programming issue for us,  
9 because we have all of our STEM programming and the  
10 Career Pathways programming that we need extra space  
11 for.

12 So, twofold. Yes, we've been working with  
13 PSFA to expand our facilities. Yes, we are  
14 expanding in student population, and yes, we will be  
15 requesting an increase in our cap.

16 COMMISSIONER GANT: The reason I ask these  
17 type questions is I have seen -- we have seen the  
18 charter schools get in financial problems, some of  
19 it due to facilities. And I notice on a report we  
20 have from PSFA -- Ms. Casias is sitting behind you  
21 back there -- that you don't have -- maybe I'm wrong  
22 in reading this. I'm blind, I guess. For Taos, you  
23 don't have a weighted index for NMCI. Did you ask  
24 that, Ms. Casias?

25 MS. CASIAS: Yeah. Mr. Gant,

1 Madame Chair, I omitted their weighted NMCI score,  
2 and I tried to generate it this morning, because I  
3 notice that's one I had omitted. I couldn't get the  
4 machine up; I had a crash. So, I can provide that  
5 to you, hopefully, by the end of the day.

6 I did phone into the office and ask Chris  
7 Aguilar if he could generate it, and he's working  
8 back and forth with VFA --

9 COMMISSIONER GANT: Madame Chair, I don't  
10 see the impacts right now. But it would be nice to  
11 have that. But, later on down the road, if they do  
12 decide to go for cap increase and want to move and  
13 all that, that will be important information. And I  
14 just don't want them to get behind the power curve.  
15 Because when they come over to the PSCOC, that's  
16 going to be a lot -- I assume you might come to  
17 PSCOC for some capital support; I don't know. Have  
18 you discussed that with PSFA yet?

19 MS. FILISS: No. No, sir.

20 COMMISSIONER GANT: As a State charter  
21 school, you do have that right, now that you're  
22 being renewed.

23 MS. FILISS: Yes, sir, that's correct.  
24 And, hopefully, at one point, we'll go down that  
25 road.

1 COMMISSIONER GANT: And my last question,  
2 Ms. -- Madame Chair, is that you are aware, I  
3 assume, of the State statute about being in a public  
4 building by 2015?

5 MS. MOULTON: We're currently in  
6 negotiations with our current landlord, and we'll be  
7 in a lease to purchase by the end of the school  
8 year.

9 COMMISSIONER GANT: Thank you, Madame  
10 Chair.

11 THE CHAIR: Thank you. Commissioner Carr.

12 COMMISSIONER CARR: Thank you,  
13 Madame Chair. I don't have any question, but I do  
14 have some comments.

15 I consider -- this is a school that  
16 I've -- this school and Moreno Valley High School  
17 are ones that I -- charter schools that I'm most  
18 familiar with. And I toured this facility. I  
19 probably actually know most of the people who work  
20 there, including the director.

21 And I -- as I said, this is truly an  
22 innovative school. And I am not a fan of -- of  
23 using computers only, at all. I don't think they  
24 work. But in a blended situation, they can and do  
25 work. You've proven that.

1 I think most good schools do that.

2 I would like to also point out that the  
3 founders are -- were exemplary educators before they  
4 founded this school. I think that makes a big  
5 difference. Their experience in the classroom, you  
6 know, has enabled them to create a very successful  
7 program.

8 And another thing I would like to point  
9 out is much of what they teach is not tested.  
10 However, it seems to have a very positive effect  
11 on -- on their test scores. Interesting. And the  
12 data supports that programs like what they're doing  
13 help support the core areas that are actually  
14 tested.

15 We don't test on community service and  
16 citizenship. Growing food? I don't think that's on  
17 any test anywhere. How great that is.

18 You know, I grew up in a farm community,  
19 and I -- you know, I knew that firsthand. But our  
20 kids in town don't know anything about that. And  
21 it's really good for them to know all of this, and I  
22 think it excites them. It makes them want to be  
23 there, and it makes them want -- motivates them to  
24 do well, I'm sure, on their computer work, you know,  
25 that they do.

1                   So, I wanted to point that out.

2                   Another thing I would like to point out,  
3 this is a truly local school. It's not backed by a  
4 huge corporation somewhere. It's founded by local  
5 educators who saw a need and filled it. You know,  
6 when they first came in, you know, Taos School  
7 District was like, "Oh, no."

8                   And I don't look at them as competitors.  
9 I look at them as adding something to what the  
10 community needs, something that the other -- you  
11 know, that Taos High School, something that Taos  
12 High School doesn't have.

13                   I've had students -- and this is an  
14 anecdotal story. I've had students come from their  
15 school. They didn't leave because they weren't  
16 getting a good education. They left for social  
17 reasons, you know, or sports, or something like  
18 that. They -- and the students that I had transfer  
19 back to Taos High School that I've had personally,  
20 you know, they didn't lose anything academically  
21 from being over there.

22                   Just an anecdotal story. I don't know,  
23 you know. But, obviously, their data supports that  
24 most of their students are doing quite well.

25                   I also would like to say that I really --

1 being -- maybe half technical school, I really  
2 enjoyed your presentation, your non-technical  
3 presentation. And we don't -- you know, something  
4 that -- the kinds of things that I have my students  
5 do from time to time, where they're doing some  
6 little hands-on thing, it reminds me of the -- I  
7 don't know if you even have social studies fairs  
8 anymore, or science fairs. And they used to -- they  
9 still do things like that.

10 So, I really appreciate your work. I  
11 think you're a fine school, and I will obviously  
12 vote to continue your contract.

13 MS. MOULTON: Thank you.

14 THE CHAIR: Thank you, Commissioner.  
15 Other comments? Questions?

16 I have a couple of questions, more for  
17 clarification than anything.

18 You said your core courses are 100-percent  
19 online?

20 MS. FILISS: Madame Chair, that is  
21 correct, with support. I have to maybe explain that  
22 a little bit to you.

23 So, we have what are called "enrichment  
24 classes" that are supportive of those online  
25 classes. So, for example, a student is taking

1 Algebra 1. We have an enrichment class for  
2 Algebra 1 that they spend two hours each day they're  
3 with us in live instruction in Algebra 1 in concepts  
4 that are universally difficult for students.

5 So, the instruction is aligned to things  
6 that maybe the entire group may struggle with. And  
7 then they go back into their coursework and work  
8 through those on an individualized level. And, so,  
9 that's how that works. Is that helpful?

10 THE CHAIR: It is, because my concept, my  
11 understanding of blended is some face-to-face  
12 instruction, some online instruction. So, when you  
13 said it's 100-percent online, I'm questioning the  
14 "blended." But I thank you for that explanation.  
15 So, it's really not totally 100-percent online.  
16 It's perhaps primarily online, but supported by  
17 face-to-face.

18 MS. FILISS: That's correct. I suppose  
19 the "100 percent" means that the student completes  
20 100 percent of the coursework online. So, from  
21 Lesson 1 to Lesson 36, they all complete all  
22 36 lessons. They get support during -- during --  
23 while they're finishing those lessons. But they all  
24 finish 1 to 36, 100-percent online. And then they  
25 get support -- we also have tutors in the labs, as

1 well, to help them individually. So...

2 THE CHAIR: And, so, they're actually  
3 doing this work at school? Online?

4 MS. FILISS: That's true. Some of it at  
5 school; some it at home; some of it at midnight,  
6 when they're not at school. It depends on the  
7 student. It can be individualized.

8 THE CHAIR: Thank you. One other  
9 question: Your enrollment cap is 200. Your current  
10 enrollment is 171, and you have a waiting list. So  
11 you have 29 vacancies, but a waiting list. And your  
12 waiting list is talked about on Page 57.

13 First of all, I'd like to know how you --  
14 how do you define your waiting list? Is it those  
15 students who applied this year and were not able to  
16 be accommodated? Or is it a rolling total? Help me  
17 out here.

18 MS. FILISS: Madame Chair, both. Yes and  
19 yes. It's a rolling. It's left over from the  
20 lottery that we had back in March and a rolling  
21 waiting list.

22 So, actually, right now, our enrollment is  
23 at 182 for the 40th day for this year. So, one of  
24 our issues was that we -- again, the programming and  
25 the space utilization, we've had to hold back a bit

1 on our enrollment, just -- we didn't want to grow  
2 too fast, for the exact reason that  
3 Commissioner Gant was talking about, just being very  
4 careful with our resources.

5 And, so, we held back on our enrollment in  
6 August to the -- to 180 -- we had 182 the 40th day.  
7 As soon as I get that CO, we can go to our full 200,  
8 and we will do so if people are, of course, willing  
9 to come in in the middle of the year. We don't want  
10 to pull anybody out of any school. But if they've  
11 been on our waiting list for a while, you know,  
12 they'll come on in, of course.

13 THE CHAIR: Thank you. My last question  
14 concerns your goals on Page 22, under Item -- Part  
15 A, Item No. 2, "Mission-Specific and Student  
16 Academic Performance."

17 You have listed four goals, and they're --  
18 I appreciate your goals. They're ambitious.  
19 They're -- they meet all the S.M.A.R.T. standards  
20 that we set. But I didn't see anywhere in the  
21 application where it talked about attaining those  
22 goals or reaching those goals. Perhaps I just  
23 missed it.

24 MS. FILISS: Could you tell me the page  
25 number again?

1 THE CHAIR: Page 22. It pops up 22 on my  
2 screen. Your page number is actually down in the  
3 lower right-hand corner, says "Part A, Page 9."

4 MS. FILISS: I'm going to need a little  
5 help. I'm sorry. Tell me what goals, actually,  
6 you're asking for. There are focus areas, and then  
7 there are goals under each focus area. Can you --

8 THE CHAIR: Right at this moment, I'm  
9 looking at Focus Area No. 1. And you have four  
10 goals. I think my question is more of an overall  
11 question, because I didn't see -- you set out your  
12 goals so well in here. But I didn't see anyplace  
13 that reported on your accomplishment of those goals.

14 So, I'm asking you just to tell me, did  
15 you reach fulfillment of those goals? Most of those  
16 goals? Some of them?

17 MS. FILISS: All of those goals have been  
18 represented in the application, yes, ma'am. And did  
19 we reach them 100 percent? No. There's -- and  
20 there is some explanations of kind of some things  
21 that -- you know, we came close, real close, but  
22 maybe not 100 percent. Like you said, we are very  
23 ambitious. We --

24 THE CHAIR: Yes, they are very ambitious.

25 MS. FILISS: 100 percent of anything --

1     yeah, of course, we're going to be working with the  
2     CSD in January to maybe not quite go to 100 percent.  
3     We were very excited about getting our school  
4     started five years ago, and --

5             THE CHAIR:   Right.

6             MS. FILISS:   However, we have -- you know,  
7     all of our goals were tracked all five years.  We  
8     have data on all those goals, all those focus areas.  
9     And the majority of them were met; more than the  
10    majority.  You know, 95 percent of them were met,  
11    not only met, but exceeded what we had thought.  The  
12    100-percent ones were tough.

13            THE CHAIR:   I'm sure they were.  But  
14    that's what I wanted to hear, that you do track  
15    them, you do pay attention to them, and you do  
16    intend to accomplish them.

17            MS. FILISS:   Yes.

18            THE CHAIR:   All right.  That's all my  
19    questions.

20            Questions from anyone else?  Seeing no  
21    questions, the Chair would entertain a motion  
22    concerning Taos Academy's renewal.

23            Commissioner Carr?

24            COMMISSIONER CARR:  I'd like to make the  
25    motion.  But I'm not sure which -- should I read the

1 recommendation here on the -- we don't have --

2 MS. LEWIS: It's just a --

3 COMMISSIONER CARR: Just to recommend to  
4 approve or disapprove?

5 MS. LEWIS: I wouldn't read the  
6 recommendation of CSD. So, I would put the motion  
7 in your own words, either to approve, deny, or  
8 approve with conditions, and set out the conditions  
9 you'd like in the motion.

10 COMMISSIONER CARR: Okay. So,  
11 Madame Chair, I would like to make a motion that we  
12 approve the renewal of the Taos Academy contract for  
13 another five years.

14 THE CHAIR: As presented?

15 COMMISSIONER CARR: As presented.

16 COMMISSIONER PERALTA: Second.

17 THE CHAIR: I'm sorry. Who seconded?  
18 Commissioner Peralta?

19 We have a motion by Commissioner Carr,  
20 second by Commissioner Peralta, to approve the  
21 renewal application of Taos Academy. Is there any  
22 discussion?

23 Secretary Bergman, roll-call vote, please.

24 COMMISSIONER BERGMAN: Commissioner Carr.

25 COMMISSIONER CARR: Yes.

1 COMMISSIONER BERGMAN: Commissioner  
2 Conyers.  
3 COMMISSIONER CONYERS: Yes.  
4 COMMISSIONER BERGMAN: Commissioner  
5 Parker.  
6 COMMISSIONER PARKER: Yes.  
7 COMMISSIONER BERGMAN: Commissioner  
8 Peralta.  
9 COMMISSIONER PERALTA: Yes.  
10 COMMISSIONER BERGMAN: Commissioner Pogna.  
11 COMMISSIONER POGNA: Yes.  
12 COMMISSIONER BERGMAN: Commissioner Gant.  
13 COMMISSIONER GANT: Yes.  
14 COMMISSIONER BERGMAN: Commissioner  
15 Shearman.  
16 THE CHAIR: Yes.  
17 COMMISSIONER BERGMAN: Commissioner  
18 Bergman votes "yes." Madame Chair, by an  
19 eight-to-zero vote, the application of Taos Academy  
20 is approved.  
21 (Applause.)  
22 THE CHAIR: Thank you. Thank you. Let me  
23 make that official. The vote is unanimous to  
24 approve the renewal of Taos Academy.  
25 Congratulations.

1 Kelly, do you have some paperwork for  
2 them?

3 We would ask School of Dreams, Los Lunas,  
4 to come forward, please. Good morning.

5 Director Gerlicz, whenever you're ready.

6 MR. GERLICZ: Madame Chair, members of the  
7 Commission, the School of Dreams Academy, known as  
8 SODA, located in Los Lunas, is here today to request  
9 a renewal of five years.

10 This school did not go -- set off on an  
11 immediately smooth trajectory. They had a bumpy  
12 beginning. They well acknowledge their bumpy  
13 beginning; we have seen their bumpy beginning.

14 Significant change occurred with a change  
15 of leadership in the school. Mr. Mike Ogas, who is  
16 in front of you, has done an outstanding job in  
17 turning the school on a very, very positive  
18 trajectory.

19 The School of Dreams Academy exhibits a  
20 fine combination of arts and sciences. They have a  
21 robotics program, as well as a dance program, for  
22 example. And their robotics team is invited to  
23 compete in the MIT competition, which I'm sure you  
24 will hear a little more about, we referenced in our  
25 application.

1           In addition to that, they are moving to a  
2 brand new facility in the coming years, which will  
3 elevate their game even further.

4           What we were particularly pleased to see  
5 in the Charter School Division was that the  
6 leadership is well-organized, efficient, and that  
7 includes their governing body, as well. Their  
8 growth in their Q1 students and Q3 students was  
9 exemplary.

10           And for those reasons, as others as  
11 delineated in the application, it is the Charter  
12 Schools' [verbatim] recommendation for a renewal of  
13 this charter for a full five years, without  
14 condition. Thank you, Madame Chair.

15           THE CHAIR: Thank you, Mr. Gerlicz.  
16 Gentlemen, if you would introduce yourselves,  
17 please. Spell your name, if it's unique, and you  
18 have ten minutes for your presentation, please.

19           MR. OGAS: Thank you. My name is Michael  
20 Ogas, O-G-A-S. I am the Founder and Principal of  
21 the School of Dreams Academy.

22           MR. GRIEGO: My name is Kenneth Griego. I  
23 am the President of the Advisory Council. It's  
24 Griego, G-R-I-E-G-O.

25           MR. OGAS: Madame Chair, members of the

1 Commission, Public Education Department staff,  
2 particularly Mr. Gerlicz and Ms. Callahan, and the  
3 Charter School Division staff, I have with me today  
4 Mr. Kenneth Griego. He is the president of our  
5 governing council.

6 On behalf of School of Dreams Governing  
7 Council, Founders, Teresa Ogas and Kathy Chavez, our  
8 administration, staff, students, and parents, we  
9 wish to thank the PEC for your leadership and  
10 commitment as charter authorizer. We know it's  
11 hard, and we know that you do this on your own time.

12 Five years ago, you authorized the first  
13 ever charter school in Valencia County, School of  
14 Dreams Academy. When my wife, Teresa, and I founded  
15 SODA, it was our intention, originally, and  
16 continues to be, to give this school as a gift to  
17 our community of Valencia County. Our goal was to  
18 create a viable public educational option for  
19 parents and for students, an educational choice  
20 centered on discipline and respect, with a focus on  
21 the arts, technology, character education, service  
22 learning, and strong parental and community  
23 involvement.

24 As we came -- as we come before you today,  
25 we, at SODA, are pleased with our progress to date.

1 We also realize that we have a lot of work to do,  
2 and we continue to do that.

3 Three years ago, with the help of a very  
4 dedicated and qualified staff, we began the  
5 accreditation process and achieved international  
6 accreditation through the Advanced Ed program,  
7 formerly known as NCA. Through that process, we  
8 adopted a continuous improvement model that holds  
9 well for our school today, and it serves us and the  
10 community very well.

11 Equally as important, we have made  
12 determined efforts to provided our students with  
13 world class opportunities. SODA offers, and  
14 continues to develop, an outstanding visual and  
15 performing arts program. We have the only guitar  
16 program in Valencia County, taught by an Emmy  
17 award-winning instructor. In three years, we have  
18 had nine All State guitarists. Last spring, our  
19 dance program competed in a four-state competition  
20 against very prestigious, private dance studios from  
21 the area. SODA won first place in virtually every  
22 event. This year, three of our dancers have been  
23 invited to perform with the Russian Ballet at  
24 Popejoy Hall.

25 We offer a strong visual arts program and

1 will be offering Advanced Placement credit this  
2 coming year along those lines.

3 Our digital arts and video film-making  
4 program is fostering a partnership with the  
5 Albuquerque Studios to enhance that experience for  
6 our students as well.

7 We also purposed, about four years ago, to  
8 develop out a STEM program. We started a robotics  
9 program at that time. And during that first year,  
10 we took several seventh through ninth-grade students  
11 down to Las Cruces to a statewide Botball  
12 tournament, competing against schools around the  
13 state that had been doing this for ten to twelve  
14 years.

15 Our students made quite an impression by  
16 winning the entire state championship in their  
17 first-ever competition. Since then, SODA students  
18 have qualified for, and won competitions in,  
19 California, Hawaii, Oklahoma, Arizona, Texas, and  
20 New Mexico. We have received grants and  
21 recognitions from NASA, JCPenney, Intel, Wal-Mart,  
22 New Mexico State University, New Mexico Tech, and  
23 support from a number of private individuals.

24 SODA has been recognized nationally, and  
25 at the state level, for our high number of young

1 women who participate in STEM programs. Last year,  
2 one of young ladies was one 35 female students  
3 selected around the country as a winner, and  
4 recognized by the National Council for Women in  
5 Technology. That same year, New Mexico gave out  
6 12 awards, state-level awards, NCWIT awards. SODA  
7 won eight of them.

8 Another of our young ladies was invited to  
9 speak at the European Conference on Robotics and  
10 Engineering in Vienna, Austria. She represented us,  
11 and New Mexico, very well.

12 Recently, our robotics team was selected  
13 as one of 15 high school teams in the entire country  
14 by the Massachusetts Institute of Technology's  
15 prestigious Lemelson InvenTeam program. Our  
16 students will be showcasing their invention at a  
17 weeklong conference this coming June at MIT.

18 SODA students are involved in the National  
19 Super-Computing Challenge. We are the only high  
20 school in New Mexico to be awarded a super-computer,  
21 along with New Mexico Tech University.

22 SODA has the best parent involvement I, in  
23 my 35-years plus, have ever been involved in.  
24 Parents have the opportunities to participate in a  
25 number of different areas, including Fall Festival,

1 fun days, field trips, and working concessions at  
2 Isotopes games during the summer. Maybe you've seen  
3 us there.

4 At SODA, parents are welcome to come  
5 anytime. You don't need an appointment. If they  
6 want to come in and talk to us, they just walk right  
7 in. They can come in and have a cup of coffee; they  
8 can go to school with their kids. They're welcome  
9 there. It's not uncommon for us on a daily basis to  
10 have parents bringing their students in to come  
11 visit our school. If they come, and if you come, we  
12 will give you a student-led tour of our facility, so  
13 that you could hear their perspective. And if you  
14 have questions, we in the administration will answer  
15 that for you.

16 Academic achievement is, and will continue  
17 to be, a focal point of -- that we're steadily  
18 trying to improve. We evidence this by our school  
19 moving from an "F" grade to an "A" grade in the  
20 better part of two years. We purposed ourselves to  
21 do that, and we will continue to do well in the  
22 academic areas.

23 Last year, we made the commitment to pay  
24 for every high school student to take the ACT exam  
25 once a year until they graduate. Not only is this a

1 data point for us, but it gives them experience in  
2 something that they'll be able to take with them the  
3 rest of their lives.

4 Our SODA model of blending the arts and  
5 technology works, and it's a natural fit for us. I  
6 think it also does very well in our academic  
7 achievement.

8 One of our focal points is to continue to  
9 enhance our ability to differentiate instruction  
10 based on student individual needs and move them  
11 forward through the educational curriculum. Every  
12 student has an individual learning portfolio, which  
13 is kept current through our daily advisory period.

14 SODA offers a very strong dual-credit  
15 program. It will not be uncommon, beginning this  
16 year, that many of our students, when they graduate  
17 from high school, have associate's degrees and  
18 30-plus college hours.

19 We have had a steady enrollment growth  
20 over the last four years, and currently, we have 374  
21 students and a waiting list.

22 SODA has created a foundation, and we are  
23 in the process of acquiring property and building a  
24 school facility from the ground up, in my  
25 understanding, maybe one of the first in New Mexico

1 to accomplish this.

2 School of Dreams Academy thanks you for  
3 your consideration for an additional five years. We  
4 would be honored if you would do that.

5 Mr. Griego and I are grateful for the  
6 opportunity to be here today. And with that, we  
7 stand for any questions that the Commission might  
8 have.

9 THE CHAIR: Thank you, gentlemen. Do we  
10 have public comments on this school?

11 Seeing none, then we will move to PEC  
12 questions. Commissioners? Commissioner Bergman.

13 COMMISSIONER BERGMAN: Thank you,  
14 Madame Chair. I have a number of things. Most of  
15 it is mostly comments.

16 I wanted to highlight one thing that I  
17 found, in your Opportunity to Learn section of your  
18 State Report Card. And it is primarily because this  
19 Commission, in the past, has, on a number of  
20 occasions, debated the pros and cons of 100-percent  
21 virtual, online teaching for students. And you  
22 noted in there that originally, your model was to be  
23 a virtual online format, and that you discovered  
24 that that necessarily wasn't going to be best for  
25 your students.

1           And what you said was, "We have since  
2 blended this curriculum with direct teaching and  
3 hands-on projects that will foster a greater  
4 facilitation of learning."

5           And I guess I like that, because that  
6 happens to be my opinion of what it needs to be,  
7 that I am pretty much opposed to 100-percent  
8 virtual -- I think face-to-face teacher instruction  
9 really helps the students. And that's my personal  
10 opinion. I'm speaking for myself. But I salute you  
11 for doing that.

12           MR. OGAS: If I could just comment to  
13 that, it works for us. We saw what needed to  
14 happen. We have extremely highly qualified teachers  
15 in all of our core areas. They work in conjunction  
16 in a blended way, probably about a 50/50 model in  
17 terms of utilizing the online content as basically a  
18 glorified textbook.

19           There's a lot of content in there, but  
20 it's the teachers that make a difference. And we  
21 have very, very good teachers.

22           COMMISSIONER BERGMAN: Thank you for  
23 sharing that. You already alluded to this next  
24 thing. I was going to congratulate you on the fact  
25 that you are paying for 100 percent of your

1 students' ACT tests, because we all know there are  
2 families throughout this state where even a  
3 relatively minor expense like the ACT might be a  
4 financial burden. So, I salute you for that. I  
5 wish more schools were doing that.

6 And then, on the very next page, you're  
7 one of the few schools that's taking advantage of  
8 the ASVAB, as -- you're using it to also help  
9 further evaluate your students. And that may be  
10 playing a positive role in the results, and I wanted  
11 to salute you for that, too.

12 MR. OGAS: Mr. Bergman, Madame Chair,  
13 we're also aggressively seeking the opportunity to  
14 offer the PSAT and to become a college testing  
15 center.

16 COMMISSIONER BERGMAN: As this Commission  
17 knows, I'm a firm believer, the more the merrier.  
18 The more you can provide for your students, the  
19 easier it becomes to get the academic results that  
20 everyone in this state wants, whether they're  
21 parents, Commissioners, teachers, administrators,  
22 whatever. So, I thank you for that. I'll let it go  
23 for now. Thank you.

24 THE CHAIR: Thank you, Commissioner.  
25 Other questions? Commissioner Gant.

1           COMMISSIONER GANT:  Madame Chair, members,  
2  Mr. Ogas, just some comments.  I know, as the  
3  Commissioners know, my thing is budget, facilities,  
4  and stuff like that.  And we have some experts on  
5  curriculum and that.  We all have our thing.

6           And one of my concerns is that it doesn't  
7  affect the approval or disapproval of this  
8  application.  But down the road -- right now, you're  
9  paying \$400-and-some thousand a year for a lease,  
10 and you're taking, out of your pocket, \$223,000.  So  
11 that's got to affect your programs.

12           I realize you state that you need more  
13 facilities for some of your classes,  
14 pre-engineering, et cetera, et cetera.

15           But with the new facility -- when are you  
16 going to start that new facility?

17           MR. OGAS:  Madame Chair,  
18 Commissioner Gant, we have been in the process of  
19 negotiating on that.  And it could be as early as  
20 January that we actually start the facility.

21           I agree with you.  The notion of paying  
22 rent when you need to be looking at more viable  
23 options for basically turning that into something  
24 that could be owned is something that we've been  
25 working on for the best part of three years already,

1 on how to conceptualize that. That was the reason  
2 that we've gone down this road of forming a  
3 foundation, basically looking at the amount of money  
4 we're currently paying, and seeing how we could turn  
5 that into a facility through a lease-to-own  
6 situation.

7 We have been in contact with the PSFA.  
8 They're aware of what we're doing. Our goal is to  
9 make the best use of taxpayer money in terms of  
10 getting into a facility that would, you know, meet  
11 the State requirement, but at the same time, get  
12 away from just simply paying rent to a private  
13 entity.

14 COMMISSIONER GANT: Madame Chair,  
15 Mr. Ogas, you still have to do your FMP and your Ed  
16 Specs and all of that. So, saying you're going to  
17 start maybe in the spring is very ambitious, I  
18 believe.

19 MR. OGAS: We have a contractor and people  
20 working on our Facility Master Plan already. We've  
21 requested -- and I haven't seen the awards -- of --  
22 a grant from the PSCOC to try to help us out with  
23 that. But, regardless, we're moving forward with  
24 that.

25 COMMISSIONER GANT: I think we just did

1 that the other day.

2 MR. OGAS: Okay.

3 COMMISSIONER GANT: So -- but another  
4 point I need to make on this, it will be -- yours  
5 will be a public building after you've paid it off.  
6 But you know you're going to have to assume all  
7 overhead, because lease assistance no longer exists  
8 once you own that; is that correct?

9 MR. OGAS: Yes, sir, we're aware of that.

10 COMMISSIONER GANT: And you know it's  
11 probably going to be more than \$223,000 a year?

12 MR. OGAS: (Indicates.)

13 COMMISSIONER GANT: Okay. If you're  
14 prepared for that, all right. Thank you.

15 THE CHAIR: Other questions? Comments?

16 COMMISSIONER BERGMAN: If everyone else is  
17 done?

18 THE CHAIR: I'll just have a couple.

19 COMMISSIONER BERGMAN: I'll go last.

20 THE CHAIR: Okay. Thank you. A couple of  
21 questions, gentlemen.

22 I notice your enrollment cap is 525, your  
23 current enrollment is 311. So, you have over 200,  
24 I'm going to say, empty seats. I also heard you  
25 mention you have a waiting list.

1           How do you have a waiting list when you  
2 have that many openings?

3           MR. OGAS: We are -- Madame Chair,  
4 currently, we are -- our cap is higher than what our  
5 current facility will allow for. And our current  
6 enrollment is 374, based upon our 80-day count  
7 today. We do have -- and we're pretty much maxed  
8 out in terms of the facility.

9           We came for an enrollment increase a  
10 couple of years ago, just to anticipate growth.  
11 And, then, we're going to systematically make sure  
12 that our facility can match any growth that we  
13 control from there on.

14          THE CHAIR: And your current enrollment is  
15 380?

16          MR. OGAS: 374.

17          THE CHAIR: It has grown that much since  
18 you did this report? Because I'm looking at your  
19 report on Page 2, and it says 311.

20          MR. OGAS: Yes, ma'am. I think that  
21 report was self-populated from last school year,  
22 because our 40-day was around 370. And I think,  
23 back in there, there's some more current numbers.

24          MR. GERLICZ: That is correct,  
25 Madame Chair. That form that you are looking at was

1 populated before the 40th day count.

2 THE CHAIR: So, it was based on what?

3 MR. GERLICZ: It was based on last year's  
4 enrollment, the average of last year's enrollment.

5 THE CHAIR: Oh. So we're getting some old  
6 data?

7 MR. GERLICZ: All of the populations  
8 change every 40th, 80th day. And we -- we give the  
9 Commission -- as we have, ourselves, as; the entire  
10 State has -- the most current information.

11 THE CHAIR: Okay. All right. Thank you.  
12 How do you compute your waiting list?

13 MR. OGAS: The same way everybody else  
14 does. We advertise in the spring. We --

15 THE CHAIR: No, I'm sorry. I didn't make  
16 myself clear. Is it just the -- the students who  
17 applied this year and were not able to be  
18 accommodated?

19 MR. OGAS: Madame Chair, yes, ma'am. It  
20 is real students. We do not have a rolling kind of  
21 deal. They're actual people.

22 THE CHAIR: Okay. And my last question  
23 is, on -- I believe it's my Page 13. My Page 13, on  
24 the bottom, it said -- yeah, Intro Page 13, where  
25 it's showing your School Report Card Snapshot, and

1 the source is School Grading Report 2011-2012? And  
2 the final grade was a "D."

3 Now, I heard you talk about you're working  
4 to raise that. But I didn't -- I thought -- I  
5 really thought I heard you say your grade was higher  
6 than that.

7 MR. OGAS: Yes, ma'am. The "D" was a  
8 preliminary grade a year ago. Actually, the first  
9 grade was an "F," and then it was raised to a "D."  
10 But this most recent one, this last July, was an  
11 "A." And it's in our report. I think it's in the  
12 CSD's analysis.

13 THE CHAIR: Boy, that's a lot of jump,  
14 isn't it?

15 MR. OGAS: We tried very hard.

16 THE CHAIR: I think you did, and you were  
17 very successful.

18 Those are all my questions, Mr. Gerlicz.

19 MR. GERLICZ: Madame Chair, just to put  
20 that in perspective, it's an enormous jump. But the  
21 three-year average, if you look at the three years  
22 in which the State has instituted the report card  
23 for this school, is a "C." In other words, that "D"  
24 that they received earlier was actually a very high  
25 "D." So the "A" just continues this upwards slope

1 that the school is on.

2 THE CHAIR: Okay, thank you. Commissioner  
3 Bergman?

4 COMMISSIONER BERGMAN: Thank you,  
5 Madame Chair. In your application package, you had  
6 placed a letter that you had written to  
7 Director Gerlicz talking about your new location  
8 that you intend to move into next year on Huning  
9 Long Road.

10 MR. OGAS: Yes.

11 COMMISSIONER BERGMAN: Do you intend,  
12 somewhere between now and then, to return to us with  
13 a -- our usual amendment? Or, were we including  
14 that in this today? I assume we wanted to do that  
15 down the road; is that correct?

16 MR. GERLICZ: We're not doing that today,  
17 Commissioner.

18 COMMISSIONER BERGMAN: But there will be  
19 an amendment at some point?

20 MR. GERLICZ: Correct.

21 COMMISSIONER CARR: And then, here, again,  
22 something more -- this was -- I was just curious,  
23 because, in your application, I notice that one of  
24 your robotics teams went to Dallas. You highlighted  
25 that. How did they do?

1 MR. OGAS: Madame Chair, Mr. Bergman, they  
2 have done very well. They've been to Dallas over  
3 the last three years probably at least four or five  
4 times. And it's -- that happens to be called the  
5 best robotics competition. And there are several  
6 different kinds. There are some where the kids  
7 build a robot, and they actually have to drive it  
8 through a course. And this is one of those.

9 There's others, where the robots are  
10 autonomous, and they're programmed to navigate a  
11 course, or to see colors and lights and that kind of  
12 thing. And they're involved in those.

13 The ones in Dallas have been -- the one I  
14 attended, actually -- the course, you had to  
15 climb -- have a robot go ten feet, deliver things  
16 from down here up ten feet, and then come back down.  
17 It was really interesting.

18 That year -- just as an anecdote -- the  
19 night before the state competition that they did  
20 win, probably about 48 hours before they had to  
21 leave, the robot fell on a practice run from ten  
22 feet high and just shattered to pieces. So, they  
23 rebuilt the whole thing in less than 12 hours. And  
24 they took it down to Las Cruces. And they were  
25 doing really well down there. And then they decided

1 to -- our kids tweak things a lot. And I keep  
2 telling them, "Don't tweak them."

3 And they did it again, and they were in  
4 their lunch break. And they ran it up there, and  
5 the thing fell again. So, they had about 20 minutes  
6 to rebuild the arm. The neatest thing about this  
7 thing is the kids were doing it. So, people were  
8 taking pictures of our kids working in the pit,  
9 doing things that you and I can't even imagine. And  
10 we were up on top watching them. It's the neatest  
11 thing to see. It's a lot of fun, too.

12 COMMISSIONER BERGMAN: That's kind of what  
13 struck me. Since I went to school, during the Age  
14 of Dinosaurs, we didn't have interesting stuff like  
15 that. I find myself thinking I wish I could have  
16 done something like that when I was a 16-year-old  
17 kid.

18 Thank you. And thank you, Madame Chair.

19 THE CHAIR: Thank you, Commissioner.  
20 Other questions? Mr. Gerlicz?

21 MR. GERLICZ: Just a comment. All of this  
22 takes leadership, Madame Chair, members of the  
23 Commission. We congratulate Mr. Ogas for that  
24 leadership that has been demonstrated in the  
25 turnaround of this school in a rapid fashion.

1 THE CHAIR: Anything else? Other  
2 comments? Questions?

3 Then the Chair would entertain a motion  
4 concerning the School of Dreams in Los Lunas.  
5 Commissioner Bergman.

6 COMMISSIONER BERGMAN: Madame Chair, I  
7 would move that the Public Education Commission  
8 approve the application of the School of Dreams  
9 Academy for a full five-year term.

10 COMMISSIONER POGNA: Second.

11 THE CHAIR: Do I hear a second?  
12 Commissioner Pogna.

13 Move and second to approve the application  
14 of School of Dreams, as recommended, for a full  
15 five-year term. Is there any discussion?

16 Hearing none, Commissioner Bergman, may we  
17 have a roll-call vote, please?

18 COMMISSIONER BERGMAN: Commissioner  
19 Conyers.

20 COMMISSIONER CONYERS: Yes.

21 COMMISSIONER BERGMAN: Commissioner  
22 Parker.

23 COMMISSIONER PARKER: Yes.

24 COMMISSIONER BERGMAN: Commissioner  
25 Peralta.

1 COMMISSIONER PERALTA: Yes.

2 COMMISSIONER BERGMAN: Commissioner Pogna.

3 COMMISSIONER POGNA: Yes.

4 COMMISSIONER BERGMAN: Commissioner Carr.

5 COMMISSIONER CARR: Yes.

6 COMMISSIONER BERGMAN: Commissioner Gant.

7 COMMISSIONER GANT: Yes.

8 COMMISSIONER BERGMAN: Commissioner

9 Shearman.

10 THE CHAIR: Yes.

11 COMMISSIONER BERGMAN: Commissioner

12 Bergman votes "yes."

13 Madame Chair, again, by a vote of eight to

14 zero, the renewal application of the School of

15 Dreams Academy is approved.

16 THE CHAIR: Thank you. The vote is

17 unanimous to renew the application of the School of

18 Dreams for a full five years. Congratulations.

19 (Applause.)

20 THE CHAIR: Ladies and gentlemen, it's

21 10:30. Why don't we take about a ten-minute break,

22 and let's come back at 20 till 11:00 by that clock.

23 (Recess taken, 10:30 a.m. to 10:40 a.m.)

24 THE CHAIR: Ladies and gentlemen, we're

25 ready to resume, please.

1                   If the representatives from Alma d'arte  
2 would come forward, please? Good morning.

3                   SPEAKER: Good morning.

4                   THE CHAIR: If you would, please,  
5 introduce yourselves. Spell your names, if they're  
6 unique. You might introduce the folks who are with  
7 you, please, and you have ten minutes.

8                   MR. HARTSHORNE: Good morning,  
9 Madame Chair, members of the Commission. I am Mark  
10 Hartshorne. That's H-A-R-T-S-H-O-R-N-E. I am Chief  
11 Administrative Officer and Principal at Alma d'arte  
12 Charter High School in Las Cruces.

13                   To my left is Mr. Gene Elliott, two Ls,  
14 two Ts, founder of Alma d'arte, and also long-time  
15 president of our governance council.

16                   As well, behind me, Ms. Karen Lynn  
17 Williams is a member of our governance council for  
18 several years now, who has joined us on this long  
19 journey.

20                   And Angie McLaughlin is my vice principal,  
21 special education coordinator, assessment  
22 coordinator and doer of all things that I don't want  
23 to do, okay? And that list -- she smiles, but she  
24 knows what I'm telling is the truth.

25                   THE CHAIR: Gentlemen, let me interrupt

1 you. I apologize. CSD is supposed to go first, and  
2 then your presentation.

3 MR. HARTSHORNE: I'm sorry. Yes, ma'am.

4 THE CHAIR: If you would not mind, I'll  
5 ask Director Gerlicz to make CSD's presentation,  
6 please?

7 MR. HARTSHORNE: Not at all.

8 MR. GERLICZ: Members of the Commission,  
9 representatives from Alma d'arte, welcome. The  
10 school presents a number of interesting things that  
11 I'd like to highlight to the Commission.

12 Number one, first and foremost, the school  
13 continues to be on an upward trajectory and has been  
14 for a number of years. It's a slow, steady incline  
15 that shows no signs of abating, but shows all signs  
16 of continuing forward.

17 Second, another interesting piece in this  
18 story is how the school has evolved out of a  
19 nonprofit organization offering programs, and an  
20 after-school program, that moved into a charter  
21 school, carrying with it some of the nonprofit  
22 highlights, such as a culinary arts program.

23 In the nonprofit, before the existence of  
24 the school, they had a kitchen. The school came in  
25 and incorporated that into a culinary arts program,

1 which is one of the four art forms available to  
2 students at Alma d'arte, which stands for the "Soul  
3 of Art."

4 Another interesting thing, if we look at  
5 the data represented at the school, the school is  
6 doing an outstanding job with their Q1 and Q3  
7 students, their bottom quartile, especially. And  
8 that hasn't always been the case. But with the  
9 leadership that has come into the school and has put  
10 additional focus on the Q1, they're doing very, very  
11 well with the growth of that population, which is a  
12 challenge for most schools.

13 Another interesting thing that relates to  
14 Alma, but relates to a number of schools in our  
15 charter network, is that you may remember that they  
16 received a "C" on their graduation grade in their  
17 report card; yet, they have consistently over  
18 90-percent graduation rate. And that is a source of  
19 frustration for not only Alma d'arte, but all  
20 schools in that situation. How can those schools  
21 get 92, 95, and even 97-percent graduation rate, and  
22 receive a "C" grade?

23 It is something that we have talked about  
24 with the Assessment and Accountability Office. They  
25 are developing additional measures to sustain high

1 graduation growth. That comes out as a result of  
2 that analysis being based on growth. Well, it's  
3 hard to grow when you're already at that high a  
4 value, so I find that an interesting thing as well.

5 Finally, the lesson that Alma d'arte  
6 teaches us and the entire educational world is the  
7 terribly important power of arts, coordinated with  
8 standards, coordinated with a strong school culture  
9 and a sense of community that has provided an  
10 opportunity for all of the students at Alma d'arte  
11 to succeed, as warrant- -- as shown by all of the  
12 data that we have looked at.

13 On the organizational side of things, the  
14 school is governed well. Mr. Elliott has been with  
15 the school, provided the consistency from the  
16 governing body side of things. We do have some  
17 comments that we have passed along to the school  
18 about how the governing body could increase their  
19 functionality. And all of those comments have been  
20 taken well into consideration as the school moves  
21 forward.

22 Finally, another interesting piece of this  
23 story is that we have, as the head of the school,  
24 someone who has been in traditional public  
25 education, leading a 5- -- 4A, 5A high school,

1 Las Cruces High School, for many years, then  
2 founding a rather large, multi-thousand-student  
3 school in Colorado, public school, and returning to  
4 run what we say is a typical size for a charter  
5 school, 200 students, plus or minus. And that is an  
6 interesting story. He's done an outstanding job.

7 The school continues to go on an upward  
8 trajectory. For all of those reasons, it's the  
9 Charter Schools' [verbatim] recommendation that  
10 this school be recommended for a full five years  
11 without condition.

12 THE CHAIR: Thank you, Mr. Gerlicz. Now,  
13 gentlemen, if you would, please?

14 MR. HARTSHORNE: Thank you very much, and  
15 thank you to Tony. And, if I might, I would simply  
16 like to echo the statements and the remarks about  
17 the Charter School Division and Mr. Gerlicz and  
18 Ms. Callahan. Their excellence and their  
19 professionalism is of the highest order. And I  
20 really feel like Alma d'arte would not be where we  
21 are today without their guidance and their support  
22 and their assistance.

23 So, I really do want to express my  
24 appreciation to you folk, and Kelly, certainly.  
25 Best wishes in your future endeavors. Again, the

1 pleasure of working with professionals such as we  
2 have in the Charter School Division enables success  
3 in all of our charter schools, and, certainly, at  
4 Alma d'arte.

5 It is a pleasure this morning to briefly  
6 review with you some highlights of our past  
7 four-and-a-half years in our existing charter.

8 I want to present the revision of our  
9 mission statement. You may remember I was here with  
10 you, seemingly -- it seems like yesterday -- to  
11 bring that request for a revised mission statement  
12 to you. Gene and I identified several years ago  
13 that we really needed to revise that mission  
14 statement, because we wanted one that was couched in  
15 terms of student achievement: What do our students  
16 look like when they graduate when they have gone  
17 through our program?

18 So, we engaged in a very inclusive process  
19 with all constituents and stakeholders in our Alma  
20 community to create the existing mission statement,  
21 "Graduate artist scholars prepared to succeed."  
22 That was so key for us, because it enabled every  
23 aspect of our program to be tied together around a  
24 very definitive statement of what our students will  
25 know and be able to do as an outcome of their

1 participation in our program.

2 So, that -- that's number one on our list  
3 in terms of the most important things that we've  
4 done in the current charter term.

5 We've also engaged in a substantial vision  
6 retreat. Our vision is to be the preeminent arts  
7 school in the Southwest. And we have had a very  
8 good process, and, again, very inclusive, of all  
9 aspects of our community around achieving that  
10 vision.

11 We've evolved many structural and  
12 systematic aspects of our school pursuant to the  
13 achievement of that mission statement. And I'd like  
14 to bring some of those to your attention this  
15 morning, as well.

16 First of all, we -- over the course of  
17 time, we took a look at all of our resources, human  
18 time, physical plant, and we really noticed that the  
19 way we were using time was not pursuant to the  
20 accomplishment of that mission statement.

21 We went through a process of evolving from  
22 a compressed block schedule to a seven-period,  
23 yearlong schedule. We had to do it. Anytime a high  
24 school with that kind of systemic change occurs,  
25 it's not done easily. And there was a lot of

1 discussion, shall we say, around that.

2           What happened in that change was, for a  
3 one-credit class, we now have 145 contact hours  
4 rather than 120. And that, right there, is hugely  
5 significant in terms of being able to teach a  
6 complete curriculum, being able to reteach when  
7 necessary, having the time for kids to assimilate  
8 information along the way.

9           And the other aspect of going to a  
10 yearlong schedule of that kind, was it much more  
11 effectively enabled the use of short-cycle  
12 assessment data to guide our instruction. That  
13 systemic change, which took place two years ago, was  
14 not an easy thing to do. It had a lot of  
15 discussion, again, staff, council, parents,  
16 students.

17           We did it; the outcome is clear. And,  
18 again, there's a huge amount of evidence to show  
19 that that was a very significant aspect of our  
20 evolution in the last charter term.

21           We've also created a very sound system of  
22 assessment protocols. We do SBA, our EOCs --  
23 end-of-course -- exams, our short-cycle assessments.  
24 We do those extremely well and with great detail and  
25 with great precision. That generates data available

1 to us so that, again, we can use that information to  
2 know where our kids are at, what they know, where  
3 they need to go back, start over again, that kind of  
4 thing. We do assessment right.

5 I want to credit Angie McLaughlin for a  
6 large part of that. She's not getting paid enough  
7 to do what she does on that side. That was an  
8 important part of our evolution. Four years ago, we  
9 hardly did it. I'll be honest with you. You'll see  
10 in our application, we struggled to get our  
11 short-cycle assessment done, much less use the data  
12 in instruction. So, for us to have those kind of  
13 protocols, again, has been very, very significant  
14 for us.

15 In terms of staffing, four years ago, of  
16 course, with a substantial budget cut, we were able  
17 to continue school, not only with no reduction of  
18 instructional staff, but we've actually increased  
19 our instructional staff to three full-time math  
20 teachers. We've added an additional almost half of  
21 an FTE in visual arts. We have a full-time music  
22 teacher that we never had before. And that has  
23 enabled the implementation of additional arts  
24 programs, including piano and guitar. South of  
25 Albuquerque, there are very, very few guitar

1 programs in high school. And on the southern end of  
2 the state, there's only two. One's at Gadsden High  
3 School, and one is at Alma d'arte.

4 That was a good recruiting tool, too,  
5 believe me. When kids heard we were doing guitar,  
6 there were a lot more kids, on top of the kids that  
7 were already interested in coming.

8 MS. CALLAHAN: Five minutes.

9 MR. HARTSHORNE: So, our structure of  
10 school in terms of our recruiting and tracking kids  
11 is vastly enhanced.

12 I believe you've already heard about we  
13 are partnering with the Las Cruces Public Schools to  
14 have a relationship with them regarding the  
15 building, and that we are on board with the Cruces  
16 Schools in a bond issue election that, if successful  
17 in February, would create an additional \$4 million  
18 for refurbishment and upgrade of the campus. That's  
19 a big deal for us, as well.

20 So, these kinds of systemic and structural  
21 changes, outcomes, we've gone from a preliminary "D"  
22 to a "C" to a "B" grade. And we were within  
23 striking range of being an "A" this last time.

24 As Tony has indicated, our Q1s and Q3s  
25 have all demonstrated growth. We have a 92 to

1 96-percent graduation rate. Our latest attendance  
2 rate for the fall was 94 percent. Our surveys from  
3 our students and parents, quality of ed and on other  
4 things, we do show a strong support for our program.

5 We have college graduates at the Rhode  
6 Island School of Design, the University of Chicago,  
7 South Carolina. We also had 13 students last year  
8 that earned EXCEL scholarships or better, first time  
9 that ever happened. We have a National Merit  
10 Commended Scholar; first time that ever happened.  
11 We've increased the student cap from 157 to 192.

12 All of this has been accomplished while  
13 our students continue to engage in very deep and  
14 broad community arts participation and performance,  
15 again, as detailed in our application, and I'm sure  
16 that you saw that.

17 So, we're real proud of what we have  
18 accomplished in the last few years. We're real  
19 proud of it. We're also not satisfied. We have no  
20 intention of sitting on our laurels and saying,  
21 "Okay, we're good enough now, and everything is  
22 fine." We definitely have higher aspirations than  
23 what we've accomplished already. Hopefully, with an  
24 affirmation here this morning of continuing the  
25 charter, we will proceed to become the preeminent

1 arts institution in the Southwest and meet our  
2 mission of "graduating artist scholars prepared to  
3 succeed."

4 So, we thank you for your consideration.  
5 Again, it's not done by one person, certainly.  
6 These folks, a lot more people are involved. But,  
7 again, appreciate an opportunity to present this  
8 morning, and, obviously, stand for questions.

9 THE CHAIR: Thank you. Questions from --  
10 no, sorry. I've forgotten the procedure already.

11 We have public comment now. Is there  
12 anyone in the audience who would like to comment on  
13 this school?

14 Seeing none, now, we will move to  
15 Commissioners' questions and comments.  
16 Commissioners? Commissioner Pogna.

17 COMMISSIONER POGNA: Madame Chair, I  
18 missed the total enrollment. What is your total  
19 enrollment?

20 MR. HARTSHORNE: As of today, Ms. Pogna,  
21 it's 192. We are looking forward to this  
22 opportunity -- 190 really maxes out the physical  
23 space that we have in the existing building.

24 In the upcoming partnership with the  
25 Las Cruces Public Schools, I think we're going to be

1 able to get a larger portion of the Court Youth  
2 Center, the Court Junior High complex. And we may  
3 be able to bring the enrollment up to 200, 220.  
4 Right now, we're sitting at 192 as of today.

5 THE CHAIR: Commissioner Pogna, is that  
6 it?

7 COMMISSIONER POGNA: Yes, ma'am.

8 THE CHAIR: All right. Thank you.  
9 Commissioner Carr?

10 COMMISSIONER CARR: Madame Chair, I would  
11 be interested in -- well, here's the question: If  
12 you could, would you go back to a block schedule?

13 MR. HARTSHORNE: Well, sir, if you're  
14 asking me, the principal, I would say absolutely  
15 not.

16 COMMISSIONER CARR: Oh, okay.

17 MR. HARTSHORNE: I was principal at  
18 Las Cruces High School in the mid and late '90s,  
19 when that district chose to go that way. At the  
20 time, of course, we did not have the assessment  
21 protocols and expectations that we do now.  
22 Some of my staff might answer that  
23 question in the affirmative. But, simply put, the  
24 structure that we had that only had 120 contact  
25 hours for a one-credit class was killing the

1 academic program. There simply was not enough  
2 contact time.

3 And, of course, when that rolls over from  
4 one year to the next, you've got a lot of problems.  
5 And there is no way -- I mean, contact time is  
6 contact time. You go from 120 to 145 hours, our  
7 academic performance, I think, is absolutely fueled  
8 by that additional contact time and the length of  
9 time that kids can learn. We still have -- in our  
10 structure, we have block-length periods.

11 COMMISSIONER CARR: Oh.

12 MR. HARTSHORNE: We do seven classes on  
13 Monday that are 52 minutes in length. Then every  
14 other day, throughout the rest of the week, we are  
15 in block-length periods, with even periods one day  
16 and odd periods the next. We then put our advisory  
17 structure within that.

18 And, actually, in my experience, it's  
19 exactly the schedule that we -- we, the staff, at  
20 Fossil Ridge High School in Fort Collins, which I  
21 opened six -- ten years ago -- long time ago -- we  
22 were facing the same kind of decisions. How can we  
23 have the block periods that very adept teachers  
24 like, particularly in the arts, and how can we  
25 incorporate that, with sufficient seat time, with an

1 advisory structure?

2 And, so, when I put the issue out in the  
3 front of the staff, "Guys, we don't have enough time  
4 to do what we need to do. How do you want to try to  
5 fix that?" It's one of the examples that I could  
6 bring forward to them. And, you know, anytime you  
7 make that change, that's a tough change at a high  
8 school. But it's worked, and people like it. And,  
9 again, we still do have the block-length periods for  
10 that kind of hands-on, project-type learning that we  
11 do a lot of. But the impact, I think, has been  
12 clear in our outcomes.

13 COMMISSIONER CARR: I think it support- --  
14 I think the data supports, again, a blended -- a  
15 blending of the block and the shorter schedules.  
16 It -- you know, unfortunately, we can't always do  
17 that. And that's ideal, because some students need  
18 a shorter time period; some subjects are fine with  
19 that shorterer time period. But you're talking  
20 about doing a lab; you're talking about arts, that  
21 type of thing. And it's nice if you can do that  
22 combination.

23 Just a quick comment is that so far this  
24 morning, all three of our schools are engaging in a  
25 lot of activity that's away from the core. And I

1 think that that shows -- you know, I -- you have a  
2 different student body -- I understand that -- as  
3 far as testing is concerned. But all of that -- all  
4 those areas, keep kids in school, keep them  
5 motivated. And the studies show, of course, that if  
6 a kid's motivated just by one class, they will do  
7 well in all of their other classes. And it will  
8 obviously keep them in school till they graduate,  
9 which is something that you have done.

10 MR. HARTSHORNE: Well, yes, sir. And, I  
11 mean, I couldn't agree more. And it's just -- you  
12 know, the secret of success at Alma d'arte, folks,  
13 the relationship that we have with kids and the  
14 experiences that they have in the arts, and the  
15 outcome, is absolutely 90-plus percent graduation  
16 rates. And, guys, we don't get people -- we get  
17 some elite kids. We've gotten more elite-type kids,  
18 if you will, recently, because there's a recognition  
19 in the community now that our academic program is  
20 equal to the arts. And it didn't used to be that  
21 way.

22 So we are getting a little bit of a  
23 different kind of kid, if you will. We get a lot  
24 more gifted, special-ed kids than we ever did. But  
25 a microcosm of kids that bring all kinds of

1 different challenges. Not that gifted kids don't  
2 bring challenges. They do, okay? But, again, the  
3 relationship that we have with kids and their  
4 experiences in the arts is fueling the outcomes that  
5 we're getting.

6 THE CHAIR: Thank you. Commissioner Gant.

7 COMMISSIONER GANT: Madame Chair, members,  
8 Mr. Hartshorne, Mark.

9 THE CHAIR: Parker.

10 COMMISSIONER GANT: Huh? Hartshorne. And  
11 Mr. Elliott. We all go back, the three of us, some  
12 distance. And you've put up with me, thankfully,  
13 all these years. And I've got to tell the  
14 Commission that when this school was first chartered  
15 many years ago, I was on the School Board, and I  
16 said, "No."

17 Mr. Elliott probably remembers me saying  
18 "No," and he's sitting there saying, "Why would he  
19 do that to me?"

20 But I think, over time -- and I will say  
21 it this way, Gene. Until you hired Mark, I think my  
22 vote was justified.

23 MR. ELLIOTT: I agree.

24 COMMISSIONER GANT: And, then, when you  
25 hired Mark, then I would have voted for the charter

1 school from the get-go, not because of Mark, but  
2 because of the program you all had laid out when he  
3 came on board.

4 And I have seen the changes in this  
5 school. I have watched the changes in this school.  
6 And, yes, they are climbing, and they've got a long  
7 way to go.

8 Mark and I go -- he was -- he took care of  
9 my three kids through high school. Good or bad, he  
10 took care of them. And I am thankful.

11 MR. HARTSHORNE: Well, that works two  
12 ways, Gene. Gene and I go back 20-plus years. And  
13 I don't know. I can share any kind of stories with  
14 you, you want to.

15 COMMISSIONER GANT: No, no, no.

16 MR. HARTSHORNE: He can. It's not all me  
17 in that school, to be sure, all right? It does take  
18 a team. And we have a terrific team. Our council,  
19 as Tony has indicated, they're quality people. I'm  
20 very fortunate in the staff that I have. We have  
21 great kids. We've got great families. And, yeah,  
22 we work together, and it works.

23 COMMISSIONER GANT: And on another note,  
24 Madame Chair, Mark alluded to the fact that they're  
25 going to team now with LCPS. Las Cruces Public

1 Schools has owned that facility forever. I mean,  
2 that was originally a public -- a junior high in  
3 Cruces. And they almost tore it down. But now,  
4 it's going to go back -- there was an arrangement --  
5 we won't go into that. But now, it's going to be  
6 solely between Alma d'arte and J. Paul Taylor  
7 Academy, that they will manage it.

8 And I think it's going to be a success.  
9 This is going to be one of those successes that  
10 everybody looks for between the public schools and  
11 the charter schools. And I'm thankful that the  
12 right people are in the right schools and district  
13 to make it happen. And it will happen well.

14 But I've got to say that I will vote for  
15 this school. And when it was coming down the road,  
16 I thought, I'm not worried about this school  
17 anymore, because I know it's going to be successful.  
18 Thank you, Mark.

19 MR. HARTSHORNE: Thank you.

20 THE CHAIR: Thank you. Commissioners,  
21 other questions? Let me just ask one, before I  
22 forget it, Commissioner Bergman.

23 Gentlemen, you said -- and  
24 Commissioner Gant just talked about it -- you're  
25 going to partner with the Las Cruces Public Schools,

1 move into a public school facility, after it's  
2 remodeled, I assume. Okay.

3 Is that going to save you any money that's  
4 now being spent out of your operational budget to  
5 pay for rent or lease?

6 MR. HARTSHORNE: The relationship around  
7 that building -- see, we're already in the  
8 building -- has been tangled. And it took me  
9 three-and-a-half years to even figure out what the  
10 relationship was while I was trying to run the  
11 school, too. The change is really that we will be  
12 partnering directly with the Las Cruces Public  
13 Schools with no one in the middle.

14 The Court Youth Center is not in the  
15 middle of the Mesilla Valley Youth Foundation; the  
16 City is not in the middle anymore. So, they have  
17 actually reached out to us and the J. Paul Taylor  
18 Charter School to create a charter complex on the  
19 block of Alameda and Court Avenue in Las Cruces.

20 I think the most significant statement  
21 would be from one of the LCPS Board members, Bonnie  
22 Votaw, who said, "We want to partner with successful  
23 charter schools that we know are doing things  
24 right."

25 So, it actually was LCPS coming to us

1 with, "Let's get back that direct supervision and  
2 control of the building. We want to extend the  
3 invitation to you guys and J. Paul to come in and be  
4 part of a charter complex, so our charter school  
5 operations are centered in one geographical place in  
6 town, and assist in the creation of that  
7 relationship."

8 And, so, as Gene has indicated, that's a  
9 pretty rare thing, when you have State-chartered  
10 schools that are in a partnership with the local  
11 district of this nature, and really going forward  
12 for that purpose, and where the local district has  
13 actually made their bond issue election. Part of  
14 that would go to the refurbishment and the upgrade  
15 of our charter complex so that Alma and J. Paul  
16 Taylor have an even better place to conduct  
17 operations.

18 So, it's a very unique and a very positive  
19 move forward.

20 THE CHAIR: Absolutely. It sounds  
21 wonderful. But the second part of my question is,  
22 are you currently paying lease funds that have to  
23 come out of our operational funds?

24 MR. HARTSHORNE: Yes. Not that it has to  
25 come out of our operational. Currently, the lease

1 assistance payments go to the Mesilla Valley Youth  
2 Foundation, as the Court Youth Center, that has had  
3 a long relationship with the Las Cruces Public  
4 schools, through the City of Las Cruces, to, in  
5 essence, operate their after-school arts program in  
6 the facility.

7 So, the last two years we have been making  
8 lease assistance payments to the Mesilla Valley  
9 Youth Foundation, who's in titular control of  
10 building, though they no longer will be. But we  
11 have not had to pay any additional operational  
12 expense. So, it really has been a flow-through  
13 through our accounts into theirs. But that  
14 relationship is changing. And the lease assistance  
15 payments will go through Alma to the Las Cruces  
16 Public Schools now.

17 And the negotiations around who's in  
18 charge of the -- and responsible for the upkeep of  
19 the building, and the landscaping and the technology  
20 access and so forth is ongoing with the Las Cruces  
21 Public Schools. But the relationship is absolutely  
22 a boon for us with LCPS. Again, existing-wise, we  
23 don't pay any additional operation money, other than  
24 the lease assistance payments.

25 But the support we're going to get from

1 LCPS and the relationship with them and them being  
2 in control of the building is exactly a boon to our  
3 program.

4 THE CHAIR: That's great to hear. Thank  
5 you very much. Commissioner Bergman?

6 COMMISSIONER BERGMAN: Thank you,  
7 Madame Chair. First, kind of an observation. I  
8 notice you have a sentence in your application --  
9 and I'll read it here -- "Consideration is being  
10 given to subsidizing the ACT participation to each  
11 Alma student."

12 And you may have heard my comments to the  
13 previous applicant that, in this day and time, even  
14 if it's minor, any help we can give to our parents  
15 to help their kids move ahead. So, I hope you're  
16 going to give that serious consideration, because I  
17 happen to personally believe in that.

18 Further, I wanted to read this, because  
19 you asked a question of yourselves, obviously, in  
20 your application that I suspect every school in this  
21 state is probably asking themselves, and should be  
22 asking themselves. And you stated, "We are yet  
23 faced with the question, how can we move more of our  
24 students from the nearing proficient rating into the  
25 proficient, and how can we best assist our students

1 who still struggle with reading skills and  
2 comprehension?"

3 And that is an absolute. It -- I'm glad  
4 to hear you're asking that, yourself -- and I don't  
5 need a 30-minute answer -- are you having any  
6 success answering your question?

7 MR. HARTSHORNE: That goes to our real  
8 effective formation of our assessment processes,  
9 because when we have the data on kids, we can design  
10 individually for them what they need around what  
11 they've shown us they know and what they don't know.  
12 So that's, in essence, how we're answering that  
13 question.

14 We have to make sure our assessment  
15 process, particularly the short-cycle stuff, is  
16 correct, so that we know, and then we can design  
17 those kind of things pursuant to individual kid  
18 needs. And, again, I think the outcomes on the  
19 school report card clearly indicate we're doing  
20 that.

21 COMMISSIONER BERGMAN: Thank you. Thank  
22 you, Madame Chair.

23 THE CHAIR: Thank you. Commissioner Gant.

24 COMMISSIONER GANT: Madame Chair, just to  
25 clarify one thing, and to thank Mr. Elliott --

1 Gene -- and the Foundation. They're one of the few  
2 in the state who -- where the lease assistance go,  
3 do not require more out of the operational funds for  
4 the leases. They're one of the very few. And I've  
5 got the reports to show it.

6 We're spending over \$19 million on leases.  
7 And six of that -- \$6-plus million is coming out of  
8 operational dollars, out of the funds, the SEG  
9 money. And to the Foundation, I thank you for doing  
10 that, holding the line on that, because that was  
11 very important to the school.

12 MR. HARTSHORNE: Thank you.

13 THE CHAIR: Commissioner Parker?

14 COMMISSIONER PARKER: Madame Chair, I just  
15 wanted to acknowledge and say that I greatly  
16 appreciate the fact that you guys voiced your  
17 opinion, in that you seem to value that art has with  
18 the kids and in the educational system. And I wish  
19 that -- and this goes for all the schools -- that  
20 there's other schools coming out here that have that  
21 same feeling, if we can just get this movement  
22 happening throughout the school systems, because, I  
23 mean, art really does save lives.

24 MR. HARTSHORNE: Yes, sir. Thank you.

25 THE CHAIR: Other comments or questions,

1 Commissioners?

2 Seeing none, the Chair would entertain a  
3 motion. Commissioner Gant.

4 COMMISSIONER GANT: Madame Chair, off the  
5 top of my head, I move that we grant a five-year  
6 extension to the charter for Alma d'arte,  
7 Las Cruces, New Mexico.

8 COMMISSIONER PERALTA: Second.

9 THE CHAIR: Do I hear a second?

10 COMMISSIONER PERALTA: Second.

11 THE CHAIR: Motion by Commissioner Gant,  
12 second by Commissioner Peralta, to approve the  
13 renewal application of Alma d'arte Charter School in  
14 Las Cruces. Is there any discussion?

15 Seeing none, Commissioner Bergman, may we  
16 have a roll-call vote, please?

17 COMMISSIONER BERGMAN: Commissioner  
18 Parker.

19 COMMISSIONER PARKER: Yes.

20 COMMISSIONER BERGMAN: Commissioner  
21 Peralta.

22 COMMISSIONER PERALTA: Yes.

23 COMMISSIONER BERGMAN: Commissioner Pogna.

24 COMMISSIONER POGNA: Yes.

25 COMMISSIONER BERGMAN: Commissioner Carr.

1 COMMISSIONER CARR: Yes.

2 COMMISSIONER BERGMAN: Commissioner

3 Conyers.

4 COMMISSIONER CONYERS: Yes.

5 COMMISSIONER BERGMAN: Commissioner Gant.

6 COMMISSIONER GANT: Yes.

7 COMMISSIONER BERGMAN: Commissioner

8 Shearman.

9 THE CHAIR: Yes.

10 COMMISSIONER BERGMAN: Commissioner

11 Bergman votes "yes." Madame Chair, that is an  
12 eight-to-zero vote in favor of the motion.

13 THE CHAIR: Thank you. By a unanimous  
14 vote, the renewal application of Alma d'arte School  
15 is approved. Congratulations.

16 (Applause.)

17 THE CHAIR: Will the representatives from  
18 the Dolores Huerta School come forward, please?

19 COMMISSIONER CARR: It's No. 12 in the  
20 book.

21 MR. GERLICZ: We're ready. We should  
22 follow the agenda.

23 THE CHAIR: But you're okay with that?

24 MR. GERLICZ: Yes.

25 THE CHAIR: Good morning. It's still

1 morning? Yes, thank you.

2 We will ask the CSD to go first with their  
3 recommendation, and then we'll come to you, please.  
4 Director Gerlicz.

5 MR. GERLICZ: Madame Chair, members of the  
6 Commission, representatives of La Academia Dolores  
7 Huerta, welcome. This is the school that I referred  
8 to earlier that is chartered as a district charter  
9 school in Las Cruces, who is migrating to the State  
10 for their application for their second charter  
11 contract.

12 The story of this school is an interesting  
13 one, as well. It is a bilingual school, bilingual  
14 middle school, that has a very unique structure that  
15 I have not seen before, nor have many folks seen  
16 before in education: One week in Spanish, where  
17 everything is in Spanish, math, science, cafeteria,  
18 morning instructions, everything is in Spanish, a  
19 completely bilingual staff in that regard. The next  
20 week, English, math, science, history,  
21 announcements, instructions, lunch, everything. And  
22 that way it goes, throughout the entire year, which  
23 we think is highly unique.

24 The results of that academic program are  
25 good. They are above average. They are

1 consistently at the "B" level in all aspects for  
2 Dolores Huerta.

3           Also, what is very interesting is that  
4 it's common for charter schools chartered by local  
5 districts to have a less than amiable relationship  
6 with their districts. That is not the case with  
7 Dolores Huerta. They are not migrating to the state  
8 because of a contentious relationship with the  
9 district. On the contrary, during our site visit,  
10 we made it part of our interview process to  
11 interview the District. Assistant Superintendent  
12 Steven Sanchez came and extolled the praises of  
13 Dolores Huerta.

14           They had a wonderful working relationship.  
15 They filled a need in Las Cruces, which, prior, did  
16 not exist; and that is, a fully bilingual middle  
17 school. Las Cruces Public Schools saw that need,  
18 recommended approval, and have maintained a  
19 wonderful relationship. In fact, Dr. Sanchez told  
20 me that if they had applied to the District, they  
21 would welcome them warmly back into the District.

22           Octavio Casillas has led the school very,  
23 very capably. Rare among leaders, he is an educator  
24 and is also a lawyer, which we will try hard not to  
25 hold against him.

1           The -- that -- the other comment that we  
2 would make in the site visit that CSD made to  
3 Dolores Huerta, rarely have we seen the, number one,  
4 amount of parents that came out to our meeting,  
5 which overwhelmed the room in which we were in; and  
6 the level of enthusiasm that all of those parents,  
7 the majority of which were primary Spanish  
8 speakers -- we held the meeting in both English and  
9 Spanish -- and extolled their love and desire for  
10 the school, which was very, very heart-warming.

11           We have a number of suggestions for the  
12 school that we have sent to the school, particularly  
13 to help their governing board increase its  
14 functionality, to help their counseling program in a  
15 number of areas that we saw that needed some  
16 improvement. None of those improvements rose to the  
17 level of concern that would hold us back from  
18 recommending this school for a full five-year  
19 renewal, which is the Charter School Division's  
20 recommendation.

21           Thank you, Madame Chair.

22           THE CHAIR: Thank you, Mr. Director.  
23 Representatives of the school, if you would please  
24 introduce yourselves, and spell your name, if it's  
25 unique, for the court reporter. And we would ask

1 that you would have ten minutes for your  
2 presentation.

3 MR. CASILLAS: Thank you, Madame Chair.  
4 Good morning, Madame Chair, Commissioners, Charter  
5 School Division, and everyone, the public. Octavio  
6 Casillas. I'm the director of La Academia.  
7 Octavio, O-C-T-A-V-I-O; Casillas, C-A-S-I-L-L-A-S.

8 To my right is Mr. Robert delPlain, who is  
9 our former governing council president. And to my  
10 left is Bertha Silva, who is our current governing  
11 council president.

12 On behalf of our students, parents, and  
13 staff, we thank you for all the work and leadership  
14 PEC provides. We also thank the Charter School  
15 Division for all their support and guidance you have  
16 provided since we met. Mr. Tony Gerlicz has been  
17 very, very supportive, as well as Mr. Ron  
18 Christopherson, our liaison. Thank you, guys, very  
19 much.

20 And we also thank LCPS for the support  
21 they have provided us for the past ten years. The  
22 truth is they have been very, very supportive. And  
23 without all the support they have provided,  
24 La Academia could not be as prosperous as we have  
25 been.

1           We are here today to respectfully request  
2 the PEC grant us permission to move from the  
3 district to be chartered with the State, and that  
4 you guys grant us five years so that we can continue  
5 to provide our community with the exceptional  
6 academic program that we do provide.

7           We have been in existence for ten years.  
8 And I'd just like to share with you guys our vision  
9 and our mission.

10           Our vision is to be amongst the highest  
11 performing schools, not just in the state, but in  
12 the country. We have a high number of ELL students,  
13 and we want to continue to provide them with the  
14 excellent educational program that helps us, and  
15 helps them, excel, not only, like I said, in the  
16 state, but the country.

17           We want to be the best that we can be.  
18 Our vision is to promote multiculturalism and  
19 bilingualism. We do this through a very unique arts  
20 program as well. Our school focuses on Ballet  
21 Folklorico con Punto Norteño, and mariachi music.  
22 Also, in the visual arts, we have two exceptional  
23 arts teachers, and the performing arts teachers.

24           Every year, we have an annual performance  
25 that takes place at Oñate High School. I would like

1 to invite everybody to see our performance that will  
2 take place February 1st of this year. It's such an  
3 exceptional program that the performance center sits  
4 about, I believe, 600 people. And every year, we  
5 sell out within two weeks of tickets going on sale.

6 So, if you guys would like to attend,  
7 please let me know so that I can make tickets  
8 available to every single one of you. We would love  
9 to have you there to see our kids perform.

10 Our mission, also -- we nurture diverse  
11 cultural awareness and appreciation. Although our  
12 languages are Spanish and English, we don't only  
13 attract Spanish and English speakers, because we try  
14 to attract other students. We have many  
15 African-American students. And I'm now working with  
16 the University to try to get other cultures, as  
17 well, in the school, so that we have a true  
18 multicultural curriculum and student body.

19 We recognize our students' gifts and  
20 skills, and we help them develop those skills by  
21 giving them a very rigorous curriculum and  
22 supporting them as they go through this curriculum.  
23 We provide an educational program that prepares  
24 students for high school and for higher education,  
25 but not only to survive in high school and survive

1 in higher ed, but actually to be leaders within  
2 their high schools and within the higher education,  
3 so they don't go and become struggling students, so  
4 that they actually go and provided leadership.

5 We promote nonviolence by emulating the  
6 principles and spirits of such leaders as Martin  
7 Luther King, Cesar Chavez, and Dolores Huerta. And  
8 that has been so successful in our school that in  
9 the last ten years of our existence, we don't have a  
10 school fight. We don't have bullying -- well, we  
11 may have a little bit of it, but it doesn't get to  
12 it the office; it's at a minimal level. We take  
13 pride in that, because I know, in the whole country,  
14 there has been trouble with cyber-bullying and  
15 bullying at school.

16 We do not have those problems in our  
17 school. It's a special place. Kids are comfortable  
18 to be there. We attract kids from all walks of  
19 life. And as you walk through the school and talk  
20 to the kids, it is a wonderful place where you can  
21 be yourself. Nobody picks on you for it, and  
22 actually, you feel like you're part of the group,  
23 even though you're very different from everybody  
24 else.

25 We encourage and assist our parents to

1 maximize their involvement with our school so that  
2 they can provide their kids with -- their children  
3 with the support they need, so that they can be  
4 exceptional students.

5 To fulfill our vision and our mission  
6 goals, we provide our teachers with as much  
7 professional development that we can. We actually  
8 have been contracting this year with Ms. Vangie  
9 Rodriguez, who's sitting behind us. She's going --  
10 she's been providing some professional development.  
11 We have also hired other professional development  
12 specialists to help us move forward, as we continue  
13 to strive to be the highest performing charter  
14 school in the country.

15 Our dual language 50/50 program model is  
16 very, very unique, as Mr. Gerlicz explained, one  
17 week in English, one week in Spanish. And what's  
18 real neat about it is we have English monolingual  
19 speakers coming into our school fearing Spanish, and  
20 actually not appreciating Spanish. And within two  
21 or three weeks of being in our school, they love the  
22 fact that they're learning a new language, and  
23 they're being supported to be able to perform  
24 academically in the new language.

25 So, it's a very unique program. It's very

1 challenging. But the students are able to perform  
2 academically in both languages, regardless of which  
3 language they are the most strong in.

4 Our rigorous academic curriculum offers  
5 the students the opportunity to prepare themselves  
6 for high school and beyond, like I've said. And it  
7 also gives the teachers the opportunity to develop  
8 and continue to enhance the curriculum.

9 The -- to enhance our curriculum, what we  
10 started this last school year was we started  
11 Saturday school in January. We had such a  
12 successful program in Saturday school, and it was so  
13 great that we have continued Saturday school. And  
14 instead of starting it in January, we started  
15 Saturday school, this last year, since the beginning  
16 of the school year.

17 Additionally, we had a summer school  
18 program in which we brought incoming sixth-graders  
19 to the school for a three-week program for summer  
20 school. And the way we chose our sixth-graders was  
21 we got the report cards and the discovery results  
22 from their previous school, and we found the lowest  
23 performing students, and we brought them in for a  
24 three-week program.

25 It allowed the teachers to get to know the

1 kids ahead of time and to actually give us time to  
2 tailor the program that we're going to have for  
3 them, so that we can target areas of deficiency and  
4 of concern.

5 And we also have an after-school program  
6 that takes place four times a week. The only day it  
7 doesn't take place is on Tuesday, because teachers  
8 have to have a meeting so that we can look at the  
9 data and see how we're doing and tailor the program  
10 so the kids continue to excel.

11 By emulating the principles of  
12 nonviolence, we create a very special place for our  
13 kids, like I've mentioned before. And we continue  
14 to excel and continue to provide kids with that  
15 leadership. That's why we -- when the school name  
16 was changed from "La Academia de Idiomas y Cultura"  
17 to "La Academia Dolores Huerta," we chose a local  
18 female, because our women needed leadership, and we  
19 felt that was very important.

20 We continue to provide our women at our  
21 school with not only having them involved in the  
22 arts, but also having them involved in SEMA, so they  
23 can become leaders in math and engineering and  
24 science and not be a field that's dominated mostly  
25 by males.

1 Parental involvement. We have an  
2 excellent parental involvement program, or many  
3 programs. We have a family wellness program which  
4 teaches parents how to become involved with their  
5 kids and how to have conversations at the dinner  
6 table to encourage family unity and family support.

7 We have been working very close with  
8 ENLACE. Actually, this year ENLACE piloted a new  
9 program at our school that geared -- it brought  
10 parents in. It gave us opportunity to get eleven  
11 parents into the school. They were taught computer  
12 skills and Internet browsing skills. And the  
13 parents who completed the program, which all eleven  
14 of them did, got the opportunity to receive a free  
15 computer. The only thing they had to pay for it was  
16 for shipping and handling.

17 That is an exceptional program, because  
18 when parents understand what the kids are doing on  
19 the computer and how they can block inappropriate  
20 content, because our kids are very creative.  
21 Additionally, I've hired two educational assistants.  
22 One of the educational assistants is providing  
23 assistance in math. The other one is providing  
24 assistance in every other class we may need her in.

25 Additionally there's a volunteer, who has

1 now -- we've started a class -- well, we began  
2 organizing a class that's going to begin in January.  
3 And in this class, parents are going to be learning  
4 the same math skills and strategies that the kids  
5 are learning at our school, so that they can support  
6 their children at home with math homework.

7 And, basically, that's it. I don't want  
8 to take more than the ten minutes. We're open for  
9 any questions that you guys may have. Thank you.

10 THE CHAIR: Thank you for your  
11 presentation. Is there any community input?

12 Seeing none, let's move on to  
13 Commissioners' questions or comments.

14 Commissioner Bergman.

15 COMMISSIONER BERGMAN: Mine's more in the  
16 nature -- thank you, Madame Chair. Mine is more in  
17 the nature of a concern I have. I noted in several  
18 different places in your application that you're  
19 contemplating a move to another location. And you  
20 indicate each time that you're going to submit your  
21 amendment to the Las Cruces Public Schools.

22 That move will probably not occur until  
23 after -- if your application is approved, if you  
24 were under PEC oversight, then I'm a little  
25 concerned with the Las Cruces Public Schools telling

1 this school -- Director Gerlicz?

2 MR. GERLICZ: Madame Chair, Commissioner  
3 Bergman, this is a question that we have had with  
4 Dolores Huerta. And they have approached the  
5 Las Cruces Public Schools for an amendment to move  
6 into their new building. That amendment was  
7 approved by Las Cruces Public Schools already.

8 The -- there's a subsequent amendment to  
9 increase their enrollment cap. And the  
10 Superintendent of Las Cruces denied that, on the  
11 basis of, they need to come to the PEC for that  
12 amendment, and that amendment will come in the  
13 January meeting.

14 COMMISSIONER BERGMAN: Thank you,  
15 Director Gerlicz. I guess I have nothing else to  
16 say. That's a fait accompli. Thank you.

17 THE CHAIR: Thank you, Commissioner  
18 Bergman. I have a question, and I don't see anyone  
19 else right at the moment.

20 What is your current enrollment?

21 MR. CASILLAS: Our current enrollment is  
22 150.

23 THE CHAIR: 150. And your enrollment cap  
24 is 300.

25 MR. CASILLAS: No, ma'am. Our enrollment

1 cap is 200.

2 THE CHAIR: Let me see where I got that.  
3 I'm looking on -- I'm looking on Page -- Intro,  
4 Page 10, where -- Charter School Pre-Populated Data,  
5 gives the address of the school, and so forth.

6 MR. CASILLAS: That is a mistake I made  
7 myself in the application -- and I actually have  
8 discussed this with Mr. Gerlicz -- that it was  
9 actually 200. I was told in the past that it was  
10 300. But when it was brought up later on, I went  
11 through our original charter, and I found that it  
12 was actually 200. And that's when I started moving  
13 on requesting the Las Cruces Public Schools for an  
14 amendment to go to 300.

15 THE CHAIR: Okay. Then may I just ask, if  
16 you have an enrollment of 150, are you one of the  
17 schools that's moving into this new facility that  
18 Las Cruces Public Schools is providing?

19 MR. CASILLAS: No, ma'am. We are actually  
20 seeking our own facility. We have 150, and we can't  
21 increase enrollment there because the facility does  
22 not allow for more students.

23 THE CHAIR: Can I just ask why you're not  
24 taking advantage of the facility offered by the  
25 public schools?

1 MR. CASILLAS: Yes, ma'am, definitely.  
2 The -- when we were given the opportunity, we met  
3 with Herb Torres and Karen Robles from Las Cruces  
4 Public Schools, and we discussed this in detail.  
5 When we took it up to the parents, the parents from  
6 the school decided they did not want their  
7 sixth-graders -- specifically, the parents with the  
8 sixth-grade students, they didn't want their  
9 sixth-graders so close to high-school students.  
10 That was one of the issues they had.

11 The other issues that we had with moving  
12 to the new building, which we were very grateful to  
13 LCPS -- and I have expressed that to the  
14 Superintendent more than once -- the other reason  
15 they didn't -- the parents didn't want to move, and  
16 the other reason we chose not to move, is because  
17 also, we would be sharing the cafeteria, the  
18 basketball court, and common grounds with the  
19 high-school kids. And it just worried us about what  
20 our kids, our sixth-graders, seventh-graders, and  
21 eighth-graders would be learning from eleventh- and  
22 twelfth-graders, especially.

23 And it would create a very difficult  
24 program for us to be -- there are times when you  
25 just have a teachable moment, that you want to

1 have -- if we have a visitor, we want to be able to  
2 use the cafeteria to have a presentation of some  
3 sort. If we would have stayed with Alma d'arte and  
4 we would have gone with the Center, we wouldn't have  
5 had access to the cafeteria or the auditorium at any  
6 time that we would need it.

7           They were going to put J. Paul Taylor on  
8 the north side of the block, which would also take  
9 the whole field where our kids would be playing  
10 soccer, football, baseball, whatever they would do.  
11 And, so, it didn't give our kids an opportunity to  
12 run during lunch and get tired, so that when they  
13 went to the class, they would sit down and listen  
14 and work.

15           And, so, we were very grateful and  
16 appreciative with LCPS. The parents chose that they  
17 didn't want their kids to be around the high-school  
18 kids. We took that into consideration. And the  
19 more we looked at the program, the more we decided  
20 that we couldn't do that.

21           At one of the meetings, I asked Mr. Torres  
22 if the option for Las Cruces Public Schools to work  
23 with us in acquiring a facility for our school was  
24 open to other facilities. He said he didn't know.  
25 I tried to get an answer for that, and I just wasn't

1 able to.

2 So, we had a governing council meeting,  
3 where, listening to the parents, we decided -- or  
4 the parents pretty much decided that they didn't  
5 want their kids around high school. That's the  
6 biggest reason why we didn't go with it.

7 THE CHAIR: Okay. Thank you.

8 Currently, how much of your operational  
9 budget is used to provide for your facility? How  
10 much goes for rent or lease payment?

11 MR. CASILLAS: We get about \$96,000 from  
12 the lease assistance. And from the operation, we  
13 take about \$17,000 to \$20,000 to pay for our lease.

14 THE CHAIR: And in the new facility that  
15 you're looking at, what would that amount probably  
16 increase to out of your operational budget?

17 MR. CASILLAS: At this point, we don't  
18 know. It's undetermined. I didn't want to invest  
19 any money in looking for a facility without knowing  
20 that we were going to be renewed for five years.  
21 So, I haven't invested too much time, in the best  
22 interests of saving the public's money.

23 So, we're negotiating with the Learning  
24 Spaces. Paul Gascoigne is the guy that I've been  
25 working with. Right now, we're looking at about

1 between a \$200,000 and \$220,000 lease purchase  
2 payment per year. So, if we went with that amount  
3 and we increased our enrollment to at least 200,  
4 which is what we would be at, we would be paying  
5 \$100,000 out of operation the first year, if we  
6 stayed at \$200,000 to make the lease payments.

7 THE CHAIR: Okay, thank you. Please tell  
8 me about your truancy issues at your school.

9 MR. CASILLAS: We don't really have  
10 truancy issues. We have some kids who like to come  
11 in late and some that like to leave early. But it's  
12 very, very few. On a regular day, we may have maybe  
13 seven, eight students absent. And we are very  
14 strict about bringing doctors' notes and all that.  
15 So, that keep -- we have had 100 -- from 98- to  
16 100-percent tendency in the past, and that's what we  
17 like to keep it.

18 THE CHAIR: I just notice in your school  
19 report card, under "Bonus Points," you were given .3  
20 points -- which is not much -- but .3 points for --  
21 and it says, "School received points for improvement  
22 in habitual truancy rates."

23 MR. CASILLAS: This is my second year at  
24 La Academia. So, in the past, they had had some  
25 truancy problems; not serious problems, but the kids

1 who would be absent for unjustified reasons. So, I  
2 believe those scores, or that number, reflects more  
3 the past than the current year -- or last year.

4 So, we've been working on that. But it's  
5 not any -- it's not really a serious problem. It's,  
6 just, we have -- like everything else, we have work  
7 to do. But it's not anything that we can't fix, and  
8 it's not anything that I'm gravely worried about.

9 THE CHAIR: Okay, thank you. Commissioner  
10 Gant.

11 COMMISSIONER GANT: Madame Chair, members,  
12 I'm going to go back, like I said earlier, to one of  
13 the other schools. I have financial concerns with  
14 facilities for schools -- for charter schools. And  
15 what -- as I understand, in talking to Dr. Sanchez,  
16 Associate Superintendent of LCPS, what the Board  
17 passed Tuesday night was granting you permission to  
18 go find options to move into, not to move, because  
19 you don't have a facility to move into.

20 Also -- let me continue, please. Also,  
21 you are currently on the Facility Master Plan for  
22 Las Cruces Public School District. If you are  
23 granted the extension or a renewal of your charter,  
24 you will have to develop your own, at your own  
25 expense, an FMP, Facility Master Plan, and Ed Specs.

1 And that means you have to have those done before  
2 you can request financial assistance through the  
3 lease purchase program to pay off your loan that  
4 you're going to take to move into that building.

5 So, we're talking next summer, next fall,  
6 before you can probably -- if you have somebody  
7 working on an FMP right now, you're probably paying  
8 for it. And sometimes, they're not cheap. The Ed  
9 Specs, you need to get done.

10 But I'm questioning -- what I'm  
11 questioning is down the road. As you expressed  
12 earlier to another school, the one from Los Lunas,  
13 is that once you pay off that loan for the lease  
14 purchase, you are fully responsible for all  
15 expenses. And that can amount to -- and I know that  
16 building you're considering. It was an old  
17 furniture store, a church, whatever it was before  
18 that, it's just a big, open space inside.

19 And what concerns me is -- and I  
20 understand what the parents are saying. But I also  
21 look at J. Paul Taylor, who has young students, and  
22 their willingness to move over there. And that's a  
23 very good charter school, also.

24 But I'm looking at what you're giving up.  
25 You're giving up a park across the street that's

1 available to you. I've seen the drawings of the  
2 plans that were provided for me to look at for PSFA.  
3 And they say J. Paul Taylor is actually going on the  
4 west side of the campus, and the north side is still  
5 open. That's what I've seen, okay?

6 But later on down the road, you'll have  
7 all the expenses. And you could have been in a  
8 quiet neighborhood. Solano is one of the busiest  
9 streets in town. You're on the busiest street in  
10 town, Main Street, and you want to move to another  
11 busy street. Please explain why. There's got to be  
12 other buildings in Cruces that you might be able to  
13 get into.

14 MR. CASILLAS: We -- when we worked on the  
15 amendment, I met with Dr. Sanchez and Superintendent  
16 Rounds on Tuesday morning. And the reason we worded  
17 the amendment so that it didn't specify an address  
18 for us to move into is because we were looking at  
19 other facilities. We are still searching.

20 The 1405 South Solano is where I was  
21 looking at, is a possibility, but it's not a  
22 definite place. I do agree with you,  
23 Commissioner Gant, that going from one busy street  
24 to another busy street is not a wise decision.

25 But one of the reasons we have been

1 looking at that building is I want to move our  
2 school as close to the University as possible. I --  
3 the University is the place where our kids are going  
4 to go when they leave high school. So, with us  
5 working at the University and being close to them,  
6 we can take our kids to the University frequently.  
7 We can have a lot of work with the University.

8 As a matter of fact, last month, we had  
9 the chemistry and biochemistry department come and  
10 do a presentation at the school. And that's the  
11 type of relationships that I need with the  
12 University and working with the nursing program, so  
13 when they do their orals, they can do them at the  
14 school and our kids can witness the orals.

15 I'm also working with the astronomy  
16 department so they can come and do presentations at  
17 the school. I started a mentorship program last  
18 year that invites juniors from the high school and  
19 seniors from the high school, as well as university  
20 students, to come and mentor our kids, because the  
21 more exposure our kids have to university staff,  
22 students, personnel, the more likely it is that our  
23 students will end up at the university.

24 So, it's a very difficult situation. You  
25 give up some benefits, and you take up other

1 benefits. Leaving -- not going with LCPS with their  
2 plan was a difficult decision for us. But, like we  
3 said, it's -- I said, it was based mostly on  
4 parents. And, also we would still be pretty far  
5 from the University.

6 The new facility that we've been looking  
7 at has a large field, where our kids -- where we can  
8 maybe plant some grass, and our kids can have a  
9 place to run and play at. It's got some very small  
10 streets in the back, so that we don't have to use  
11 Solano as an entrance to the school, so that we  
12 don't disrupt the traffic. We can actually put it  
13 in the back.

14 There are ideas; there are things we can  
15 do with that facility, with that land that will lend  
16 itself to meet the needs of La Academia Dolores  
17 Huerta. And the amendment was proposed that we  
18 don't move to the facility, but we are allowed to  
19 move, so I can continue searching for other  
20 facilities. So, if you guys know of other vacant  
21 places in Las Cruces, you're more than welcome to  
22 jump in and help me, because that's what we're  
23 looking for is support from you and the CSD as we  
24 move forward, so that we can continue to provide our  
25 kids with an excellent program.

1           COMMISSIONER GANT:  Madame Chair, you're  
2  No. 52 right now for your facility on the PSCOC  
3  list.  In my experience -- I do sit on the PSCOC.  
4  In my experience, we'll never get that far this  
5  year.  And my experience is that when you move into  
6  whatever facility you move into, and you renovate  
7  it, you have a -- I'm not sure what the minimum  
8  New Mexico Construction Index will be for your --  
9  that facility you looked at, because they went out  
10 and looked at it.  PSFA went out and looked at it.

11           But once you renovate that building, then  
12 you won't be in the top 60; you'll be way down  
13 there.  And you won't -- you'll have a roof that  
14 goes bad; that's a flat roof, very expensive flat  
15 roof.  And anything else that comes along in  
16 maintenance and utilities and all that, the person  
17 you're borrowing the money from will not be paying  
18 for those capital improvements or capital needs.

19           So, I real- -- that's my real concern,  
20 because I've seen charter schools get in trouble  
21 financially because of buildings.  And I'd have --  
22 this is not part of the vote.  But I'm just laying  
23 this out here, because I would hate to have you come  
24 back to the PEC in a couple of years and say,  
25 "Help."

1 I, really -- financially, what does it do  
2 to the students? What do you have to take away from  
3 programs that they need to finance a building? Like  
4 you said, you want to put in grass and all that in  
5 that big dirt lot that sits out there. That is a  
6 very -- dirt lot. But at the LCPS location, that  
7 would be there for you. So --

8 MR. CASILLAS: I agree with you,  
9 Commissioner Gant, and I believe your concerns are  
10 legitimate. It's the same concerns that we've had.  
11 That's why we're not set only on this building. We  
12 are looking for other avenues, other buildings.

13 The whole thing about hopefully planting  
14 grass -- I've contacted the College of Agriculture  
15 at the University, and we have been asking them for  
16 grass seeds and for them to help us actually create  
17 an irrigation system, so that it would be cheap and  
18 something that would be friendly to the earth.

19 I've also met with the engineering  
20 department. They have a new program where they're  
21 looking -- they're taking public buildings and  
22 they're making them 100-percent self-sufficient  
23 through solar power. I've been looking at --  
24 speaking with them.

25 So, hopefully, if we do get a building, we

1 won't fall into financial difficulties. I'm trying  
2 to do everything I can. I can't guarantee anything.  
3 But it does remain a fact, the building that we're  
4 in now does not serve justice to our students. They  
5 deserve a lot more than that.

6 We have an exceptional educational  
7 program. We just need a better building. Once we  
8 get into a better building, we can move forward.  
9 So, I share the same concerns that you have,  
10 Commissioner Gant. And like I said, any advice you  
11 guys can provide, any guidance, we would gladly take  
12 it, and work with you guys as we move forward.

13 THE CHAIR: Thank you. Other comments?  
14 Questions, Commissioners?

15 Seeing none, the Chair would entertain a  
16 motion. Commissioner Bergman?

17 COMMISSIONER BERGMAN: Madame Chair, I  
18 would move that the Public Education Commission  
19 approve the renewal application of La Academia  
20 Dolores Huerta for a five-year term.

21 THE CHAIR: Do I hear a second?

22 COMMISSIONER POGNA: Second.

23 THE CHAIR: Commissioner Pogna?

24 COMMISSIONER POGNA: Uh-huh.

25 THE CHAIR: Motion by Commissioner

1 Bergman, second by Commissioner Pogna, to approve  
2 the application of Dolores Huerta Charter School for  
3 a five-year term, renewal term. Is there any  
4 discussion?

5 Secretary Bergman, may we have a roll-call  
6 vote, please?

7 COMMISSIONER BERGMAN: Commissioner  
8 Peralta.

9 COMMISSIONER PERALTA: Yes.

10 COMMISSIONER BERGMAN: Commissioner Pogna.

11 COMMISSIONER POGNA: Yes.

12 COMMISSIONER BERGMAN: Commissioner Carr.

13 COMMISSIONER CARR: Yes.

14 COMMISSIONER BERGMAN: Commissioner  
15 Conyers.

16 COMMISSIONER CONYERS: Yes.

17 COMMISSIONER BERGMAN: Commissioner  
18 Parker.

19 COMMISSIONER PARKER: Yes.

20 COMMISSIONER BERGMAN: Commissioner Gant.

21 COMMISSIONER GANT: Yes.

22 COMMISSIONER BERGMAN: Commissioner  
23 Shearman.

24 THE CHAIR: Yes.

25 COMMISSIONER BERGMAN: Commissioner

1 Bergman votes "yes." Madame Chair, that is an  
2 eight-to-zero vote.

3 THE CHAIR: Thank you. By unanimous vote,  
4 the application of Dolores Huerta School is  
5 approved.

6 (Applause.)

7 MR. CASILLAS: Thank you. Thank you very  
8 much.

9 THE CHAIR: Commissioners, it is now  
10 approximately a quarter till 12:00. I would  
11 recommend that we take our lunch break now and come  
12 back and get started with the next school on the  
13 list, which is Cien Aguas. Is that acceptable?

14 How long would we like to take? Thirty  
15 minutes? Forty-five?

16 COMMISSIONER CARR: Forty-five.

17 THE CHAIR: Forty-five? Then let's come  
18 back at 12:30. Thank you. We are in recess.

19 (A recess was taken at 11:45 p.m., and  
20 reconvened at 12:30 p.m., as follows:)

21 THE CHAIR: Ladies and gentlemen, by the  
22 clock on the wall, it's 12:30 and time for us to get  
23 started.

24 I would ask the representatives for  
25 Cien Aguas to come forward, please, to the table.

1 Mr. Gerlicz, may we have your report, please?

2 MR. GERLICZ: Madame Chair, members of the  
3 Commission, and Cien Aguas, bienvenidos.

4 Cien Aguas is -- the story of Cien Aguas  
5 is also an interesting one. It is a bilingual  
6 school in Albuquerque, currently housed in two  
7 locations, unfortunately, elementary and middle  
8 school. That is soon to be rectified, as they move  
9 into a new structure.

10 The Charter School Division is  
11 recommending renewal for a five-year term for Cien  
12 Aguas, but with some conditions. And the conditions  
13 emanate from our analysis of some things that Cien  
14 Aguas needs to do in order to warrant that five-year  
15 renewal.

16 For example, throughout Cien Aguas'  
17 literature, they are borrowing heavily from the  
18 International Baccalaureate curriculum. It's on  
19 their website. They cite the International  
20 Baccalaureate curriculum in their materials. Yet  
21 they're not an International Baccalaureate school.  
22 They're not sanctioned by the International  
23 Baccalaureate agency or organization, nationally nor  
24 internationally. And that's an issue. They need to  
25 clear that up.

1           The school's response to that analysis was  
2 very fine, very professional. They completely  
3 agreed. But that is one of the conditions that we  
4 will ask of Cien Aguas in their renewal process  
5 going forward.

6           The other issue that we will focus  
7 attention on for Cien Aguas is their focus on their  
8 Q1 students. As a bilingual school in English and  
9 Spanish providing a graduated -- first, it's 90/10  
10 in one language; then it's 80/20 next grade; 70/30,  
11 next grade; until they're 50/50, eventually, which  
12 is a standard bilingual approach. They are licensed  
13 and certified by our bilingual office here at the  
14 PED, and all of that is fine and good.

15           But their Q1 population, their ELL  
16 population, has been shown to not progress as  
17 rapidly as their other population. That's an area  
18 of focus for the school. That was the area of our  
19 data analysis, and in the school report card, that  
20 was the most lacking. And, again, the school  
21 recognizes that, fully agrees, are on board with  
22 that.

23           Those are the two conditions that the  
24 Charter School Division would recommend, as outlined  
25 in our PEC packet. And I'll read them as such, that

1 Cien Aguas International must clearly redefine the  
2 international focus of their mission and ensure that  
3 they are not misrepresenting their school as an  
4 International Baccalaureate-certified program, or as  
5 a school that plans to become IB-certified; or, the  
6 alternative, they could go ahead and be IB-certified  
7 and go through that process if they want.

8 If they agree to that condition, and if  
9 the Commission agrees to that condition, then that  
10 could be treated as an amendment to their charter,  
11 so that that aspect of it is very clear.

12 That was a concern to the Charter School  
13 Division, that that not be misrepresented. Parents  
14 do not sign up to send their students to an IB  
15 school when it's really not, et cetera, et cetera.  
16 So, that's the one condition that we would request.

17 And, also, in the renewal process and in  
18 the contract negotiation process, we will focus our  
19 attention on their Q1 students and listen and see  
20 what the school proposes to increase their Q1  
21 population scores.

22 Thank you, Madame Chair.

23 THE CHAIR: Thank you, Mr. Gerlicz.

24 Welcome. Please introduce yourselves.

25 Spell your name, if it's unique. And you will have

1 ten minutes for your presentation.

2 MR. RODRIGUEZ: Thank you. My name is  
3 Michael Rodriguez, R-O-D-R-I-G-U-E-Z. To my right  
4 is our assistant principal, Robert Gallegos,  
5 G-A-L-L-E-G-O-S. To my left, we have our curriculum  
6 coordinator and founder of Cien Aguas, Eva Thaddeus,  
7 T-H-A-D-D-E-U-S.

8 Behind me to my left here, we have our  
9 governing council chair, Lisa Meyer, M-E-Y-E-R; and  
10 our business manager, Patrick Kelly.

11 THE CHAIR: Begin whenever you're ready.

12 MR. RODRIGUEZ: Thank you very much. Good  
13 afternoon, Madame Chair, members of the Commission.  
14 On behalf of the Cien Aguas students, parents,  
15 staff, governing council and community, I would like  
16 to thank the Commission for this opportunity and  
17 thank the Charter School Division staff for their  
18 support, professionalism, and guidance through this  
19 process. Also, I want to recognize and thank  
20 Commissioner Pogna for attending part of our site  
21 visit with the Charter School Division, as well.

22 We appreciate the format of this renewal  
23 process and the lens that it provides through which  
24 we were able to celebrate the successes over our  
25 first five years, and also be able to take a

1 critical look at areas that we must focus on moving  
2 forward for the next five years.

3 With that said, the leadership of Cien  
4 Aguas is in full agreement with the Charter School  
5 Division's analysis and final recommendation  
6 regarding our renewal as presented, with conditions.

7 Cien Aguas International School is a  
8 dual-language, K-through-8 school, with an  
9 international environmental focus. The  
10 instructional program deliberately and skillfully  
11 integrates students who differ in language, culture,  
12 and income in order to promote high achievement for  
13 all.

14 Cien Aguas seeks to develop confident,  
15 curious, and compassionate young people who are  
16 bilingual, bi-literate, committed to a sustainable  
17 society, and have the academic and interpersonal  
18 skills necessary to succeed in their further  
19 education and in the world.

20 On April 1 in 2009, my first day at Cien  
21 Aguas, as their first director -- and only director  
22 at this point -- I was given a start-up budget and  
23 keys to the facility. From that point on, like my  
24 staff, I have never worked so hard in my life, but  
25 also never felt such a sense of accomplishment and

1 pride for what it is that I'm doing.

2 The caliber of staff that we've assembled  
3 and the culture that has evolved from our school has  
4 truly developed to a tight-knit school community  
5 that goes far beyond the Southeast Heights, where  
6 we're located in Albuquerque. It spans and brings  
7 together many people and cultures from across the  
8 Albuquerque Metro Area for a common purpose. And  
9 this is truly what makes Cien Aguas a very unique  
10 and special place to be.

11 Cien Aguas opened its doors in 2009 with  
12 106 students, as I mentioned, located in the  
13 Southeast Heights of Albuquerque, which is stated in  
14 our charter as our focus area. We utilize the  
15 thematic approach to teaching and meeting the  
16 requirements of the Common Core through such things  
17 as our weekly grade-level collaborations with our  
18 instructional coach, biweekly professional  
19 development time set aside specifically with our  
20 instructional coach on the -- on the -- on the  
21 instructional practices that we use at Cien Aguas.  
22 We have developed a very cohesive staff and focus on  
23 our mission.

24 Over the years, we've steadily grown to  
25 where our enrollment -- from 106 in '09 to

1 311 students, which we have currently, enrolled in  
2 grades K through 8. Because of the lower than  
3 expected attrition that was expected in our initial  
4 charter, we came before the PEC a few years ago to  
5 increase our cap from 330 students to 424 students,  
6 which allowed us to have two classes per grade  
7 level, from kindergarten through eighth grade, which  
8 we will be going into over the next four years.

9           Currently, our first group of Cien Aguas  
10 students that have been educated solely by Cien  
11 Aguas are in fourth grade. So, we strategically  
12 planned out our growth over the next -- you know,  
13 for the next five years, to have that growth and our  
14 cap be reached in four years, for now.

15           As the Charter School Division noted, and  
16 is evident by our annual Quality of Ed survey, Cien  
17 Aguas has a high rate of parent satisfaction.  
18 Because of this, we not only have kept students in  
19 our school, we've developed a school community that  
20 comes together and stands for what it believes in.  
21 From contacting legislators to help acquire capital  
22 funds, to planning meaningful events for staff and  
23 students the parents and community as well, are very  
24 dedicated to the success of our school and  
25 fulfilling our mission.

1 All meetings and communication are done in  
2 English and Spanish, including board meetings for  
3 people who need that.

4 The Cien Aguas Green School Project is a  
5 501(c)(3) that was put into place in order to help  
6 our school reach its goal of eventually building a  
7 zero-energy campus. Environmental sustainability is  
8 one of the key points of our school, one of the  
9 things that we teach, and Zero-Energy Campus is a  
10 big feat, especially with issues relating to do  
11 adequate facilities and for us being tied to the  
12 Southeast Heights of Albuquerque.

13 So, with the help of the Green School  
14 Project, we have, over the last four years, looked  
15 at a number of facilities, a number of options, and,  
16 you know, are glad that we're now ready to move into  
17 something that is going to be beneficial for us.

18 In September, I came before the Commission  
19 requesting approval to move into a facility that  
20 would meet our needs as a growing school, while also  
21 bringing together the elementary and middle school  
22 students and staffs back together under one roof.  
23 Since separating the groups temporarily a couple of  
24 years ago, we've had to creatively plan and manage  
25 our staff and resources on two campuses, which are

1 separated by about two miles.

2 So, really, bringing those two groups back  
3 together is going to be essential in us being able  
4 to plan vertically and really make our program and  
5 our school community what it is that we really truly  
6 want it to look like.

7 Academic achievement is important, and  
8 serving the Q1 students and the growing number of  
9 ELL students within our school is definitely going  
10 to be on a focus for us, something that is very  
11 important for what Cien Aguas believes in. One of  
12 the things we're into in our original charter is  
13 serving the underserved ELL students of the  
14 Southeast Heights. We've done many things to  
15 encourage, recruit, in the sense of advertising, you  
16 know, providing the school lunch program,  
17 transportation, all these different things, a  
18 sliding scale for our after-school program, to try  
19 and encourage those families to really be part of  
20 our school.

21 In 2009, we started with 18 ELL students,  
22 and today, Cien Aguas has 76 ELL students enrolled  
23 in our school. So, we know that that's -- brings  
24 with it some more complications and more planning  
25 and things that we'll have to do on our end. But

1 it's a challenge that we are definitely up for,  
2 something that we really, truly believe in.

3 So, with that said, we thank you for your  
4 consideration and would love nothing more than to  
5 continue serving the students of the Albuquerque  
6 Metro Area in a focused, dedicated, and cohesive  
7 public school setting for another five years.

8 Thank you.

9 THE CHAIR: Thank you very much for those  
10 comments. Do we have anyone in the audience that  
11 would like to comment?

12 Seeing none, let's move on to Commissioner  
13 comments and questions. Commissioners, do you have  
14 comments or questions? Commissioner Peralta.

15 COMMISSIONER PERALTA: Yes. Can you speak  
16 to us about possibly the factors that maybe you have  
17 identified as to why your Q1 population of students  
18 have not made the gains that you may have expected?  
19 And have you had any dialogue about maybe some  
20 possible strategies or interventions to correct the  
21 situation?

22 MR. RODRIGUEZ: Madame Chair, Commissioner  
23 Peralta, one of the things we've instituted this  
24 school year is data folders, kindergarten through  
25 eighth grade. We're making sure that teachers not

1 only have access to the information, but that their  
2 utilizing it in a very systematic way to create  
3 their groupings, you know, to provide specific  
4 targeted instruction to our Q1 students, to our ELL  
5 students, our special-ed students in regular  
6 classes, and make sure that people understand that.  
7 So, along with that, we have a data committee who is  
8 dedicated to helping train staff in the most  
9 effective way of rolling that out.

10 COMMISSIONER PERALTA: Thank you.

11 THE CHAIR: Commissioner Pogna.

12 COMMISSIONER POGNA: Madame Chairman, I  
13 just want to make a comment. I did go to their  
14 school for their visitation and review on November  
15 the 4th. And I was very impressed. The courtesy  
16 extended to me by Mr. Rodriguez was wonderful. He  
17 offered me lunch.

18 THE CHAIR: Millie --

19 COMMISSIONER POGNA: Can you hear me?

20 THE CHAIR: -- I think talking about the  
21 site visit -- I'm getting information from Abby --  
22 that we probably should not go there.

23 MS. LEWIS: We shouldn't discuss the site  
24 visit at this juncture.

25 COMMISSIONER POGNA: I can't talk about

1 it?

2 MS. LEWIS: Correct. That would be my  
3 legal advice. It's up to you if you want to take it  
4 or not.

5 COMMISSIONER POGNA: Okay.

6 THE CHAIR: Sorry about that. Thank you.  
7 Commissioner Bergman, did you have your  
8 hand up?

9 COMMISSIONER BERGMAN: Sure, unless  
10 somebody else wants to go.

11 Thank you, Madame Chair. I'm going to  
12 read one of your responses that you made to the CSD  
13 analysis, because I thought it was telling, and I  
14 was happy to see it.

15 And in that -- one of your responses, you  
16 said, "As with any effective school or organization,  
17 we realize that there are still many areas that can  
18 be improved. As the conditions for renewal specify,  
19 we must take immediate action to clarify and clearly  
20 redefine the critical components of our mission and  
21 goal."

22 And I heartily agree with that, of course.  
23 And I'm glad that you have that kind of mindset.  
24 And I was going to note that the CSD has suggested  
25 some conditions as a part of your renewal, and one

1 of those conditions was specifically for the lowest  
2 performing quartile. And you would be definitely  
3 required to do an academic -- a really nice,  
4 rigorous academic goal for that area.

5 But I did not want to state that that does  
6 not -- should not be taken to limit you. I believe  
7 there are other academic areas in your school that  
8 also, right now, probably could benefit from having  
9 some really strong goals to give you the motivation  
10 and the encouragement.

11 And I guess I'm stating that because I go  
12 to most of the contract -- the performance contract  
13 negotiations. And I'm going to be looking. So, I  
14 wanted to encourage you, between now and whenever  
15 that date comes up, to work with your CSD liaison  
16 and craft those kind of goals that will motivate  
17 you, not only in this one particular area, but in  
18 the areas that -- the other areas that you've  
19 identified that probably could stand some of the  
20 improvement you're referring to there. Do you have  
21 any comment to that?

22 MR. RODRIGUEZ: Madame Chair, Commissioner  
23 Bergman, we couldn't agree more. We definitely want  
24 to make sure that the things that we're committing  
25 to are, you know, an extreme focus for us, and that

1 we are giving justice to what it is that our  
2 families are expecting from us.

3 COMMISSIONER BERGMAN: Outstanding. I'll  
4 look forward to seeing where we're going to work in  
5 those areas, and what we can do to work in that kind  
6 of thing. Thank you, Madame Chair.

7 THE CHAIR: Thank you. Commissioner Gant.

8 COMMISSIONER GANT: Madame Chair, members,  
9 first of all, what is your cap, student cap?

10 MR. RODRIGUEZ: Madame Chair,  
11 Commissioner Gant, our cap is 424. We came before  
12 the PEC a couple of years ago to increase it from  
13 330.

14 COMMISSIONER GANT: I'm reading 330,  
15 still, your cap, in this document.

16 THE CHAIR: Let's see if we can get a  
17 clarification from Mr. Gerlicz, because it does say  
18 300 on this report that we're looking at.

19 COMMISSIONER GANT: Anyway, moving on, if  
20 I may, Madame Chair, one -- the concern that I have,  
21 again, is financial, as you've probably heard me  
22 speak before. And I'm looking at your audit  
23 reports: Consistently not compliant in several --  
24 many areas, repeated noncompliant in several areas.

25 And I've said this in other meetings

1 before to other charter schools, that your budget --  
2 and this one is based on 300-and-some students --  
3 you know, is not a billion dollars, not \$500 million  
4 or -- you know. So, I really don't understand why  
5 you have all these noncompliances and recurring  
6 noncompliances for the same thing over the years.

7 And my second part of that is your Board  
8 of Finance. What are they doing to ensure that you  
9 do what you're supposed to do with your finances?

10 MR. RODRIGUEZ: Madame Chair, I'm going to  
11 have our business manager speak to that question.

12 UNIDENTIFIED SPEAKER: Madame Chair,  
13 Commissioner Gant, Commissioners, thank you for the  
14 question. The noncompliance repeat findings, I've  
15 analyzed them. We've looked at them as an audit  
16 committee, as a finance committee, as a board.  
17 We've had some trouble with the separate school  
18 sites, having administrative staff separated, trying  
19 to maintain segregation of duties.

20 And a couple of those findings are, you  
21 know, our deposits not being deposited within  
22 24 hours, you know. With limited -- of  
23 administrative staff at one site, it's hard to -- if  
24 one person's out within that segregation of duties,  
25 it can be difficult to stay within our policies and

1 procedures and comply with the requirement to  
2 deposit within 24 hours.

3 We take every audit finding seriously. We  
4 look at them as a way to improve. We've -- since  
5 the first year, we've decreased findings -- since  
6 our first operational year, we've decreased findings  
7 every year. I look forward to being under one roof  
8 to be able to have the administrative staff to be  
9 able to process financial policies correctly and  
10 comply with what either state law or our own  
11 policies have.

12 We've -- you know, we continue -- we've  
13 continued to work on our policies and, you know,  
14 tried to address the needs that there are, and I  
15 think we do our best to do that. Thank you.

16 COMMISSIONER GANT: Madame Chair, what I'm  
17 hearing -- I hear a lot of -- I've got to say  
18 that -- excuses, a reason or a rationale for why it  
19 happened. But I'm not hearing a solution.

20 SPEAKER: Okay. Thank you,  
21 Commissioner Gant, Madame Chair. We -- each year,  
22 we -- when we get the audit findings, we do create a  
23 corrective action plan designed to hold individuals  
24 responsible, who was the main person responsible for  
25 that finding, what are the steps we can take to

1 remedy that, and updates on where we are in that  
2 corrective action plan.

3           There's always a case of human error in  
4 some of those, whether it's, you know, the deposits  
5 or a PO being signed by the wrong person, that kind  
6 of thing. But, you know, we have those audit  
7 corrective action plans that are given to our board,  
8 approved at a council meeting, and appropriate  
9 personnel have been made aware of the different  
10 issues and how to remedy the situations.

11           COMMISSIONER GANT: Madame Chair, members,  
12 I don't know how we do this. And maybe Ms. Lewis  
13 could help us. I note that you don't have the audit  
14 yet for 12/13. So, I would suggest that we need to  
15 see that audit report as soon as it comes out to see  
16 if there's any more of the noncompliant -- what do  
17 you think, Madame Chair?

18           THE CHAIR: I'll defer to Ms. Lewis.

19           MS. LEWIS: Are you asking if you can  
20 create a condition? I believe we can figure out the  
21 wording of a condition, if you would like to vote to  
22 approve the school, conditional upon whatever it is  
23 that you want to see in that audit report, or have  
24 resolved after you see that audit report.

25           COMMISSIONER GANT: Thank you.

1 Madame Chair, thank you. I just think this is, to  
2 me, a big deterrent. And I don't think we need to  
3 go any further down the road with financial matters  
4 sticking out like this. It shouldn't be happening,  
5 in my view; right?

6 Of course, it's -- the rest of the  
7 Commission has to vote on it. But that's my take on  
8 this. It just kind of bothers me to have all  
9 these -- these sitting out here time after time, the  
10 same thing. And over -- what? -- a four-year --  
11 yeah, a four-year period. So, thank you,  
12 Madame Chair.

13 THE CHAIR: Other comments or questions  
14 from Commissioners?

15 COMMISSIONER CARR: Madame Chair.

16 THE CHAIR: Commissioner Carr.

17 COMMISSIONER CARR: I echo  
18 Commissioner Gant's concerns in regards to these  
19 findings as well. I -- and, then, also, the  
20 concerns in regards to whether or not you're  
21 misrepresenting the IB program, which is a very  
22 stringent program to get into and have your school  
23 approved for. AP is, too. But the IB is even more  
24 so. And I think that's important.

25 And then relating all these things to the

1 children, you know, I -- I'm a teacher, and I get  
2 excuses all the time. And the last one I got was,  
3 "My cat peed on the composition book," and -- which  
4 is probably, no doubt, true, you know.

5           Nonetheless, the paper was still due, you  
6 know. And the -- I -- you know, it's -- we are  
7 under a situation right now where we -- you know,  
8 the Governor and the Secretary Designate doesn't  
9 want to hear excuses about performance. And lots of  
10 people don't want -- and like I say, we just want  
11 you to get things -- get things done.

12           And we have to set an example for our  
13 students, which is what I always try to do. Yes,  
14 we're all human, and we all make mistakes. But it's  
15 important that we set a good example, that we are  
16 performing in an extraordinary way. If we expect  
17 that out of our students, I should expect even more  
18 out of myself, because I certainly can't expect my  
19 students to do well if I'm not performing well.

20           And I certainly can't expect them to  
21 follow my example, because they will do as we do.  
22 They will not do what we say. And I think that's --  
23 that's important. And that's all, Madame Chair.  
24 Thank you.

25           THE CHAIR: Commissioners, any other

1 questions or comments?

2 Let me just ask Director Gerlicz if he was  
3 able to come up with a definitive enrollment cap.

4 MR. GERLICZ: We're still working on it.

5 MS. STOFODIK: The database is taking a  
6 long time.

7 MR. GERLICZ: We're still trying to get on  
8 the database.

9 THE CHAIR: Still trying? Okay.

10 Commissioner Gant brought up the audit  
11 results. And I just have one question about that.  
12 I notice in 2012, you only had two audit findings,  
13 and that's good. One -- they were both minor;  
14 that's good. But a conflict of interest is a  
15 finding that's really -- grabs my attention.  
16 Certainly, without naming names or anything like  
17 that, could you tell me the nature, or what this was  
18 all about?

19 UNIDENTIFIED SPEAKER: Madame Chair, thank  
20 you. Commissioners, the conflict of interest  
21 finding that we received was due to a board member  
22 that works for a -- the Dual Language Ed of  
23 New Mexico, which is the primary professional  
24 development group for the curriculum that the school  
25 has.

1           She -- she was on the board because we  
2 felt it was important to have a person with the  
3 curriculum expertise. The conflict was disclosed  
4 initially at a Board meeting. And we have since,  
5 with the auditors, worked out a way to remedy the  
6 finding. She receives no commission, no kind of  
7 compensation based on her being on the Board and  
8 working for that company.

9           The auditors have -- I have worked with  
10 the auditors to kind of figure out what they needed  
11 as proof that there's no conflict there. And that  
12 has since been remedied.

13           THE CHAIR: Thank you. Let me just throw  
14 this out, because it seems, to my mind, a good thing  
15 for us to consider. The conditions that are here  
16 that have been suggested by CSD, I certainly can  
17 agree to.

18           One of the things, though, in this  
19 application that does concern me is that this  
20 school's final grade for 2011-2012 was a "D." Their  
21 school growth, internal to that report, is an "F."  
22 Growth of the lowest performing, Q1, is an "F."

23           I am concerned about those things, in  
24 addition to the items that CSD has brought to us,  
25 and I'd like to throw out for consideration that

1 instead of a five-year renewal term, that we  
2 consider a three-year renewal term, so that CSD can  
3 work extremely closely with this school and get  
4 these items remedied, get this school back on track  
5 in a more timely manner.

6 I would like to hear your thoughts on a  
7 three-year versus a five-year term for this renewal.

8 MR. GERLICZ: Madame Chair, members of the  
9 Commission, not on that issue. But we have accessed  
10 the database, and we have found the amendment that  
11 says that the cap is 424.

12 THE CHAIR: Four twenty- --

13 MS. STOFOSIK: Four.

14 THE CHAIR: Four twenty-four. And the  
15 actual enrollment is --

16 MR. RODRIGUEZ: Madame Chair, we're at  
17 311.

18 THE CHAIR: Then, let me just ask my  
19 standard question. That's almost 100 difference.  
20 Why are you not at your capacity. When you asked to  
21 increase it, what has prevented you from reaching  
22 that?

23 MR. RODRIGUEZ: Madame Chair, at the time,  
24 we were anticipating the fact that we do need to  
25 move into another facility, bring our students back

1 together. The other issue is that we are growing  
2 from the bottom up. When we first opened up in  
3 2009, we had two kindergarten classrooms and one --  
4 or combo classes at the others. We've since grown  
5 from the bottom. Those kindergarteners are now in  
6 fourth grade, and over the next four years, as we  
7 add another class per grade level, we will meet that  
8 gap.

9 THE CHAIR: And you are moving to a new  
10 facility; is that correct?

11 MR. RODRIGUEZ: (Indicates.)

12 THE CHAIR: Okay. And has that already  
13 been approved?

14 MR. RODRIGUEZ: Madame Chair, we are  
15 moving as of -- when we get back from winter break  
16 in January. And that came before the Commission in  
17 September, for that approval.

18 THE CHAIR: Thank you. Thank you.  
19 Commissioner Gant.

20 COMMISSIONER GANT: Madame Chair, members,  
21 Ms. Casias, have they done everything they need to  
22 do through the PSFA system to -- for the move?

23 MS. CASIAS: Mr. Gant, Madame Chair, the  
24 Charter did contact us. And we have received the  
25 construction drawings, 100-percent construction

1 drawings, reviewed them for E-Occupancy and  
2 adequacy. And they received a score of 9.91, which  
3 a low number is better. So, yes, sir, they have  
4 done what they needed to do in regard to a facility.

5 COMMISSIONER GANT: Thank you.

6 Madame Chair, after reading some of this,  
7 as you have read some of this, I think your  
8 recommendation for a three-year, I could go along  
9 with.

10 THE CHAIR: Any comments from anyone else?

11 COMMISSIONER PERALTA: Madame Chair, I  
12 would concur with that, as well.

13 THE CHAIR: A three-year? Thank you.  
14 Anyone else have thoughts?

15 COMMISSIONER BERGMAN: Should we ask them  
16 if they concur, or is that --

17 THE CHAIR: No.

18 COMMISSIONER BERGMAN: Okay. Okay.

19 THE CHAIR: The one question I would ask  
20 you all, on the conditions, you have a choice there,  
21 I believe, as to which one you go for. I'm not  
22 asking you to commit to anything. But I just wonder  
23 if you had an opportunity to give it some thought  
24 and which one you're sort of leaning towards,  
25 perhaps?

1 MR. RODRIGUEZ: Madame Chair, at our last  
2 governing council meeting, it was something decided  
3 by our community, that we would be discussing this  
4 issue, in particular. It's something we've been  
5 talking about with our attorney, as well. We are in  
6 the process of making that determination as soon as  
7 possible. But we are leaning in the direction of  
8 possibly not going IB. Particularly, you know,  
9 there's -- as Commissioner Carr mentioned, it's very  
10 rigorous in terms of the requirements. There's a  
11 financial commitment that you make in terms of  
12 annual fees, professional development.

13 With the population that we are growing at  
14 Cien Aguas, we do have a lot of needs, as is evident  
15 through our Q1 students, which we want to make sure  
16 that we are taking care of, and not utilizing monies  
17 we could be using for that on fees for program.

18 One other point of clarification: Last  
19 school year, we did raise our grade from a "D" the  
20 previous year to a "C."

21 THE CHAIR: Oh, okay. That's not here.  
22 Or at least I don't see it. Mr. Gerlicz?

23 MR. GERLICZ: Madame Chair, members of the  
24 Commission, Cien Aguas is on an upward slope. It's  
25 a slow upward slope, but they have improved over

1 time. Their three-year average is a "C." And that  
2 is an increase from '11 and '12, which is why the  
3 Charter School Division did not contemplate a  
4 three-year renewal, but a five-year with these  
5 conditions.

6 THE CHAIR: Thank you for that. Are there  
7 other comments, questions from Commissioners?

8 Commissioners, before we move to a motion  
9 on this school, I would just direct your attention.  
10 The conditions that are proposed by CSD are on a  
11 page here that's not numbered. But it's on the  
12 reverse side of where Cien Aguas' text is listed.  
13 We would need to include those conditions as part of  
14 the motion, if we're going to approve this school.

15 If we are going to approve this school for  
16 three years rather than the five, that needs to be  
17 part of the motion as well. All right?

18 Any further discussion? The Chair would  
19 entertain a motion. Commissioner Gant.

20 COMMISSIONER GANT: Madame Chair, I move  
21 that Cien Aguas International School's renewal  
22 application be approved by the New Mexico Public  
23 Education Commission for a period of a three-year  
24 term, with the following conditions:

25 Cien Aguas International School must

1 clearly redefine the international focus of their  
2 mission and ensure that they are not misrepresenting  
3 their school as an International Baccalaureate  
4 certified program, or as a school that plans to  
5 become an International Baccalaureate certified; or,  
6 alternatively, the school can present evidence to  
7 the PEC that it has determined that it will seek  
8 International Baccalaureate certification through  
9 the International Baccalaureate-Certified program,  
10 and Cien Aguas International School must ensure that  
11 their vision and mission are not violating the  
12 copyright laws. And International Baccalaureate --  
13 what? -- International Baccalaureate, and present  
14 evidence of compliance of these terms to the Public  
15 Education Commission. [Verbatim.]

16 This has to -- these conditions must be  
17 met within 90 days of the date from which the PEC's  
18 written approval -- PEC's written approval of  
19 renewal.

20 Additionally, Cien Aguas International  
21 School shall present an academic performance  
22 indicator for each year of the new charter, which  
23 lists specific targets for achievement for the  
24 lowest quartile of students based on academic  
25 performance data that meets or exceeds PED targets

1 for growth for this quartile of students. The  
2 indicators must be one that the PEC can agree to  
3 through the negotiation process of the contracting.

4 Ms. Lewis, do we have maybe a condition  
5 for the audit yet?

6 MS. LEWIS: No. But you want a condition  
7 for the audit?

8 COMMISSIONER GANT: Yes.

9 MS. LEWIS: I think we should talk about  
10 it so that I am wording it correctly. So, if you'll  
11 give me a little more information on what you want  
12 to see once you receive the audit --

13 COMMISSIONER GANT: What I'm looking for,  
14 Ms. Lewis, is a condition that says they will  
15 present the current year's audit to us as soon as it  
16 is presented -- as soon as it is released by the  
17 auditors.

18 MS. LEWIS: So, you just want to see --  
19 the condition is for you to be able to see it?

20 COMMISSIONER GANT: Yes, as soon as  
21 possible.

22 MS. LEWIS: I think that's sufficient.

23 COMMISSIONER GANT: Additionally, Cien  
24 Aguas International School will present to the  
25 Public Education Commission, through the Charter

1 School Division, the completed audit for School Year  
2 2012-2013, as soon as it is released.

3 Thank you, Madame Chair.

4 THE CHAIR: Is that sufficient?

5 MS. LEWIS: (Indicates.)

6 THE CHAIR: You heard the motion. Do we  
7 have a second?

8 COMMISSIONER BERGMAN: Second.

9 THE CHAIR: Motion by Commissioner Gant,  
10 second by Commissioner Bergman, to approve Cien  
11 Aguas for a period of three years, including the  
12 stated conditions. Is there any discussion?

13 COMMISSIONER PERALTA: Madame Chair?

14 THE CHAIR: Commissioner Peralta.

15 COMMISSIONER PERALTA: If I may, may I go  
16 back and see -- and check -- I'm not fully sure that  
17 in the Conditions 1.1, 1.2, and 1.3, that Mr. Gant  
18 may have made notice of the 90-day requirement? Was  
19 that in there? I may have missed that.

20 MS. LEWIS: He put it at the end, instead  
21 of --

22 COMMISSIONER PERALTA: He did? Okay.

23 Thank you.

24 THE CHAIR: Thank you. Any other comments  
25 or questions? Discussion?

1           Seeing none, Commissioner Bergman,  
2 roll-call vote, please?

3           COMMISSIONER BERGMAN: Commissioner Pogna.  
4           COMMISSIONER POGNA: Yes.  
5           COMMISSIONER BERGMAN: Commissioner Carr.  
6           COMMISSIONER CARR: Yes.  
7           COMMISSIONER BERGMAN: Commissioner  
8 Conyers.  
9           COMMISSIONER CONYERS: Yes.  
10          COMMISSIONER BERGMAN: Commissioner  
11 Parker.  
12          COMMISSIONER PARKER: Yes.  
13          COMMISSIONER BERGMAN: Commissioner  
14 Peralta.  
15          COMMISSIONER PERALTA: Yes.  
16          COMMISSIONER BERGMAN: Commissioner Gant.  
17          COMMISSIONER GANT: Yes.  
18          COMMISSIONER BERGMAN: Commissioner  
19 Shearman.  
20          THE CHAIR: Yes.  
21          COMMISSIONER BERGMAN: Commissioner  
22 Bergman votes "yes." Madame Chair, that is an  
23 eight-to-zero vote.  
24          THE CHAIR: Thank you. The vote is  
25 unanimous to approve the application of Cien Aguas

1 Charter School for a renewal period of three years,  
2 with the conditions as stated. Congratulations.

3 (Applause.)

4 THE CHAIR: We would ask the  
5 representatives from Cesar Chavez Community School  
6 to come to the table, please. Good afternoon.

7 SPEAKER: Hello.

8 THE CHAIR: Mr. Director, whenever you're  
9 ready.

10 MR. GERLICZ: Madame Chair, members of the  
11 Commission, representatives from Cesar Chavez,  
12 welcome Bienvenidos.

13 Cesar Chavez also has a unique and, in  
14 many ways, an inspirational story to tell to the  
15 educational world. It is a SAM school, S-A-M, which  
16 stands for Supplemental Accountability Measures.  
17 And I encourage the Commissioners to ask questions  
18 about what that means.

19 Kelly Callahan was on the committee that  
20 helped establish the SAM process. And the  
21 Cesar Chavez school, because of its mission and the  
22 population that it serves, qualifies as a SAM  
23 school.

24 The part about the inspirational story  
25 comes from the fact that this is a school that's

1 dedicated to reengaging kids that traditional public  
2 schools have traditionally failed. And they are  
3 reengaging them, and they are reengaging them in  
4 high numbers.

5           What's interesting about the report card,  
6 if you'll notice, is that for the population that  
7 Cesar Chavez, as do other charter schools serve,  
8 they tend to do poorly on the current standing,  
9 which is the annual snapshot of skills that are done  
10 in March. Regardless of where students have come  
11 from or how long they've been at the school, that's  
12 a snapshot of the school for a population that is --  
13 at Cesar Chavez, that population of students  
14 historically will not do well.

15           But if you look at the growth data that  
16 Cesar Chavez is presenting, that's the part that's  
17 inspirational. These kids are growing. Both their  
18 lowest performing students and their Q3 performing  
19 students -- which, quite frankly, in this school,  
20 hard to tell the difference between what is the  
21 bottom 25 and what's the rest -- they're all of that  
22 caliber. And growth is happening.

23           The school is very well run. The  
24 liaisons, Kelly Callahan and Karen Ehlert, report a  
25 very efficient operation, excellent leadership, both

1 at the school site, as well as at the board level.

2 For all of those reasons, the Charter  
3 School Division recommends a five-year renewal  
4 without conditions.

5 Thank you, Madame Chair.

6 THE CHAIR: Thank you. Hello, again.  
7 Please introduce yourselves. Spell your name, if  
8 necessary. And you have ten minutes for your  
9 presentation.

10 MR. SHAPIRO: Hi, I'm Dan Shapiro. I'm  
11 the governing council president. I thought I'd say  
12 something, a word, since I don't think a governing  
13 council president has said anything here, probably  
14 ever. Maybe not.

15 We -- we think we had a very, very --  
16 that's right. I should introduce -- this is Caryl  
17 Thomas, who misspells her first name, C-A-R-Y-L.  
18 And, then, we have our business manager, Debra  
19 Albrycht. And sitting in the audience is the -- is  
20 the Foundation chair, if there are detailed  
21 questions about the financing of the school and the  
22 building.

23 We think we had a very thorough, very  
24 accurate, very professional assessment. We agree  
25 with what it -- with the results. We're happy with

1       them; we rely on them.

2                   And it seems to me that you will have your  
3       questions, and you have to endure a ten-minute  
4       presentation to get to the questions you want to  
5       have. So, we're willing to let you ask your  
6       questions right now, and she will answer them.

7                   Thank you.

8                   THE CHAIR: Thank you. I just have one  
9       question that I have to ask first. Mr. Shapiro, are  
10      you a New Mexico native?

11                  MR. SHAPIRO: Well, I came here in 1974.  
12      But I'm from the Bronx, and a lawyer, to boot.

13                  THE CHAIR: Thank you.

14                  COMMISSIONER GANT: You're still a  
15      tourist.

16                  THE CHAIR: Commissioners, do you still  
17      have questions? Commissioner Bergman. Oh. Did I  
18      skip the public? I was so busy asking my own  
19      question.

20                  Do we have comments from the public?  
21      Seeing none, now, Commissioners, do you have  
22      questions? Commissioner Parker.

23                  COMMISSIONER PARKER: Madame Chair,  
24      Commissioners, before I get into -- or before we get  
25      into questions, I just want to say, from my personal

1 standpoint, I think you should be commended because  
2 of the target audience that you're serving in the  
3 school and the fact that you're getting children who  
4 were otherwise not engaged in the school  
5 environment, getting them engaged and showing  
6 improvement. I just think you should be commended  
7 for that before we get started with the questions.

8 MS. THOMAS: Thank you very much.

9 THE CHAIR: Thank you. Other questions?  
10 Commissioner Carr.

11 COMMISSIONER CARR: I have probably an  
12 inappropriate question for this setting. But, so, I  
13 love the name -- I'm a history teacher. So  
14 Cesar Chavez; right?

15 MS. THOMAS: Uh-huh.

16 COMMISSIONER CARR: So, are your teachers  
17 unionized?

18 MS. THOMAS: Madame Chair and  
19 Commissioner Carr, they are not.

20 MR. SHAPIRO: But we do have fruit.

21 COMMISSIONER CARR: I don't know if Cesar  
22 Chavez would like it, but that's fine.

23 MR. GERLICZ: Based on the conditions  
24 under which those teachers work, I'd be thrilled.

25 COMMISSIONER CARR: Very true. That's it.

1 THE CHAIR: Other questions or comments?  
2 Commissioner Bergman?

3 COMMISSIONER BERGMAN: I just wanted to  
4 note that I'm looking at your 2011-2012 report from  
5 PED, and then I'm looking at your current grade  
6 report. And the difference was phenomenal.

7 MS. THOMAS: Yes, it was.

8 COMMISSIONER BERGMAN: I'm curious. How  
9 did you achieve that in one year?

10 MS. THOMAS: Madame Chair and Commissioner  
11 Bergman, I think it was a combination of factors.  
12 I'm going to be honest and say I think that the  
13 grading system has been tweaked and is more accurate  
14 now. And, in fact, our school, the "B" grade, the  
15 grade that we have for this year, is really a more  
16 accurate grade for previous years, too.

17 However, we are a school of continual  
18 improvement, continuous improvement. And we are  
19 constantly looking at what is working for our  
20 students and what is not, and we are taking steps to  
21 improve.

22 And we really focused on our math, in the  
23 intervening year. And I think that we really opened  
24 up our math program in some really creative ways for  
25 our students that they had never experienced before

1 in their previous classrooms, and it's having some  
2 pretty dramatic results.

3 COMMISSIONER BERGMAN: Yeah. I'm glad to  
4 hear you say that, because it was such a dramatic  
5 gain that you're really going to work, I suspect,  
6 extra hard to sustain it in the future. And that's  
7 going to require a great deal of effort on your  
8 part. And I know you're committed to that, because  
9 you're committed to your students.

10 And -- but I just kind of wanted to  
11 comment on that. We don't normally see those kind  
12 of one-year gains on these report cards. And that  
13 really caught my eye.

14 MS. THOMAS: Well, Commissioner Bergman,  
15 we were pretty thrilled, I must say. Yes.

16 COMMISSIONER BERGMAN: Thank you,  
17 Madame Chair.

18 THE CHAIR: Thank you. Other questions,  
19 Commissioners? Just a curiosity on my part. I know  
20 that you're working with students who have not been  
21 successful otherwise. Tell me about your -- I don't  
22 know, really, if it would be dropout rate?

23 MS. THOMAS: Mobility.

24 THE CHAIR: Specifically, I'm asking  
25 dropout, but I'm also asking, is your school one of

1 those where students may come and then leave, and  
2 return and then leave and come back, all in the same  
3 year? Do you have much of that going on in your  
4 school?

5 MS. THOMAS: Madame Chair, we do have a  
6 fairly high mobility rate. And what we see is that  
7 the nature of the students that we serve have often  
8 come to us having already attended multiple high  
9 schools. And, so, they have sort of an instability  
10 around staying -- their stick-to-itiveness, so to  
11 speak. And so what we generally often find -- we  
12 don't have numbers on it, although we should collect  
13 them -- is that there is a strong pattern of  
14 students, actually, who come to our school -- of  
15 some students who come to our school and stay for a  
16 period of time, leave, come back.

17 And they may do that even a couple of  
18 times. But if they come back, say, a third time,  
19 the majority of them, it then begins to click for  
20 them. And we then have great success with students  
21 who may have that revolving door mentality. But  
22 they -- they have to -- you know, they have magical  
23 thinking. They think that if they just register at  
24 a school, they don't have to come; they don't have  
25 to do the work. They're registered, so they're,

1 like, attending school.

2 And, so, like, it takes us a while to  
3 break through that. But we work really hard with  
4 it, and we have real success with that.

5 THE CHAIR: And as far as a true dropout  
6 rate -- I'm not trying to pin you down on any  
7 specific thing. I'm just curious as to how many  
8 students you truly do -- that do not come back.

9 MS. THOMAS: We looked at our mobility  
10 rate two years ago, and we were actually surprised  
11 to find 80 percent -- 80 percent of our students  
12 stay with us or come back to us. So, it's really  
13 pretty good in the larger picture.

14 THE CHAIR: Okay. Thank you. Anyone else  
15 with questions? Seeing none, the Chair would  
16 entertain a motion.

17 COMMISSIONER PERALTA: Madame Chair?

18 THE CHAIR: Commissioner Peralta.

19 COMMISSIONER PERALTA: I would like to  
20 make a motion that the Public Education Commission  
21 approve the reapplication of a five-year term for  
22 Cesar Chavez Community School.

23 THE CHAIR: Thank you, Commissioner. Do  
24 we have a second?

25 COMMISSIONER CARR: Second.

1 THE CHAIR: Motion by Commissioner  
2 Peralta, seconded by Commissioner Carr, to approve  
3 the Cesar Chavez School for a period of a five-year  
4 renewal.  
5 Is there any discussion?  
6 Secretary Bergman, may we have a roll-call  
7 vote, please?  
8 COMMISSIONER BERGMAN: Commissioner Carr.  
9 COMMISSIONER CARR: Yes.  
10 COMMISSIONER BERGMAN: Commissioner  
11 Conyers.  
12 COMMISSIONER CONYERS: Yes.  
13 COMMISSIONER BERGMAN: Commissioner  
14 Parker.  
15 COMMISSIONER PARKER: Yes.  
16 COMMISSIONER BERGMAN: Commissioner  
17 Peralta.  
18 COMMISSIONER PERALTA: Yes.  
19 COMMISSIONER BERGMAN: Commissioner Pogna.  
20 COMMISSIONER POGNA: Yes.  
21 COMMISSIONER BERGMAN: Commissioner Gant.  
22 COMMISSIONER GANT: Yes.  
23 COMMISSIONER BERGMAN: Commissioner  
24 Shearman.  
25 THE CHAIR: Yes.

1 COMMISSIONER BERGMAN: Commissioner  
2 Bergman votes "yes."

3 Madame Chair, that is another  
4 eight-to-zero vote in favor of the motion.

5 THE CHAIR: Thank you. By a unanimous  
6 decision, the Cesar Chavez School -- Community  
7 School -- is approved for a five-year term.  
8 Congratulations.

9 MS. THOMAS: Madame Chair, members of the  
10 Commission, thank you very much. Thank you.

11 THE CHAIR: We'd like to invite the  
12 representatives from the Gilbert L. Sena School to  
13 come forward, please. Good afternoon.

14 SPEAKER: Good afternoon.

15 THE CHAIR: Mr. Gerlicz, whenever you're  
16 ready?

17 MR. GERLICZ: Madame Chair, members of the  
18 Commission, welcome. The story of the Gilbert L.  
19 Sena is also a very positive one, in the sense that  
20 they are achieving wonderful results with an  
21 impacted population. An impacted population, again,  
22 a population that historically has not done well in  
23 traditional public schools.

24 Their growth is on a slow, upward slant.  
25 They've received a "B" score in this year's report

1 card. But more importantly than the "B" score,  
2 because when the CSD does its analysis, it goes far  
3 beyond just the final grade to really look at the  
4 data of the subgroups and see what's happening at  
5 the school, again, we see that even though many of  
6 the students at Gilbert Sena are low achievers when  
7 they come into the school, they show great growth in  
8 their Q1 and Q3 populations.

9 This is an attribute of good leadership,  
10 both at the school site and at the board level.  
11 It's been strong. It hasn't always been consistent,  
12 in the sense that the current leadership has been at  
13 the school for less than the term of the charter.  
14 The school had some rocky starts in the beginning.  
15 But with this leadership, it has been smoothed out.  
16 And since then, the school is on a very positive and  
17 consistent upward slope.

18 It is a blended learning model, again,  
19 very individualized and personalized to each  
20 individual's level.

21 And for all of those reasons, the Charter  
22 School Division recommends a full five-year renewal  
23 with no conditions. Thank you, Madame Chair.

24 THE CHAIR: Thank you. If you would  
25 introduce yourselves, please, and then ten minutes

1 for your report. Thank you.

2 MS. TORRES: Madame Chair, Commissioners,  
3 Charter School Division, thank you so much. My name  
4 is Nadine Torres, T-O-R-R-E-S. I am the executive  
5 director of Gilbert Sena Charter High School. To  
6 the left of me is Stan Albright, A-L-B-R-I-G-H-T, my  
7 business manager. Behind me, I have my governing  
8 council president, Mary Louise Sena, and also Nancy  
9 Romero, who was the prior director and support, as  
10 we went through this charter renewal.

11 So, I really would like to go ahead and  
12 start off with -- thank you -- with thanking the  
13 Charter School Division for their support. I truly  
14 will miss Kelly Callahan as much -- she is the same  
15 type of systems thinker as myself, and she will be  
16 poorly -- just very missed within the Department.

17 Gilbert Sena Charter High School's  
18 original charter was approved in 2003. 2014 marks  
19 our school's ten-year anniversary. Our school's  
20 vision is to accelerate student success. Our school  
21 does attract high school students that have not been  
22 successful in a traditional high school setting or  
23 have been in a small school setting for middle  
24 school. They have an opportunity, at Sena High, to  
25 reengage in a small, safe, and welcoming

1 environment.

2 Many of my students come in there two to  
3 three years behind, based off of credits that they  
4 need completed. The most important piece to  
5 everything in our vision of accelerating student  
6 success is the ability to see those kids walk across  
7 that stage, after truly believing that they would  
8 not be receiving a diploma. So, the ability to do  
9 that is huge.

10 We do have a number of students that have  
11 had issues with truancy, that our schedule provides  
12 for them an opportunity to be in school. So, we  
13 have all of those innovative ways to be able to  
14 address our kids.

15 The Sena High family, staff, students,  
16 parents, and community were very proud this past  
17 year to have received a "B" on our report card,  
18 moving from a "D" from last year. This was a huge  
19 accomplishment for us, and we -- we believe and  
20 truly understand that the reason that we received  
21 this was our commitment to continuous improvement  
22 efforts at Sena High School.

23 Sena High School is a national  
24 demonstration school for using the Baldrige  
25 framework. We have presented at national

1 conferences, and we have -- all of our success is  
2 based off of that commitment to continuous  
3 improvement at all levels.

4 As we move into our next charter, we will  
5 align our priorities based off of requirements, as  
6 well as opportunities for improvement. Our first  
7 priority is, obviously, academics. We will continue  
8 with our hybrid model of teaching with direct  
9 instruction and computer-aided instruction, with  
10 that ability to be flexible and agile to the needs  
11 of our kids.

12 We have added additional math and  
13 special-ed positions to help -- you know, to support  
14 the students, based off of the data that's telling  
15 us that we have to have those pieces, and, also, to  
16 develop relationships through our advocacy program  
17 to help develop students' academic and  
18 social/emotional issues.

19 As noted in the performance report, Sena  
20 High has known marked improvement in proficiencies  
21 and growth, recently received the SBA results of the  
22 students that retook the test in October.

23 90 percent of my students made increases in reading;  
24 50 percent in math; and 60 percent in science. And  
25 we attribute that to the additional instructional

1 time, where we can put -- we can provide students  
2 interventions based off of what the data is telling  
3 us they need.

4 We will continue looking at short-cycle  
5 assessments as part of our measures for our new  
6 charter. We'll be looking at whatever short-cycle  
7 assessment the State is providing, whether it be  
8 PARCC, or whether we continue with our own  
9 short-cycle.

10 The second area that we want to prioritize  
11 is our graduation and college and career readiness.  
12 We want to make sure that we are addressing  
13 graduation. You all will notice that in the grade  
14 report, that is an opportunity for improvement, and  
15 that is based upon the fact that our kids do come in  
16 two to three years behind.

17 So, the four-year cohort data that we're  
18 looking at, even though we did increase 7 percent  
19 from last year, is still showing an area of  
20 improvement. So, we will be looking for our own  
21 goals, mission-specific goals, to make sure that we  
22 have goals that take a look at how our students are  
23 doing from the 40th day to the end of the year, but,  
24 also, be looking at students that are accelerating  
25 and getting back on track.

1           We are a career pathways high school that  
2 provides opportunities for students to focus on  
3 coursework that will support them in post-secondary  
4 as well as in their careers. We offer work  
5 certifications at our school. So, students that are  
6 taking technical classes, business computer  
7 applications, can actually leave with a work  
8 certification in Word, Adobe, Excel, that they can  
9 take with them to their work and put on a resume.

10           We also have a very strong relationship  
11 with CNM. As you've seen in the performance report,  
12 the percentage of students taking CNM classes on  
13 campus, as well as off, has increased. And I can  
14 very proudly say that this year, by the end of the  
15 year, we are looking at almost half of our  
16 population will have received a CNM dual credit  
17 through what we are offering at our school.

18           Our last area is parent partnerships. We  
19 cannot do what we are doing at Sena High without  
20 those partnerships. We have seen a 240-percent  
21 increase from the first year of the second charter  
22 till the last year, parents participating and  
23 involved in what's happening with our kids.

24           This is not an easy task. Most of our  
25 parents did not have a very good educational

1 experience themselves. And they are dedicated and  
2 committed to helping their kids be successful and  
3 get that second chance.

4 We will continue to -- we will continue to  
5 survey our parents. We have a high level of support  
6 on our Quality of Ed surveys, as well as continue to  
7 work on attendance records. Our kids do have some  
8 truancy issues, and we are continuing to, you know,  
9 address those and support them in getting those  
10 attendance rates up.

11 One of the biggest pieces is making sure  
12 you have an organization that is successful. The  
13 success of our organization is based on the  
14 continuous improvement model. Sena High is not just  
15 a CI school, as we call it. We live, breathe; it's  
16 just how we work. And everyone is committed, from  
17 the governance council, to the teachers, to the  
18 staff, everyone at our school.

19 Students understand where they are. They  
20 know where they want to be, and they, themselves,  
21 keep data to make sure they know where they want --  
22 to do in life.

23 So I appreciate your consideration and  
24 your approval for our charter for the next five  
25 years. And I just want to tell you how proud I am

1 and honored to be the executive director of this  
2 school. And thank you for letting me share our  
3 successes.

4 THE CHAIR: Thank you very much. Do we  
5 have public comment on this application?

6 Seeing none, we'll move to PEC  
7 Commissioners' questions and comments. Anyone have  
8 questions?

9 COMMISSIONER CARR: Well, I'll go ahead,  
10 All right. You raised your hand.

11 THE CHAIR: Commissioner Bergman.

12 COMMISSIONER BERGMAN: Now, you touched on  
13 this in your remarks. But as I read your 2013  
14 report card, I looked at all those really good "A's"  
15 and "B's," and then I got to the graduation, where  
16 it said "F," and then I went forward into the  
17 application. On Page 36, you listed four years of  
18 graduation data. And the lowest year was  
19 92 percent. Where is the disconnect between the  
20 figures you put there and an "F" grade?

21 MS. TORRES: Okay. So, the difference  
22 between the figures is that when they calculate the  
23 report for graduation, they base it off of a  
24 four-year cohort. The four-year cohort is based off  
25 of a student starting as a freshman, when they were

1 supposed to start, and finished within four years.

2 The reason there's such a disconnect is  
3 because most of our kids are already coming in maybe  
4 one to two years, possibly even three years, behind.  
5 So our task is to help them accelerate, so that they  
6 can graduate on time.

7 Now, the mission-specific goals that we've  
8 set up are set up so that the 40th day of the year,  
9 we look at the list of students that are seniors at  
10 that point, and we base how many of those kids are  
11 able to graduate in May. So, that is where the  
12 difference -- and that is based off the fact that --  
13 and that's how they used to do it back in the day.  
14 And that's why all of the graduation -- but when  
15 you're dealing with these kind of pieces, we want to  
16 make sure that we can make sure that when they are  
17 seniors, that we get them done by the end of that  
18 year.

19 We also have the mission-specific, as well  
20 as to align with our accelerated -- you know,  
21 accelerate student success, as far as our bonus  
22 graduates. Those students that might be 16, you  
23 know, 16-and-a-half credits on the 40th, that  
24 they're not seniors, but they also would be  
25 graduating by May.

1 COMMISSIONER BERGMAN: I'm just curious.  
2 Have you discussed with PED this kind of issue,  
3 or -- I don't want to touch any open nerves or  
4 anything, but --

5 MR. GERLICZ: Is there aspirin?

6 COMMISSIONER BERGMAN: I don't think the  
7 "F" is -- the "F" is there, but I don't believe it  
8 describes your school. I think it's misleading.

9 MS. TORRES: I thank you for your comment.  
10 And as a continuous improvement guru of all, I think  
11 it's always an area for improvement, as we look at  
12 this. One of the things that, if you are a SAM  
13 school, that graduation rate is calculated  
14 differently, so because we're not a SAM school, we  
15 go along with all of the other calculations that are  
16 statewide.

17 COMMISSIONER BERGMAN: I guess there's  
18 still room for improvement in any system. Thank  
19 you, Madame Chair. Thank you.

20 MS. TORRES: Yes. Thank you.

21 THE CHAIR: Thank you. Commissioner Carr.

22 COMMISSIONER CARR: I almost forgot my  
23 question. I'll give you my comment, and maybe I'll  
24 think of my question in just a second.

25 But I note -- you know, I noted that, you

1 know, your test scores dramatically improved in  
2 reading, and math, went down a little bit, but still  
3 better than the others. Oh, I guess -- here was my  
4 question. I knew I'd think of it.

5 Are you going through an audit from your  
6 grade from last year?

7 MS. TORRES: Based off of our grade from  
8 last year, we did have an instructional audit.  
9 Because we did not continue that grade, we increased  
10 to a "B," we're still considered a priority school.  
11 But we did not receive an instructional audit this  
12 year.

13 However, the recommendations that were  
14 given to us last year, based off of that were one of  
15 the biggest pieces to the improvements that we did  
16 that past year. That was -- and, obviously, it's  
17 systemic across the state -- making sure you had a  
18 clear system for looking at department levels,  
19 making sure that we're having conversations about  
20 data, you know, in a more specific -- conversations  
21 about how we need to meet those kids' needs.

22 And that's where we went into Intervention  
23 Fridays. And when I came to you in June and asked  
24 for additional instruction time, we're using that  
25 additional instructional time so that we can provide

1 those interventions. And that was something  
2 specific that came back from our instructional  
3 audit.

4 COMMISSIONER CARR: So, your grade now is  
5 a "B"? I guess that I looked in the application,  
6 and I thought it was still a "D."

7 MS. TORRES: No.

8 COMMISSIONER CARR: I must have misread  
9 that.

10 MR. GERLICZ: Just dyslexic.

11 COMMISSIONER CARR: Yeah. Yeah, I am  
12 dyslexic.

13 MS. TORRES: One of the things that's in  
14 the application, however, is that one page that's  
15 compiled, shows everything from '11/'12. Further  
16 down, it goes through and explains the current  
17 grades. We did make a 23-percent increase from last  
18 year's overall score to this year's score, based off  
19 the new reports.

20 COMMISSIONER CARR: Good. Good.

21 THE CHAIR: Any other -- Commissioner  
22 Parker.

23 COMMISSIONER PARKER: Madame Chair,  
24 Commissioners. Like the other school, I just want  
25 to take the opportunity, speak for myself to say

1 thank you for going after the target audience that  
2 you've gone after, and a pat on the back for getting  
3 results from them. Obviously, if they're coming to  
4 you in their situation, it hasn't been working for  
5 them. And you're allowing an opportunity for them  
6 to succeed, which I think is of great importance.

7 MS. TORRES: Thank you.

8 THE CHAIR: Thank you. Any other  
9 questions, comments from Commissioners?

10 Seeing none, the Chair would entertain a  
11 motion. Commissioner Bergman.

12 COMMISSIONER BERGMAN: Madame Chair, I  
13 would move that the Public Education Commission  
14 approve the renewal application of Gilbert L. Sena  
15 Charter High School for a five-year term.

16 COMMISSIONER CARR: Second.

17 THE CHAIR: Motion by Commissioner  
18 Bergman, second by Commissioner Carr, to approve the  
19 renewal application of Gilbert L. Sena High School  
20 for period of five years. Discussion,  
21 Commissioners?

22 Seeing none, Mr. Secretary, may we have a  
23 roll-call vote, please?

24 COMMISSIONER BERGMAN: Commissioner  
25 Conyers.

1 COMMISSIONER CONYERS: Yes.

2 COMMISSIONER BERGMAN: Commissioner  
3 Parker.

4 COMMISSIONER PARKER: Yes.

5 COMMISSIONER BERGMAN: Commissioner  
6 Peralta.

7 COMMISSIONER PERALTA: Yes.

8 COMMISSIONER BERGMAN: Commissioner Pogna.

9 COMMISSIONER POGNA: Yes.

10 COMMISSIONER BERGMAN: Commissioner Carr.

11 COMMISSIONER CARR: Yes.

12 COMMISSIONER BERGMAN: Commissioner Gant.

13 COMMISSIONER GANT: Yes.

14 COMMISSIONER BERGMAN: Commissioner  
15 Shearman.

16 THE CHAIR: Yes.

17 COMMISSIONER BERGMAN: Commissioner  
18 Bergman votes "yes." Madame Chair, that motion  
19 carries by an eight-to-zero vote.

20 THE CHAIR: Thank you. The vote is  
21 unanimous to approve the renewal application of  
22 Gilbert L. Sena. Congratulation.

23 (Applause.)

24 (A discussion was held off the record.)

25 THE CHAIR: Would the representatives of

1 the New America School-New Mexico, from Albuquerque,  
2 please come forward? Welcome. Director Gerlicz,  
3 whenever you're ready.

4 MR. GERLICZ: Madame Chair, members of the  
5 Commission, welcome to New America School.

6 The New America School offers us probably  
7 one of our most unique school environments in our  
8 charter school network, which is full of very unique  
9 school environments.

10 By that, I mean it's the mission of this  
11 school not only to reengage students who have not  
12 been successful in traditional public schools,  
13 typically, but to reengage them years later. The  
14 average age at this school, we'll hear, is well  
15 above 18. They have 19, 20, 21, 22-year-old  
16 students. And that is common for the New America  
17 School. That is their mission, to reengage older  
18 students who have not graduated, as well as educate  
19 newly arrived immigrant students to this country.

20 It's very, very challenging. For that,  
21 they are a SAM school, Supplemental Accountability  
22 Measure school, as well. And, like the other SAM  
23 school that we witnessed earlier, the report card  
24 grade offers an interesting window.

25 If you look at their current standing --

1 that's the snapshot of the SBA exam in March -- they  
2 have received an "F" grade, as might be not  
3 surprising for a population like that. So, looking  
4 beyond those numbers and looking into the growth of  
5 those students, we see, again, some excellent  
6 results from this school. There, again, this is  
7 another example of how the difference between Q1 and  
8 Q3 is truly negligible. They're all unachieving  
9 students.

10           However, by the State Accountability  
11 System, there is a bottom quartile. But, truly, in  
12 this school, it's indistinguishable from the general  
13 population. That data shows that they are achieving  
14 at a "B" level growth for their Q1 students, and "A"  
15 growth -- it's really all the same, "A-B" -- for the  
16 entire population there.

17           So, another example, for the New America  
18 School, they are also on an upward slope. They have  
19 improved their grade practice last year through  
20 attention to those Q1 students. It is a school that  
21 exercises very solid, very, very good leadership,  
22 both from the school site and from the governing  
23 body. It's a school in good shape, serving a very  
24 unique population.

25           For all of those reasons, the Charter

1 School Division recommends a full five-year renewal  
2 without conditions.

3 Thank you, Madame Chair.

4 THE CHAIR: Thank you, Mr. Gerlicz. If  
5 you all would introduce yourselves, please, and make  
6 your presentation. Thank you.

7 MS. MATHIS: Madame Chair, Commissioners,  
8 my name is LaTricia -- L-A, capital T-R-I-C-I-A --  
9 Mathis, M-A-T-H-I-S. I am the principal of the New  
10 America School.

11 MR. SILVA: Madame Chair and Commission,  
12 my name is Fred Silva. I am the current governing  
13 president.

14 MR. RAEL: Hello, my name is Paul Rael,  
15 and I am the president elect and former treasurer of  
16 the New America School.

17 MS. MATHIS: Thank you all for assisting  
18 us with moving forward today. Before I begin my  
19 short presentation, Mr. Silva, my governing council  
20 president, would like to say a few words.

21 MR. SILVA: Good afternoon. It's been a  
22 pleasure to serve on the Board with -- in the  
23 South Valley for the New America School. I came on  
24 right after the first year, and I've been on the  
25 Board since then. To see the emotion between the

1 teachers and the students, the administration, is  
2 very touching. It's brought a shining light to the  
3 South Valley. I have lived there most of my life.  
4 And the campus, the attitude of the kids, the  
5 attitude of the teachers, is just overwhelming.

6 Every month at our meeting, we have  
7 students of the month, and, usually, about ten  
8 students are honored. And when they're honored, the  
9 teachers show emotion, the parents -- and some of  
10 the parents are in the school, also. So, it's a  
11 mixed, diversified group of kids that have left  
12 school, dropped out of school, and are back in and  
13 getting their diplomas. And I feel very proud to be  
14 on that board.

15 MS. MATHIS: We do have a unique model, as  
16 Mr. Gerlicz did mention. So, when we started  
17 looking at that, I wanted to start with that we had  
18 just recently had a change in our mission statement.  
19 One of the reasons we added the term "academically  
20 underserved" to our mission statement, in addition  
21 to immigrant students and ELL, more than 50 percent  
22 of our students come in below a fifth-grade level in  
23 math and reading. But they're not necessarily  
24 immigrants or English Language Learner students.

25 On a more student-centered note, last

1 year, one of my students said, "Miss, this mission  
2 statement, where do I fit into it," because the  
3 students were writing their own mission statements  
4 for their future. And the student had a -- a good  
5 point. So, the mission statement has been recently  
6 changed to reflect that.

7 We have 64 percent of our students with  
8 interrupted education. They have left school,  
9 multiple schools. They have come back. They have  
10 been asked to leave schools. They're coming to us  
11 from a lot of different backgrounds. Sometimes  
12 they've been out of school for two, ten, twenty  
13 years.

14 Thirty-nine percent of our students, as of  
15 today, are over the age of 18. Last year, our  
16 graduating class ranged from 17-year-old students to  
17 our oldest graduate was 53, receiving a high school  
18 diploma. It is something to see those students walk  
19 the stage with their children and their  
20 grandchildren in the audience. And, as one said, "I  
21 will do this so that my son and my grandson see it  
22 is important."

23 So, it is -- it is our privilege to serve  
24 those students, as well as our more traditional  
25 students.

1           We have moved in our report card from an  
2 "F" to a high "C" standing. We're pretty proud of  
3 that. And while we did receive an "F" on our  
4 current standing, based on the March snapshot, I  
5 would like to point out that we went from 1.4 to an  
6 8.4 in that category.

7           Again, as Mr. Gerlicz had pointed out,  
8 that is due to our students in our Quartile 1 and  
9 Quartile 3. Our students in those areas are showing  
10 multiple-year growth; not just one, but two years'  
11 growth. And the longer those students stay with us,  
12 the more years they show improvement in reading and  
13 in math.

14           Sorry. Pausing for a moment here.

15           Our students are required to keep -- our  
16 staff, our students, myself -- we're all just data  
17 fiends. We keep a lot of data. There's data on the  
18 walls of my office. Our teachers have data on their  
19 walls. They have data binders. Every student has  
20 an advisory class, and every student in every  
21 advisory class has a data binder on their progress.

22           They have their test scores in there,  
23 their MAP scores, their attendance rates, their  
24 progress reports. It's all in there, and they have  
25 to set goals for themselves. So, our students are

1 very educated, as well, on their own progress. And  
2 while it may be hard sometimes for them to say, "I'm  
3 on a second-grade level," we then work with them,  
4 and they show tremendous gains. And there's a lot  
5 of pride there for those students.

6 We have kind of an unusual schedule. Our  
7 school runs from 8:00 in the morning till 10:00 at  
8 night. We have continuous classes for 15 periods a  
9 day. That is so that we have our more traditional  
10 students in the morning. From 8:00 to 9:00, we have  
11 our true freshmen only, so that we have a chance to  
12 build a bond and really support those new  
13 high-school students. Around 3:00, our true  
14 freshmen go home, and then we have a small bridge  
15 period, and by 5:00, most of our students are over  
16 21. And that's when our evening classes do come  
17 into play. And they are there until 10:00 at night?

18 Some of them come directly from work.  
19 It's very inspiring to see them in those classes  
20 working hard.

21 We have a four-day week schedule. But on  
22 Fridays, we do use the time for mandatory tutoring,  
23 support. And for students who feel they need extra  
24 time working with teachers, I have certified  
25 teachers on staff eight hours a day on Friday to

1 ensure that their needs are met.

2           If our students need independent study, we  
3 give them independent study, and the teachers work  
4 with them individually. We really work hard to make  
5 sure that our individual students' needs are met  
6 where they're at.

7           Even after our students graduate from us,  
8 we have students who come back. They still use our  
9 computer labs. They still ask our teachers for  
10 advice. They still come to me and say, "Hey, could  
11 you help me fill out this scholarship application?"  
12 We are always more than happy to assist those  
13 students.

14           We have a lot of parent support. We have  
15 a twice yearly next-step plan meeting to go over  
16 student grades, goals for the students, their  
17 testing results. We have more than 86-percent  
18 parent involvement rate in those meetings. They do  
19 come in for them.

20           This year, we have really implemented a  
21 lot of college and career readiness. Our students  
22 have taken the ASVAB. They are taking the PSAT.  
23 And we have more students who have taken the ACT  
24 this year than the past four years combined. We are  
25 trying to add in more college and career for our

1 students.

2 We have 57 students who are working and  
3 receiving credit for that through our programs. We  
4 have worked with the City of Albuquerque on the  
5 Running Start for Careers program, where they take  
6 dual-credit classes and -- directly into the field a  
7 student is interested in. And those careers do hire  
8 from those classes. I have worked with H&R Block  
9 for seasonal work for our students. And we have  
10 worked with other companies and entities in the past  
11 to help our students transition.

12 I know my time is running out. So, I  
13 guess I should wrap up and say we're really proud.  
14 We have huge gains in our low quartile, a lot of  
15 growth, a lot of growth for our low-performing,  
16 high-performing students. But, again, all of our  
17 students show that growth.

18 Thank you for your consideration in  
19 regards to New America School-New Mexico's request  
20 for a five-year renewal, so that we may continue to  
21 serve all of our students in the South Valley.

22 THE CHAIR: Thank you very much. We have  
23 time for public comments. Is there anyone in the  
24 public who would like to comment on this school?

25 Comments from -- questions from anyone?

1 Commissioner Bergman?

2 COMMISSIONER BERGMAN: Since you are a  
3 dual, you've got the regular part of your school,  
4 and you've got the adult portion. I did not see a  
5 breakdown on how many are in the adult portion and  
6 how many are in the traditional school. You said  
7 something like 5 percent of your students are above  
8 18. So, is that breakdown, about a third and  
9 two-thirds?

10 MS. MATHIS: Yes, that is our traditional  
11 breakdown.

12 COMMISSIONER BERGMAN: And I noticed, at  
13 one point in your application, I noted that since  
14 2010, you had helped 113 students graduate that  
15 probably would not have graduated otherwise. And I  
16 certainly find that noteworthy.

17 And you specifically mentioned the ASVAB.  
18 And I'm always pleased to see schools taking  
19 advantage of extra assessments like that that can  
20 help them assess and help their students assess  
21 maybe what they want to do with their lives. So, I  
22 take note of that, also.

23 Thank you. Thank you, Madame Chair. If  
24 you'd like to comment on that, that's fine, too.

25 MS. MATHIS: Thank you. And I agree, our

1 students need to be looking at their own data, so  
2 that they know themselves and can set their own  
3 goals. It makes them feel involved in the system,  
4 rather than presented with a system.

5 THE CHAIR: Other comments or questions?  
6 Commissioner Conyers?

7 COMMISSIONER CONYERS: Madame Chair, just  
8 to satisfy my own curiosity, I'm curious what  
9 immigrant groups you have represented in your  
10 school.

11 MS. MATHIS: We have immigrants from  
12 Mexico. We've had them from South America, Cuba,  
13 India. And we have had one recent immigrant from  
14 the Dominican Republic.

15 COMMISSIONER CONYERS: Okay. Thank you.

16 MS. MATHIS: Primarily, Commissioner, they  
17 are from Mexico.

18 THE CHAIR: Other questions? Commissioner  
19 Parker.

20 COMMISSIONER PARKER: Madame Chair,  
21 Commissioners. Again, thank you, for the audience.  
22 You should be commended for that. My question,  
23 though, do you have -- more curiosity, I guess --  
24 instances where you have parents and their children  
25 attending the school at the same time?

1 MS. MATHIS: Yes, Commissioner. We have  
2 instances where we have both parents and multiple  
3 students attending the high school.

4 COMMISSIONER PARKER: That's wonderful.

5 MS. MATHIS: Commissioner, may I?

6 THE CHAIR: Must be rather interesting.

7 MS. MATHIS: Commissioner, it is  
8 interesting when they walk the stage simultaneously.

9 THE CHAIR: Other questions or comments  
10 from Commissioners?

11 Seeing none, the Chair would entertain a  
12 motion.

13 MR. GERLICZ: Commissioner Parker.

14 COMMISSIONER PARKER: Madame Chair,  
15 Commissioners, if I can do this correctly, I'd like  
16 to make a motion that we approve the five-year  
17 request, as stated by the Charter School Division,  
18 for the New America School.

19 THE CHAIR: Do we have a second?

20 COMMISSIONER PERALTA: Second.

21 THE CHAIR: Motion by Commissioner Parker,  
22 second by Commissioner Peralta, to approve the  
23 renewal application of New America School-New Mexico  
24 for a five-year period. Is there any discussion?

25 Commissioner Bergman, may we have a

1 roll-call vote, please?

2 COMMISSIONER BERGMAN: Commissioner

3 Parker.

4 COMMISSIONER PARKER: Yes.

5 COMMISSIONER BERGMAN: Commissioner

6 Peralta.

7 COMMISSIONER PERALTA: Yes.

8 COMMISSIONER BERGMAN: Commissioner Pogna.

9 COMMISSIONER POGNA: Yes.

10 COMMISSIONER BERGMAN: Commissioner Carr.

11 COMMISSIONER CARR: Yes.

12 COMMISSIONER BERGMAN: Commissioner

13 Conyers.

14 COMMISSIONER CONYERS: Yes.

15 COMMISSIONER BERGMAN: Commissioner Gant.

16 COMMISSIONER GANT: Yes.

17 COMMISSIONER BERGMAN: Commissioner

18 Shearman.

19 THE CHAIR: Yes.

20 COMMISSIONER BERGMAN: Commissioner

21 Bergman votes "yes."

22 Again, Madame Chairman, by an

23 eight-to-zero vote, that motion carries.

24 THE CHAIR: Thank you. The vote is

25 unanimous to approve the renewal application for

1 New America School-New Mexico for a five-year  
2 period. Congratulations.

3 Commissioners, I would recommend we take a  
4 ten-minute break right now. Come back at five  
5 after, please.

6 (Recess taken, 1:55 p.m. to 2:10 p.m.)

7 THE CHAIR: Ladies and gentlemen, let's go  
8 ahead and get started.

9 Will the representatives from Creative  
10 Education Preparatory Institute please come forward?  
11 Good afternoon.

12 SPEAKER: Good afternoon, Madame Chair.

13 THE CHAIR: Mr. Gerlicz, when you're  
14 ready.

15 MR. GERLICZ: Madame Chair, members of the  
16 Commission, and representatives of CEPI, which  
17 stands for the Creative Education Preparatory  
18 Charter No. 1, welcome. And it says "No. 1" because  
19 that is really a sister school to Gilbert L. Sena  
20 School. Way back when, prior to -- maybe many of  
21 the Commissioners will remember that the schools  
22 were joined and then separated by fiat of the Public  
23 Education Department. And CEPI is now its own  
24 entity, and has been for a while.

25 Like Gilbert Sena, although distinct, it

1 offers a very personalized education and a blended  
2 learning model that offers the opportunity for its  
3 students to deliver education and receive education  
4 at all times, at all hours, including a dual  
5 enrollment program with the Central New Mexico  
6 College.

7 We will recommend a five-year renewal for  
8 CEPI, based on its continued upward slope, its  
9 continued trajectory of good scores. Its three-year  
10 average is a "C." And that takes into consideration  
11 that this year's grade is a "B."

12 Again, moving beyond the ultimate grade,  
13 their growth in certain categories of students is  
14 outstanding. The Q1 growth and the Q3 growth shows  
15 very, very marked progress, again, in that blended  
16 learning environment.

17 There is a couple of areas that we would  
18 caution CEPI to improve on that we think will take  
19 care of itself in the renewal and negotiation  
20 process. One is that there is confusion about their  
21 use of MAP data, MAP being the Measurement of  
22 Academic Progress -- that's their short-cycle  
23 assessment -- and the translation from growth of MAP  
24 to what does that mean in an annual year growth.

25 If a student -- MAP has a measurement

1 called a RIT score, R-I-T. Growth and nongrowth can  
2 be measured by RIT scores. But what the Commission  
3 is interested in, and what everybody is interested  
4 in, what does that mean on an annual grade-level  
5 growth? Does this amount of RIT scores mean a half  
6 a year, a full year and that sort of thing? And the  
7 school, in our view, needs to improve in  
8 demonstrating how that MAP score translates into  
9 annual year growth.

10 That, we feel, can easily be handled in  
11 our negotiation process and in the performance  
12 indicators that we will work with.

13 Clarifying what they mean by a cohort,  
14 whether it's the same students that test in the fall  
15 that then again test in the spring, or students that  
16 are with CEPI for a period of three years or more,  
17 is that their cohort? All of that, again, we don't  
18 think that that is a major issue, but does need to  
19 be cleared up as we go forward in the negotiation  
20 process.

21 So, for those reasons, Madame Chair, the  
22 Charter School Division recommends a full five-year  
23 renewal for CEPI without conditions.

24 Thank you, Madame Chair.

25 THE CHAIR: Thank you. Again, good

1 afternoon. Please introduce yourselves, and we are  
2 anxious to hear your comments.

3 MR. ARTHUR: Thank you, Madame Chair. My  
4 name is Jeff Arthur, as in "King Arthur." This is  
5 the president of our governing council, Pam Romero.

6 THE CHAIR: Could I ask you to press down  
7 the lever on the mic, please? Thank you.

8 MR. ARTHUR: CEPI would like to take this  
9 opportunity to say we are pleased to be in front of  
10 you, because for ten years, come this June, no one  
11 from the PED or the State has ever been in our  
12 building. We have operated without face-to-face  
13 talking with anybody for ten years.

14 We have e-mailed; we have had  
15 conversations with people. But this is way before  
16 446. So, we are glad to be here, that we can see  
17 somebody face-to-face and get some help if we're  
18 erring in any particular place. We would like to  
19 thank the CSD for all of their help that they've  
20 given us while we try to navigate through this  
21 process.

22 When CEPI 1 and CEPI 2 came about, there  
23 should have been, in the future, 3, 4, 5, 6, 7, 8,  
24 9, 10, maybe, based upon the model that we were  
25 going. However, that did not work out. So, we are

1 the only "CEPI 1" still there.

2 We mirror Gilbert Sena in a lot of ways;  
3 and one of those ways, that we have worked within  
4 the Taylor Ranch area of Albuquerque, and that is  
5 our local community, and we have dealt with those  
6 people for ten years.

7 We have had many, many families from  
8 Taylor Ranch come through our school, and those same  
9 families and their siblings, brothers and sisters,  
10 through our system. And most brothers and sisters,  
11 whether they're one or two years behind each other,  
12 graduate from CEPI also.

13 As we go down the line, we provide a safe  
14 environment for all of our students. And a lot of  
15 our students come from areas that are not what you  
16 would call the upper-middle-class or middle-class  
17 areas. So they come to us with a variety of  
18 problems.

19 One of the major problems they come to us  
20 with is they have been in traditional high schools,  
21 one, two, or three years. They've earned between 12  
22 or 15 or 22 F's, and they come to us as an H-2 or an  
23 H-3. Very seldom do we take an H-4, unless they  
24 have had 18 credits earned when they get to our  
25 school.

1           We go along with this family -- and when  
2 you get selected to come to CEPI, one of the things  
3 that the parents have to agree to is they will come  
4 and sit with me, the principal, the adviser, the  
5 student's adviser, the student, twice a semester,  
6 and we will talk about every facet concerning that  
7 child, whether it's their education, their  
8 behavior -- whatever is going on, we will deal with  
9 it at that particular time. And the parents agree  
10 to come to these meetings. And we have between an  
11 88 and 92 percent -- parents always show up four  
12 times a year.

13           Every two weeks, our teachers take their  
14 advisees, and they call, e-mail, or make contact  
15 with the parents to update them on what's happening  
16 in the last two weeks. Therefore, there's none of  
17 that, "My kid's getting an F, and school's over, and  
18 why didn't I know about it?"

19           So, we try and be proactive with the  
20 parents to get involvement. And we see that a lot  
21 of our 2011-2012 "D" grade has gone away, because we  
22 implemented some of these programs, where we involve  
23 the parents and keep the parents up-to-date.

24           Well, like Gilbert Sena, when we come to  
25 that graduation rates thing, we've got a "D." But

1 when we calculate that through the State formula, I  
2 understand that's a "D" because of that freshman  
3 cohort thing. But when they come to us, they come  
4 to us already behind, H-2s, H-3s. So, during the  
5 2009-2010, on the 40th day, we calculate who our  
6 H-4s are. And we graduated 92 percent of our kids  
7 that year.

8 The next year, we graduated 81. The next  
9 year, we graduated 96. The next year, we graduated  
10 82, for a four-year average of approximately  
11 88-and-a-half percent. So, when we do it with the  
12 students we actually have coming into our doors,  
13 that's the way we get our numbers.

14 Our students are in a blended learning  
15 environment. And I like to think that we have  
16 flipped the traditional education system, where  
17 there's a teacher in front of the classroom -- we  
18 don't have teachers in front of the classrooms most  
19 of the time. The kids are on computers, learning.

20 We do have teachers for those students  
21 that are falling behind in, say, algebra or math or  
22 reading. We have a reading lab; we have a math lab.  
23 And when you get to a point where you're having  
24 trouble with a particular concept or a notion or a  
25 theory, then we will pull you out in small groups of

1 five to seven students and put you in front of a  
2 teacher and make sure that everybody's able to go on  
3 to the next level as we go down the road.

4 Our growth rate is phenomenal, from what I  
5 can see. We used to have an "F" in current  
6 standing; we have a "C." Student growth in the  
7 highest, we had a "D"; now, we're an "A." Student  
8 lowest, we were a "B"; now, we're an "A."  
9 Opportunity to learn, we were a "B"; now, we're an  
10 "A." College readiness and career readiness, we  
11 were a "C"; now, we're an "A."

12 And we attribute to those some of the  
13 things that we do with our staff. We do the  
14 ACCUPLACER in our building. We have the ability,  
15 because we send all of our faculty to CNM so that  
16 they can be certified and be proctors of that test.  
17 So, we've cut the fuel, and we've cut the time away  
18 from the school by doing that test at our building.

19 We do the ASVAB. We pay for the books for  
20 our kids to go to dual credit. When they go, the  
21 parents -- "Mr. Arthur, I'd love for my student to  
22 go to CNM, but can't, because the book for the class  
23 is \$105."

24 In our budget, we've accounted for that  
25 problem and allowed our kids to go to CNM to get the

1 dual credit, and we'll pay for their book. We also  
2 do the ASVAB test and that kind of stuff.

3 So, we do as many things as we possibly  
4 can. Every budget decision we make is based on the  
5 premise of, is this going to help the student. If  
6 we can't answer that question in the positive, then  
7 we go a different direction.

8 We've had kids that work for ABC  
9 Construction. That's an off-campus -- it's every  
10 Tuesday and Thursday afternoon, all afternoon. They  
11 go through that system. They get all their  
12 certifications for OSHA and HIPAA and FLIPPA [ph]  
13 and all of those things. And they come out of  
14 there, and the second semester, they're actually  
15 working on a work-site, where they get real work  
16 experience in whatever field they have chosen:  
17 plumbing, heating, auto mechanics, painting,  
18 whatever it may be.

19 We've also had kids at the national level  
20 for super-computing. We've got robotics going.  
21 We've got SkillsUSA going. We've had kids earn gold  
22 and silver and bronze in SkillsUSA. So, all of our  
23 kids are involved in something at some time besides  
24 sitting behind a computer. And as far as we're  
25 concerned, that's what education is about, a total

1 experience of what you can do to learn to help you  
2 be successful in life.

3 Finally, I'd like to state that in our  
4 academics, we are truly 13-to-1. We have a 13-to-1  
5 ratio. And for the last five years, that ratio was  
6 13-to-1, 13-to-1, 17-to-1, because we got an influx  
7 of kids, and then back down to 13-to-1. So, we try  
8 and keep it in small groups, as we can do that.

9 So, Commissioners, we appreciate this  
10 opportunity, and we hope that we can get our  
11 approval for our third five years of working at  
12 CEPI. Thank you very much.

13 THE CHAIR: Thank you. Thank you for that  
14 presentation.

15 Do we have public comments concerning that  
16 application?

17 Seeing none, we'll move to Commissioners'  
18 questions and comments. Commissioners, do you have  
19 questions?

20 COMMISSIONER GANT: I do.

21 THE CHAIR: Commissioner Gant.

22 COMMISSIONER GANT: Madame Chair, members,  
23 during your presentation, you were talking about  
24 H-2, H-3, H-4 students. Maybe I heard it wrong, but  
25 you said you don't take H-4 students.

1 MR. ARTHUR: I may have mis- -- been  
2 unclear, sir. But we take H-4 if they have a chance  
3 of providing -- or getting their graduation. So, if  
4 they come to us with 16, 16-and-a-half credits, yes,  
5 sir, we do. But somebody that comes -- tries to get  
6 into our school that's been in school four years,  
7 and they've got 3 or 4, we try and send them to  
8 another opportunity, so that they can be successful  
9 at their age level.

10 COMMISSIONER GANT: I didn't know that  
11 charter schools had the capability of turning down  
12 any student.

13 MR. ARTHUR: Sir, I don't have that  
14 opportunity. But I do have a strong belief that,  
15 when you talk to the parents and discuss what their  
16 options are for their children and what's best for  
17 their students, we talk and tell them that maybe  
18 CEPI is not the appropriate place to be, because if  
19 you come to me at 19, you're going to be 23 or 24  
20 when you get out. And most parents respond to that.

21 And I'm not saying, absolutely, that we  
22 have turned down somebody in that situation. But  
23 once you talk to the parents, the parents understand  
24 that there are other opportunities for their  
25 children, and maybe they didn't help them along

1 their educational path when they should have, and  
2 maybe the kid just wasn't interested, for whatever  
3 reason.

4 THE CHAIR: Is that it?

5 COMMISSIONER GANT: Uh-huh.

6 THE CHAIR: Anybody else? Any other  
7 questions or comments? Commissioner Bergman.

8 COMMISSIONER BERGMAN: Just a general  
9 comment. Here, again, I was pleased to hear you say  
10 you're using the ASVAB, also. Because I always  
11 appreciate people who have taken an extra step. And  
12 I also would commend you on making it easier for  
13 your students to do the dual-credit option. I find  
14 that commendable, also. Thank you. Thank you,  
15 Madame Chair.

16 THE CHAIR: Other questions or comments?

17 Let me just clarify in my mind, please.  
18 Talking about your graduation rates, you are talking  
19 about a student who comes into your school as a  
20 senior and graduates at the end of that year. And  
21 that's how you compute your graduation rate?

22 MR. ARTHUR: Ma'am, when they come in,  
23 whether they're an H-1, H-2, -3 or -4, if they come  
24 in and they're in the school on the 40th day, and  
25 then they accumulate their credits for that year,

1 yes, ma'am, they can graduate.

2 THE CHAIR: In one year's time?

3 MR. ARTHUR: If that's all the credits  
4 they need. If they need more, they may need to go  
5 to summer school or come back the next year. So,  
6 those students, no matter how you calculate it, hurt  
7 our graduation rate.

8 THE CHAIR: Okay. For your four-year  
9 cohort that the report is based on, give me an idea  
10 of what your four-year cohort graduation rate is of  
11 those that start ninth grade together and actually  
12 graduate four years later. Could you give me an  
13 idea of what that rate would be in your school?

14 MR. ARTHUR: Yes, ma'am. Right off the  
15 top of my head, right at 72 percent. And a lot of  
16 reasons -- or the same reasons that are out there:  
17 family problems, they move out-of-state, they come  
18 back into our system; those kind of things. But  
19 it's generally right at 72 percent.

20 THE CHAIR: That's pretty high, really.

21 MR. ARTHUR: It's just barely right where  
22 the State is, if I believe.

23 THE CHAIR: All right. Thank you. Other  
24 questions or comments from Commissioners?

25 Seeing none, the Chair would entertain a

1 motion. Commissioner Bergman.

2 COMMISSIONER BERGMAN: Madame Chair, I  
3 would move that the Public Education Commission  
4 approve the renewal application of the Creative  
5 Educational Preparatory Institute No. 1 for the  
6 five-year term.

7 COMMISSIONER POGNA: Second.

8 THE CHAIR: We have a motion by  
9 Commissioner Bergman, second by Commissioner Pogna,  
10 to approve the renewal application of Creative  
11 Education Preparatory Institute for a five year  
12 term.

13 Any discussion? Commissioner Gant, may I  
14 we have a roll-call vote, please?

15 COMMISSIONER GANT: No.

16 COMMISSIONER BERGMAN: If Mr. Gant would  
17 like to conduct it, he may.

18 COMMISSIONER GANT: Mr. Bergman would like  
19 to do it.

20 THE CHAIR: It's been a long day.  
21 Commissioner Bergman, may we have a roll-call vote?

22 COMMISSIONER BERGMAN: Thank you,  
23 Madame Chair. Commissioner Peralta.

24 COMMISSIONER PERALTA: Yes.

25 COMMISSIONER BERGMAN: Commissioner Pogna.

1 COMMISSIONER POGNA: Yes.

2 COMMISSIONER BERGMAN: Commissioner Carr.

3 COMMISSIONER CARR: Yes.

4 COMMISSIONER BERGMAN: Commissioner  
5 Conyers.

6 COMMISSIONER CONYERS: Yes.

7 COMMISSIONER BERGMAN: Commissioner  
8 Parker.

9 COMMISSIONER PARKER: Yes.

10 COMMISSIONER BERGMAN: Commissioner Gant.

11 COMMISSIONER GANT: No.

12 COMMISSIONER BERGMAN: Commissioner  
13 Shearman.

14 THE CHAIR: Yes.

15 COMMISSIONER BERGMAN: Commissioner  
16 Bergman votes "yes." Madame Chair, by a  
17 seven-to-one vote, the motion carries.

18 THE CHAIR: Thank you very much.  
19 Seven-to-one vote, the renewal application for  
20 Creative Education Preparatory Institute is approved  
21 for a five-year term. Congratulations.

22 MR. ARTHUR: Thank you very much,  
23 Madame Chair.

24 (Applause.)

25 THE CHAIR: Will the representatives for

1 the Ralph J. Bunche School please come forward?

2 Director Gerlicz, whenever you're ready.

3 MR. GERLICZ: Madame Chair, members of the  
4 Commission. Representatives of Ralph J. Bunche,  
5 welcome.

6 A little background on the school. The  
7 Ralph J. Bunche applied for renewal of its first  
8 charter -- for its second charter in 2010 to the  
9 PEC. The school was not recommended for renewal at  
10 that time. And that ruling was overturned by the  
11 Secretary and gave the school three years of a  
12 charter renewal process.

13 Since 2010, the Charter School Division  
14 has analyzed the three years of data presented by  
15 the school and by the PED, Department -- Department  
16 of Assessment and Accountability. And we have found  
17 that Ralph J. Bunche sadly has not progressed  
18 sufficiently in the academic realm to warrant our  
19 recommendation for renewal of its charter.

20 In 2010 and '11, it received a "D" score  
21 in the first round of reporting. And in '11-'12, it  
22 also received a "D" score. And in the most recent  
23 grading cycle, it received an "F" score.

24 And, again, as always, looking beyond just  
25 the simple grade, we look into the subgroup

1 categories, and the other categories of the report  
2 card, to tell the story of the school.

3 And the story of the school is actually an  
4 interesting one. It's got a very unique mission  
5 that is to raise the specter and the ethos of  
6 Ralph J. Bunche, who was the first African-American  
7 to receive a Nobel Prize. But academically, we feel  
8 that the school has fallen far short of minimal  
9 educational standards.

10 In the current report card, which is the  
11 third year of its charter, not only the current  
12 standing of "F" is there, along with school  
13 growth -- and that is understandable in a population  
14 that comes to the school highly underachieving. And  
15 there are many, many students at Ralph J. Bunche  
16 that fit that category, like so many of our charter  
17 schools have had, as well.

18 The difference here is that we have not  
19 seen the growth in either their Q1 students or their  
20 Q3 students over the course of time.

21 Going deeper into that, still, the growth  
22 of the Q3 students, which is the other 75 percent,  
23 shows virtually no growth. They have .33 scaled  
24 score points out of a total of 20. That -- that  
25 places Ralph J. Bunche 46 -- 45th out of 46 like

1 schools in that category. That means that, of the  
2 46 schools around the state that have similar  
3 demographics as that school, that Ralph J. Bunche is  
4 45 out of 46 in that category.

5 In the growth of its lowest performing  
6 students, the school did much better. It received  
7 9.5 scaled points out of 20. It still received an  
8 "F" grade, but it increased its ranking, 18th out of  
9 46 in Q1, again, of like-minded schools.

10 The Charter School Division found a  
11 dedicated faculty. Organizationally, we found a  
12 very competent board. They survived what was, by  
13 all circumstances, a difficult year last year. They  
14 had some incidences occur which resulted in a very  
15 vocal minority of parents that caused a great deal  
16 of turmoil within the school. And the board, in our  
17 opinion, handled it very well and very  
18 professionally.

19 Financially, the Charter School Division  
20 has no issues with the Ralph J. Bunche Academy. But  
21 based on the three years of academic performance,  
22 that is the -- the -- the area that causes the  
23 Charter School Division the most concern. And that  
24 is the area and the basis upon which we recommend  
25 non-renewal of this charter.

1 Thank you, Madame Chair.

2 THE CHAIR: Thank you, Mr. Gerlicz. Good  
3 afternoon. If you all would introduce yourselves,  
4 please, and give us your presentation, please.

5 MS. WILSON: Good afternoon. I am Penne  
6 Wilson. That's P-E-N-N-E, W-I-L-S-O-N. And I am  
7 the principal of Ralph J. Bunche. This is Rick  
8 Rios.

9 MR. RIOS: My name is Rick Rios, R-I-O-S.  
10 I represent numerous charter schools as an  
11 educational consultant.

12 MS. BACA: My name Yleana Baca,  
13 Y-L-E-A-N-A. I am the reading specialist and the  
14 instructional coach at Ralph J. Bunche.

15 MS. WILSON: Good afternoon, Madame Chair,  
16 and members of this Commission.

17 At Ralph J. Bunche, we would like to  
18 present the following information for your  
19 consideration.

20 We have provided NWEA, or MAP, data to  
21 demonstrate that we are indeed meeting the goals  
22 that we are approved by this Commission for Ralph J.  
23 Bunche Academy, based on its population.

24 The first goal was that 45 percent of the  
25 students will meet grade-level standards by May

1 2013, as measured by the NWEA, or short-cycle  
2 assessments. It's important to note here that the  
3 MAP data does provide a RIT score which is  
4 translatable into yearly growth. And Mr. Rios has  
5 been responsible for analysis of that data, which we  
6 did present to you.

7 The data demonstrates that RJBA is making  
8 significant progress towards meeting this goal. The  
9 NWEA 2012-2013 data for all grades -- and, again, we  
10 are not measuring just those students that are  
11 tested on the SBA, which is third through eighth  
12 grade; we are testing kindergarten through eighth  
13 grade -- 44.4 percent of the students are at  
14 grade-level standards for reading, and 48.7 percent  
15 of the students are at grade-level standards for  
16 math.

17 The next goal was that the average  
18 academic growth for all students would be one year  
19 by May 2013, again, as measured by the NWEA  
20 short-cycle assessment. The Ralph J. Bunche Academy  
21 student average, yearly reading growth for all  
22 grades, was 1.67 grades. So, our students are  
23 making more than a year-and-a-half gain in reading.

24 The student average for math was  
25 1.35 years. So, our students made an average gain

1 of a year and a third last year in math.

2 The next goal is that 75 percent of  
3 students who exit eighth grade will be  
4 high-school-ready by May 2013. The eighth-graders  
5 did demonstrate a significant improvement in their  
6 reading scores, with an average growth of 1.67  
7 years; and seven of nine students, or 77.7 percent,  
8 demonstrated reading capacity at sixth-grade level  
9 or above at the end of the year, which is the  
10 measure of high-school readiness.

11 In math, the eighth-graders demonstrated  
12 an average growth of 1.35; and five of nine, or  
13 55.5 percent, were high-school-ready for math.

14 The last goal was that the average daily  
15 attendance rate will be 95 percent by May 2013. And  
16 we did make significant progress towards that goal.  
17 Our average last year was 94.9-percent daily  
18 attendance.

19 So, it is our belief that we have  
20 demonstrated that we did meet the short-cycle goals  
21 that we set for ourselves.

22 It's important to note that in a  
23 three-year cycle, we only have two years of data,  
24 because the year that we are currently in is the  
25 third year of this contract.

1           It's important to note, also, that, again,  
2 we tested all students, K through 8, so that the  
3 "N," or that number that we submitted to you, would  
4 represent all of the students at Ralph J. Bunche who  
5 were present at the fall and the end of the year,  
6 because in order to show growth, you have to have a  
7 beginning and an end. And those beginning and  
8 endpoints were September, at the very start of the  
9 school year, and April, at the end of the school  
10 year.

11           The other difference in the NWEA data is  
12 that it's going to be a little bit longer. Instead  
13 of in March, those end results are going to come in  
14 April, which gives the students a little more time  
15 to demonstrate growth.

16           So, we would also like to let you know  
17 that we have implemented many programs to make a  
18 difference for our students; we are very cognizant  
19 of who they are. And we also have a process of  
20 continuous improvement. And, so, we have always  
21 looked at where our kids are and where they are  
22 functioning and what the problems are.

23           So, some of the improvements that we've  
24 made in Ralph J. Bunche over the course of these two  
25 years is that we have added seventh and eighth

1 grade. So, we have completed the commitment that we  
2 made to have a K-8 school.

3 We have implemented the Reads to Lead  
4 grant, which just came into being this year. And as  
5 a results of that, there's my reading specialist  
6 sitting next to us, who is working hard with  
7 teachers and students to improve not only what  
8 happens with the students in terms of teacher  
9 preparation, but working side-by-side with students.

10 We also were only one of two  
11 State-authorized charters to implement the K3 Plus  
12 program last summer. Because that was the first  
13 year of that program, we will not know the results  
14 of that endeavor until the end of the school year,  
15 so that we can take a look at what K3 Plus has  
16 actually meant to Ralph J. Bunche.

17 We have also -- I'm sorry -- implemented  
18 Friday staff development training. We have extended  
19 that to Saturdays, where we are training our  
20 student -- our teachers, more importantly, into  
21 another element of our program, which is the  
22 Afrocentric elements in our program. Our teachers  
23 have committed to Saturday training, also.

24 Another very important component this year  
25 is the WAVE Reading Health program. We are the

1 pilot program for WAVE Reading Health, which  
2 addresses cognitive skill weaknesses for our  
3 children, directly addresses the skill weaknesses  
4 that they come to school with. Again, we started  
5 this year. We are the first school in the state of  
6 New Mexico to take a look at -- specifically, at our  
7 students, recognize their weaknesses and address  
8 them directly. We will not have any midterm results  
9 until January so we can see what the effects of this  
10 program are.

11 We have established project-based learning  
12 development teams that include not only our teachers  
13 but, also, members from the ALOT program, which is  
14 from Africana Studies from the University of  
15 New Mexico. We are training not only teachers and  
16 administrators; we have also trained the members who  
17 are coming to us from ALOT to ensure that, as we  
18 developed Common Core State standards, project-based  
19 learning, we are also including the Afrocentric  
20 elements.

21 We have a Common Core State adoptions  
22 team, so we are not just training the trainers; we  
23 are training every teacher in our school to make  
24 sure that the Common Core Standards are adopted  
25 appropriately.

1           We have a fine arts development and Friday  
2 program for the students to learn how to use  
3 everything that they're learning during the week and  
4 to apply it to different situations.

5           We have a play-works program that provides  
6 our children with opportunities for physical  
7 exercise during the day, and so that they have time  
8 to process mentally, as well as leadership  
9 opportunities and service-learning opportunities.

10           And, then, finally, we have a new program  
11 for our families called SOAR, which provides monthly  
12 opportunities for parents to learn how to help their  
13 children effectively.

14           Ralph J. Bunche is an innovator. We are  
15 not satisfied with our grade. We are not satisfied  
16 with where our children are. And we are doing  
17 everything that we can. We have had two years, not  
18 three, to demonstrate our growth. We have new  
19 programs in place. We are anxious, no matter what,  
20 to see what a difference they make for our students.

21           And as everyone has ever noted who walked  
22 into our school, our children are learning; our  
23 children are happy; and our children are dedicated  
24 to our school.

25           We have a grandmother who drops her

1 student off in the morning, goes to the nearby  
2 senior citizen center and waits for him every day,  
3 because that's how much this school means to her and  
4 to her child.

5 We are very proud that we are not  
6 satisfied, that we are working hard, that we are  
7 taking every opportunity from the community, from  
8 the University, from everyone around us, to help  
9 improve our students' learning. We are not  
10 satisfied, and we have not rested.

11 So, we would like an opportunity to see  
12 all of the things that we have implemented over the  
13 last two years come to fruition, and we ask for your  
14 consideration. Thank you very much.

15 THE CHAIR: Thank you. We appreciate  
16 that.

17 Let me apologize to the audience. I  
18 skipped over the Public Comment section. Is there  
19 anyone here who chooses to comment on this  
20 application? Just one person? Okay. If you would  
21 come to the table, please? We do have a ten-minute  
22 limit. Please introduce yourself and spell your  
23 name.

24 MS. RAHMAN: Yes. I am Ann Sarah Rahman,  
25 and former project manager --

1 THE CHAIR: I'm sorry. I can't hear you.

2 MS. RAHMAN: Ann Sarah Rahman. I'm just  
3 coming from allergy tests, so -- it's Ann Sarah  
4 Rahman, and former project manager for the Corps of  
5 Engineers, former interim principal and teacher, as  
6 well.

7 And I'm here -- I don't currently have any  
8 children, bloodline children, so to speak, in the  
9 school. But as part of the Village, I have a lot of  
10 children there. And I just recently found out about  
11 the crisis, so to speak. And as a community  
12 partner, activist, would like to see the charter  
13 extended at least a year.

14 I've contacted other people in the  
15 community who were not aware. And we are committed  
16 to doing whatever is possible to make the school  
17 work, thrive, and -- from former teachers, from  
18 judges -- one I was hoping would be here, which was  
19 Judge Jewell. And we're just committed and would  
20 like for you all to take -- really consider that the  
21 charter be extended.

22 And we recognize the shortcomings, and  
23 we're committed to getting over the hump and letting  
24 you see the improvement. Because there is a  
25 committed community out there, now that we are

1 aware, we've been made aware. And sometimes that's  
2 what it takes is, you know, a crisis, so to speak,  
3 to get everybody in gear.

4           Once it was threatened to be closed, you  
5 just find people getting on the bandwagon and  
6 saying, "We do not want this to happen."

7           So, I am asking, on behalf of community  
8 people who -- to extend it. So, that's all I have  
9 to say right now.

10           THE CHAIR: Thank you for your comments.  
11 Anyone else?

12           All right. Thank you very much.

13           We are now to PEC Commissioners' questions  
14 and comments. Do we have questions and comments?  
15 Concerns?

16           Let me -- let me begin, because I do have  
17 a concern. I'm looking at your cohort data from the  
18 NWEA test. And I just picked a page at random.  
19 This is sixth-grade cohort math data. It's on  
20 Page 8. And it says, "The sixth-grade cohort, four  
21 students. Zero of four students demonstrated  
22 grade-level growth."

23           Is that all the students you have in your  
24 fourth grade?

25           MS. WILSON: In the fourth grade?

1 MR. RIOS: Sixth grade?

2 THE CHAIR: Pardon me. Sixth grade.

3 MS. WILSON: Those would be -- I'm sorry.

4 Those would be the students who started at the  
5 beginning of the year and finished at the end of the  
6 year. We did have more students come in. But we  
7 didn't give you data on these kids, because a cohort  
8 means a starting and an ending. So, those are the  
9 kids that were physically present in September for  
10 the test, and at the end.

11 We do have a combination middle-school  
12 program. This year, we have a 5/6 classroom and a  
13 7/8 classroom. So, it's not a traditional school.  
14 Those students are in a blended program, a  
15 combination of online learning, computer learning,  
16 and supported learning in the classroom.

17 So -- that 6, 7, and 8 last year, when  
18 that data was relevant, there were 37 students. And  
19 Ms. Baca was the teacher in that classroom last year  
20 and can speak to them.

21 THE CHAIR: Let me just ask you, what is  
22 your current enrollment?

23 MS. WILSON: Our current enrollment, as of  
24 the 40th day, it was 77.

25 THE CHAIR: And your enrollment cap is

1 270?

2 MS. WILSON: That is our enrollment cap,  
3 yes, ma'am.

4 THE CHAIR: So, I'm looking at that number  
5 of four students who tested, both beginning and  
6 ending test. Do you have a -- a high mobility rate  
7 or a dropout rate? Or what is it?

8 MS. WILSON: We generally do not have a  
9 high mobility rate during the year of students  
10 leaving, but we do have a lot of students who will  
11 come in during the year, traditionally. As we all  
12 are aware, we did have a very difficult year last  
13 year because of the negativity that surrounded us  
14 that we have overcome, and we are back, stable. But  
15 we are rebuilding at this time. And we have now,  
16 currently, new students coming in for the semester.

17 But we did take -- we took a hit. And  
18 Ms. Baca would like to address some of this, too.

19 MS. BACA: Ms. Chairman, on that Page 8,  
20 is that the cohort that says "spring to spring" on  
21 the report?

22 MR. GERLICZ: Fall to spring.

23 MS. BACA: Is it fall to spring of that  
24 same year?

25 MR. GERLICZ: Yeah.

1 MS. BACA: Okay. It was fall to spring  
2 for the course of two years. So, the issue with  
3 some of them not being in a cohort was, first of  
4 all, because of the blended situation. And,  
5 secondly, that was over a period of two years -- of  
6 the one year that we did have a high mobility rate.

7 So, the students that improved will show  
8 in the MAP rating that we did over the average of  
9 one year, the course of the one year's growth for  
10 the projected rate. But that MAP report shows the  
11 high mobility over the course of the two years. And  
12 they did not reenroll the second year, or they  
13 dropped before the spring of the 2013 testing.

14 MS. WILSON: And the other issue is, we  
15 will have students leave us from fifth grade to  
16 sixth grade, because they will want some of the  
17 programs that are available that the larger middle  
18 schools, like band and orchestra, that we don't  
19 have. So, traditionally, we will lose kids from  
20 fifth to sixth.

21 So, again, that's two years of data for  
22 those kids who chose to stay with us from fifth  
23 through sixth.

24 THE CHAIR: Just a personal comment. It  
25 would seem, with such small numbers testing, that

1 you may not have really adequate or good data going  
2 forward.

3 MS. WILSON: Again, what we did was, that  
4 data is the combination of all of the kids in the  
5 school, to give us that "N." Because, even if you  
6 look at the SBA data, there will be the same  
7 concerns about the "N," because, as we know from  
8 stats, basic statistics you need an "N" of 400 to  
9 have really reliable data. And we don't have a  
10 school that size.

11 We have been up to 110 students and have  
12 tested as many as 70. But no matter what, that that  
13 "N" is not reliable in terms of statistics, no  
14 matter which set of statistics you're looking at.

15 But the growth data that we gave you was  
16 all of the students, K through 8. It was not grade  
17 level by grade level; it was all of them combined.

18 THE CHAIR: Okay. Thank you. I'm looking  
19 at your audit report summary. And, for instance,  
20 year one, '09-2010, there were ten findings,  
21 according to your report here. And then you say,  
22 "All information included in Appendix A." I don't  
23 have an Appendix A.

24 MS. WILSON: I'm sorry, but that data was  
25 sent. But we had -- last year, we had three

1 findings. This year, we have one. We have  
2 significantly improved in our financial situation  
3 and in our data. But every year, it's gone down.  
4 And, again, this year, we had only one.

5 THE CHAIR: Okay. Thank you. I believe  
6 those are all my questions. Other questions or  
7 concerns? Mr. Gerlicz?

8 MR. GERLICZ: Madame Chair, just a point.  
9 I did notice that the Chair of the Ralph J. Bunche  
10 Board has walked in. Just for point of information.

11 THE CHAIR: Good afternoon.

12 MR. CHIEMELEO: Good afternoon, ma'am. I  
13 appreciate you --

14 THE CHAIR: Would you please introduce  
15 yourself?

16 MR. CHIEMELEO: My name is Kanayo  
17 Chiemeleo. I am clergy, and I am the chair of the  
18 board. "Kanayo" is spelled K-A-N-A-Y-O.  
19 "Chiemeleo" is C-H-I-E-M-E-L-E-O.

20 THE CHAIR: Other comments? Other  
21 questions? Commissioner Bergman?

22 COMMISSIONER BERGMAN: You know, I just --  
23 I think I kind of wanted to note that in the  
24 academic area, particularly, you say you're taking  
25 steps to improve. And, yet, three years ago the

1 Secretary gave you an additional three years. And  
2 one of the primary reasons, at that time, was the --  
3 was academic performance.

4 And I look at the grade reports for the  
5 three years that the CSD laid out for us here, and I  
6 see no improvement. And you have cited -- I think,  
7 unless I misunderstood you -- a mobility rate as a  
8 part of your problem. But I see that CSD noted, in  
9 their comments -- and I'll just read them into the  
10 record here -- "According to the data in the PED  
11 files, Ralph J. Bunche mobility rate of 11.3 percent  
12 is about average for the State of New Mexico."

13 So, apparently, other schools deal with  
14 these kind of issues, too. What would you like --  
15 would you care to comment on that?

16 MS. WILSON: Each and every year, we have  
17 had students that we have raised academically. And  
18 because we have raised them academically, and they  
19 are now proven performers, they have gone to Sandia  
20 Prep on scholarship; they have gone back into their  
21 home-school environments because their parents are  
22 driving them every day, and they have become  
23 successful back in their home schools, and we have  
24 replaced them with students who are low.

25 So, when we look at our students -- but,

1 again, we are not satisfied, and that's why we have  
2 done all of the things that we are doing to improve  
3 their performance. Because our students are coming  
4 significantly, three -- even when they come into  
5 kindergarten, they're coming with nothing. They  
6 have no letters, no sounds, no colors, no nothing.

7 And, so, that's why we have really taken a  
8 look at everything that we're doing and why it's not  
9 making a difference. Because their teachers are  
10 trained. We are doing staff development. We are  
11 following the guidelines. Our instructional audit  
12 from last year showed no significant weaknesses in  
13 the program.

14 So, our question is the same as your  
15 question. If we're doing everything that we should  
16 be doing, why aren't they progressing? That's why  
17 we've taken on the cognitive skills and the WAVE  
18 Reading Health, because for our particular group of  
19 children, it wasn't enough. It's not been enough.

20 Every -- we've done everything that you've  
21 asked us to do. We have dedicated, hard-working  
22 staff. So, why didn't it make a difference? We  
23 were as confused as you are.

24 So, that's why we said, "It's not enough,"  
25 and that's why we took on the programs that we've

1 taken on.

2 Again, we're one of only two  
3 State-authorized charters that applied for the  
4 K3 Plus program and extended their school year, one  
5 of only two. And we're not the only ones out there  
6 not making progress. But we recognize it. We're  
7 not happy; we're not satisfied. But we keep  
8 reaching, and we take every opportunity that you  
9 afford us, or anyone else affords us, to make the  
10 lives of our children better and to increase their  
11 academic standing.

12 Those children, each and every one of  
13 us -- each and every one of them -- is important to  
14 us, and you saw that when you were there, how  
15 important those children are to us and how not  
16 satisfied we are, and how willing we are to go to  
17 whatever lengths it takes to make their education  
18 better for them.

19 COMMISSIONER CARR: Thank you for your  
20 comments. Thank you, Madame Chair.

21 THE CHAIR: Commissioners? Other  
22 comments? Commissioner Parker.

23 COMMISSIONER PARKER: Madame Chair,  
24 Commissioners, one thing I wanted to point out is it  
25 seems like your school is offering a unique

1 experience in Albuquerque that -- speaking for  
2 myself, growing up there. This Afrocentric focus is  
3 not very common in Albuquerque. It's -- I think we  
4 all understand that.

5 So, on a positive note there, I think you  
6 guys are offering something for these kids that  
7 they're not getting elsewhere. However, offsetting  
8 that is that concern that everyone has about the  
9 performance that the kids are having on their -- my  
10 question is, you've stated all these programs that  
11 you've started implementing at the school. You were  
12 given a three-year extension two years ago; is that  
13 correct?

14 MS. WILSON: So, this is our third year.

15 COMMISSIONER PARKER: When did you start  
16 implementing these programs?

17 MS. WILSON: We have been phasing them in  
18 as they have become available; Reads -- to K3 Plus  
19 is a new program from the state. The previous year  
20 was a pilot year. We did not find out about it soon  
21 enough to apply the first year, but we made it a  
22 target for this summer, so we extended our school  
23 year. Reads to Lead is also a new program which is  
24 affording me additional funding to give my teachers  
25 an ongoing reading mentor and coach, which is also

1 new funding that's just recently become available.

2 The WAVE Reading Health, Dr. Paul Shirley  
3 and his organization have given the school over  
4 \$50,000 worth of testing. Every child in our school  
5 has received the Gibson test to take a look at their  
6 cognitive skills. And not only did they test the  
7 children, they are supplying the volunteers to work  
8 in the school four days a week, with every child, to  
9 therapy improve those cognitive test scores.

10 Again, a lot of this has become available  
11 over the course of the last two years. And we  
12 really just had two years. We're in the third year.  
13 So, we have not had an opportunity yet to see what  
14 an impact everything that we're doing is going to  
15 make for the children.

16 So, again, even with that short term, we  
17 are -- we've taken on everything that is available.  
18 We have gone to the -- to the State training that  
19 was offered for Common Core. Last year, in the  
20 summer, there were only about a handful of people at  
21 the Solution Tree training that was offered through  
22 PED, from the central section of the state.

23 The trainer, who is nationally known,  
24 Martha Kaufeldt, said, "Bring anybody you want." I  
25 brought teachers; I brought people from UNM and

1 trained a significant number of people to help build  
2 stronger projects, based on the Common Core, and to  
3 get as many people trained as possible.

4           So, we take every opportunity that's  
5 afforded to us to make things better. And we do  
6 have a very unique experience for our children.  
7 It's evident in who they are and how they talk about  
8 themselves and their lives and their situation.  
9 They're positive; they're working hard; and they  
10 love where they are. They love being at school.  
11 They are there every day with bright shiny faces.

12           And they're working hard. Everybody's  
13 working hard. But we're not just trying to work  
14 harder; we're trying to work better and to increase  
15 those opportunities. So, when you give us those  
16 opportunities, when the community gives us those  
17 opportunities, we are taking them. And we are doing  
18 everything that we can to improve, because, like I  
19 said, those kids are everything to us.

20           And each and every one of them -- I know  
21 every one of them. I know their strengths and  
22 weaknesses. They are nurtured. They are -- and we  
23 are not -- and we are pushing and pushing and  
24 pushing, because we understand how important their  
25 education is to them, and we are doing everything we

1 can to ensure that they get the opportunities that  
2 they deserve.

3 THE CHAIR: Other comments? Questions?  
4 Commissioner Conyers.

5 COMMISSIONER CONYERS: I had a question,  
6 just as a clarification. I noted today, we've  
7 approved three-year and five years. I thought I  
8 heard Ms. Wilson asking for one year. Is that an  
9 option that we have, or --

10 THE CHAIR: They're talk- -- the  
11 communication I received from a member of the  
12 community suggested that we suspend this school for  
13 one year and give them an opportunity to regroup and  
14 then come back.

15 I'm not that familiar with suspension. I  
16 really don't know how that's done or -- because, in  
17 essence, you're closing the school, is my  
18 assumption. But I -- Director Gerlicz, would you  
19 have any information on a suspension, what that  
20 does?

21 MR. GERLICZ: Madame Chair, members of the  
22 Commission, we can certainly go to the statutes and  
23 see what the statute says. I am not aware of  
24 suspending a charter and then reengaging with it  
25 later on. I'd have to check the statutes. I'm

1       unaware of that.

2               THE CHAIR:   The first thing that occurred  
3       to me when I read that was a suspended school, I  
4       would not think, would be getting any funding.  So,  
5       it would be really difficult to do much as a school  
6       with no funding.  That's just my assumption.

7               MS. WILSON:  Madame Chair, we would ask --  
8       we would not ask for a suspension, but we would ask  
9       for an opportunity to finish the school year and  
10      come back and show you what we've done and show you  
11      the difference that it's made, everything that we've  
12      done.  So, we would ask for a short extension, not a  
13      suspension, on behalf of the school.

14              THE CHAIR:  Other comments or questions?  
15      Let me give you my heartfelt opinion on this.  I  
16      thought, when this application came up two years  
17      ago, three years ago, I thought the school was so  
18      badly damaged that it probably could not mend, and I  
19      voted not to approve the renewal.

20              The Secretary, for her own reasons,  
21      decided to give you all three more years.  I don't  
22      see anything has improved.  I don't see that kids  
23      are really doing better in this school than they  
24      were doing before.

25              Another thing that concerns me greatly is

1 the enrollment. Last year, the enrollment was 104.  
2 You're down to 77 this year. I think parents are  
3 making their opinions known by leaving -- by pulling  
4 their children out of the school. I think you get  
5 to a point in enrollment where it's just not working  
6 anymore.

7 I think, in my personal heart of hearts,  
8 this school would be better off to close and then  
9 let the folks who are really dedicated to this idea  
10 form a new school, leave all the old baggage behind  
11 and go forward with a whole new idea and a new  
12 concept, and not be trying to fix problems  
13 constantly, but come up with a whole new,  
14 bright-futured idea. That's my personal opinion,  
15 for what it's worth.

16 Commissioners, are there other comments or  
17 concerns? Questions? The Chair would entertain a  
18 motion. Are we ready, Ms. Lewis?

19 MS. LEWIS: I'd, ideally, like just a  
20 couple more minutes.

21 THE CHAIR: Let's take a couple more  
22 minutes' recess so that our attorney may help us  
23 with some wording here.

24 We're going to take a ten-minute recess,  
25 and we'll be right back.

1 MR. CHIEMELEO: Madame Chair, just  
2 before -- I just wanted to make a comment for why --  
3 before you recess. I just want to make a special  
4 appeal. Because there are so many dynamics that  
5 might not be highlighted here, or in the course of  
6 your interaction with documents related to Ralph J.  
7 Bunche Academy.

8 My education and my experience, work  
9 experience, has spanned three continents. And I  
10 have been in education. And I have a passion for  
11 what we are doing at Ralph J. Bunche academically.  
12 My two children, ten and eight, are part of that  
13 school. I had to move them in September because of  
14 the demise of their mom, and I had to take her to  
15 Africa to bury her. So, I was away for six weeks.  
16 So, I withdrew my kids.

17 Some of these things may not be adequately  
18 captured. But I want to tell you that my kids are  
19 thriving there. And I want to tell you that a lot  
20 of noise has been going around about Ralph J. Bunche  
21 Academy. And we've been working hard, not  
22 necessarily to fix the things that are not working  
23 but to be able to see exactly what is working and  
24 what we should do to make it work.

25 A few in the community -- well, in this

1 century -- treating us as "House Negroes" and things  
2 like that, will tell you what quality of bickerings  
3 are around.

4 So, I want to appeal to you, as you  
5 deliberate, just know that, yes, the scores may not  
6 be up, but a thriving environment is daily created  
7 in that place. And if there has to be some changes  
8 in leadership, we want those changes to take place  
9 without disrupting the school. And we don't want  
10 personal things to be the motive for those changes.

11 That's where we are at. We are a bunch of  
12 professionals and people of integrity on the board.  
13 And, honestly, Ralph J. Bunche Academy is doable.  
14 [ph] Thank you.

15 THE CHAIR: Thank you for those comments.  
16 Let's take about a ten-minute recess, please. We'll  
17 be back at 15 after.

18 (Recess taken, 3:05 p.m. to 3:25 p.m.)

19 THE CHAIR: We are back in session. The  
20 Chair has asked for a motion concerning the Ralph J.  
21 Bunche Academy.

22 Commissioners? Commissioner Gant.

23 COMMISSIONER GANT: Madame Chair, members,  
24 I move the Ralph J. Bunche Charter School be denied  
25 an additional five-year term for the following

1 reasons:

2 Pursuant to New Mexico -- to NMSA  
3 22-8B-12(L)(2), this school has failed to meet or  
4 make substantial progress towards achievement of the  
5 Department's minimum educational standards for  
6 student performance standards identified in the --  
7 in the charter contract, as evidenced by:

8 1. A school grade of "F" in the current  
9 standing, student growth -- as well as student  
10 growth of both highest performance -- highest  
11 performing and lowest performing students, for an  
12 overall school grade of "F." This is down from "D"  
13 for 2012.

14 Failure to meet Standards-Based  
15 Assessments, as required by law.

16 In addition, the school, pursuant to NMSA  
17 22-8B-12(L)(3), failed to meet generally accepted  
18 standards for fiscal management evidenced by  
19 multiple PED audit findings.

20 In addition, the renewal application is  
21 incomplete and that it did not supply the Appendix A  
22 referenced in part A, Page 15, of the renewal  
23 application. This appendix was to address the audit  
24 findings and any changes made to fiscal management  
25 practices as a result of audit findings.

1 THE CHAIR: Commissioners, you've heard  
2 the motion. Do we have a second?

3 COMMISSIONER CARR: Second.

4 THE CHAIR: Motion by Commissioner Gant,  
5 second by Commissioner Carr, to deny the renewal  
6 application of Ralph J. Bunche Academy.

7 Is there any discussion, Commissioners?  
8 Before we vote, Commissioners, I would remind you  
9 that a "yes" vote is to deny the school; a "no" vote  
10 is contrary to the motion and would not deny the  
11 school.

12 Are we ready to vote? Commissioner  
13 Bergman, roll-call, please.

14 COMMISSIONER BERGMAN: Commissioner Carr.

15 COMMISSIONER CARR: Yes.

16 COMMISSIONER BERGMAN: Commissioner  
17 Conyers.

18 COMMISSIONER CONYERS: No.

19 COMMISSIONER BERGMAN: Commissioner  
20 Parker.

21 COMMISSIONER PARKER: Yes.

22 COMMISSIONER BERGMAN: Commissioner  
23 Peralta.

24 COMMISSIONER PERALTA: Yes.

25 COMMISSIONER BERGMAN: Commissioner Pogna.

1 COMMISSIONER POGNA: Yes.

2 COMMISSIONER BERGMAN: Commissioner Gant.

3 COMMISSIONER GANT: Yes.

4 COMMISSIONER BERGMAN: Commissioner  
5 Shearman.

6 THE CHAIR: Yes.

7 COMMISSIONER BERGMAN: Commissioner

8 Bergman votes "yes." Madame Chair, by a  
9 seven-to-one vote, the motion to deny has carried.

10 THE CHAIR: Thank you. The vote is  
11 seven-to-one to deny the renewal application of the  
12 Ralph J. Bunche Academy. Thank you for coming to us  
13 today.

14 Would the representatives of the  
15 New Mexico School for the Arts please come forward?  
16 Welcome.

17 Mr. Gerlicz, whenever you're ready.

18 MR. GERLICZ: Madame Chair, members of the  
19 Commission, representatives of the New Mexico School  
20 for the Arts, welcome. For and on behalf of your  
21 new Commissioner, Parker, I want to explain to you,  
22 Commissioner, especially, that the New Mexico School  
23 for the Arts is a highly unique school and one of  
24 our flagship schools in our constellation of charter  
25 schools.

1           It was set by special New Mexico statute  
2 to be a very innovative public-private partnership  
3 that allows a School for the Arts to occur, as well  
4 as an institute attached to the School for the Arts  
5 that would be an educational arm of the institute,  
6 and that would have students from across the State  
7 of New Mexico room and board at the school and be  
8 part of the program, and that the funds necessary to  
9 board those students would be raised privately.

10           It's a highly unique situation, highly  
11 innovative situation. And I -- all of the data that  
12 we have analyzed and consistently found in our site  
13 visits, consistently found in the data, supports the  
14 notion that this school has reached its potential  
15 and continues to demonstrate that this unique  
16 partnership is working at a very high level.

17           The three-year average, since the report  
18 cards have come out, for the New Mexico School for  
19 the Arts has been consistently an "A." If there is  
20 any dark cloud, it's hardly a dark cloud, and one  
21 that I referenced to earlier in another charter  
22 school, in that the lowest mark was perhaps in  
23 school growth and in graduation rates. Because its  
24 graduation rate is so high, there's no room for  
25 growth. Therefore, there's no growth; therefore, a

1 low grade.

2 Certainly not the fault of the school, and  
3 something that the Assessment and Accountability  
4 Office is actively working to institute additional  
5 measures that would reward schools such as this one  
6 for maintaining a high level of excellence in their  
7 graduation rate and in their academics. No school  
8 should be -- at all suffer because they are not  
9 growing sufficiently when they are operating at a  
10 high level. And such is the case with the  
11 New Mexico School for the Arts.

12 There is much to be said and to applaud  
13 about this school. But suffice to say that, for all  
14 these reasons, the Charter School Division  
15 enthusiastically recommends a full five-year renewal  
16 for the New Mexico School for the Arts. Thank you,  
17 Madame Chair.

18 THE CHAIR: Thank you. Are there public  
19 comments on this application?

20 Seeing none, we'll move on to Commissioner  
21 comments and questions. Commissioner Gant?

22 COMMISSIONER GANT: They haven't spoken.

23 MS. MONTOYA: Just a few minutes. We'll  
24 be just a few minutes.

25 MR. GERLICZ: All in favor, "Aye."

1 THE CHAIR: I think we need a -- I don't  
2 know -- whatever. I apologize. Please introduce  
3 yourselves, and let us hear from you.

4 SPEAKER: Okay, good. Madame Chair,  
5 members of the Commission, my name is Cindy Montoya  
6 and I am the principal of the New Mexico School for  
7 the Arts. Sitting to my right is Catherine  
8 Oppenheimer, O-P-P-E-N-H-E-I-M-E-R. Catherine is  
9 the chair of our governing council. Seated to my  
10 left is Riis Gonzales, the director of the Art  
11 Institute. And behind me is Christina Yamashiro,  
12 our business manager.

13 I'd like to thank the Charter School  
14 Division, the Options for Parents, for all of their  
15 support during the renewal process. And we  
16 especially would like to thank Karen Ehlert, our  
17 educational administrator assigned to the New Mexico  
18 School for the Arts. She has been there from day  
19 one, and she has always helped us. And without her,  
20 we would not enjoy the success.

21 As many of you know, we were created in  
22 2008 under special legislation. We are the only --  
23 State chartered -- residential public high school.  
24 We opened our doors in 2010. And the school  
25 provides a full academic curriculum, combined with a

1 full mastery arts program in music, dance, theater  
2 and visual arts. And this program is available to  
3 students, regardless of academic standing or income  
4 level.

5 State funding supports the academic  
6 program. And the Art Institute, in combination with  
7 the State funding, supports the arts -- the arts  
8 program.

9 The Art Institute alone supports the  
10 residential and outreach programs.

11 New Mexico School for the Arts is led by a  
12 governing council of seven members and an art  
13 institute board with 20 members. The mission is to  
14 give talented youth the tools to succeed by  
15 providing them with a rigorous arts mastery and  
16 academic education. This model provides us the  
17 opportunity to engage students through the arts and  
18 then build a bridge to academic success.

19 We are so proud to report to you today, as  
20 Mr. Gerlicz said, we received a second "A" grade  
21 from New Mexico Public Education Department. Within  
22 three years of opening, we are exceeding State  
23 benchmarks for the percentage of students proficient  
24 in math and reading.

25 I want to point out to you, it's not

1 obvious, because the indicator for school growth  
2 shows a "D." We were at the 93rd percentile in  
3 reading, and we cannot gain points in that area;  
4 additionally, in math, while we did receive a lot on  
5 many points due to growth. So, all of our growth  
6 points were in math and none recognized for reading.  
7 And as Mr. Gerlicz said, that's being addressed  
8 through the State.

9 We are committed to helping our students  
10 move into colleges, university, technical programs  
11 and careers. More than 25 nationally recognized  
12 higher education schools, such as American  
13 University, Barnard, Carnegie Mellon, Skidmore,  
14 Oberlin, and the Chicago Institute of Arts visited  
15 the New Mexico School for the Arts in 2013.  
16 Approximately 3.2 million dollars in scholarship  
17 from those colleges and universities were awarded to  
18 our students last year, alone.

19 On the artistic programming, we're proud  
20 to report that we are also doing exceptionally well.  
21 A dance student has been accepted into the LINES  
22 apprenticeship program. We were given the rights to  
23 perform Balanchine's Serenade. Balanchine is the  
24 director of the New York City Ballet. This is  
25 rarely granted to high schools, and, indeed, is a

1 great honor.

2 Two years in a row, our theater students  
3 earned the highest awards in the Eastern New Mexico  
4 University Theater Festival. NMSA enjoys the  
5 tribute of honors: Choir of the Year at All State.  
6 95 percent of our music students were accepted into  
7 the instrumental or vocal All State's program this  
8 year. One of our students received national  
9 recognition. She won the gold medal in the  
10 Scholastics Art and Writing contest. Her  
11 award-winning photograph was on exhibit in New York  
12 City. She was invited to attend a ceremony at  
13 Carnegie Hall last May.

14 And just to give you some context, this is  
15 the same award that Andy Warhol won in his youth.

16 Another student won first place in the  
17 Aviation Art contest sponsored by the State of New  
18 Mexico. So our art programs are being recognized  
19 nationally and locally.

20 NMSA students obtain admission through a  
21 blind audition or portfolio process. And this  
22 provides students the opportunity to show their  
23 talent and aptitude for a particular art. And it  
24 means that formal study of the arts is not needed to  
25 gain entrance to our school.

1           We have students in all departments who  
2 have not had formal lessons, prior to attending  
3 NMSA.

4           We don't know anything about their  
5 personal background, their academic background,  
6 until a student accepts an invitation to attend.

7           Our student body represents 37 New Mexico  
8 communities. 44 percent of our students are  
9 socioeconomically disadvantaged, as reported on the  
10 Title I income survey, which qualifies us to be a  
11 Title I school-wide school.

12           We are committed to creating a culture of  
13 respect. To accomplish our goals, NMSA seeks the  
14 most qualified and passionate academic and artistic  
15 staff. The chairs and instructors are working  
16 professionals. And our academic teachers are just  
17 as passionate about physics and humanities as our  
18 art teachers are about dance and theater.

19           Students are held to high academic  
20 standards, and we offer honors courses in English,  
21 math, science, and humanities. Students can choose  
22 to study AP Music Theory and AP Studio Arts. We  
23 also realize that our students have a wide range of  
24 academic skills, and we did not want to be a "Wait  
25 to Fail" model. So, we wanted to get ahead of that

1 curve. And we developed a ninth-grade academy,  
2 mandatory. All students need to learn those skills  
3 to make them successful, not only in school, but in  
4 life.

5 We have a senior seminar designed to help  
6 students transition to college or careers. By the  
7 way, not all of our students pursue the arts, but  
8 many of them do minor in the arts.

9 We have a Sunrise Club established for  
10 those students who are unable to complete  
11 assignments. Highly qualified teachers oversee that  
12 program. We have Super Saturdays during finals  
13 week. It's a busy time of year, difficult to  
14 manage, so we're there for them so that they don't  
15 fail a final.

16 We replaced the math and science  
17 curriculum, even though we just bought those  
18 materials, in order to align with the Common Core.  
19 We've hired an instructional assistant to support  
20 teachers using Title I funds in ninth-grade math  
21 classes. We hired Dr. Mary McLeod as a .25  
22 assistant principal, with all of her attention going  
23 to instruction and student achievement.

24 Like the other school said, we monitor  
25 student data closely, as well, to designate

1 interventions.

2 We offer dual-credit classes at our site,  
3 because our students don't have the resources to  
4 travel to colleges.

5 We have a very engaged parent community.

6 In an effort to ensure all voices were  
7 heard during this renewal process, we conducted  
8 focus group meetings for staff, parents, governing  
9 council, and students, to make sure that we're  
10 really meeting our mission from their point of view,  
11 as well as our point of view and the data.

12 We do have one minor request moving  
13 forward, and that's a refinement to our language and  
14 our mission statement. You can find the change on  
15 Page 10 of your report. And I can read that for  
16 you.

17 Our mission will stay the same. We just  
18 had a cumbersome, long mission statement. We want  
19 one that's simpler and one that we can all memorize.

20 "New Mexico School for the Arts provides  
21 access to a rigorous mastery arts and academic high  
22 school education for youth with passion and aptitude  
23 in the arts leading to post-secondary learning,  
24 careers in the arts, and lives that contribute to  
25 society."

1           Madame Chair and members of the  
2 Commission, we are here today to request renewal of  
3 our charter. And at this time, we will stand for  
4 any questions.

5           THE CHAIR: Are there public comments  
6 regarding this application?

7           Seeing none, now, we will move to  
8 Commissioners' questions and comments.

9           And may I just -- before we move away from  
10 it, may I clarify? On Page 10 of your application,  
11 it says, "Current School Mission." Now, that's what  
12 you're wanting to change to?

13          MS. MONTOYA: That's the -- let's see --  
14 yes. If we're looking at the same Page 10, it says,  
15 "NMSA intends to refine the language of the mission,  
16 as stated below"?

17          THE CHAIR: It says, "Current Mission --  
18 "Current School Mission." And it's right above  
19 "Current Enrollment and Demographic Information" on  
20 Page 10, Intro Page 10.

21          MS. MONTOYA: Maybe -- I think our page  
22 numbers are not the same. Okay. Under "School  
23 Overview"? Is that what you're looking at?

24          THE CHAIR: Let's do this. The kind of  
25 day I've been having --

1 COMMISSIONER PARKER: You're looking at  
2 the synopsis. She's looking at your original --

3 MS. MONTOYA: Oh, got it. Okay. Right,  
4 that's the original.

5 THE CHAIR: It didn't sound like what you  
6 read.

7 MS. MONTOYA: That's the original, and  
8 this is -- and I'll give this to you. This is the  
9 proposed revision.

10 THE CHAIR: And it is on Page 101 of this  
11 application?

12 MS. MONTOYA: Page 10 of the synopsis.

13 THE CHAIR: Page 101?

14 MS. MONTOYA: I don't have a Page 101, so  
15 I don't know.

16 SPEAKER: Madame Chair, I think that's the  
17 original application. That is the synopsis that  
18 we're looking at.

19 THE CHAIR: Do we have the synopsis?

20 MR. GERLICZ: If that word "synopsis"  
21 means what I'm looking at here, it's the same thing  
22 that we sent to --

23 MS. CALLAHAN: Are you talking about the  
24 analysis or synopsis?

25 MS. MONTOYA: It's the analysis.

1 MS. CALLAHAN: The analysis that we did  
2 that you then responded to?

3 MS. MONTOYA: Yes.

4 THE CHAIR: Do we have it? You have it,  
5 because I can't -- I just want to be sure that we  
6 have it in writing.

7 MR. GERLICZ: Yeah, it's here.

8 THE CHAIR: I just want to make sure  
9 everybody has it. Does everybody have this, page  
10 101 of the analysis, which contains the new mission  
11 statement?

12 MR. GONZALES: Madame Chair, it's Page 10  
13 of the analysis, Page 10 of the analysis.

14 THE CHAIR: I can't even read. I  
15 apologize. It is 10. There is a mark right after  
16 that "10." All right. Page 10.

17 Does everybody have that, because -- if we  
18 vote to renew this charter, then we are also voting  
19 to approve their new mission statement. So, I just  
20 want us all to be aware of that.

21 Okay. Now, is that clarified? Let's move  
22 on to further questions. Commissioner Gant --  
23 Bergman. I think we need a recess. Commissioner  
24 Bergman.

25 COMMISSIONER BERGMAN: Well, I was just

1 going to suggest on what we were just discussing  
2 that, if we're approving it today as a part of this  
3 renewal, then it will be incumbent upon CSD to be  
4 sure it gets into the new wording in the contract  
5 that you pre-populate. That's all I was going to  
6 say about that. It has to get in there somehow. It  
7 has to be in there.

8 MR. GERLICZ: Commissioner Bergman, the  
9 matter is not whether we agree to approve it today  
10 or we have to require a separate amendment. We  
11 don't care. So, either way, it will be in the new  
12 contract.

13 THE CHAIR: What is your pleasure on that,  
14 Commissioners? Would you rather have it presented  
15 to us separately, or include it today?

16 COMMISSIONER CARR: Let's include it  
17 today.

18 THE CHAIR: Today? All right.

19 Then, further questions or comments.  
20 Commissioner Gant.

21 COMMISSIONER GANT: Madame Chair, members,  
22 as you've probably said and heard me talk before  
23 about facilities and the impacts -- that doesn't  
24 have an impact on this current application. But I  
25 have a report from PSFA here. And your New Mexico

1 minimum Construction Index is, like,  
2 92-point-something, which is -- this about one of  
3 the highest in the state, frankly.

4 MR. GONZALES: Right.

5 COMMISSIONER GANT: So, my question is  
6 what's your plans -- that building -- I've never  
7 seen the building, so I can't address it. That  
8 building must be really in bad shape. So, talk to  
9 us about the facility, what you plan to do,  
10 et cetera. Because I see money -- like I told  
11 people before, facilities -- facilities tend to  
12 drive charter schools into the deficit -- or worse.  
13 Please explain what you plan to do with this  
14 facility.

15 MR. GONZALES: Madame Chair and  
16 Commissioner, again, thank you for that question.  
17 You know, we've been looking -- we've looked at 18  
18 different sites to build a facility, a permanent  
19 home for the school. It's going to be 90,000 to  
20 110,000 square feet. We need dance studios, visual  
21 arts studios, music practice rooms, theater room --  
22 and, so, the really unique thing about this school,  
23 I think, is that we have an amazing private  
24 partnership.

25 And, so far, we've raise \$7 million for

1 the permanent home, and we're going to continue  
2 raising funds for it. But we're, right now, in the  
3 process of searching. We have entered into  
4 conversations with the State, the City, Santa Fe  
5 Public Schools, to try to find a site that works for  
6 the school. So, hopefully, within this year, we're  
7 hoping that we will secure a site and be able to  
8 move forward on that.

9 COMMISSIONER GANT: Madame Chair, members,  
10 are you saying you'd find one that you could  
11 renovate, or build?

12 MR. GONZALES: Either, Madame Chair and  
13 Commissioner. We're looking at both. We're  
14 look- -- to build from the ground up, it's going to  
15 cost between \$20 million and \$25 million. So, we  
16 are looking at a couple of sites that we potentially  
17 could renovate.

18 COMMISSIONER GANT: Okay. And, as I read  
19 this report from the PSFA, your FMP and Ed Spec --  
20 well, I'll say FMP, Facility Master Plan -- is in  
21 draft?

22 MR. GONZALES: Madame Chair and  
23 Commissioner, no, that's been approved. It was  
24 approved in August, by the governing council. And  
25 shortly after that, we sent it over to PSFA.

1 COMMISSIONER GANT: Well, Madame Chair,  
2 it's one thing to have the governing council approve  
3 it; it's another thing for PSFA to approve it. Have  
4 you got a document that says PSFA has totally  
5 reviewed the document and approved it?

6 MR. GONZALES: Madame Chair and  
7 Commissioner, you make a good point. I will check  
8 on that.

9 COMMISSIONER GANT: Because this is --  
10 this is the hump you all have to get over.

11 MR. GONZALES: Yes, sir.

12 COMMISSIONER GANT: And, of course, your  
13 educational specifications go right along with the  
14 FMP. Have you even started those yet?

15 MS. MONTOYA: We have had communication  
16 from them -- I don't have it with me -- which I am  
17 happy to present to the Commission, or to the  
18 Charter School Division, that they review it; there  
19 was approval. They asked a few questions. We  
20 returned that document. I just don't have it with  
21 me right now. And I don't remember the details of  
22 it. But we have been in conversation with them.  
23 They have received it.

24 COMMISSIONER GANT: Madame Chair --  
25 Ms. Martica -- Ms. Casias, who just left -- she had

1 to leave -- stated to me that there was additional  
2 information they had not received yet. So, that's  
3 what -- and she tried to contact the person that's  
4 handling it, and he could not -- he did not have it.  
5 And, of course, the Ed Spec is another hump before  
6 you can ever put a spade in the ground.

7 MS. MONTOYA: So, I will contact  
8 Mr. Galbreath, our former business manager. He was  
9 leading that project for us. I am familiar with  
10 that process, having gone through school redesigns  
11 in other districts. So, I will follow up with him.

12 COMMISSIONER GANT: Madame Chair, my only  
13 last comment is, are you building this to own it, or  
14 are you going to have a foundation that owns it, or  
15 lease/purchase, or what have you got planned?

16 MR. GONZALES: Madame Chair and  
17 Commissioner, thank you for that question. We're  
18 trying to figure that out. All options are, right  
19 now, on the table. If -- with the private funding  
20 that we have available and the lease purch- -- the  
21 lease assistance funds that we're getting, we're  
22 trying to piece this together, depending on the  
23 site. So, we're working on that.

24 COMMISSIONER GANT: Thank you,  
25 Madame Chair. I just didn't want to cause trouble.

1 But as I've said, some charter schools have gotten  
2 in trouble with finance, because I don't -- I got  
3 it. But I don't know how much you are paying over  
4 your lease assistance right now. Or are you?

5 MR. GONZALES: We're paying about \$15,000  
6 over -- out of operations for our current --

7 COMMISSIONER GANT: Compared to some,  
8 that's pocket change. So, thank you.

9 THE CHAIR: Commissioners, other  
10 questions? Commissioner Pogna.

11 COMMISSIONER POGNA: Madame Chair, I may  
12 have missed hearing. What is your total enrollment?

13 MS. MONTOYA: Commissioner, our total  
14 enrollment is 201 students.

15 COMMISSIONER POGNA: How many?

16 MS. MONTOYA: 201.

17 COMMISSIONER POGNA: Thank you.

18 THE CHAIR: Commissioner Bergman.

19 COMMISSIONER BERGMAN: Thank you,  
20 Madame Chair. In your remarks, you mentioned your  
21 ninth-grade academy. I put a little star by it when  
22 you mentioned it in your application.

23 I know it's a new program. But are you  
24 getting any indications of how that's going to work  
25 for you?

1 MS. MONTTOYA: We did. In our very first  
2 year, which was last year, at the end of our first  
3 semester, we had no students failing ninth grade in  
4 any area. That motivated us to keep going, and  
5 we're having additional success this year.

6 Our students, they're start- -- they're  
7 ratcheting it up a little. They're starting to  
8 understand what it means to be a high-school  
9 student, what it means to show up all day, every  
10 day, pay attention, do the work.

11 COMMISSIONER BERGMAN: And, then, I also  
12 noted, later on, when you talked about your SAT,  
13 slash, ACT prep, you had this in here, that  
14 "Students unable to pay for this class receive  
15 scholarship support from the parent association."

16 I've remarked in this area several times  
17 today, and I'll do it again. I commend you for  
18 that, because that is a problem for some parents.  
19 Students should not be denied that because they  
20 don't have the financial means to have access to  
21 that. So, I commend you for that.

22 And because of your unique nature as a  
23 school -- you do, as you know, have students from  
24 all over the state -- you have been here before when  
25 you've done your annual report. And I have lamented

1 then, and probably will still lament -- I'm from  
2 Roswell. You are very underrepresented from the  
3 southern part of the state. And I don't know how  
4 you can recruit more students. But I sure wish  
5 there was a way that you guys could figure out --  
6 because I know the distances involved are what's  
7 keeping those kids -- I know you have the boarding  
8 aspect, and maybe the parents in the southern part  
9 of the state aren't hearing about that.

10 I know you have scholarships in that area,  
11 too. So, maybe -- I would love to see you do some  
12 more recruiting in our part of the state. Would you  
13 care to address that?

14 MR. GONZALES: Madame Chair and  
15 Commissioner, thank you for that. We're working  
16 hard to get out there. We just received a \$10,000  
17 grant to specifically recruit in the Roswell-Artesia  
18 area. It just came in two weeks ago. So, we'll be  
19 out there.

20 COMMISSIONER BERGMAN: The Chairman is  
21 from Artesia, so, we're very glad to hear that. So,  
22 again, as a part of your unique nature, I referenced  
23 you do make an annual report to us. And I had a  
24 request in that area, because I'm taking that as  
25 your own comment in your reply to the CSD. It was

1 at the very end. You say that your governing  
2 council and school leadership "are leading focus  
3 group sessions for students, staff, and parents, in  
4 order to gather stakeholder feedback in an effort to  
5 understand what is working well, what needs to be  
6 improved, and how and what needs to be eliminated.  
7 We want and need to hear from our community." And I  
8 certainly second that.

9 And then you say, "Stakeholder involvement  
10 and ongoing feedback is a critical factor in the  
11 success of NMSA." I agree with that.

12 My only request was, do you intend to  
13 include -- keep us informed of what you're hearing  
14 from your families? I know it may not be a part of  
15 your statutory requirement. But I, at least, for  
16 one, would like to hear what you're hearing back.

17 MS. MONTOYA: Commissioner, we would be  
18 happy to include those reports in our June  
19 presentation to the Public Education Commission.

20 COMMISSIONER BERGMAN: Again, I would  
21 appreciate it. Thank you, Madame Chair.

22 THE CHAIR: Thank you. Commissioner  
23 Parker.

24 COMMISSIONER PARKER: Madame Chair,  
25 Commissioners, I just had a quick question.

1           What's the breakdown, as far as you've got  
2   it separated, with performing arts versus visual  
3   arts. I'm just curious what the -- like, dance?  
4   Music?

5           MS. MONTTOYA: I don't have those exact  
6   numbers. But I can tell you that the visual arts  
7   department has about over 60 students, being our  
8   largest. And the dance students, dance department,  
9   has the smallest number in the 30s. And then music  
10  and theater are in the 50s.

11           COMMISSIONER PARKER: (Indicates.)

12           THE CHAIR: Other questions,  
13  Commissioners? Let me just ask a couple for my own  
14  personal information.

15           I know that, for students, and  
16  particularly the younger students, living away from  
17  home must be tough. So, my question is, in a year,  
18  how many students would you have drop out of the  
19  school, overall, total, just bird's-eye view?

20           MS. MONTTOYA: Are you talking specifically  
21  because of the residential program? Is that the  
22  question?

23           THE CHAIR: I understand, because of the  
24  residential program, probably a lot of children from  
25  Roswell or Artesia would have a hard time being away

1 from home, particularly the younger ones. I'd just  
2 like an idea of how many students start the year and  
3 how many end the year. How many do you --

4 MS. MONTROYA: This year, we started with  
5 206, and we're at 201. We've learned over time. In  
6 our first year, we had, I think, four or five  
7 students who did not like either the residential  
8 program or leaving their home school, and they left  
9 within the first semester.

10 We have improved our communication to  
11 families about what it's like. And, so, each year,  
12 we have -- it's been reduced each year. But we do  
13 have students who arrive and realize that they do  
14 not want to study, intensively, their art form. So,  
15 we help those students. They stay with us as long  
16 as they can. We do not want to exit them at any  
17 point. We don't want them to lose credits to  
18 graduation, until we can make a plan.

19 And, on occasion, students remain for the  
20 academic -- they attend the arts, but the academic  
21 is their focus.

22 THE CHAIR: I see. Okay. And your  
23 enrollment cap is 300, and you're currently at 201.  
24 What is limiting you from reaching that 300  
25 students? Is it the capacity of your facility?

1 MS. MONTOYA: It's the capacity of our  
2 facilities. We bus students to another location for  
3 the dance program. We -- the Art Institute has  
4 moved off campus to their own building. At  
5 different times of the year, we're in four locations  
6 for our programming.

7 THE CHAIR: Okay. Thank you. Any other  
8 questions, comments, Commissioners? Seeing none,  
9 the Chair would entertain a motion. Commissioner  
10 Peralta.

11 COMMISSIONER PERALTA: I would like to  
12 make a motion that the Public Education Commission  
13 approve the renewal application for the New Mexico  
14 School for the Arts for a five-year term.

15 THE CHAIR: Thank you. Do I hear a  
16 second?

17 COMMISSIONER BERGMAN: Second.

18 THE CHAIR: Commissioner Bergman. We have  
19 a motion by Commissioner Peralta, seconded by  
20 Commissioner Bergman, to approve the application of  
21 New Mexico School of the Arts for a five-year  
22 renewal. Any discussion? Hearing none,  
23 Commissioner Bergman, may we have a roll-call vote,  
24 please?

25 COMMISSIONER BERGMAN: Commissioner

1 Conyers.

2 COMMISSIONER CONYERS: Yes.

3 COMMISSIONER BERGMAN: Commissioner

4 Parker.

5 COMMISSIONER PARKER: Yes.

6 COMMISSIONER BERGMAN: Commissioner

7 Peralta.

8 COMMISSIONER PERALTA: Yes.

9 COMMISSIONER BERGMAN: Commissioner Pogna.

10 COMMISSIONER POGNA: Yes.

11 COMMISSIONER BERGMAN: Commissioner Carr.

12 COMMISSIONER CARR: Yes.

13 COMMISSIONER BERGMAN: Commissioner Gant.

14 COMMISSIONER GANT: Yes.

15 COMMISSIONER BERGMAN: Commissioner

16 Shearman.

17 THE CHAIR: Yes.

18 COMMISSIONER BERGMAN: Commissioner

19 Bergman votes "yes."

20 Madame Chair, by an eight-to-zero vote,  
21 that motion carries.

22 THE CHAIR: The motion is unanimous to  
23 approve the application for the renewal of the  
24 New Mexico School for the Arts. Thank you.

25 MS. MONTOYA: Thank you.

1 THE CHAIR: Commissioners, shall we move  
2 forward, or do we need a break?

3 Will the representatives of La Resolana  
4 Leadership Academy please come to the table?

5 Welcome.

6 Mr. Gerlicz, whenever you're ready.

7 MR. GERLICZ: Madame Chair, members of the  
8 Commission, representatives from La Resolana,  
9 welcome.

10 The Charter School Division is going to  
11 recommend renewal for La Resolana, but not for the  
12 full five-year term, and for the following reasons:

13 The -- the -- again, as we've said  
14 continuously today, we look behind the final grade  
15 of "F" to see what is really going on at the school.  
16 And, really, in the latest report card of  
17 La Resolana, that "F" is extremely close to a low  
18 "D." It is a drop from what the school did last  
19 year, which was a "C," a significant drop, which  
20 was, in everyone's opinion, due to the performance  
21 of the low quartile group of students, Q1.

22 The three-year average for the school  
23 remains a "D," and primarily brought down by the  
24 fact of the "F" this year.

25 During the site visit that CSD conducted

1 to La Resolana, we saw some very good things going  
2 on. The staff and the leadership was unified in the  
3 use of data. In fact, there was a unique example of  
4 that, that we have not seen in other schools, called  
5 a "data wall." It was an initiative of the  
6 leadership and staff to use a data wall that had a  
7 number of attributes in it: The short-cycle  
8 assessments, the reading scores. They had three  
9 different reading assessments: San Diego Quick,  
10 MAP, and WRAT, another reading assessment.

11 It was clear to the Charter School  
12 Division that there was an intent and purpose to use  
13 data to improve the performance of students,  
14 particularly in the Q1 area.

15 There was confusion, as we have seen in  
16 other schools, on the MAP data, the Measurement of  
17 Academic Progress data. And the school has  
18 presented evidence of growth utilizing the MAP  
19 assessments.

20 La Resolana has done a better job than  
21 other schools of translating that MAP data into  
22 annual year targets. That's really the one thing  
23 that needs to happen in order to be able to analyze  
24 whether the MAP RIT scores can be translated into  
25 recognizable form. And La Resolana has done that

1 better than other schools.

2 You can see in the report card that they  
3 received a "B" in the highest performing students.  
4 In fact, if you take those two, the "B" and the "F,"  
5 and look even further into the statistics, you can  
6 see some -- another piece of what we considered  
7 interesting data; that is, that even though they  
8 scored an "F" in the lowest performing students, it  
9 was actually a very high "F," so that it placed them  
10 third out of 30 schools. And those 30 schools are  
11 like-minded schools that now, the State has the  
12 ability to compare a school with like-minded schools  
13 around the state and do a comparative analysis.

14 And they are third out of 30 for the  
15 lowest performing, even though they scored low in  
16 that category. It's an indication that that is a  
17 group of students that's very difficult to meet, and  
18 La Resolana, again, is third out of 30 in there.

19 As you can see in the packet that we have  
20 sent to the PEC, we recommend that Resolana  
21 Leadership Academy be renewed for three years, and  
22 be placed on a corrective action plan that includes  
23 the following conditions:

24 1. That the school undergo an  
25 instructional audit under the guidance of the

1 Priority Schools Bureau. And, actually, that's now  
2 under the guidance of the Charter School Division,  
3 who is handling instructional audits for the  
4 State-chartered schools. These will incorporate the  
5 standard turnaround principles that happen in an  
6 instructional audit. And that's already scheduled  
7 for January.

8 The corrective action plan will reflect  
9 additional sections that the school will take to  
10 improve the student outcomes for its lowest  
11 performing students, and that will translate into  
12 the performance framework indicators in the  
13 negotiation.

14 We will also -- or, we ask La Resolana to  
15 present a plan for clearly translating the use of  
16 MAP, those RIT scores, into what that means in terms  
17 of partial-year, half-year, full-year growth, and  
18 that that become part of the negotiated performance  
19 indicators.

20 MAP is a good assessment. It is a good  
21 short-cycle assessment. The translation of the data  
22 is where many schools get messed up, and that, we  
23 will resolve in the negotiation processing.

24 We ask, also, as a condition that  
25 La Resolana will ensure that the governing council

1 take an active and engaged role in ensuring the  
2 academic performance of the school, and that the  
3 governing body monitor the status of those goals  
4 accordingly, and that we work closely with the  
5 governing body to do that, and state their goals in  
6 S.M.A.R.T. format.

7 Lastly, the Charter School Division will  
8 engage in in-depth annual visits to La Resolana to  
9 both monitor and as support to the school.

10 And for that reason, the Charter School  
11 Division recommends renewal for a three-year term,  
12 with those conditions.

13 Thank you, Madame Chair.

14 THE CHAIR: Thank you. If you all would  
15 please introduce yourselves, and we'd like to hear  
16 your comments.

17 MS. J. MONTOYA: Yes. Good afternoon,  
18 Commissioners. My name is Justina Montoya. I'm the  
19 principal at La Resolana Leadership Academy. I've  
20 been the principal since June 2006.

21 I want to thank the Charter School  
22 Division for -- well, let me let the rest of my team  
23 introduce themselves. Sorry. And my governing  
24 council president and another governing council  
25 member had planned to be at our meeting, but they

1 were believing that it was going to -- we were going  
2 to be on tomorrow. So, they're planning to attend  
3 tomorrow. So, I apologize for their absence today.

4 THE CHAIR: Thank you.

5 MR. RIOS: Madame Commissioner, my name is  
6 Rick Rios, R-I-O-S. I'm an educational consultant  
7 with La Resolana.

8 MS. E. MONTOYA: Good afternoon. I'm  
9 Eileen Montoya, and I'm a former teacher at -- for  
10 La Resolana, and now an education consultant for the  
11 school.

12 MS. J. MONTOYA: Madame Commissioner and  
13 fellow Commissioners, I would like to thank the  
14 Charter School Division for their input and their  
15 work into our renewal. Tony and Kelly, thank you so  
16 much for visiting our school and for taking a look  
17 at the good things that are going on in our school.

18 As you know, we've been here before. We  
19 were placed on a three-year renewal the last time  
20 around. And since that time, we've done a lot of  
21 work to really try to go more in-depth in  
22 understanding the population of students that we  
23 serve.

24 You know, the -- we serve an at-risk  
25 population of students. We have challenges with our

1 students. But we also have very high expectation.  
2 And we, certainly, as a school staff, have a  
3 philosophy that they have all the potential and  
4 capability in the world of reaching their goals and  
5 dreams.

6 One of the strengths of our school is that  
7 I have a very high majority cooperation with  
8 parents, support from parents, because they -- I  
9 understand, through my communication, my  
10 conversations with them, that while many of them may  
11 not have made the best educational choices for  
12 themselves, they have hopes and dreams for their  
13 children to get a good education, so that they can  
14 have a better quality of life.

15 And that is what makes my relationship  
16 with them strong. Because, whether it is a -- an  
17 issue where there needs to be consequences dealt, I  
18 will have parent support, because I do share those  
19 goals and dreams.

20 When I was -- when we were selecting the  
21 people to meet the different groups to meet with the  
22 CSD team when they came out to visit, I tried to  
23 pick a group of parents who not were -- who were not  
24 only going to say positive things about the schools,  
25 but I wanted them to -- I wanted to pick a group

1 that I had also had to have conversations with, deal  
2 consequences out, maybe have students suspended  
3 from, so that they could really share their  
4 experience, their school experience, with the CSD  
5 team, and be honest and forthcoming about the  
6 support they really felt and the relationship that  
7 they really felt they had with our school.

8 So, while the challenges are many, we have  
9 worked hard to develop a learning -- a leadership  
10 learning lab. We started putting it together, not  
11 this school year, but the school year before,  
12 putting pieces of it together to try to address the  
13 deficiencies that our students have in reading and  
14 math.

15 So, with putting those components together  
16 in that lab and addressing the deficiencies that our  
17 kids have, we -- we decided, as a staff, that we  
18 wanted to hire a teacher this year to put that lab  
19 into full implementation. And I'm happy to report  
20 that, with that lab, where they spend time improving  
21 their skills in reading and writing and math, that  
22 with the -- the midyear testing, which is going on  
23 right now -- we'll be finished by next week, with  
24 our lowest performing students -- we're seeing 30-  
25 and 40-point gains in their reading scores right

1 now.

2 We're in the process of doing math. But  
3 that focused, targeted instruction in the leadership  
4 lab has really helped our kids to start building  
5 their skills.

6 Because we are a sixth-, seventh-, and  
7 eighth-grade middle school, our students come to us  
8 two to five years behind in their skills. We didn't  
9 make them that way; that's how they enrolled with  
10 us. That's why we feel, in our school, that it's  
11 our responsibility to these kids who are at high  
12 risk for failure in school, who really are potential  
13 dropouts, to get them involved in their own  
14 education, to get them to value what a good  
15 education could do for them in their lives.

16 And, so, with that, we have strong  
17 mentorship in our school from our teachers. Our  
18 teachers build strong relationships with our kids.  
19 We provide a safe and nurturing environment for them  
20 to come to so that they can feel safe in their  
21 learning, and we can provide that consistency in  
22 their educational program.

23 We also have systems in place to ensure we  
24 have effective teaching and learning going on in the  
25 classroom. We have an individual learning plan for

1 every student in our school. So, when a student  
2 enrolls at our school, the first thing that we do is  
3 take all the data that we can get together, whether  
4 if they come from another school, the NMSBA data,  
5 the short-cycle assessment data, and we put a  
6 picture together for parents and have an individual  
7 learning plan conference for them, so that they can  
8 understand truly where the skill level of their  
9 students are.

10 And with that, the parents build -- put  
11 together goals, develop goals for their students  
12 with the teacher. And, then, that's followed up in  
13 the spring with the spring parent conference.

14 We have about 98-percent participation  
15 rate in our parent-teacher conferences, because it's  
16 my belief that the very least amount of involvement  
17 that a parent needs to have in their children's life  
18 is to understand where they are academically at  
19 school with their skills.

20 I have Rick and Eileen with me here today,  
21 because when we came through this process the last  
22 time, we wanted to go back and take a look at our  
23 systems and strengthen those systems, so, that, as  
24 we move forward with the goals that the Commission  
25 approved last year -- and we actually met all of the

1 requirements that the Secretary gave us in her  
2 approval when we came forth last time.

3 So, we started those improvements, the  
4 2011-'12 school year. And then Rick and Eileen came  
5 on board. They are -- I do contract with them to  
6 help with professional development; Eileen helps  
7 with that. And that's all based on the needs of the  
8 students and how that translates to making teachers  
9 more effective in the classroom.

10 Rick is the person that helps us with the  
11 data, because we are a small school. I don't have  
12 the funds to hire an administrative team. So, they  
13 work with us on an as-needed basis to ensure that we  
14 are moving in a forward direction.

15 With this information, I want to say that  
16 I was really happy that when the CSD team came to  
17 visit, that everyone who participated in the visit,  
18 from the students, to the staff, to parents that  
19 came in, to our governing council members, we all  
20 had one message. And that is that we are -- that we  
21 are a good school, that we provide a safe and  
22 nurturing learning environment for our students,  
23 that we do care about them, and we care about their  
24 achievement in school, their academic performance,  
25 because we know what it takes to get through high

1 school.

2 And our kids come to us very  
3 under-prepared, but it's a challenge that we're more  
4 than willing to work with. And we are very hopeful  
5 and optimistic that, given a three-year renewal with  
6 a corrective action plan to really take a deeper  
7 look than what we've done already into our  
8 instructional program and the services that we  
9 provide, that we will continue to try our very best  
10 to become a better school.

11 So, with that, I'd like to thank you today  
12 for your consideration of granting us a three-year  
13 approval for renewal for La Resolana Leadership  
14 Academy. Thank you very much for your time today.

15 THE CHAIR: Thank you very much. Is there  
16 anyone in the audience who would care to comment on  
17 this application?

18 Seeing none, we're down to PEC  
19 Commissioners' questions and comments. Commissioner  
20 Bergman?

21 COMMISSIONER BERGMAN: As you all know, I  
22 serve with a reluctant group. They always want me  
23 to go first, and then they'll jump in later.

24 I accept, as you noted throughout your  
25 application and in your responses to the CSD's

1 analysis, that you're getting a disproportionate  
2 number -- about half your kids are way behind when  
3 they get to you, two to five years, as you've noted.  
4 And, so, yeah, that makes your chore difficult. But  
5 we have already seen, just today, a number of  
6 schools that have student bodies very similar to  
7 yours. So, I know it can be done.

8 MS. J. MONTOYA: Yes, sir, we certainly  
9 believe it can be done. While two-thirds of our  
10 kids come to us behind in their reading and math  
11 skills, we do work really hard with them to try to  
12 get them to improve academically. So, we believe  
13 wholeheartedly that they can achieve and be  
14 successful at school.

15 COMMISSIONER BERGMAN: Absolutely. And I  
16 noted in your response to their analysis, at the  
17 end, you were talking about their conditions that  
18 they would wish to impose. And it looked to me,  
19 from your responses to that, you were confused on  
20 some of the conditions. Have you already worked  
21 with the CSD to alleviate your confusion?

22 MS. MONTOYA: Well, we weren't confused so  
23 much about the conditions as the process for them.  
24 And I have already talked with Tony, and I've  
25 already looked at some of the documents involved in

1 the instructional audit, and, also, in the  
2 turnaround principles, which I was already familiar  
3 with through my doctoral program at UNM.

4 So, we are ready to move forward.

5 COMMISSIONER BERGMAN: And I would  
6 encourage you, as I have done with a couple of  
7 previous ones, too, that even though these  
8 conditions are here, should we go forward and come  
9 to a negotiation session over a performance  
10 contract, I would encourage you -- because this is  
11 my favorite theme -- that you not limit yourself to  
12 the goals that the CSD has recommended. I would  
13 love, if I'm present at that session, to see you  
14 maybe identify a few other areas that definitely  
15 need at least a goal from you that will motivate you  
16 and encourage you and encourage your staff and  
17 encourage your students to try and reach out and  
18 grab that improvement.

19 So, I just wanted to say that. That's  
20 just a comment, not a question. If you'd like to  
21 respond to it, please feel free to do that.

22 MS. J. MONTOYA: I certainly do appreciate  
23 that comment, Commissioner, and we wholeheartedly  
24 will move in that direction. Thank you.

25 COMMISSIONER BERGMAN: Thank you so much.

1 Thank you, Madame Chair.

2 THE CHAIR: Other comments or questions?

3 Let me ask a couple of mine. Your current  
4 enrollment cap is 150?

5 MS. J. MONTOYA: Yes, ma'am.

6 THE CHAIR: What is your current  
7 enrollment?

8 MS. J. MONTOYA: Our current enrollment is  
9 74 students.

10 THE CHAIR: So you're up a little from  
11 last year.

12 MS. J. MONTOYA: Yes, yes.

13 THE CHAIR: Give me an idea of your  
14 enrollment for the last three years.

15 MS. J. MONTOYA: Last year, it was 74. It  
16 started out as 75. We did lose one to APS last  
17 year. We were at 71; and the year, before 66. But  
18 we are making small gains in enrollment. But part  
19 of the problem that I believe is hampering us from  
20 attracting more kids to our school is the fact that  
21 we're saturated with schools in our area, including  
22 two middle schools that are in the same building  
23 that we are.

24 So, we've done a lot of things to recruit  
25 students. You know, we go out into the community.

1 We post flyers at the community centers. We do --  
2 we -- our governing council has helped us to recruit  
3 students. We've done almost everything. We've had  
4 signs on buses; we've had billboards. We've tried  
5 everything that we can to increase our enrollment.  
6 We're in the neighborhoods during the summer passing  
7 out fliers.

8 We have a Bring a Friend to School Day,  
9 where students bring kids that they think may be a  
10 good fit for our school to visit our school. And  
11 they spend the day with us and they go through  
12 abbreviated classrooms and do activities with the  
13 teachers and the kids, and we provide lunch for  
14 them.

15 So, we have really tried to increase our  
16 enrollment. We just have not been able to do it.  
17 So that's my response to --

18 THE CHAIR: Thank you. My other concern  
19 is -- I'm looking at your school report cards for  
20 the last two years. And I know Mr. Gerlicz has  
21 already touched on these. But it really, really  
22 bothers me that in 2011-'12, your final grade was a  
23 "C"; and in '12-'13, your final grade was an "F."  
24 You're going in the wrong direction.

25 You've been renewed once under conditions.

1 I believe this body turned the renewal application  
2 down, and you appealed, and the Secretary approved  
3 it for three years. I don't really see any  
4 improvement.

5 I understand the issue with the students  
6 and location. You might want to move.

7 MS. J. MONTOYA: We are contemplating  
8 that.

9 THE CHAIR: That's your business, not  
10 mine. But frankly, I am reluctant to vote to  
11 continue a school that's already been put on a  
12 three-year renewal and was not able to make more  
13 progress than this. I'm also mindful of the  
14 recommendation from CSD and all the things that they  
15 are willing to help you do to bring this school  
16 along. So, I consider that.

17 But I would -- I'm reluctant to vote for  
18 another three years. If this Commission does vote  
19 for another three years, I can assure you, if this  
20 situation does not improve, and I am still on the  
21 Commission when you come for renewal again, I  
22 guarantee, my vote would be "no."

23 This has got to improve. We have  
24 children's lives here. And aside from all the other  
25 wonderful things the school may offer, they've got

1 to have the academics to survive in this world.

2 So, I just -- I haven't made up my mind  
3 how I'm going to vote. But if you continue, you've  
4 just got to figure out a way to make this work.  
5 Thank you for listening to me.

6 MS. J. MONTOYA: Madame Chair, I do  
7 absolutely agree with you. We are passionate about  
8 the work that we do there. And in the eight years  
9 that I've been there as principal, every day, I  
10 think about the academic deficiencies that our kids  
11 have.

12 I have a son that's a sophomore in high  
13 school. Last year, as a freshman in high school,  
14 when -- going through that school year with him was  
15 like having another full-time job, because that's  
16 how much work he had in high school. And with -- I  
17 didn't -- I haven't had a child in high school in a  
18 while. And although I understood fully what the --  
19 the challenges of succeeding in high school were, it  
20 made me think even more deeply about how far behind  
21 our kids are.

22 But part of the issue that we have is --  
23 not only is -- and the one thing that I want the  
24 Commission to understand -- is that I'm not here to  
25 make excuses for our lack of progress. The reason

1 that our school grade went down last year from a "C"  
2 to an "F" is because we lost a math teacher that we  
3 had for five years in our school, who was doing a  
4 tremendous job, who brought our -- who was bringing  
5 our kids along.

6 And I fully believe that had she stayed on  
7 throughout -- through the school year last year,  
8 that we would have been at a high "C" at a very  
9 minimum. But she was accepted into a master's  
10 program at UNM midyear. And it was beyond -- fully  
11 beyond my control to be -- to stop her from  
12 enrolling in that program. So she had to be in  
13 school full-time.

14 With that, we didn't -- we have not -- we  
15 were not able to get a high-quality math teacher.  
16 We had a long-term sub in that position, who was not  
17 able to perform the way I needed her to perform,  
18 and, then, that caused some problems at the end of  
19 the school year.

20 This year, we hired a math teacher that  
21 was recommended to me from another school. I  
22 interviewed. Everything worked out, and he has  
23 become a real concern, again. And, so, you know,  
24 there are some steps that I'm taking in the next  
25 week or so to rectify that situation.

1           So, last year, I consider a bump in the  
2 road for us, because we have, from the very  
3 beginning of our charter -- although our progress  
4 has been small, we are moving in the right  
5 direction. And I want to continue to move in the  
6 right direction with the implementation of the  
7 leadership lab and the focus work that we're doing  
8 on those skills.

9           Right now, the whole staff is involved in  
10 RTI. Everybody on staff takes two classes -- takes  
11 two different days a week, we have classes where we  
12 have broken kids into skill groups, and they -- each  
13 one is spending an hour working just on those  
14 specific skills that they're lacking to improve  
15 their skills.

16           So we are seeing gains. But last year was  
17 one of those bad years for us. And we're really  
18 hoping to come back from it this year.

19           THE CHAIR: I hope so, too. Thank you.  
20 Commissioners, other -- Commissioner Carr.

21           COMMISSIONER CARR: Just a quick comment,  
22 Madame Chair. I concur with your comments, and I  
23 just want to, you know, tell you that the -- to me,  
24 I guess the general mission of charter schools is to  
25 perform above what's happening in traditional public

1 schools. And I don't see that happening. And  
2 that's a huge concern of mine.

3 THE CHAIR: Thank you. Other comments?  
4 Questions?

5 Seeing none, the Chair would entertain a  
6 motion. Commissioner Gant.

7 COMMISSIONER GANT: I move La Resolana  
8 Leadership Academy charter be renewed for a  
9 three-year term, with the following conditions:

10 The school shall undergo an instructional  
11 audit under the guidance of the Priority School  
12 Bureau. The instructional audit will be  
13 incorporated -- will incorporate the standard  
14 turnaround principles, as outlined in that process.

15 The school will submit to the Public  
16 Education Commission a corrective action plan that  
17 will reflect additional actions the school will take  
18 to improve the students' outcome for the lowest  
19 performing students. Completion of this corrective  
20 action plan will become one of the negotiated  
21 performance indicators for the school's 2014-2015  
22 performance framework.

23 The school shall present an academic  
24 performance -- will present an academic performance  
25 indicator for each year of the new charter that

1 lists specific targets for achievement for the  
2 lowest quartile of students, based upon academic  
3 performance data, that meets or exceeds Public  
4 Education Commission targets for growth for this  
5 quartile of students.

6 The indicators must be ones that the  
7 Public Education Commission can agree to through the  
8 negotiation process of the contract.

9 The school shall submit a plan for  
10 translating the use of MAP data, RIT scores, into  
11 full, half-year and partial-year growth, and will  
12 become one of the negotiation performance indicators  
13 in the school's 2014-2015 performance framework.

14 The school shall -- the school will ensure  
15 that the governing council take an active and  
16 engaged role in ensuring the academic performance of  
17 the school, and that the governing council monitors  
18 the status of those goals, accordingly. A specific  
19 governing council measure shall be stated in  
20 S.M.A.R.T. goal format as part of the performance --  
21 performance framework indicator.

22 Thank you.

23 The Charter School Division and/or  
24 Priority School Bureau shall engage in in-depth  
25 annual visits with the school to both monitor and

1 support the school in reaching the performance  
2 indicators during the term of this contract.

3 COMMISSIONER BERGMAN: Second.

4 THE CHAIR: All right. Motion by  
5 Commissioner Gant, seconded by Commissioner Bergman,  
6 to approve the school for a three-year term, with  
7 the conditions as stated in the motion.

8 Please notice that those conditions are  
9 somewhat different from the conditions that are  
10 contained in CSD's recommendation. Is there any  
11 discussion? Commissioner Bergman.

12 COMMISSIONER BERGMAN: Yeah, you may have  
13 just addressed it. But several sentences were not  
14 read. That was by design?

15 THE CHAIR: That was intentional.

16 COMMISSIONER BERGMAN: Okay. Thank you.

17 THE CHAIR: Correct?

18 COMMISSIONER GANT: Yes.

19 THE CHAIR: Any other comments?

20 Questions? Discussions?

21 All right. I would remind the  
22 Commissioners that a "yes" vote is to offer the  
23 school a three-year extension with conditions.

24 Commissioner Bergman, may we have a  
25 roll-call vote, please?

1 COMMISSIONER BERGMAN: Commissioner  
2 Parker.  
3 COMMISSIONER PARKER: Yes.  
4 COMMISSIONER BERGMAN: Commissioner  
5 Peralta.  
6 COMMISSIONER PERALTA: No.  
7 COMMISSIONER BERGMAN: Commissioner Pogna.  
8 COMMISSIONER POGNA: Yes.  
9 COMMISSIONER BERGMAN: Commissioner Carr.  
10 COMMISSIONER CARR: No.  
11 COMMISSIONER BERGMAN: Commissioner  
12 Conyers.  
13 COMMISSIONER CONYERS: Yes.  
14 COMMISSIONER BERGMAN: Commissioner Gant.  
15 COMMISSIONER GANT: Yes.  
16 COMMISSIONER BERGMAN: Commissioner  
17 Shearman.  
18 THE CHAIR: Yes.  
19 COMMISSIONER BERGMAN: Commissioner  
20 Bergman votes "yes."  
21 Madame Chair, by a six-to-two vote, the  
22 motion carries.  
23 THE CHAIR: La Resolana Leadership Academy  
24 is renewed, with conditions, as stated in the  
25 motion, for a three-year term by a six-to-two vote.

1       Congratulations.

2                   MS. MONTOYA: Thank you, Madame  
3 Commissioner, Commissioners. We will work our very  
4 hardest to improve our academic performance. Thank  
5 you.

6                   (Applause.)

7                   THE CHAIR: Next on the list is  
8 International School at Mesa Del Sol. However, I  
9 understand, through communications mixed up, they  
10 thought they were not supposed to be here until  
11 tomorrow. So, we will continue with our agenda,  
12 moving to Item No. 9, which is Update and  
13 Clarification on La Promesa Amendment, by our  
14 attorney, Abby Lewis.

15                   Oh, I'm sorry. Mr. Gerlicz?

16                   MR. GERLICZ: Madame Chair, I'm just  
17 getting word from the audience that a board member  
18 has -- oh, no, that's not a board member that has  
19 arrived?

20                   UNIDENTIFIED SPEAKER: We will go ahead  
21 and do it, anyway.

22                   THE CHAIR: Oh, you are here.

23                   MR. GERLICZ: Oh, wonderful. Please come  
24 down.

25                   COMMISSIONER BERGMAN: It's not a

1 requirement, is it, that they have a board member  
2 present?

3 THE CHAIR: Mr. Gerlicz, whenever you're  
4 ready.

5 MR. GERLICZ: Madame Chair, members of the  
6 Commission, representatives of Mesa Del Sol.  
7 Welcome.

8 It is the Charter School Division's  
9 recommendation that the International School at Mesa  
10 Del Sol, TISNM, be renewed, but not for a full  
11 five-year charter, but for a three-year charter for  
12 the following reasons:

13 As stated in our analysis, the school has  
14 overcome some rather enormous hurdles, hurdles that  
15 were not of their own making, but are part of the  
16 reality of their existence; and that is, the  
17 relationship with Forest City Development, Mesa Del  
18 Sol, LLC, who, initially, when the charter was  
19 founded, was to be an integral partner, including  
20 financial partner, as well as providing support and  
21 housing for the community in which Mesa Del Sol  
22 exists. The timing was wonderfully placed to occur  
23 in the worst recession of the 21st Century -- or the  
24 20th Century -- or maybe the second worst recession  
25 of the 20th Century -- and the school has had to

1 endure the pullout of that relationship in its five  
2 years of existence.

3           The concern that CSD has is that, in the  
4 last few years, the school has been on a downward  
5 side academically, while the population has  
6 increased. It's kind of a funny situation, and it's  
7 an interesting story of the school.

8           The school is the first public school to  
9 be certified in PYP, MYP of the International  
10 Baccalaureate program. That's for Primary Years  
11 Program, Middle Years Program. And that is a  
12 significant -- I'm sorry. It's not yet certified  
13 for MYP, but it is for Primary Years Program. And  
14 that is a significant achievement.

15           That is to their credit that they were  
16 able to receive that certification, increase its  
17 enrollment every year, while having that supposed  
18 support there not materialize, place them at the  
19 Mesa Del Sol, far away from population centers.  
20 Certainly, some difficult circumstances for any  
21 school to attain.

22           The -- another concern that the Charter  
23 School Division has that uncovered during its site  
24 visits is the special-ed population. We raised the  
25 concern with school leadership, who were fully on

1 board with addressing the deficiencies in how  
2 special education was being handled at the school:

3 The Charter School Division referred that  
4 concern to the Public Education Department's Special  
5 Ed Bureau. Sad to say, they were a little tardy on  
6 the uptake. We were hoping that they would have a  
7 site visit themselves to the school for additional  
8 information for this PEC meeting.

9 However, I did receive word that they were  
10 currently at the school today, the Special Ed  
11 Department, working with the folks at Mesa Del Sol  
12 to improve that situation.

13 To the leadership's credit, he was aware  
14 of the special education issues before our site  
15 visit and did his best to hire accordingly in the  
16 off-season, so that the assistant principal has a  
17 doctorate in special ed, has hired a new special-ed  
18 coordinator. So, there are steps along the way that  
19 are an improvement that we have seen to address the  
20 deficiencies of special ed.

21 And I think that that is commensurate with  
22 the data that we see that shows that the school has  
23 had a difficult time in the area of growing  
24 academically both its Q1 and Q3 students. It has  
25 had success in years past, but has encountered some

1 bumpy roads, more recently.

2 Because of the achievements that Mesa Del  
3 Sol has clearly demonstrated, given all of those  
4 obstacles, over 300 students at the school, already,  
5 the CSD recommends renewal for a three-year charter,  
6 with the following conditions:

7 That we also place the school on a  
8 corrective action plan, and that the action plan  
9 have the following conditions:

10 We will also require an instructional  
11 audit be performed at Mesa Del Sol, similar to the  
12 previous school, and that we require, as well, that  
13 the Mesa Del Sol get all of its special education  
14 files up to date, and they will present us with a  
15 plan of how they intend to do so and when that will  
16 occur, and that they will work with the PED Special  
17 Education staff to make that happen. Completion of  
18 this corrective action plan will be one of the  
19 negotiated indicators in the upcoming contract  
20 negotiation sessions.

21 No. 2: The school shall present an  
22 academic performance indicator for each year of the  
23 new charter, which lists specific targets for  
24 achievement of the lowest quartile of students, the  
25 Q1 students, based upon the academic performance

1 data that meets or exceeds PED targets.

2 So we want to see a plan from the school,  
3 how it intends to address the performance of the Q1  
4 students in the school.

5 No. 3: The school shall present a  
6 corrective action plan to the PEC within 30 days  
7 that reflects the action that the school will take  
8 to improve the student outcomes for all of its  
9 students within the IB.

10 4. Provide a plan and a time line for  
11 receiving certification of the MYP program -- that's  
12 the Middle Years Program. And there, what we're  
13 asking is just to set out a course that would inform  
14 the Charter School Division of its plan to reach MYP  
15 certification which, again, is a very significant  
16 marker, like certification for PYP, to be  
17 congratulated for any school that achieves that.

18 Another concern that the PEC -- or the  
19 CSD -- had, which has since been corrected, is board  
20 membership. The board was out of compliance for far  
21 too long a period of time, for a period of eight  
22 months, where they fell below the statutorily  
23 required five members. Again, the school responded  
24 expeditiously, and they are now well in compliance.  
25 So, we are going to make that a condition, that that

1 board membership be maintained and increased.

2 And we see this in charter schools who  
3 maintain the bare minimum of five members of a  
4 governing council. Our continual advice to those  
5 schools is to get beyond five members, so that this  
6 situation does not happen.

7 The last one will be the most challenging  
8 for the school, because of its situation. And that  
9 is, that we would like to see a plan for how it  
10 intends to solve its facilities issues. They've  
11 done a marvelous job having a campus of portable  
12 buildings on the Mesa. Their governing board does  
13 not intend to live there permanently. The  
14 leadership does not intend to live there  
15 permanently. All of that is totally understandable.

16 We'd just like to see a plan of how that  
17 is going to be resolved.

18 So, those are the conditions that CSD  
19 would like to place on the school as it recommends  
20 its renewal for a three-year term.

21 Thank you, Madame Chair.

22 THE CHAIR: Thank you. Good afternoon. I  
23 know it's late. We appreciate your being here.  
24 Please introduce yourselves, and we would like to  
25 hear your comments.

1 MR. JOYCE: Good afternoon, Madame Chair,  
2 Commissioners. My name is Sean Joyce, J-O-Y-C-E.  
3 And I am the head of school at the International  
4 School at Mesa Del Sol.

5 MS. SANDERS: Good afternoon. I am Heidi  
6 Sanders, H-E-I-D-I, S-A-N-D-E-R-S. And I am the  
7 president of the governing council for the  
8 International School.

9 MR. DALY: Good afternoon. My name is  
10 Michael Daly, D-A-L-Y. I am the president and  
11 principal of Mesa Del Sol.

12 MR. JOYCE: I probably should have spelled  
13 my first name, S-E-A-N.

14 Thank you this afternoon for the  
15 opportunity to address the Commission and to speak  
16 about our little school on the mesa. It is my  
17 pleasure and privilege to be here in front of you  
18 today representing this organization that has been  
19 my personal passion for the last five years.

20 I'm here with you today representing the  
21 International School at Mesa Del Sol, the governing  
22 council, the students and staff, and the larger  
23 community of our school. I also express a sincere  
24 thank you to Dr. Gerlicz and his staff who spent a  
25 great deal of time looking, listening, asking

1 questions, and thinking deeply about our school, our  
2 community, and the data offered by the Public  
3 Education Department.

4 The mission of the International School at  
5 Mesa Del Sol is to provided a meaningful and  
6 globally connected and comprehensive educational  
7 program to all students, regardless of personal  
8 circumstances, to develop knowledgeable, reflective,  
9 critical, and compassionate lifelong learners, who  
10 understand, appreciate, and respect the common bonds  
11 of humanity in a culturally diverse world.

12 Our vision is to bring a meaningful,  
13 comprehensive, contemporary education to all  
14 students, regardless of their personal  
15 circumstances, to motivate them to learn and be  
16 actively engaged in our school community.

17 It is our vision that, with this  
18 foundation, children will grow into adults with the  
19 hearts, minds, and hands to build a better world.

20 The principles that support this vision  
21 include the following:

22 All students, regardless of personal  
23 circumstance, are entitled to a rich, relevant,  
24 challenging, and international academic program.

25 All students must be held to high

1 standards and be expected to achieve them.

2 All students can and will learn, given the  
3 appropriate context and support.

4 All students should expect that their  
5 education will not prepare them for the next phase  
6 of their academic or vocational careers, but equip  
7 them with the essential lifelong skills.

8 All students should expect that their  
9 academic experience should be influenced by broad  
10 diversity in student and teacher makeup.

11 A meaningful education is a key to  
12 understanding the world today, recognizing that the  
13 development of new knowledge can be constructed both  
14 from individual cultural perspectives, as well as  
15 from perspectives that draw across cultures.

16 The academic program will embrace  
17 international content, skills, assessment, and  
18 benchmarks, as well as that of local context.

19 The expectation that students will not  
20 only master foundational and threshold skills, but  
21 will become critical and creative thinkers who are  
22 competent in their abilities to independently  
23 construct, evaluate, and apply knowledge.

24 The International School at Mesa Del Sol  
25 opened its doors on August 30, 2009, with

1 51 students in grades kindergarten through four,  
2 housed in a small circle of portable buildings on  
3 the mesa just south of Albuquerque and the Sunport  
4 Airport and Kirtland Air Force Base.

5 Today, four-and-a-half years later, we  
6 continue to be housed in a larger circle of portable  
7 buildings, but publicly owned, with 310 students in  
8 grades kindergarten through eighth grade.

9 We are an International Baccalaureate  
10 World School for the Primary Year Program, which is  
11 a highly ambitious and coveted authorization that is  
12 both difficult to earn and difficult to maintain.  
13 We are eager to initiate the same authorization for  
14 a Middle Year Program.

15 As noted in the Charter School Division's  
16 report and analysis, both our Quality of Education  
17 survey, which is much higher -- which has a much  
18 higher return rate than most public school  
19 districts, indicates that our 2012-2013 report card  
20 has a very high Opportunity to Learn category,  
21 deriving better students from our student surveys of  
22 a 9.05 out of 10 points.

23 There are a number of reasons why the  
24 International School at Mesa Del Sol is considered  
25 only for a conditional charter school

1 reauthorization, and the Charter School Division  
2 analysis of our school was not a surprise to us, but  
3 well received as confirmation of our own internal  
4 self-study that began last spring. As a result of  
5 our own spring internal investigations, we began to  
6 correct weaknesses and to initiate programs and  
7 processes to redirect our school, overall, and in  
8 specific areas.

9 While we never have accepted that our  
10 student achievement have declined over the past two  
11 years, it has been anticipated, as indicated from  
12 the Charter School Division for some of those  
13 reasons.

14 We have rebuilt our governing council  
15 membership to a present membership of seven members,  
16 as noted by our November agenda and minutes. And we  
17 hope to recruit a possible eighth member for our  
18 January meeting.

19 As indicated in the Charter School  
20 Division analysis, our school has no material  
21 violations. While our special ed program has been  
22 less than acceptable, and is noted by that report,  
23 there are a number of compliance issues that have  
24 already been addressed.

25 We have hired two special education

1 teachers to support students in the classroom and to  
2 support teachers, as well, with their instructional  
3 delivery and curriculum development, to facilitate  
4 the support of those students.

5 We've hired an Assistant Head of School,  
6 who has an extensive professional career in special  
7 education, as well as having earned his Ph.D. in  
8 special education.

9 We've hired a .5 FTE personnel to assist  
10 our special education program, specifically with  
11 compliance issues, to focus on establishing  
12 processes, procedures, and accountability for all  
13 the compliance issues noted.

14 We have received a Reads to Learn grant to  
15 help our most struggling and underperforming  
16 students in reading and writing, and to support our  
17 instructional staff in their curricular  
18 instructional delivery.

19 As of this moment, noted by Dr. Gerlicz,  
20 the Public Education Bureau is conducting an audit  
21 on our campus today. And as of 2:00 their findings  
22 are that, based on our ADA report, there is only one  
23 IEP and one reevaluation out of compliance. That is  
24 a significant change from the October visit.

25 The school leadership here concurs with

1 much of the CSD analysis, with the exception of two  
2 points; and that is, the school growth component  
3 over time.

4 We have indicated that, though the  
5 students may be different in those grades, our  
6 longitudinal data, drawn from both the NMSBA and the  
7 MAP's, Measures of Academic Progress, as reported in  
8 our initial report in October, shows that our cohort  
9 students, those students that have been with us for  
10 three or four years, do perform better, in almost  
11 all cases, though not always significantly. The  
12 importance of this distinction is, we believe,  
13 twofold:

14 One, having to deal with the instructional  
15 turnover of staff, as highlighted in the analysis  
16 report from CSD, and the difficulties that we face  
17 in maintaining those staff. And, two, the nature of  
18 the IB curriculum instruction being new and  
19 different for the majority of instructional staff  
20 each year, with instructional delivery learning --  
21 being a curve, a very steep curve.

22 And as Dr. Gerlicz indicated, there aren't  
23 very many International Baccalaureate-approved World  
24 Schools in New Mexico. Hiring already approved,  
25 already trained IB instructors has always been a

1 difficulty for us IB schools.

2           While the instructional staff is ramping  
3 up their IB curriculum instruction, and wrapping  
4 their brain around the very different, for them, at  
5 least, delivery system, they're also juggling  
6 differentiation of instruction and interventions for  
7 students that are both under-performing and new to  
8 both the school, our school, and the IB environment.  
9 This is a significant challenge for the  
10 instructional staff, even though our data indicates  
11 that 15 percent of our students, right now, have a  
12 special education IEP.

13           What may be overlooked in the conversation  
14 concerning underperforming students, the enrollment  
15 numbers and the class ratios and the funding, is  
16 simply this: The proportion of general education  
17 students to special education students in the  
18 classroom is higher than in many other public school  
19 settings. The overall funding to our school is  
20 proportionately lower than most other public  
21 schools, so that the resultant funding to each  
22 classroom and each student within that classroom,  
23 special education or general education, is  
24 proportionately lower than most public school  
25 district schools.

1           Mesa Mesa Del Sol has fewer dollars per  
2 student in funding, which then equates to less  
3 support for both the students and the teachers in  
4 the classroom. Less funding, in this case, as in  
5 most cases, equals less support and less success for  
6 the most difficult and expensive students to  
7 educate.

8           Madame Chair, Commissioners, thank you  
9 very much for this opportunity to continue to serve  
10 our growing and diverse student population and  
11 culturally diverse community, with the much coveted  
12 and applauded International Baccalaureate World  
13 School status that our little school on the mesa  
14 has. And I welcome questions. Thank you.

15           THE CHAIR: Thank you for that  
16 presentation. Is there anyone in the audience who  
17 wants to comment on this application?

18           Seeing none, we will move on to PEC  
19 Commissioners' questions and comments. Anyone with  
20 a comment?

21           COMMISSIONER GANT: I'll start.

22           THE CHAIR: Commissioner Gant.

23           COMMISSIONER GANT: Madame Chair, members,  
24 I have been -- I live in Cruces, so I have to swing  
25 through Albuquerque regularly, about three times a

1 month, coming up here. And I have been by your  
2 "circle of wagons" out there. And it's interesting,  
3 as it's grown.

4 But what is the plan? Now, I know that  
5 you have talked to PSFA about the possibility of  
6 building a building on a lease-purchase scenario.  
7 And I think, at one time, you had a 20-year lease  
8 purchase, or something like that? But it was a long  
9 lease-purchase, not normally acceptable.

10 So, what is your plan to get out of the --  
11 the current portables that you are in with the fence  
12 around it?

13 MR. JOYCE: Madame Chair,  
14 Commissioner Gant, I have been with the school since  
15 its inception, after the charter was authorized.  
16 And I am aware of only a charter -- a lease-purchase  
17 of five years. So, I'm not sure that we have on  
18 record anything longer than that. We are currently,  
19 and continue to be, in negotiations with Mesa Del  
20 Sol, our partner, who is also represented here at  
21 the table. We have looked at sites on the mesa, as  
22 well as off the mesa.

23 As you are aware, we are to -- unless we  
24 have an approved amendment, we are to stay on the  
25 mesa. So, we are looking at both foundation --

1 private sponsorship with our partner here, Mesa Del  
2 Sol, as well as finding a charter school bonding, as  
3 other charter schools have done, so that we would  
4 enter into a lease-purchase.

5 COMMISSIONER GANT: Another -- just a  
6 comment. The -- you alluded to less funding per  
7 student in your school. And has been stated by the  
8 Governor and stated by the Secretary of Ed Designee  
9 several times, particularly in traditional public  
10 schools, no excuse is acceptable for not teaching.  
11 And funding, to me, is not an excuse for not  
12 reaching the goals of a school.

13 I would not accept it in a traditional  
14 school. I sat on a school board for eight years.  
15 That is not an excuse for teaching. I'm just making  
16 a comment. When you said that, it kind of smacked  
17 me in the eye, okay? Thank you.

18 THE CHAIR: Other comments? Questions?  
19 Commissioners?

20 MS. SANDERS: Could I make a comment to  
21 that?

22 THE CHAIR: Oh, yes.

23 MS. SANDERS: And I would agree completely  
24 with that, that we know that whoever we have in our  
25 school, we need to do the best that we can. And

1 within IB, we follow differentiated instruction.  
2 And that is what our teachers are working on each  
3 day.

4 I think when we talk about funding, we do  
5 realize that we don't have the number of special  
6 education staff that we would like to support that  
7 for the teachers. So, the teachers are doing the  
8 best they can, but they -- the teachers could have  
9 more support to then support the students.

10 And just an example of that, this year, we  
11 have more than doubled -- or tripled -- our number  
12 of special education students. And as you know, we  
13 won't get the funding for that until next year.

14 So, where we should have more FTE to serve  
15 those students, we don't have the funding to hire  
16 that person.

17 So, I do believe that we're trying to give  
18 our teachers everything we can, but we could have  
19 more support. Thank you.

20 THE CHAIR: Thank you.

21 MR. JOYCE: Madame Chair and  
22 Commissioner Gant, I don't argue with you, either.  
23 I've always said that it's not a matter of money.  
24 It does take a certain amount of money to,  
25 obviously, operate schools.

1           One of the additional benefits of being an  
2 International Baccalaureate School is the additional  
3 expense of authorization and the additional expense  
4 of training, which is required in both cases. Those  
5 are not funded from the State. It's an additional  
6 expense that most non-International Baccalaureate  
7 Schools would incur.

8           So, we, again, have to find additional  
9 funding sources to pay for those additional  
10 expenses, which we are happy to bear, because we  
11 appreciate the International Baccalaureate, which is  
12 the core of our program. But it is an additional  
13 expense. Thank you.

14           THE CHAIR: Thank you. Other comments?  
15 Commissioner Bergman?

16           COMMISSIONER BERGMAN: I had already noted  
17 in one of your responses that your governing  
18 council, as you just noted in your remarks, was now  
19 seven. Your approved level was five, I thought.  
20 And my comment and question may be directed to the  
21 Director. I do not remember an amendment being  
22 presented to the PEC to approve them to expand their  
23 board. Am I misinformed?

24           MR. GERLICZ: Madame Chair, Commissioner  
25 Bergman, I don't think that an amendment was

1 presented to the PEC. I don't know what is  
2 actually, word for word, in TISNM's charter. Do  
3 they say exactly five? Or do they say the range?  
4 I'd have to go back into the charter to see what the  
5 specific language is. Five, of course, is the  
6 statutory minimum. But it depends on what they  
7 specifically say in the bylaws.

8 COMMISSIONER BERGMAN: I was just going  
9 by, when you pointed out that they were out of  
10 compliance with the statute and only had four  
11 members, you were saying they should have had five.  
12 And they only had four at that time for eight  
13 months, which also concerned me a little bit, too.  
14 But I wasn't even going to raise that issue.

15 But maybe that require -- you could at  
16 least investigate for us and tell us what was that  
17 in their original charter, because we have had this  
18 debate before. What constitutes a material change  
19 to an original application, or an original charter?  
20 And we have had this debate.

21 And, just, in my opinion, which my fellow  
22 Commissioners may not share, changing the size of  
23 your governing council is a material change. Others  
24 may disagree with me. If you would just look into  
25 that for me, just give me an e-mail or something?

1 Thank you.

2 THE CHAIR: Do you, by any chance, recall?

3 MR. JOYCE: Madame Chair, Commissioner  
4 Bergman, our bylaws require a maximum of seven. But  
5 it is amendable, as you've indicated. But our  
6 bylaws do indicate seven.

7 COMMISSIONER GANT: What does the charter  
8 say?

9 THE CHAIR: What does the charter say?

10 MR. GERLICZ: The bylaws are included in  
11 the charter. So, if the bylaws say "seven," they  
12 can go from -- well, let's see. We have to  
13 hair-split the words. Do they say exactly "seven,"  
14 or is it "five to seven"? "Up to seven"? It  
15 depends on their language. If it says "up to  
16 seven," then they're allowed five, six, or seven.

17 COMMISSIONER BERGMAN: Okay. So, maybe  
18 you've answered my question. You just said you  
19 wanted to add an eighth one by next month. We've  
20 done that with another application already, on a  
21 mission statement. Do we want to go ahead and give  
22 them approval to go to eight, then, or --

23 THE CHAIR: Is it included in here?

24 MR. GERLICZ: Madame Chair, Commissioner  
25 Bergman, if it's in their bylaws, and they go beyond

1 what's ever in the bylaws, they'll have to change  
2 their bylaws first.

3 COMMISSIONER BERGMAN: And then come to  
4 us?

5 MR. GERLICZ: And, then, that's a revision  
6 of the charter.

7 COMMISSIONER BERGMAN: So, that would be  
8 handled down the road?

9 MR. GERLICZ: Correct.

10 COMMISSIONER BERGMAN: Okay. I'm done.  
11 Thank you.

12 MS. LEWIS: I don't necessarily agree with  
13 that assessment. They could -- they don't have to  
14 change their bylaws before they request an amendment  
15 from you. It's kind of a chicken or the egg. So,  
16 if it's easier or makes more sense to do it now --

17 THE CHAIR: But it's not written in here.

18 MS. LEWIS: Well -- okay. I don't believe  
19 the amendment has to be in writing. They may be  
20 able to verbally ask for an amendment. But let me  
21 just get to that, hopefully.

22 COMMISSIONER GANT: Madame Chair. Is that  
23 what you'd like to do?

24 MR. JOYCE: Madame Chair, Commissioners,  
25 not necessarily. We were following the guidance of

1 the corrective action plan to make sure we had a  
2 full complement. If that's not necessary, we would  
3 be happy not to do that.

4 As I say, we have a continual recruitment  
5 process; we have people who are going through that  
6 process.

7 THE CHAIR: Then, let me suggest, for the  
8 moment, let's leave it to investigate what the  
9 wording actually is. If it says "up to seven," then  
10 everything is fine. If it says "seven" as a stated  
11 number, then we have a problem. If it says "five,"  
12 we have a problem.

13 Mr. Director, I'm going to ask that you  
14 take care of that --

15 MR. GERLICZ: Got it.

16 THE CHAIR: -- please. Okay, thank you.

17 Commissioner Bergman?

18 COMMISSIONER BERGMAN: I really try not to  
19 be a nitpicker, and it just caught my eye. That's  
20 fine. I'm done. Thank you.

21 THE CHAIR: Other questions or comments?  
22 I see we have lost one Commissioner, and I didn't  
23 realize when Commissioner Pogna left.

24 COMMISSIONER BERGMAN: I was going to note  
25 that before the vote.

1 THE CHAIR: All right. So we are down to  
2 eight? Seven?

3 COMMISSIONER BERGMAN: We still have a  
4 quorum, yeah.

5 THE CHAIR: Okay. We're down to seven,  
6 okay? And we do still have a quorum. Thank you.

7 Any further comments?

8 Then the Chair would entertain a motion.

9 COMMISSIONER CARR: Madame Chair.

10 THE CHAIR: Commissioner Carr.

11 COMMISSIONER CARR: I move Mesa Del Sol be  
12 renewed for a three-year term, with the following  
13 conditions:

14 1. The school shall present a plan for  
15 execution to the PEC at a public meeting within  
16 30 days of renewal of how it plans to meet the needs  
17 of all its special education students, get all of  
18 its files up-to-date, and how they will remain  
19 up-to-date. The plan will address all findings of  
20 the Special Education Division. PEC will determine  
21 if the plan is completed -- if the plan is  
22 completed.

23 2. The school shall present to the  
24 Commission in a public meeting an academic  
25 performance indicator for each year of the new

1 charter, which lists specific targets for  
2 achievement of the lowest quartile of the students,  
3 based upon academic performance data, that meets or  
4 exceeds PED targets for growth for this quartile of  
5 students, within 60 days.

6 3. The school shall present a plan to the  
7 PEC in a public meeting, within 30 days of renewal,  
8 that reflects the action that the school will take  
9 to improve student outcomes for its lowest  
10 performing students. PEC will determine if the plan  
11 is completed.

12 4. The school shall provide a plan and  
13 time line for receiving certification of the MYP  
14 program, including requisite training for the Middle  
15 Years Program, to the Commission in a public meeting  
16 within 60 days.

17 5. The school shall ensure that  
18 sufficient board membership is maintained.

19 6. The school shall present a plan to the  
20 PEC in a public meeting of how the school will solve  
21 its facilities challenges and how the school plans  
22 to be in a public facility by 2015, within 60 days.

23 THE CHAIR: You've heard the motion. Do I  
24 hear a second?

25 COMMISSIONER GANT: Second.

1 THE CHAIR: Motion by Commissioner Carr,  
2 second by Commissioner Gant, to approve the  
3 International School at Mesa Del Sol for a  
4 three-year term, with the conditions, as stated.  
5 Please note that those conditions differ somewhat  
6 from the stated conditions that CSD has in their  
7 notebooks.

8 Is there discussion, Commissioners?  
9 Commissioner Parker.

10 COMMISSIONER PARKER: Madame Chair,  
11 Commissioners, I had done work with, and currently  
12 have a project under construction, with a company  
13 that a former board member works for. As a result,  
14 I'll be abstaining from this vote.

15 THE CHAIR: Thank you, Commissioner. That  
16 will still leave us six votes. It's still a quorum.

17 Are there further comments or discussion?  
18 Commissioner Bergman, why don't we have a roll-call  
19 vote, please?

20 COMMISSIONER BERGMAN: Again, the Chairman  
21 has already done this. But I will note for the  
22 record that Commissioner Pogna did have to leave.  
23 We still have a quorum with six members able to vote  
24 on this motion. So, I will now proceed with the  
25 vote.

1 Commissioner Peralta.  
2 COMMISSIONER PERALTA: Yes.  
3 COMMISSIONER BERGMAN: Commissioner Carr.  
4 COMMISSIONER CARR: Yes.  
5 COMMISSIONER BERGMAN: Commissioner  
6 Conyers.  
7 COMMISSIONER CONYERS: Yes.  
8 COMMISSIONER BERGMAN: Commissioner Gant.  
9 COMMISSIONER GANT: Yes.  
10 COMMISSIONER BERGMAN: Commissioner  
11 Shearman.  
12 THE CHAIR: Yes.  
13 COMMISSIONER BERGMAN: Commissioner  
14 Bergman votes "yes." Madame Chair, by a six-to-zero  
15 vote, that motion carries.  
16 THE CHAIR: Thank you. The vote is  
17 unanimous, to approve the three-year extension --  
18 the three-year renewal, with conditions, of the  
19 International School at Mesa Del Sol.  
20 Congratulations.  
21 MR. JOYCE: Thank you very much.  
22 (Applause.)  
23 THE CHAIR: Ladies and gentlemen, I note  
24 it is now after 5:00. Unless anyone wishes to do  
25 otherwise, I would recommend that we recess for

1 today and reconvene at 9:00 in the morning,  
2 beginning with Agenda Item No. 9. Is that all right  
3 with everybody? We are recessed.

4 (Proceedings in recess at 5:05 p.m.)  
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## 1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

3  
4 REPORTER'S CERTIFICATE

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

12 In testimony whereof, I have hereunto set my  
13 hand on December 23, 2013.

14  
15  
16 

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