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BEFORE THE PUBLIC EDUCATION COMMISSION  
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS  
PUBLIC INPUT MEETING  
HEALTH SCIENCES ACADEMY  
August 23, 2012  
9:25 a.m.  
Women's Intercultural Center  
303 Lincoln Street  
Anthony, New Mexico

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

COMMISSIONERS:

MR. M. ANDREW GARRISON, Chair  
MS. CAROLYN SHEARMAN, Vice Chair  
MR. EUGENE GANT, Secretary  
MS. CARLA LOPEZ  
MR. VINCE BERGMAN  
MR. GILBERT PERALTA

STAFF:

MS. KELLY CALLAHAN, Director, Charter School Division  
MS. CORDELIA CHAVEZ  
MR. BRAD RICHARDSON  
MS. SHELLY CHERRIN  
MS. RACHEL STOFICK

VOLUNTEER INTERPRETER: MS. BRENDA AVILA

1 THE CHAIR: The Public Education  
2 Commission meeting is back in session. This meeting  
3 is being conducted pursuant to New Mexico Statutes  
4 Annotated, Title 22, Section 8B-6J, 2009. The  
5 purpose of these community input hearings that will  
6 be held from August 20 through August 24, 2012, is  
7 to obtain information from the applicant and to  
8 receive community input to assist the Public  
9 Education Commission in its decision whether to  
10 grant the proposed charter application.

11 According to this section of the law, the  
12 Commission may appoint a subcommittee of no fewer  
13 than three members to hold a public hearing.  
14 According to the law, these hearings are being  
15 transcribed by a professional court reporter.

16 The total time allocated to each applicant  
17 is 90 minutes, which will be timed to insure an  
18 equitable opportunity to present all applications.

19 During the hearing, the Commission will  
20 allow for community input about the charter  
21 application. The time for public comments will be  
22 limited to 20 minutes. If you wish to speak on  
23 behalf of the applicant, please sign in at least  
24 15 minutes before the applicant's presentation.

25 Please be sure that you indicate on the sign-up

1 sheet whether you are here in opposition or support  
2 of the charter school.

3 The Commission Chair, based on the number  
4 of requests to comment, will allocate time -- will  
5 allocate time to those wishing to speak. If there  
6 are a large number of supporters or opponents, they  
7 are asked to select a speaker to represent common  
8 opinions. We will try to allocate an equitable  
9 amount of time to represent the community  
10 accurately.

11 The Commission will follow this process  
12 for each community input hearing: The Commission  
13 will ask each applicant or group to present here at  
14 the table in front. They will be given 20 minutes  
15 to present their application in the manner that they  
16 deem appropriate. The Commission will not accept  
17 any additional documentation from the applicant; but  
18 the applicant may use exhibits to describe their  
19 school, if necessary.

20 Following the applicant's presentation,  
21 the local school district representative or  
22 representatives will be given five minutes to  
23 comment. Subsequently, the Commission will allow  
24 20 minutes for public comment, as described above.  
25 Finally, the Commission will be given 45 minutes to

1 ask questions of the applicant.

2 And I was informed that the applicants do  
3 have a translator. That does not change your  
4 20 minutes, as far as your amount -- allotted time  
5 to speak. I'm assuming there are  
6 Spanish-speaking-only citizens here. And did you  
7 verify that interest?

8 (Interpreter addresses audience  
9 in Spanish.)

10 THE CHAIR: So that validates the need,  
11 and we appreciate you having -- being able to do  
12 that for us.

13 And we will go ahead and have the Health  
14 Sciences Academy. For the record, please state --  
15 let's go ahead and introduce yourselves. And if you  
16 have an uncommon spelling of a last name, please  
17 spell it out for the transcriber, and also your  
18 titles or roles that you will play for the school.  
19 Start with that, and don't start the time yet.

20 MS. SAMRAJ: Lorna Samraj, last name  
21 S-A-M-R-A-J. I'm one of the founders.

22 MR. ROBINSON: Rex Robinson. My role is  
23 still being defined, but I'm helping with the  
24 business functions, the accounting functions of the  
25 school.

1 MR. NEVINS: Raphael Nevins.

2 R-A-P-H-A-E-L; Nevins, N-E-V-I-N-S. I'm working  
3 with Healthy Futures with the applicant as a  
4 technical adviser.

5 THE CHAIR: You're going to use the mic.

6 MR. NEVINS: Good morning. This is  
7 Raphael Nevins, R-A-P-H-A-E-L, N-E-V-I-N-S. I'm a  
8 technical adviser to Healthy Futures, the applicant.

9 MS. AVILA: My name is Brenda,  
10 B-R-E-N-D-A; last name, Avila, A-V-I-L-A. And I am  
11 a founder and board member.

12 THE CHAIR: Thank you. Go ahead and keep  
13 the microphone in your hands, because it's going to  
14 go back and forth. You will have 20 minutes to  
15 present information about your application, and you  
16 may begin.

17 MS. SAMRAJ: Good morning, Mr. Chairman,  
18 members of the Commission, and those who have chosen  
19 to attend this meeting. My name is Lorna. I want  
20 to start very briefly with how we began and evolved  
21 the idea of this charter school in the Gadsden  
22 District. My involvement with the district goes  
23 back to almost a decade when we started work with  
24 the Women's Center here, and also, part of it in  
25 Las Cruces. I have a time line there that very --

1 kind of outlines our activity, and it starts way  
2 back in 2002.

3 We got an understanding of the needs of  
4 the community, educational as well as health care.  
5 We formed partnerships in the community. And in  
6 2011, we formed Healthy Futures to serve as an  
7 adviser and support for the Health Sciences Academy.

8 Since January, when we submitted our  
9 notice of intent, we have been very busy. We have  
10 engaged the community to get support and feedback  
11 and advice on what the needs are of the community.  
12 We have visited with elected officials, business  
13 leaders, health care professionals, and the  
14 community. We've had three different community  
15 events in the district over the last three months.

16 We have looked at facilities; we've spoken  
17 with architects and real estate people. And I  
18 think, you know, this is just -- we've done -- gone  
19 all out to try to prepare for this huge undertaking,  
20 but an exciting one as well. So that kind of just  
21 outlines our activity.

22 We have also, during this time, built up  
23 an advisory committee of professionals from  
24 education, health-care professions, as well as  
25 technology. Some of our members here will talk in a

1 little bit more detail about our potential  
2 partnerships. Thank you.

3 MS. AVILA: Good morning, everybody. So I  
4 briefly want to talk to you about the founders and  
5 the board. We have people that have been involved  
6 with education in charter school founding. So this  
7 is something that we are familiar with.

8 Also we have several physicians as  
9 founders, and as specialists in education from  
10 different parts of the U.S., but mostly people from  
11 New Mexico who have experience with bilingual  
12 education, who know the population and are very  
13 aware of the needs of this community.

14 Here is a sample of what we have as a  
15 demographics of the students that we have in mind  
16 for the school. This is based on census data and  
17 other official data as well. So out of  
18 13,600 students, 90 percent of the students are  
19 Hispanic. So we definitely recognize the importance  
20 of recognizing their heritage and recognizing where  
21 they come from and making it a part of -- a crucial  
22 part of the curriculum.

23 Forty-four percent of the students are  
24 English-Language Learners. And we have several  
25 board members and founders who have been involved



1 with English as a Second Language education for  
2 several years.

3 And 12 percent of the student population  
4 is -- qualifies as special ed.

5 And 100 percent of this population  
6 qualifies as economically disadvantaged, which is  
7 defined as students who qualify for Free Lunch in  
8 the school system.

9 We also recognize a need for a school that  
10 really prepares students to meet standards.  
11 According to AYP in the past two years, we have the  
12 middle schools and high schools from the area. And  
13 both years, the standards were not met in math and  
14 reading proficiency. Reading proficiency was only  
15 met by 44 percent, and math proficiency by  
16 41 percent, and as far as health care, which is also  
17 a vital part of our school.

18 So you can see here a chart of the  
19 projected growth of health-care occupations in the  
20 U.S. There is going to be a great demand in the  
21 next years. There's -- there's some more details  
22 here if you want to take a look at it later. But,  
23 basically, we also want to emphasize not only that  
24 there's a need for those jobs, for professionals  
25 that are qualified in jobs, but also particularly

1 Latinos.

2 We have a tremendous percentage of the  
3 population being Latino; yet -- 50 percent of our  
4 population. Yet there's only 5 percent of Latinos  
5 involved in the physician -- in the medical field.  
6 So they're not only underrepresented, but kids don't  
7 have role models. And what better for those  
8 children to be role models in their community and  
9 take those percentages up and visualize themselves  
10 as being there, the ones that are taking care of  
11 everybody else?

12 MS. SAMRAJ: I'm just going to draw your  
13 attention here to the school design. And this is  
14 our projected enrollment for five years; and, of  
15 course, it's in the application as well. We hope to  
16 start with Grades 7, 8, 9, and 10, and the second  
17 year, add on Grade 11, and the third year, add on  
18 Grade 12, and to grow to a total capacity of  
19 500 students. This includes day students as well as  
20 evening students, as our program is designed to have  
21 an evening class program as well.

22 My next visual board here shows you kind  
23 of what a daily schedule might look like. Our day  
24 classes will be from 8:00 to 3:00 in the afternoon.  
25 They will be 90-minute sessions or classes.

1 Following the 3:00 end of school day, we will have  
2 another block of time that's going to be a focus for  
3 an opportunity for students to receive remediation  
4 as well as gifted students for acceleration. So  
5 the -- and, of course, we hope to add student clubs  
6 as well after school.

7 So the 3:00-to-6:00 time period, we hope  
8 is an excellent time for our students to either  
9 catch up with schoolwork, get the extra time and  
10 help that they need, as well as, you know, help them  
11 engage in other -- with their peers in other  
12 activities.

13 The evening program will be from 6:00 to  
14 9:00 in the evening. All the remediation as well as  
15 the evening program will have licensed teachers,  
16 will have instructional assistants, as I'll point  
17 out here very shortly.

18 One of the unique features of the Health  
19 Sciences Academy is the configuration of our  
20 classroom. We want to have students learn in  
21 clusters. So a classroom may be managed by a  
22 licensed, credentialed teacher as a team leader; but  
23 we want to support that teacher with instructional  
24 assistants. And especially the early grades, 7, 8,  
25 9, and 10, in language arts and in math and in

1 science, we want to provide the teachers with up to  
2 as many as three instructional assistants during  
3 their class time.

4 So you could have -- that provides for  
5 students to be able to learn at their differentiated  
6 levels, to make sure that nobody is falling through  
7 the gap, to make sure that every student is engaged,  
8 has -- so even though our application says we have a  
9 25-to-1 teacher-pupil ratio, our budget actually  
10 says 17-to-1 being the number of teachers that we  
11 have budgeted for. With the instructional  
12 assistants, the adult-student ratio will drop even  
13 further to as many -- to as few -- you know, seven  
14 students per adult. And so we think that's an  
15 excellent way to really focus and individualize  
16 teaching and instruction for our students.

17 MS. AVILA: So I briefly want to talk to  
18 you about the evidence of support. We have support  
19 from the three main -- the three core values that we  
20 have here for our school. One of those is  
21 education. We have established alliances, and we  
22 have been talking with people from the College of  
23 Health and Social Services at NMSU and the College  
24 of Education at NMSU. And for students to have that  
25 connection to a college, it's going to be crucial

1 for them to visualize themselves as one day being  
2 able to be like their mentors and the people they're  
3 in touch with.

4 And as -- as far as the health-care  
5 business, we have also established alliances and  
6 have the support of El Paso Children's Hospital,  
7 like Clínica de la Familia -- perdón -- La Clínica  
8 de la Familia, Medical Center of the Americas. And  
9 the three places not only will be crucial for  
10 helping us shape the school, but they will also  
11 provide internships and opportunities for the  
12 students to do job-shadowing and actually start  
13 getting a feel for what it is like to be not only in  
14 the medical business, but in the community.

15 And the community support. We have also  
16 the support of the Women's Intercultural Center.  
17 Thank you. And the Diocese of Las Cruces, and the  
18 Anthony City Government. We have letters of support  
19 from them. And they are all willing to collaborate  
20 with the school.

21 And as far as the advisory board, we have  
22 educational professionals from different walks of  
23 life. And they are all -- they have all been  
24 involved with school management, charter schools,  
25 and with bilingual education as well.

1           As far as health care professionals, we  
2 have also different professionals, not only locally,  
3 but also from other -- other places in the country  
4 that will advise us with creating a curriculum  
5 that's appropriate for -- for -- for the school,  
6 and, maybe later, establish some internships and  
7 some connections the students will have if they  
8 choose to go into the medical field.

9           And as far as technology, we also have  
10 several professionals who will assist us in  
11 incorporating technology into learning, and not only  
12 just incorporating it at the school, but making it  
13 accessible to parents and families that might not be  
14 familiar, making it work for the students instead of  
15 being something that might hamper their education,  
16 as you know some of them that don't have access to  
17 technology, or their families might not.

18           MS. SAMRAJ: My next visual here kind of  
19 outlines how we are going to infuse our curriculum  
20 with health science. Every subject, whether it be  
21 math or language or science, will have health  
22 sciences integrated into the curriculum. Besides  
23 the infused curriculum, we're also going to have  
24 every grade in the school participate in health  
25 science activities; for example, Grades 7 and 8

1 students will undertake a study of fitness and  
2 nutrition and wellness. Starting from their first  
3 year in the school, they will start creating a  
4 journal, a portfolio of the health science  
5 experience. And that will be one of the graduation  
6 requirements when they finish.

7 Grade 9, they will start studying the  
8 different various careers in health science, health  
9 education and health care. These will include field  
10 trips to health-care institutions. These may  
11 include professionals coming in and giving lectures  
12 to the students and, in other ways, interacting with  
13 our students to give them more exposure to  
14 health-care careers.

15 In Grade 10, we have a program of  
16 volunteering to prepare for this. All our students  
17 will have to take First Aid, CPR, HIPAA training.  
18 And this is also in preparation with the health  
19 institutions where, of course, we will work with  
20 them closely once we do have the school approved to  
21 form partnerships, and hopefully requirements to be  
22 in compliance with their particular needs for that  
23 health institution.

24 Grades 11 and 12, depending on their  
25 eligibility, there will also be a

1 grade-point-average criteria for them to volunteer  
2 or for them to participate in job-shadowing at  
3 clinics and hospitals.

4 And in the Grade 12 year, we expect them  
5 to undertake at least one internship, where they are  
6 working under supervision in a health-care facility.

7 All the details, of course, of these  
8 internships and partnerships have to be worked out  
9 in detail. But we have excellent support already  
10 and letters of support from the El Paso Children's  
11 Hospital, La Clínica, as Brenda has mentioned, that  
12 are willing to work towards these endeavors.

13 MS. AVILA: Just to summarize. The  
14 mission of the Health Sciences Academy is to prepare  
15 students for high-school graduation and college  
16 entrance, and, of course, health careers. But even  
17 if the students choose to attend a different field,  
18 if they decide that health care is not for them,  
19 they will still be ready for college.

20 We also -- of course, we emphasize the  
21 health science curriculum. We hope -- we are going  
22 to use the new Common Core Standards from day one.  
23 We are also going to provide students, as we  
24 mentioned before, with internships in health clinics  
25 and hospitals. So we think that's a crucial part of



1 them getting ready, getting excited, and visualizing  
2 themselves there.

3 We would like to -- because of tools like  
4 that, we want to create exciting, innovative ways to  
5 learn, achieve, and prepare for careers that really  
6 matter. So when students do their internships, when  
7 they see that there's a big involvement in the  
8 community, then they get motivated and they feel  
9 like what they're doing matters, that they are going  
10 somewhere, that they are empowered, and that they  
11 will serve their community.

12 I would like to share something in Spanish  
13 with the community. (Ms. Avila addresses attendees  
14 in Spanish).

15 MS. SAMRAJ: Say what you just said in  
16 English.

17 MS. AVILA: So I was telling the community  
18 that the school hopes to empower the students in the  
19 community so they can serve the community. They can  
20 visualize themselves, Latinos serving Latinos,  
21 helping each other and working in the places where  
22 they can see their neighbors and their friends. And  
23 that the school also hopes that students don't just  
24 fall behind, but that we work with their families,  
25 work with them, so we see what motivates the

1 student, what drives them to do better, and don't  
2 let them fall behind, but work with them.

3 THE CHAIR: Let the Chair interrupt. This  
4 wasn't what I had in mind with regard to  
5 translation. It was either going to be everything  
6 said in English translated into Spanish -- but it  
7 seems like you're competing with roles as a board  
8 member, giving the presentation, and then going  
9 back. So I'm going to ask that either we translate  
10 the whole proceedings in Spanish -- and I don't  
11 think that's your role -- or you continue as a board  
12 member, and we're going to have to -- we're going to  
13 have to do something on the administrative end in  
14 the future to look at the communities that perhaps  
15 would need the translation. And we'll figure that  
16 out for future proceedings.

17 What do you recommend? Do you recommend  
18 anything else, Kelly?

19 MS. CALLAHAN: Mr. Chair, Commissioners,  
20 the announcements and everything -- we work with  
21 communities on an individual basis. And so some of  
22 the communities did provide the translation  
23 services. And this is what the community is  
24 providing for their -- their individual input. I  
25 think the important thing is for the community

1 members to be able to provide input.

2 And so Ms. Avila, I think, agreed to  
3 translate for people who wanted to do the community  
4 input. And that's what we understood.

5 THE CHAIR: Thank you for that  
6 clarification. So Ms. Avila, if you wouldn't mind  
7 giving the direct translation from any community  
8 members that are speaking in Spanish into English so  
9 we can get it transcribed, that works. Thank you so  
10 much.

11 MS. SAMRAJ: I just want to say that that  
12 wraps up our 20-minute presentation. Thank you.

13 THE CHAIR: Thank you for your  
14 presentation. Would you yield the table to the  
15 local school district? We'd like to hear from the  
16 Gadsden School District. And, of course, for the  
17 record, state your name and the role you play at the  
18 local school district. And you will be given five  
19 minutes. And it seems our microphones are in need  
20 of handheld conversation.

21 MR. YTURRALDE: Madame Chairman [verbatim]  
22 and members of the Commission, once again, thank you  
23 for giving me the opportunity. I'm Efren Yturralde,  
24 the Superintendent. My main concern with the Health  
25 Sciences Academy is the organization. When I first

1 met with them -- I met with them several times. One  
2 of the meetings I asked, "What is your curriculum?  
3 What will your curriculum be?"

4 "It's going to be centered around  
5 Hippocrates, in that sort of way."

6 And I said, "In that sort of way? How  
7 will that be incorporated into the curriculum? What  
8 is your curriculum base going to be? What are --  
9 how are your standards going to be incorporated and  
10 the benchmarks into the program? How is that going  
11 to help a student?"

12 I couldn't get an answer. It kept coming  
13 back, "Well, it's going to be health -- it's going  
14 to be health. There's going to be health in there;  
15 we're going to incorporate the health."

16 I couldn't see a true plan. This was on a  
17 one-to-one basis. We had set up an appointment  
18 because I wanted more information. If it's going to  
19 help our students, I'm in favor it. But I'm not in  
20 favor of an organization that's not totally  
21 committed, that has a, quote, unquote, organized  
22 curriculum.

23 Also, we started talking about the  
24 practicum. "Who is going to come in? Where is the  
25 practicum going to be? Are they going to go to the

1 hospital?"

2 The answer was, "Yes."

3 I said, "Well, my understanding is you  
4 want to set up in Sunland Park." I don't know if  
5 that's still true or not, but originally, that was  
6 what it was, in the Sunland Park area.

7 Well, our buses travel over a million  
8 miles a year, because we're so far out here in the  
9 planet. I asked about transportation. "Do you  
10 have, in your budget, transportation to transport  
11 students? Where will you be transporting them to?  
12 Will it be to Las Cruces? To El Paso? Have you  
13 talked to those hospitals?"

14 I'm very familiar with a school that  
15 works strictly with just health. So I was part of  
16 developing a health school in the district that I  
17 was in before. And it was a high school, which was  
18 right across from a -- it was right across from a  
19 hospital, where the students would do their  
20 practicum, go into the hospital and actually be  
21 involved with the actual work, working with doctors,  
22 working with nurses, working with students. It was  
23 part of their curriculum.

24 Now, like, what they said, some of the  
25 students will not go into health, but they'll be

1 prepared. Well, in this school where I did work in,  
2 it was the same thing. It was there. Some of them  
3 went into health, and some of them didn't. I just  
4 do not see an organized method, what I'm used to  
5 within a health school, that will provide -- I've  
6 seen -- yes, of course, they have Clínica de la  
7 Família. But we have La Clínica de la Família on  
8 our campus right now. In fact, they have come  
9 through with a grant to build a new building on our  
10 facility. Right now, they are in portables. This  
11 health center provides health care to our students.  
12 We have it in two different high schools.

13 So I just can't see how -- the  
14 transportation would be tremendous. And, as you  
15 know, there are so many rules in transporting our  
16 students that you have to have a qualified driver,  
17 you have to have a certified car, and so forth. You  
18 have to have a bus; and, if it's a charter bus, if  
19 you're going to go out and have a charter bus,  
20 you've got to have insurance, and you've got to have  
21 information in the future.

22 And so how are students going to a school  
23 talking about health, how is that really, truly  
24 going to be a health school? How is that going to  
25 get our students excited in health? Right now, with

1 dual credits, we have some of our students that are  
2 graduating with 30 or 40 hours of credit at a  
3 community college going to LVN, and also, from  
4 there, they'll be going to the College of Nursing at  
5 New Mexico State. So we have that pathway already  
6 in our district. If the students want to, when  
7 they're juniors and seniors, they can go ahead and  
8 go into your pathways.

9 But my concern was where is the  
10 organization and the standard of the school? I was  
11 sitting there waiting for an answer. I really want  
12 to see it. I was excited when they came in. When I  
13 met with Ralph Nevins, I was excited. I met him up  
14 in Santa Fe. He came by. I sat down; we had a long  
15 conversation. But I couldn't get any true answers.

16 I saw what they had right now. Where are  
17 the standards? Where is this involved? How is this  
18 going to be incorporated? Where are they going to  
19 be located? How are they going to transport the  
20 students that truly have an interest? You can have  
21 an interest in doctors, but I don't think that's a  
22 true health center.

23 At this point, as a superintendent, those  
24 are my concerns. And I was wide open, like I said.  
25 I was excited to see this coming to our area for our

1 students because we are here for them. I want to  
2 thank you for my time this time. Have a good day,  
3 and welcome to Anthony.

4 THE CHAIR: Thank you, sir. We are to the  
5 time of public input. We will now hear public  
6 comment from the community of Anthony. And the  
7 first name is Cesar Ontiveros. And I would ask  
8 Ms. Avila if she could come on up to provide the  
9 translation, if needed, for any -- for anyone who  
10 needs it. Let Ms. Avila know if you would need that  
11 translation.

12 And then I'd like to see -- really work  
13 hard on a good ebb and flow of not saying too much  
14 that gets her caught behind.

15 MR. ONTIVEROS: I will be quick.

16 THE CHAIR: Excellent. I'm not going  
17 to -- let me finish. I'm going to give each speaker  
18 a minute and 45 seconds to speak. We have a lot of  
19 folks signed up, and I want to hear from everyone,  
20 and I want that time to be equitable in the  
21 20 minutes we've allotted. Good morning, sir.

22 MR. ONTIVEROS: Good morning, sir. My  
23 problem here or my situation -- I'm a parent,  
24 okay? -- is their curriculum. What if the kid  
25 decides not to become a nurse, doctor, whatnot?



1 What would happen to the kid? Will he then go back  
2 to public school? And if they do, just remember  
3 this: The money goes to them first. It will not go  
4 back to the public school. First of all, money.  
5 The school district is going to be losing on the  
6 money on the kid, okay?

7 Second, transportation is hectic here.  
8 Now, I live in Sunland Park. If you ask one to  
9 build a school here, transportation costs money.  
10 Who's going to pay for it? Right now, the way I see  
11 it, the parents have to pay for that. It's not  
12 going to happen; not from Sunland Park, anyway.  
13 Okay?

14 The other thing is the curriculum. It's  
15 kind of shady. Yes, if you want to be a nurse, a  
16 doctor, and the kids is willing to do that yes it's  
17 going to be an effort. What about the rest of the  
18 kids that decide half of a year or maybe two years,  
19 and then, what's going to happen?

20 Right now, the charter that we have here  
21 in Gadsden, from 100 kids to 30 kids? Come on.  
22 What was the problem there? Communication. Because  
23 kids here are not very smart, L -- LES, whatever  
24 it's called. Because of the translation of English  
25 and Spanish, it's hard; it's very hard. And my

1 concern is the curriculum right now. If the kid  
2 decides not to go, what's going to happen to that  
3 kid? He's going to go back to public school. So  
4 the school is going to lose money.

5 And the main concern here is money, sir.  
6 Money. Money. I think that's all I've got to say.

7 THE CHAIR: Thank you, sir. The Chair --  
8 I don't know if I heard, "The curriculum is shady,"  
9 or if I heard something else. And so if there was  
10 an expletive, I'm going to warn any of the future  
11 speakers that we use dignity and respect in  
12 everything that we say, everything that we do. And  
13 so if anyone else uses an expletive, they will  
14 forfeit the rest of their time.

15 The next name is Mary Carter.

16 MS. CARTER: Good morning, Chairman, and  
17 Commissioners.

18 THE CHAIR: Good morning.

19 MS. CARTER: I just want -- as a  
20 representative for the participants in the Women's  
21 Intercultural Center, we're very supportive of our  
22 public education. However, we also know that some  
23 of our children require some different type of  
24 individual education. Personally, that happened to  
25 me, with one of my children that I had to send to an

1 early college high school because he wasn't  
2 accommodated at a public school. And it wasn't  
3 here. It was in a different state.

4           However, because of that, and as a  
5 representative of all participants, over -- almost  
6 400 participants within our organization are in  
7 support of the Health and Sciences Academy in order  
8 to give their students an opportunity.

9           Again, I understand the very value of our  
10 public education, and we support it, very much so.  
11 But we also know that there has to be some  
12 alternatives for some children that just do not fit  
13 into that public school mode and need a little bit  
14 of smaller classrooms, a little bit more attention  
15 in order for them to thrive and really be successful  
16 in their lives. Thank you.

17           THE CHAIR: Thank you very much. Edgar  
18 Hernandez? Good morning, sir.

19           MR. HERNANDEZ: Good morning, sir. My  
20 name is Edgar Hernandez. I am a community member  
21 and a parent of a kid who goes to Gadsden. My  
22 daughter is already a sophomore, and I've got kids  
23 all the way to kinder. I would just like to say  
24 that I like their idea, what's going on. I welcome  
25 change, and I accept change. And our kids do need

1 that extra help, one on one.

2 Right now, I have a kindergartener, and  
3 she's got 20 kids -- students in the classroom. I  
4 asked the principal, "Hey, what's going on here?"

5 And she goes, "Oh, that's a very good  
6 number of students."

7 I go, "Why? That's pretty large. They  
8 need assistance."

9 She goes, "No."

10 I go, "Really, ma'am?"

11 To me, if we can get our school any type  
12 of help, let's get into it, because, I mean, they're  
13 not doing their best, as far as I can see. Thank  
14 you.

15 THE CHAIR: Thank you, sir. You can just  
16 lay it on the table there and not go back and forth.  
17 Michael Quintana. Good morning.

18 MR. QUINTANA: Good morning. Michael  
19 Quintana, District Resource Manager with the  
20 New Mexico State Land Office. I think you're aware  
21 of who we are. You get a few bucks from us.

22 But we've been working with the applicant  
23 on site -- looking at sites. My understanding is if  
24 they can find private land and/or a building, then  
25 they'd like to look at State land. So we've been

1 working with them on that in the Sunland Park area.

2 Thank you.

3 THE CHAIR: Thank you, sir. Cruz D.  
4 Vencera. Buenos días. One moment. Ms. Avila, if  
5 you can help her?

6 MS. VENCERA: If, in the school that  
7 they're offering to the community, if they will have  
8 the same programs such as transportation, food, open  
9 spaces for sports, like in Gadsden. And if Gadsden  
10 is already struggling for -- is already struggling,  
11 but there's already a budget for schools, it seems  
12 like other schools could take away things from  
13 Gadsden.

14 And she is concerned about where is the  
15 money going to come from for the other schools? And  
16 if 400 people signed in favor of it, why aren't  
17 those 400 people here supporting, and how come  
18 nobody in Gadsden found out about it, so -- and  
19 those other people did?

20 MS. CHAVEZ: Mr. Chair, time is up.

21 THE CHAIR: Thank for you your time.  
22 Carmen Burciaga. Good morning.

23 MS. BURCIAGA: Good morning. My name is  
24 Carmen. I'm also a supporter of the school. I  
25 believe the school will be a good school for our

1 students, due to the fact that Gadsden does struggle  
2 with so many students. And it would be good for  
3 them for reading and math, especially math that  
4 would be. I support it because we need an  
5 individual plan for the students where they can  
6 learn more and get a better education for their  
7 college, because our students struggle to go to  
8 college and this would help them, one, get a head  
9 start on that. So I -- they have my support for  
10 this.

11 THE CHAIR: Thank you. Dolores -- and  
12 this is abbreviated -- Rodriguez? Sí? Good  
13 morning.

14 MS. RODRIGUEZ: So she says that she has  
15 the same question as many parents in Gadsden, and  
16 how come they didn't find out about this.  
17 Apparently, she says they told them that they sent  
18 out some bulletin, but not every -- it was online,  
19 and she says not everybody has access to the  
20 internet. So she's concerned about that.

21 THE CHAIR: Es todo?

22 MS. RODRIGUEZ: Sí. Gracias, con permiso.

23 THE CHAIR: Thank you. Crystal Enriquez.  
24 Good morning.

25 MS. ENRIQUEZ: Good morning. First off, I

1 would like to say that it was very disrespectful of  
2 you to say that people here aren't very  
3 intellectual.

4 THE CHAIR: Give comments to the  
5 Commission. Thank you.

6 MS. ENRIQUEZ: Okay. Well, first of all,  
7 I support this school, because, well, there's a lot  
8 of opportunities, and there's a lot of things going  
9 on with the ACC [verbatim], and there's students  
10 that have dual credit at the high school, and now  
11 there's a lot of problems going on. And this school  
12 would be very helpful for those students who want to  
13 go to the health program.

14 Me, myself, I am going into the health  
15 program, and it would have been helpful if there  
16 was -- if it was available before. I wouldn't be so  
17 behind. I would -- I wouldn't have to be, like,  
18 starting over, like how I am now. That's all I have  
19 to say.

20 THE CHAIR: Thank you very much. Marcie  
21 Beyer?

22 UNIDENTIFIED SPEAKER: She had to leave.

23 THE CHAIR: Thank you. Irene Gomez.

24 MS. GOMEZ: Good morning. Buenos días. I  
25 have three concerns with this charter school, and

1 any charter school that's applying, I guess. The  
2 first one is funding. My child is a fifth-grader at  
3 Sunland Park Elementary, in Gadsden District. I  
4 graduated from Gadsden District as well as did my  
5 parents.

6 The first concern I have is funding. We  
7 could use more of it. So I'm wondering, where is  
8 the funding for these schools going to come from?  
9 Are they going to fund themselves, or is the State  
10 going to fund them? Because if the State is going  
11 to fund them, I don't want competition for Sunland  
12 Park Elementary, or Santa Teresa Middle School, or  
13 Santa Teresa High School. We need all the money we  
14 can get.

15 If you come onto our campus, you will see  
16 that. I don't know if you guys have ever been down  
17 there; I invite you to come. I don't want --  
18 simply, I do not want that money going elsewhere. I  
19 want it to stay in Sunland Park Elementary.

20 Second issue is transportation. And that  
21 goes back to funding. This gentleman mentioned that  
22 this charter school is looking for area or a  
23 building down in the Sunland Park area. How is that  
24 going to impact transportation?

25 In the last year, our bus schedule had to



1 be altered due to funding, I believe. So how is  
2 that going to (inaudible)?

3 Lastly -- and it's opportunity. If these  
4 charter schools are going to be here in Anthony,  
5 that goes back to the transportation. How are they  
6 going to transport kids from Sunland Park? Is there  
7 going to be money to transport? I believe those  
8 three things are the most important.

9 MS. CHAVEZ: Mr. Chairman, time is up.

10 THE CHAIR: Thank you very much for your  
11 comments.

12 MS. GOMEZ: Thank you.

13 THE CHAIR: The last person signed up is  
14 Arnie Casteñeda. Didn't make it?

15 That concludes public comment. We will  
16 move forward with the Public Education Commission's  
17 question period, and we'll give a few moments for  
18 the applicant to come back to the front table.

19 Before we get started, I want to give a  
20 thank-you to the Women's Intercultural Center. This  
21 is a beautiful facility. And I hear there is great,  
22 great things going on here, and we appreciate your  
23 hospitality.

24 The floor is open for questions, and we  
25 will begin with Commissioner Bergman.

1                   COMMISSIONER BERGMAN: Thank you,  
2 Mr. Chair. I would like to explore the relationship  
3 between Healthy Futures and this stand-alone charter  
4 school. I'm going to read some of the answers from  
5 your own application, and then I'll ask you a  
6 question about those entries.

7                   On Page 43, where your organizational  
8 chart is sitting, you don't have Healthy Futures  
9 connected to your organizational chart, but it's  
10 floating right there beside the governing body,  
11 okay? And then right in the paragraph below it, it  
12 states, "Healthy Futures will interface with both  
13 the HSA governing body and the school head  
14 administrator."

15                   And then you drop down to the last  
16 sentence. It states, "Healthy Futures will continue  
17 to guide in the operation of Health Sciences  
18 Academy. However, it will have no special authority  
19 beyond that of an adviser."

20                   Now, guiding and advising are two  
21 different things.

22                   On Page 49, at the bottom of the page, you  
23 state, "Healthy Futures will allow necessary funding  
24 for instructional assistants, stipends"; then go on  
25 and on. "Additional funds will be made available,

1 as needed, to pay for instructional assistants for  
2 students." So it sounds like you're paying some of  
3 the funds into this school.

4 And then at the top of Page 64, it states,  
5 "Healthy Futures and Ándeले Tutors have agreed to  
6 donate sufficient funds to cover shortfalls and/or  
7 defer building the school for services rendered  
8 until such cash flow shortfalls are relieved."

9 And then it goes on to say, "Healthy  
10 Futures plans to negotiate a provision in the  
11 facilities lease that will permit HSA to defer  
12 rental payments for a limited time." I'm going to  
13 come back to that one for -- now, I understand that  
14 Healthy Futures apparently is the founders,  
15 currently.

16 My question was -- I guess I lost it  
17 here -- given what I've just read to you, it sounds  
18 to me like there's more than just advising going on  
19 between Healthy Futures and this stand-alone school.  
20 Can you clarify that for me?

21 MS. SAMRAJ: I will start by trying to  
22 answer your question, Commissioner Bergman. First,  
23 coming to the organizational chart, this was the  
24 first time I understand that we had to copy and  
25 paste from our template -- I mean, from our rough

1 draft into the template. And there's actually  
2 supposed to be a dotted line between the governing  
3 board and Healthy Futures, which got left out in  
4 transferring the graphics. So there should be a  
5 dotted line.

6 Healthy Futures is a 501(c)(3). It is the  
7 applicant for the school. We hope to provide  
8 funding support as well as advice. We hope to  
9 provide -- we have also applied for a competitive  
10 USDE grant for planning and implementation of the  
11 school.

12 Built into that budget is funding for some  
13 of our advisory for curriculum design. And so  
14 Healthy Futures will be a support initially, when  
15 we -- when we start planning and begin the school.  
16 Once a head administrator is chosen and the  
17 governing board is in place and functioning, it will  
18 be their responsibility. The headmaster will look  
19 after day-to-day operation of the school and  
20 Healthy Futures will just advise. Raphael, do you  
21 want to add?

22 MR. NEVINS: Good morning, Commissioners,  
23 Mr. Chairman, and Commissioner Bergman. When we had  
24 our capacity meeting in Santa Fe, there was a staff  
25 member named Rachel Stofick. And we addressed

1 similar questions. And we gave Ms. Stofick a copy  
2 of this, which I hope is in your materials. And  
3 I'll read you the reference number, just to make  
4 sure that you have it, and then go on to answer your  
5 question.

6 THE CHAIR: Keep the microphone a little  
7 bit closer to your face.

8 MR. NEVINS: The U.S. Department of  
9 Education has an opportunity for respective charter  
10 schools to apply for a competitive grant. And under  
11 this program -- it's called CFDA No. 84.282B, as in  
12 "Boy" -- Healthy Futures submitted an application  
13 which was supported by all of our Congressional  
14 delegation; that is, Senator Bingaman, Senator  
15 Udall, and three Congressmen, Congressman Pierce and  
16 Ben Lujan and Martin Heinrich. The purpose of this  
17 grant, which is a national grant -- no other  
18 New Mexico charter school has applied for such a  
19 grant -- the purpose of the grant is to assist the  
20 charter schools that are approved.

21 And so in regards to the questions that  
22 you asked about funding and guidance and advisory  
23 issues, should this grant be awarded to us -- and we  
24 don't know whether that will happen until October,  
25 sometime in October, they say, we would have funds;

1 and, again, we don't know the exact amount, even if  
2 we are awarded. But we've asked for \$200,000 a year  
3 for three years. And that money will be used to  
4 assist this charter school in areas that they need  
5 the additional assistance, be it transportation,  
6 community engagement, and so on.

7 Now, when you asked the question about a  
8 guide, an adviser, and what the fine lines might be,  
9 with those words, as we all know, people have  
10 different understandings of what an adviser or  
11 guidance might be. But assuming we receive this  
12 grant from the U.S. Department of Education, we have  
13 a wonderful group of experts, education, health  
14 care, technology, which Ms. Samraj may have  
15 mentioned earlier.

16 And we have the details available to you,  
17 and they're in your folder. Those people have  
18 wonderful experience, and it's a blended group, to  
19 help guide new teachers and a new principal and a  
20 charter school that has never operated before in  
21 New Mexico, particularly understanding that there is  
22 no current health sciences charter school in  
23 New Mexico, even though there are many around the  
24 country.

25 And so our team has been involved in those

1 kinds of visits. There's wonderful reference  
2 material that we have gleaned from those visits.  
3 And so whether you call it guidance or adviser, I'm  
4 not sure, day to day, what that would be. But  
5 that's how we interpret it.

6 COMMISSIONER BERGMAN: Okay. I mean, add  
7 on to that a little bit. So any funds you do have  
8 and you do provide will be donations and not loans?

9 MR. NEVINS: That is correct, yes.

10 COMMISSIONER BERGMAN: Okay.

11 MR. NEVINS: And just to add more to your  
12 earlier question -- can you hear me now? I'm sorry.  
13 You asked about Ándeale. For example, in developing  
14 documents and printing documents and transportation  
15 and so on, Ándeale, which is also a 501(c)(3),  
16 donated money -- didn't loan money -- donated money  
17 to Healthy Futures. That's not the school. But  
18 that's a 501(c)(3), in order to effectuate the  
19 transportation and visits to other charter schools  
20 around the country and to develop materials, buy  
21 books, similar ideas.

22 MR. ROBINSON: Commissioner and  
23 Mr. Chairman, thank you. Just to clarify, any funds  
24 that flow from the grant will be, in turn, a grant,  
25 a sub-grant, and not a donation per se. There will

1 be performance conditions attached to the money,  
2 just as a point of clarification.

3 COMMISSIONER SHEARMAN: What do you mean?  
4 There will be what attached to the money?

5 MR. ROBINSON: There will be performance  
6 expectations; there will be conditions, if you will.

7 COMMISSIONER BERGMAN: And on that last  
8 item I read, it stated that will you be billing for  
9 some services. What services will you be billing  
10 for?

11 MR. NEVINS: We have no idea what services  
12 might be required from the school to Healthy  
13 Futures, so we can't answer that yet, because the  
14 governing board doesn't really function yet. So I  
15 have no idea.

16 COMMISSIONER BERGMAN: So you just put  
17 that in your application as a fall-back or a  
18 safeguard or something?

19 MR. NEVINS: I wouldn't use those words.  
20 I think those are pejorative words. I think the  
21 most important thing to know is that there may be a  
22 relationship, but we are not clear what that might  
23 be yet.

24 COMMISSIONER BERGMAN: As of now, there is  
25 none. All right. Thank you, Mr. Chairman. Thank



1 you.

2 THE CHAIR: Thank you, Commissioner  
3 Bergman. Commissioner Shearman.

4 COMMISSIONER SHEARMAN: Thank you. Good  
5 morning. It's still morning. I wanted to follow up  
6 on Commissioner Bergman's question about the grant.  
7 You said it's a three-year grant, \$200,000 per year,  
8 probably used for things like transportation and  
9 those kinds of things. At the end of three years,  
10 I've heard a lot of concern here among parents about  
11 transportation.

12 What pays for it then? I mean, you've got  
13 a \$200,000 hole in your school funding. Where --  
14 what's going to take up the slack?

15 MR. ROBINSON: Mr. Chairman, Madame  
16 Commissioner. I think, in part, the answer would be  
17 the increase in proposed transportation funding in  
18 the budget. I believe it increases from something  
19 like \$5,000 in Year 1, to \$30,000 or \$40,000 in  
20 Years 3 and 4. So we do anticipate the increase.

21 I think another at least partial answer to  
22 your question is we anticipate other funding sources  
23 to come along. The existence of the 501(c)(3)  
24 nonprofit is not simply to acquire this grant, but  
25 we will be actively soliciting donations and doing

1 grant writing elsewhere.

2 COMMISSIONER SHEARMAN: Is that a  
3 501(c)(3) registered in New Mexico?

4 MR. ROBINSON: That's correct.

5 MS. SAMRAJ: Commissioner Shearman, can I  
6 just add to that? The transportation that Rex  
7 Robinson referred to is built into the budget  
8 specifically for transportation to internships. And  
9 so it increases -- we don't expect having a lot of  
10 off-campus activities during the first couple of  
11 years. But, as students get to their -- you know,  
12 the eleventh and the twelfth year, we have \$5,000 in  
13 the first year, and then we have \$30,000, \$40,000,  
14 and then \$50,000; and \$50,000 for the subsequent, in  
15 the fourth and fifth years, because we realize that  
16 will be an important part of the program. Thank  
17 you.

18 COMMISSIONER SHEARMAN: Thank you. What  
19 did you say your student-teacher ratio was, during  
20 the presentation?

21 MS. SAMRAJ: If you look at -- this is my  
22 understanding, Commissioner Shearman. If you look  
23 at the budget, we have 9.5 full-time teachers. I  
24 think that works out to -- the calculation we did  
25 was 17-to-1 in the first year. And then, in

1 addition to that, we have 7.5 full-time equivalent  
2 instructional -- instructional assistants. Sorry  
3 about that.

4 COMMISSIONER SHEARMAN: But they don't  
5 figure into the student-teacher ratio.

6 MS. SAMRAJ: No, that would be --

7 COMMISSIONER SHEARMAN: The reason I ask,  
8 because on Page 10 of your application, you have a  
9 25-to-1 student-teacher ratio.

10 MS. SAMRAJ: That's correct.

11 COMMISSIONER SHEARMAN: And then if you  
12 take the number of students projected each year  
13 divided by the number of teachers in your budget,  
14 you're right. The first year it's 17.8. The second  
15 year is 24.7. Third year, it's 30.4. Fourth year,  
16 it's 32.6. And the fifth year is 32.1, which, with  
17 some of the classes you all are going to be  
18 teaching, is almost overwhelming.

19 Maybe that's more of a comment than a  
20 question.

21 MR. NEVINS: Just a point of  
22 clarification, Commissioner Shearman. Are you using  
23 the 9.5 all the time, across the board, because --

24 COMMISSIONER SHEARMAN: No, No. I'm using  
25 the numbers in your budget.

1 MR. NEVINS: Just to be clear, have you  
2 increased the number of teachers?

3 MS. SAMRAJ: I can't answer that right  
4 now. But I'm sure Commissioner Shearman is right.

5 THE CHAIR: Can you talk into the  
6 microphone?

7 MS. SAMRAJ: I was just going to say, I  
8 can't answer that specifically right now until I go  
9 back to the numbers. But is it possible to address  
10 that later on, maybe in writing or something?  
11 Chairman?

12 COMMISSIONER SHEARMAN: Let me just  
13 clarify that I am using the numbers from your  
14 budget.

15 THE CHAIR: I will give direction on  
16 written comments that can be turned into the  
17 Commission a little bit later in the hearing.

18 MS. SAMRAJ: Thank you.

19 COMMISSIONER SHEARMAN: Just another  
20 general question, please. How much of your  
21 instruction will be online?

22 MS. SAMRAJ: We don't anticipate,  
23 Commissioner Shearman, to really have an online  
24 instruction. It'll be -- every online instruction  
25 software or program that we use will supplement our

1 instructional, face-to-face teaching. So, for  
2 example, if we're -- if a teacher, for example, is  
3 addressing a certain topic in a class, there may be  
4 additional activities or exercises that a student  
5 may do online.

6 COMMISSIONER SHEARMAN: Okay. Thank you.  
7 I'm looking at Page 10 of your application.  
8 Actually, it's Page 11. I'm looking at your goals.  
9 And let me say, before I get started on goals, I  
10 think the Commissioners are probably all holding  
11 their heads at this point because I'm starting on  
12 goals.

13 One of the ways -- goals are very  
14 important. When we look at your application -- and  
15 please remember, this is all we can vote on. What  
16 you have turned into us in your application, your  
17 budget, the appendices, and so forth, this is it.  
18 This is all we get to look at.

19 The goals tell us what you expect of your  
20 school, your students, and so forth. And we expect  
21 them to be very specific and rigorous and time-bound  
22 and measurable and all those kinds of things.

23 The other reasons the goals are so  
24 important is if your school is successful and  
25 becomes authorized, when you come back for renewal

1 in five or six years, we'll look at these goals and  
2 say, "Did you meet your goals?" And that's a big  
3 part of whether or not you get renewed.

4 So I really look at goals to see that  
5 they're everything that I need if I were looking at  
6 this as a renewal application.

7 So the first goal that I'm looking at is  
8 D(1). And it says, "HSA students will score at  
9 least 10 percent higher on mandated State tests in  
10 reading and math than their cohorts in the local  
11 Gadsden Independent School District." What tests?

12 MS. SAMRAJ: Commissioner Shearman, SBA  
13 tests.

14 THE CHAIR: Just the SBA. Okay. That's  
15 given one time a year?

16 MS. SAMRAJ: Correct.

17 COMMISSIONER SHEARMAN: Okay. And you're  
18 a seventh-through-twelfth-grade school. That means  
19 your -- the test goes third through eighth grade.  
20 Then not ninth grade and not seniors. So you are  
21 not going to have results on several of your  
22 classes.

23 My other concern is that you're comparing  
24 with a local school district that is -- most scores  
25 that we see -- most comparisons that we see are with

1 the State or with national. You certainly limited  
2 your scope here to the local school district. I  
3 question that very much.

4 MS. SAMRAJ: May I make a comment,  
5 Commissioner Shearman? I think we were trying to be  
6 really careful in writing this. We do have very  
7 high expectations for our students and for the  
8 achievement of our students. I think one of our  
9 concerns in writing this was not to put down too  
10 many high expectations that we might not be able to  
11 meet. But we are really committed to making this a  
12 first-class, high-achieving school.

13 COMMISSIONER SHEARMAN: My next is D(2).  
14 Beginning in 2014, eleventh-grade students will be  
15 expected to complete at least one semester of a  
16 health-career job-shadowing experience. How do you  
17 measure that, the quality of what the student did?

18 MS. SAMRAJ: Do you want --

19 MR. NEVINS: Mr. Chairman, Madame  
20 Commissioner Shearman, there are two different ways  
21 to make such measurements. One would be anecdotal,  
22 and the other would be quantitative. We hope that  
23 the students who do these activities will keep a  
24 diary, and that the diary will be monitored by their  
25 academic adviser so you would see entries after

1 every interaction. So, to some degree, that would  
2 be anecdotal.

3 But since they're going to be interacting  
4 with health professionals, we hope to develop a  
5 rubric or a scoring methodology that's appropriate  
6 for the student and for that health-care provider so  
7 that expectations for the job-shadowing or the  
8 internship later are clear, so that everybody knows  
9 they're the on same page. So have they met  
10 attendance issues? Have they performed the duties  
11 they were expected to do? How were their  
12 communication skills with other people? Did they  
13 collaborate with their peers? Did they turn in  
14 materials that were expected of them?

15 So all those kinds of modalities would be  
16 incorporated in the quantitative report.

17 COMMISSIONER SHEARMAN: And your next goal  
18 concerns seniors. And the expectation there is that  
19 they complete a semester of a health care internship  
20 experience. "Complete." There's no rigor there.  
21 There's no -- there's no identifier of any  
22 expectations beyond they simply complete it, not to  
23 a level, not to any -- 90 percent, 100 percent,  
24 whatever. Just show up.

25 MS. SAMRAJ: Commissioner Shearman, you're



1 right in the fact that that's the way it is written.  
2 However, there will be criteria before the student  
3 can actually participate in an internship, meeting  
4 the grade-level average that is set out by the  
5 school and completing some other activities and  
6 tasks before they are ready to do an internship.

7 COMMISSIONER SHEARMAN: Thank you. I  
8 notice that you have no money budgeted for ancillary  
9 services, OT, PT, those kinds of things. You  
10 talk -- it's talked about in the application.  
11 But -- as a matter of fact, on Page 30 of the  
12 application, it's mentioned; but I didn't see it in  
13 the budget.

14 MS. SAMRAJ: To answer that question,  
15 Commissioner Shearman, that is correct. We have not  
16 budgeted for those services at the moment. We hope  
17 to -- we did discuss it. And the budget was real  
18 tight, and we hope that Healthy Futures would be  
19 able to supplement budget requirements to be able to  
20 add on to these services that may be required,  
21 depending on, once we have the students, how many  
22 students would qualify for those services.

23 COMMISSIONER SHEARMAN: And I appreciate  
24 that information. I remind you again. Right here  
25 is what we vote on, just what's here. Okay? And

1 your -- I think we've heard from the parents here  
2 today. There are a lot of ELL students, ESL  
3 students. I'm sure that they would appreciate if  
4 that were taken into consideration and provided for.

5 MS. SAMRAJ: Can I just add to that, make  
6 a statement? We do have budgeted two full-time ESL  
7 teachers in the budget.

8 COMMISSIONER SHEARMAN: And I think part  
9 of my comment was I'm not sure that's enough.

10 MS. SAMRAJ: And then we're hoping to make  
11 up -- we're having our instructional assistants  
12 assist with the teachers to provide a lot of  
13 individual attention.

14 COMMISSIONER SHEARMAN: Okay.

15 MS. SAMRAJ: Thank you.

16 COMMISSIONER SHEARMAN: Thank you. On  
17 Page 58, in the waiver section, "Yes" is marked on  
18 every one. But you were also asked to give an  
19 explanation of how those waivers would be used to  
20 support the mission and vision of the school. And I  
21 don't see that.

22 MS. SAMRAJ: Commissioner Shearman, when  
23 we did submit the application of the school on  
24 June 6, I think I think we were the first one. The  
25 template would not allow us to add any text. So I

1 did add the waiver narrative as part of the  
2 appendices, and I did make a note in my e-mail to  
3 when I mailed the submission that I was not able to  
4 put the text in the template, but it was added as an  
5 appendix.

6 COMMISSIONER SHEARMAN: Which appendix?  
7 Do you remember?

8 MS. SAMRAJ: Can I check for you? This  
9 may be something that I might have to get back to  
10 you on, and I'm sure Ms. Kelly Callahan may be able  
11 to help me with that.

12 COMMISSIONER SHEARMAN: In the interests  
13 of time, let's move on. If you would go to Page 61  
14 for me, please. I'm looking at significant --  
15 significant expense clarification. Talking about  
16 your budget, Salary Expense, Teachers, Grades 1  
17 through 12. Am I mistaken? I thought this was 7  
18 through 12, or was that just part of the problem,  
19 where it says 1 through 12.

20 MS. SAMRAJ: I think what we did was just  
21 copy the title in the budget here.

22 COMMISSIONER SHEARMAN: Your response was  
23 that Year 1 teachers' salaries are based on Level II  
24 at \$40,000. Again, I've got my trusty little  
25 calculator out. And yours actually average out to

1 \$38,421. Down at the bottom of that same box,  
2 "Teacher staffing needs are determined using a  
3 25-to-1 ratio," and I've already spoken to that.  
4 But tell me about the \$40,000, because mine turns  
5 out to be 38, or 38, 4.

6 MR. NEVINS: Commissioner Shearman,  
7 members of the Committee, I think you're right. If  
8 you do the calculation, actually, it might even be  
9 lower than what you say. If it's 9.5 -- and I'm not  
10 sure if you did 9 or 9.5 in your calculation. Did  
11 you do the 9.5?

12 COMMISSIONER SHEARMAN: (Indicates.)

13 MR. NEVINS: Okay. So I think what  
14 happened is that somebody did not do the 9.5, and  
15 that's why you have an error here. They should have  
16 counted for the extra half FTE.

17 COMMISSIONER SHEARMAN: Okay.

18 MR. NEVINS: Just to add one more point  
19 about errors in the budget -- and I'm not excusing  
20 them, and I know you can only look at what's in  
21 here. But we visited at length and under many  
22 sessions with the New Mexico Coalition of Charter  
23 Schools with Michael Vigil and his team. And they  
24 assisted us in -- in developing the budget and in  
25 telling us what was legally appropriate and what the

1 rules were for the New Mexico Public Education and  
2 Public Education Department.

3 I understand you can only go on these.  
4 But these were made in conjunction. And so we take  
5 full responsibility for the budget; although, we did  
6 have assistance from some supposed experts.

7 COMMISSIONER SHEARMAN: Thank you for that  
8 explanation.

9 Those are all my questions, Mr. Chairman.  
10 Thank you.

11 THE CHAIR: Thank you, Commissioner  
12 Shearman. Comment from Kelly Callahan.

13 MS. CALLAHAN: Mr. Chair, Commissioners.  
14 Just as a point of reference on the waiver, it is  
15 attached on the end of the application. There's a  
16 III K.2., that lists the individual waivers and has  
17 the explanations in a table right next to it. It's  
18 at the very, very end of the application as an  
19 external -- we did have some technical difficulties  
20 with the online version of the application. And so  
21 they did submit the waiver information at the end of  
22 the application itself.

23 COMMISSIONER SHEARMAN: Thank you for that  
24 clarification. As I go on down, I do find them.

25 But I have to tell you, when you got to the end of

1 my copy of the application itself, the blank  
2 application, I didn't go any further. So I didn't  
3 find them. And I apologize for that.

4 MS. CALLAHAN: And I apologize as well.  
5 We should have put a footnote in.

6 THE CHAIR: Ms. Callahan, thank for you  
7 that clarification. Commissioner Gant?

8 COMMISSIONER GANT: Mr. Chair, members of  
9 the audience, I'm going to the budget. But first, I  
10 have a -- first, I have a question. The first  
11 question I have here is about your health provider.  
12 You stated that the health provider -- what I was  
13 hearing, they're going to evaluate the students that  
14 are working with them; is that correct? There's  
15 going to be some kind of evaluation coming back from  
16 the health provider that they're going to shadow or  
17 internship with?

18 MS. SAMRAJ: From our partners? Is the  
19 question -- we will be getting feedback from our  
20 health care partners that --

21 COMMISSIONER GANT: You talk about a  
22 rubric. Now, my experience comes from various  
23 sources. But the health-care folks are very busy  
24 people; doctors, nurses, you name it. And  
25 oftentimes, their workload takes so much of their

1 time with patients and their care. Are you going to  
2 have a contract with these folks that guarantees  
3 that they're going to fill out your rubrics? Do you  
4 have a contract at this point?

5 MS. SAMRAJ: We do not have a contract at  
6 this point. We thought it was premature,  
7 Commissioner Gant. We did meet individually a  
8 couple of times with these health professionals.  
9 They're very supportive and do want -- do see the  
10 need and the benefit of having students come into  
11 their health-care facilities and have almost kind  
12 of, you know, promised their support. But we do not  
13 have an official contract at this point. That would  
14 be the intent of the school.

15 COMMISSIONER GANT: And if they aren't  
16 willing to sign a contract, does that limit the  
17 number of -- of individuals that will provide you  
18 support in this area?

19 MS. SAMRAJ: Commissioner Gant, the  
20 potential partners that we outline in our  
21 application right now have just been the beginning  
22 of some of our activity. We hope to continue to  
23 meet health-care providers in the area and to expand  
24 that potential partnership list. And so we don't  
25 hope and want in any way to limit this important

1 part of the program.

2 COMMISSIONER GANT: Let's move on to  
3 transportation, please. All right? Student  
4 transportation. It's on Page 7. But in the  
5 discussion, there was many parents, community  
6 members, that had concerns. As you know, the  
7 Gadsden District runs from the north, somewhere  
8 around Snow Road, down to Sunland Park. I mean,  
9 that's many miles.

10 And you're opening up this charter school  
11 across the Gadsden School District. And it states  
12 here in your -- in your application, you will not be  
13 providing transportation for students to the  
14 schools. So does that not limit or provide a  
15 barrier to students being able to attend this  
16 school?

17 MR. NEVINS: Mr. Chairman, Commissioner  
18 Gant, if I may answer, there is a number of  
19 responses that I think are appropriate. The first  
20 is that we have applied, as we've discussed earlier,  
21 for a federal grant which would provide an  
22 opportunity, at least, for a period of time -- three  
23 years -- to supplement the funds.

24 Second is, as you probably know -- and I  
25 don't have form regulations in front of me. But



1 you're definitely aware in the past with other  
2 charter schools that they negotiate with the school  
3 districts, and the school districts, to some degree,  
4 have an obligation to provide transportation  
5 support.

6 And the third issue, which also, again,  
7 cannot be addressed now -- but we intend to work  
8 with both cities of Sunland Park, once they do have  
9 a mayor, and the City of Anthony, as well as the  
10 county, Doña Ana County, to see if we can develop a  
11 transportation plan that makes sense for everybody.

12 So these are issues that are important to  
13 everybody here in the community. Transportation is  
14 very important for these families with limited  
15 budgets. And I think you're right to call attention  
16 to it. But we are not going to neglect it. Thank  
17 you, sir.

18 COMMISSIONER GANT: Sir, on your second  
19 point, I don't believe -- yes, you can negotiate  
20 with the school district for transportation. But  
21 they have no obligation to give you transportation.

22 Moving on to -- on your budget, on Pages 8  
23 and 9 is the food services function, 3100. It is  
24 noted that you plan to provide meals -- I believe it  
25 was through a contract; it's through contract

1 services. And, in your budget, you have -- on  
2 Object Code 56116, you have food allocated for  
3 the -- for the -- starting in the second year.  
4 That's food. That's under the Supplies object code.

5 Now, my question is, you're going to have  
6 a contract with the food services vendor, whoever  
7 that may be. They bring the food in; correct?  
8 They'll bring it to the school. But you're still  
9 going to have an obligation to have equipment,  
10 refrigeration, a warming line, to keep the food warm  
11 or cold or whatever you're going to do. But there  
12 is no funding for equipment, maintenance, or  
13 anything -- or personnel or utilities to support  
14 your food services. Would you please explain?

15 MS. SAMRAJ: Commissioner Gant, if my  
16 memory serves me right, there is a warming kitchen  
17 expense built into it. It may be from year two  
18 onwards. I can't pinpoint that right now. Do you  
19 have that? And in the first -- in the first year,  
20 of course, we will have a special designated place  
21 for students to have their lunch and have lunch  
22 brought in at a certain time when the students are  
23 available to eat.

24 COMMISSIONER GANT: Well, I'm --

25 MR. NEVINS: Beg your pardon. May I just

1 add to that and supplement? The other charter  
2 school here in the district, Anthony Charter School,  
3 we visited. And under their program, nutrition  
4 program, they have a contract to come in at a  
5 certain time of day with the disposable plates and  
6 materials and so on. And it's my belief that  
7 although you may feel that that's not appropriate,  
8 that's how they're feeding their kids here in the  
9 district right now.

10 I think it's better -- it depends on what  
11 kind of facility we have and whether or not we can  
12 negotiate with a landlord to incorporate the cost of  
13 those improvements to a facility so that it becomes  
14 part of the leasehold expense. But it's not here in  
15 the budget.

16 COMMISSIONER GANT: Thank you. I would  
17 make a comment, though, that -- that you're a  
18 stand-alone charter school application. And what  
19 other charter schools -- and, particularly, this one  
20 here in town, it's a district charter school. So we  
21 really have no -- I mean, we can't be comparing the  
22 two like that.

23 Go back to the -- there was a line on  
24 Page 1, Function 1000, Code 53414. Would you  
25 please -- it's "Other Professional Services." And

1 what are these funds for to be used in support of  
2 the students? Page 1.

3 MR. ROBINSON: Commissioner, is that -- I  
4 believe that item is intended for special ed  
5 consultant. Is that the \$8,000 in year one?

6 COMMISSIONER GANT: Yes. \$20,000 across  
7 the line; it goes up to \$23,000, under "Purchased  
8 Professional and Technical Services."

9 MR. ROBINSON: That's for part-time  
10 special ed teacher and part-time teachers' expense  
11 included there also. Customized materials and tools  
12 for classroom and online instruction. That's the  
13 53414. And then the one below it, the \$8,000, is  
14 related service personnel, including a part-time  
15 special ed consultant and substitute teachers,  
16 beginning from year two onward.

17 COMMISSIONER GANT: Thank you.

18 MR. ROBINSON: Thank you.

19 COMMISSIONER GANT: I noted on Page 3,  
20 Functionary 2200, Object Code 61100, Class -- Job  
21 Class 1211 through 1511, you're not budgeting for a  
22 librarian, data processing, media specialist,  
23 anything like that.

24 MR. ROBINSON: I think -- I believe the  
25 intention in year one, at least, is to have a

1 volunteer librarian. And there are library expenses  
2 on here in a significant sum elsewhere on the  
3 budget, starting in year two. Yes, that's 2200,  
4 56- -- right, right. 5200, 56114. That's \$74,500  
5 budgeted beginning in year two.

6 COMMISSIONER GANT: I'll get to that one.

7 MR. ROBINSON: Okay.

8 COMMISSIONER GANT: But my concern -- one  
9 of the concerns I had is, well, maybe you can get a  
10 volunteer librarian. Great.

11 Data processing. As the district knows,  
12 as any established charter school knows, if you're  
13 going to be dealing with the State, the STARS  
14 system, financial management, you know, all the  
15 chart of accounts, very complicated. So you're not  
16 having a dedicated FTE or FTEs to support you in  
17 this area. That's what I'm reading. You're not  
18 going to have any data processor. I don't see  
19 numbers for IT personnel.

20 I assume you're going to have some kind of  
21 computer in the district, other than an abacus. So  
22 how are you going to handle your IT, your data  
23 processing and all that, interfacing with the  
24 schools -- I mean, the State? That's a big load.  
25 And a volunteer, the State is going to expect one

1 person or persons that they deal with. Can you  
2 explain that, please?

3 MS. SAMRAJ: Commissioner Gant, thank you  
4 for that question. Those are important functions  
5 for a school. We recognize that these will be  
6 required. And they will be -- the coalitions that  
7 supports the school will help make sure that this  
8 happens. A lot -- we have built, into the budget,  
9 funding for software that we will be using. We  
10 expect that that'll come with customer support as  
11 well. And we'll make sure that we -- we supply  
12 personnel to serve those needs.

13 COMMISSIONER GANT: All right. I'm  
14 running out of time, and I know somebody else may  
15 have questions. But Page 5, Function 2500, Object  
16 Code 51100, Job 1115, Business Manager; you're  
17 budgeting for one year. I guess you're going to the  
18 Coalition for \$50,000 for one year? Is that  
19 correct?

20 MR. ROBINSON: Essentially, that's true,  
21 yes. That \$50,000 will likely cover the  
22 consultative services from an individual that will  
23 be on site, in addition to the oversight function  
24 through the Coalition.

25 COMMISSIONER GANT: Are they going to be

1 your financial manager throughout your years? I  
2 mean, are they going to do all your records and  
3 everything else like that for financial management?  
4 The Coalition?

5 MR. ROBINSON: No. It'll be transitioned  
6 to a full-time, on-site person, probably beginning  
7 in year two.

8 COMMISSIONER GANT: I see that. But I was  
9 just kind of curious, because they wrote your budget  
10 and -- well, leave it at that.

11 MR. NEVINS: Commissioner Gant, just to  
12 clarify, they did help us with budget. They didn't  
13 write it. We inputted the focus of the school and  
14 what the requirements were and the unique  
15 characteristics; and they helped us understand what  
16 the PEC and the PED would expect of the charter  
17 school in a public environment like this.

18 COMMISSIONER GANT: I think in that --  
19 what I read in the application, that you're planning  
20 to open or support opening a community library; is  
21 that correct?

22 MS. SAMRAJ: Commissioner Gant, I think  
23 that might be a reference to a bookmobile that we  
24 referenced in the narrative. This is a future plan,  
25 and it's nothing that will be begun in the first

1 year for sure. But it's something that we envision,  
2 because we understand that the need in this area for  
3 libraries is vast. Sunland Park has a very small  
4 library that almost closed recently in one of their  
5 meetings. The public library in Anthony is  
6 considerably also very small.

7 COMMISSIONER GANT: Quickly, one last  
8 question. So -- on Page 6, Function 2600, Object  
9 54312, "Maintenance and Repair of Building and  
10 Grounds," no funding. How are you going to maintain  
11 your buildings and your grounds with no funding?

12 MR. ROBINSON: Thank you, Commissioner  
13 Shearman. I think, again, we'll be looking to --  
14 I'm sorry, Commissioner Gant -- we'll be looking to  
15 the competitive grant for that funding.

16 COMMISSIONER GANT: You know you can only  
17 stretch that \$200,000 a year so far. So -- you  
18 know. All right. It's not in there. Thank you,  
19 Mr. Chair.

20 THE CHAIR: Other questions from  
21 Commissioners? Commissioner Bergman?

22 COMMISSIONER BERGMAN: I've got two  
23 minutes so it'll have to be brief. The  
24 Superintendent noted that they had a health career  
25 pathway in the Gadsden School District. What's



1 going to differ in your school from what's being  
2 offered now? I know that's hard to answer in two  
3 minutes.

4 MS. SAMRAJ: Commissioner Bergman, thank  
5 for you that question. The preparedness that we're  
6 going to offer our students is going to be very  
7 different from what is being currently offered.

8 We are going to give them a  
9 health-science-infused curriculum, and also we're  
10 going to give them the exposure to actually work  
11 with professionals in health care and health  
12 science. They're going to get a good feel for  
13 workplace expectations, for work ethics, for being  
14 able to relate to a working environment.

15 We have excellent support in -- for  
16 example, in offering classes from the New Mexico  
17 State University on our campus. We've spoken with  
18 the New Mexico College of Health Science and Social  
19 Work, and they are anxious to have some of their  
20 graduate students work with us closely and help us  
21 develop curriculum as well.

22 I think that one of the unique things is  
23 also providing that individual support and making  
24 sure that each student has the opportunity to excel  
25 and be prepared for a pathway towards health-science

1 careers.

2 We -- I'm just going to dwell on this for  
3 a few seconds. But we had the opportunity in  
4 February, three of us members who are sitting here  
5 visited a health-sciences-focused charter school in  
6 San Diego that is about -- has been in operation for  
7 about five years. And a lot of the design that we  
8 are trying to implement in this school is something  
9 that they are doing. And it's working tremendously  
10 well. They had 100-percent graduation; their  
11 students are engaged; their students are supportive  
12 and look out for each other. They were articulate  
13 and friendly. We spent a whole morning at the  
14 school.

15 MS. CHAVEZ: Mr. Chairman, time is up.

16 COMMISSIONER BERGMAN: Thank you.

17 THE CHAIR: Thank you for your comments.

18 Any member of the public, including the  
19 applicant, may submit written input following this  
20 hearing. Written comments can be sent to the  
21 Commission via the Public Education Department main  
22 Web site at [ped.state.nm.us](http://ped.state.nm.us), through the Calendar  
23 listing on the front PED Web page, through the  
24 Public Comments section on the front PED Web page,  
25 or by using the link, [ped.state.nm.us/comments](http://ped.state.nm.us/comments),

1 where you will be directed to an e-mail format in  
2 which to write in your comments.

3 Make sure you identify the school you're  
4 commenting on in the drop-down menu. Please note  
5 that any written input must be received by no later  
6 than close of business on the third business day  
7 following the hearing on the application you wish to  
8 comment on.

9 Thank you for your presentation and your  
10 hard work in preparing your application. The  
11 Commission will now recess this hearing until  
12 1:30 p.m., where we will resume in the community of  
13 Alamogordo. We are in recess.

14 (Proceedings in recess at 11:00 a.m.)

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## REPORTER'S CERTIFICATE

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

In testimony whereof, I have hereunto set my hand on September 4, 2012.

---

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