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BEFORE THE  
PUBLIC EDUCATION COMMISSION  
SANTA FE, NEW MEXICO

TRANSCRIPT OF COMMUNITY INPUT HEARING  
Dzit Dit Lool School of Empowerment Action and  
Perseverance (DEAP)  
August 18, 2014  
9:00 a.m.  
Red Lake Chapter 18  
Navajo, New Mexico

REPORTED BY: Mary Abernathy Seal, RDR, CRR, CCR 69  
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## APPEARANCES

### COMMISSIONERS:

MS. CAROLYN SHEARMAN, Chair  
 MR. EUGENE GANT, Vice Chair  
 MR. J. TYSON PARKER  
 MR. JAMES CONYERS  
 MS. CARMİ TOULOUSE

### STAFF:

MR. MATT PAHL, Interim Director, Charter Schools  
 Division  
 MR. ED WOODD, Education Administrator, Charter  
 Schools Division

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1 COMMISSIONER SHEARMAN: Ladies and  
2 gentlemen, by my handy little clock here -- I can't  
3 see that one as well as I can see this one, so this  
4 is going to be our official clock for today -- it is  
5 9:00 a.m. according to my clock. I thank you all  
6 for being here, and for such a nice warm welcome.

7 Before we officially get started, let me  
8 just note, I understand the signup sheet is going  
9 around the room. Please know that community input  
10 will have a 20-minute time limit. So if you sign up  
11 on that sheet, then when I get it, the number of  
12 people that have signed up to speak will be divided  
13 into 20, and that will tell me and you how many  
14 minutes each person will get to speak. So if we  
15 have a great number of people that want to speak,  
16 your time will be less. So if that's the case, you  
17 and your group might want to come up with a  
18 spokesperson so you will have a few more minutes to  
19 speak. Is that the official signup sheet?

20 MR. PAHL: Yes, Madam Chair. This is the  
21 signup sheet. I understand that this has been  
22 passed around the room. What I'd like to do is pass  
23 it around again. There's a third column here. If  
24 you would like to speak, check that column next to  
25 your signed name and then we will call those names

1 up at the end, when it's time for that.

2 COMMISSIONER SHEARMAN: That sounds good.

3 Okay. So if you want to speak, please note it on  
4 there.

5 I call into session this hearing of the  
6 New Mexico Public Education Commission for the  
7 purpose of community and applicant input. Let me  
8 begin with a general statement that should cover  
9 most of the bases and let you know how we're going  
10 to be conducting the meeting this morning.

11 Before we do that, though, by statute in  
12 New Mexico, at least three Commissioners must be in  
13 attendance for all community input hearings. I will  
14 ask Vice-Chair Gant to call roll, please, and let's  
15 be sure there is a sufficient number of  
16 Commissioners here for this hearing.

17 COMMISSIONER GANT: Commissioner Toulouse?

18 COMMISSIONER TOULOUSE: Present.

19 COMMISSIONER GANT: Commissioner Conyers.

20 COMMISSIONER CONYERS: Here.

21 COMMISSIONER GANT: Commissioner Parker.

22 COMMISSIONER PARKER: Here.

23 COMMISSIONER GANT: Commissioner Shearman.

24 COMMISSIONER SHEARMAN: Here.

25 COMMISSIONER GANT: Commissioner Gant is

1 here. You have five. You meet the requirement.

2 COMMISSIONER SHEARMAN: Thank you. We do  
3 meet the requirement.

4 Let me move on to the general description  
5 of the process. This meeting is being conducted  
6 pursuant to New Mexico Statutes Annotated, Title 22,  
7 Section 8B-6(j) 2009. The purpose of these  
8 community input hearings that will be held from  
9 August 18th through August 21st, 2014, is to obtain  
10 information from the applicant and to receive  
11 community input to assist the Public Education  
12 Commission in its decision whether to grant the  
13 proposed charter application. According to this  
14 section of the law, the Commission may appoint a  
15 subcommittee of no fewer than three members to hold  
16 a public hearing.

17 According to law, these hearings are being  
18 transcribed by a professional court reporter, and I  
19 would like to introduce Mary Seal to you this  
20 morning. When you speak, we will ask that you come  
21 up to this table, use the microphone, and please  
22 introduce yourself and spell your name, if it has a  
23 unique spelling, so that Mrs. Seal may get it  
24 correctly in the official record.

25 A total time allocated to each application

1 is 90 minutes, which will be timed to ensure an  
2 equitable opportunity to present the application.

3           During the hearing, the Commission will  
4 allow for community input about the charter  
5 application. The time for community public comments  
6 will be limited to 20 minutes. If you wish to speak  
7 regarding the application, please sign in. The  
8 sheet is going around. The Commission chair, based  
9 on the number of requests to comment, will allocate  
10 time to those wishing to speak. If there are a  
11 large number of supporters or opponents, they are  
12 asked to select a speaker to represent common  
13 opinions. We will try to allocate an equitable  
14 amount of time to represent the community  
15 accurately.

16           The Commission will follow this process  
17 for each community input hearing. First the  
18 Commission will ask each applicant or group to  
19 present at the table in front. They will be given  
20 20 minutes to present their application in the  
21 manner they deem appropriate. The Commission will  
22 not accept any written documentation from the  
23 applicant this morning, but the applicant may use  
24 exhibits to describe their school, if necessary, or  
25 preferred. However, the setup time, so forth, will

1 be included in that 20 minutes.

2           Following the applicant's presentation,  
3 the local school district representatives, which  
4 include the superintendent, administrators and board  
5 members, will be given ten minutes to comment.

6           Subsequently, the Commission will allow 20  
7 minutes for public comment as described above.

8           Finally, the Commission will be allowed 40  
9 minutes to ask questions of the applicant.

10           Before we go any further, I'd like to  
11 point out in the back there are handouts that have  
12 the information on how public comment or documents  
13 may be sent to the Commission. There are three  
14 different ways: Hand-carried, mailed, and e-mailed.  
15 They're all back there. The Commission's full  
16 schedule is also on that handout. So please, if you  
17 want to submit any documentation to the Commission,  
18 pick up one of those so that you have the right  
19 address and so forth.

20           It's now time for the applicant to present  
21 their application if the Commission is ready.

22 Please, if you have electronic devices, turn them  
23 off, or quiet or stun, or whatever you choose.

24           If the applicants would come up to the  
25 table, please, and here's the microphone.

1 Commissioner Gant is our official timekeeper so as  
2 you are presenting or as you are speaking, he will  
3 try to notify you the amount of time that you have  
4 left. Good morning.

5 MS. BEGAY: Good morning. (In Navajo.)  
6 My name is Kayla Begay. I'm one of the co-founders  
7 of Dzit Dit Lool School of Empowerment Action and  
8 Perseverance, otherwise known as DEAP. I want to  
9 start today by thanking the Public Education  
10 Commission for making the long journey here. We're  
11 really grateful that you're here in our community.

12 I'd also like to thank the community  
13 members and the leaders who have come to show  
14 support. I appreciate it.

15 We're all here today for a great purpose,  
16 and that is for the education of our children and  
17 youth in this community. We have a rich legacy and  
18 history. The first families in this area, including  
19 my ancestors, the Clevelands, grew many fields,  
20 including corn, squash, and watermelon, on this very  
21 ground that this facility rests on. They lived the  
22 Diné way of life and found sustenance from the  
23 natural resources including Fuzzy Mountain and Red  
24 Lake.

25 As time passed and the Navajo Nation

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1 became more modernized, the community, Navajo, took  
2 shape. In the 1960s, right across the way over  
3 here, Navajo Forestry Products Industry was formed  
4 and with it a community took shape. Schools, roads,  
5 a recreation center with a swimming pool, and other  
6 community spaces were also formed. At NFPI's prime,  
7 Navajo was one of the most robust and economically  
8 developed towns in the entire Navajo Nation.  
9 However, as NFPI closed in the 1990s due to economic  
10 and environmental reasons, the town suffered. We no  
11 longer had the economic stability that we were used  
12 to.

13           So now we're left with a legacy of  
14 abandoned and condemned buildings and few  
15 opportunities to rebuild. We're faced with many  
16 challenges. For example, we have high poverty  
17 rates, high dropout rates, and we have very, very  
18 low college graduate rates in this community. We  
19 have inaccessibility to healthy food and  
20 recreational activities. We also don't have many  
21 opportunities to interact with our Diné culture.  
22 Because we face many challenges, we know that it is  
23 imperative that we revive our community so our  
24 children and youth will have the livelihood they  
25 deserve.

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1           For this reason we have taken on the  
2 challenge of creating a space where our children can  
3 learn and thrive as well as reclaim and rebuild  
4 their community. This initiative has been important  
5 to me because this community is my home. I grew up  
6 in Navajo and attended school here. But I did not  
7 feel that I was receiving the education I needed to  
8 achieve my dreams, so I left the reservation at 13  
9 years old, I got on a plane and I flew all the way  
10 to Connecticut because I thought that there I would  
11 receive the education I needed to go to college and  
12 to get the life I wanted.

13           After graduating high school, I went on to  
14 college in Los Angeles and every time I was in those  
15 types of learning spaces, I always thought, My  
16 community deserves this. They deserve a rigorous  
17 learning experience. They deserve high standards.  
18 That's part of the reason why I came back to my  
19 community. I believe that through education, we can  
20 really transform the way we live.

21           My story is similar to a lot of people in  
22 the Navajo Nation. They have to leave to get a  
23 better education. For example, in this community a  
24 lot of our students choose not to attend here. They  
25 go off-reservation or they go to another community

1 or another state. But we want them to know that the  
2 children in this community, if they want a quality  
3 education, don't have to leave.

4 MS. GARNENEZ: Good morning,  
5 Commissioners. My name is Prestene Garnenez. It's  
6 spelled P-R-E-S-T-E-N-E. The last name is spelled  
7 G-A-R-N-E-N-E-Z. I want to thank you for coming and  
8 I hope you enjoyed the drive out today. But I too,  
9 like Kayla, really care about this community. I  
10 also went off the reservation to get my college  
11 education. I went to New Mexico State University  
12 and also went to the University of California at Los  
13 Angeles, UCLA. And like Kayla, you know, I  
14 realized, too, that the education that we receive  
15 here can be better. The education that is outside  
16 of the reservation is more challenging and is more  
17 rigorous, and as a community planner, I came back  
18 home and I looked at my community, you know, and I  
19 sort of sometimes see my community through what they  
20 call rose-colored glasses. I see the beautiful  
21 scenery that we have here.

22 But I'm also grounded in reality. I also  
23 see a lot of the issues that we have here in our  
24 community, the burned-out houses and the graffiti,  
25 and the trash, and for that reason, we started this

1 group that's a local volunteer group to try to  
2 improve the way things are in the schools and  
3 improve our way of life here.

4 Like Kayla, I feel like we can continue to  
5 improve that through education if we can start to  
6 get our children to understand what it means to give  
7 back to the community, to have community pride, and  
8 that they also can do something great in their  
9 community. I think that that could be amazing.

10 You know, yesterday I presented to our  
11 local chapter this strategic plan for improving our  
12 community, and the charter school is a part of that.  
13 Kayla talked about what the community looked like 40  
14 years ago, even 20 years ago. This was a really  
15 vibrant community. I remember, growing up, being  
16 able to go to the recreation center, and that's  
17 where I learned how to swim. We had a swimming  
18 pool. There was a café there. There used to be  
19 movie night here when I was young. And I feel like  
20 we can rebuild all of that through the school.

21 Also, I want to give some time to Senator  
22 Jackson here, who will talk about, you know, the  
23 beginnings of this charter school. I also want to  
24 mention that I know the district has concerns about  
25 taking away students because we are such a small

1 community. But it's not just this community here at  
2 Navajo. It's actually larger than that. It  
3 includes communities like Crystal up the road,  
4 Mexican Springs, and Fort Defiance.

5 Like Kayla mentioned, we are also finding  
6 that a lot of our students choose not to go to the  
7 high school here, or even the middle school. They  
8 go to other places. They go to places like  
9 St. Michael's, which is in Window Rock, go to Window  
10 Rock Unified School District, even Gallup, and as  
11 far away as Many Farms, which is really far.

12 And when we were listening and talking to  
13 people, and we were learning these things, I thought  
14 about that, and I thought, that really speaks to the  
15 people here in how much they actually value  
16 education. Even though we have these high dropout  
17 rates, I think the folks here that decide to go to  
18 the other schools to get a better education are  
19 actually saying something. They value education,  
20 that they would get up earlier in the morning and  
21 drive further just to get a better education.

22 I think that with the school, if we can  
23 have one here, we will have an alternative to the  
24 local school district, something that we can take  
25 community pride in and build our community. And

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1 always we talk about what our school will be built  
2 on. I hope you can see all that. Thank you.

3 MR. JACKSON: Thank you. Good morning,  
4 New Mexico Public Education Commission.

5 COMMISSIONER SHEARMAN: Thank you.

6 MR. JACKSON: You all look dignified. (In  
7 Navajo.) Good morning. At least learn one word  
8 before you go back. My name is Jack C. Jackson, Sr.  
9 No relations to Michael Jackson or Mahalia Jackson.  
10 Those folks are illegal immigrants.

11 I lived near Window Rock for a number of  
12 years when I first came out of school. I left there  
13 and went to Navajo Community College for the first  
14 year it was in operation. I came back over here and  
15 worked for Navajo Nation and I served on the tribal  
16 counsel.

17 After that, I was asked to serve the State  
18 of Arizona, the House, so that's where I was 16  
19 years. I left there and I went to the Senate for  
20 almost five years. So I'm glad I experienced the  
21 state legislature.

22 During that time, the charter school came  
23 up there in Arizona, and it was very controversial,  
24 a very controversial issue. The Democratic party,  
25 the caucus was divided on the issue. So were the

1 Republicans. They were divided. They went on and  
2 on for many years. Finally somebody got brave  
3 enough to put it in a bill, and again it went on  
4 again for two, three, four more years before it was  
5 voted on. That's when the State of Arizona adopted  
6 the charter school. This side, that side, and a lot  
7 of bad things said about charter schools. And I  
8 sort of joined that group.

9           And after, I had a friend who had left his  
10 seat to go into this business, charter school  
11 business, right there in Phoenix, and they asked me  
12 to come and join them, and look at these schools.  
13 They had nine schools right in southern Phoenix. It  
14 was supposed to be a rundown place and all kinds of  
15 excuses why we should have charter schools there.  
16 One of the reasons was, there's no business in  
17 there. People refuse to do business in there. But  
18 later, when it got started, business moved in there.

19           So we toured the schools, nine of them,  
20 and were very much impressed. They said, "You have  
21 got to do this, Mr. Jackson. You got to have this  
22 for your people."

23           And that's when I came back over here and  
24 talked to these people here, this lady here and some  
25 back there, and said, "We got to try something else

1 here. We been with this type of education for a  
2 number of years, and look around. Look around here  
3 and what have we got?"

4           So they took it on recommendation and they  
5 started working on it. That's where it is. We want  
6 to emphasize two things mainly: Agricultural and  
7 livestock. Because those two occupations is our way  
8 of life. It has always been, and probably always  
9 will be. But after our kids go to school and they  
10 didn't learn the Navajo language, they lost a lot of  
11 spirituality that was present when I was a young  
12 boy. So that's what we want, to bring back that way  
13 of life into our people. And today, we look around,  
14 look around, some of the high school graduates, some  
15 of them are college graduates.

16           In Gallup, we're a border town.  
17 Alcoholism is getting the best of us. Then later,  
18 drugs. It's so bad that some of the better people  
19 around here have their kids involved in it. So what  
20 are we doing? What's education doing to us? Is it  
21 really helping us? Yes, it has helped. But at the  
22 same time, it's hurting us.

23           So what I want to do, what I told the  
24 people here we would like to do is bring back some  
25 of our spirituality. When you put a seed in the

1 earth, something happens, doesn't it? Sometimes  
2 overnight. Pretty soon you see a little grass  
3 coming up and that's spirituality. That's signs.  
4 And that's teaching to us. Our way of life is our  
5 communication and our positive relationship with  
6 nature. We're made out of nature. The very fact  
7 our bodies are made from wheat plants that we eat  
8 and then the water that we drink and then the air  
9 that we breathe and the solar system that we have in  
10 our home, fire, those are very sacred to us, so  
11 that's our protection. That's our way of life, and  
12 that's our sovereignty. But we're losing all that.  
13 So what's going to happen if we lose all that?  
14 We're going to lose our land, too, because that's  
15 what happened. That's what the western society  
16 people do not want us to do.

17 COMMISSIONER GANT: You have 15 minutes  
18 left. Five minutes, I'm sorry.

19 MR. JACKSON: Okay. So that's what's  
20 happened, and we don't want that to happen. We know  
21 we've still got natural resources here, in this  
22 sacred mountain. When you look at the Constitution  
23 of the country, it says, "You don't own any of  
24 these. This belongs to the United States."

25 Who gave them this? We didn't. We were

1 here already. So this is the things that are  
2 abused, that this country has done to us, and we  
3 just realize it, and these young people realize it,  
4 and that's what we want. We want to get back to not  
5 all what we had 100 years ago, but some of them.

6 Okay. I'll quit right here. And I hope  
7 you got what I wanted to say. Thank you very much.

8 COMMISSIONER SHEARMAN: Thank you.

9 MS. BEGAY: Thank you for that. So this  
10 school is really an example of a community taking  
11 charge of its own destiny.

12 So I'd like to move on and talk about some  
13 of the innovative focuses of DEAP. The first is our  
14 service learning focus. And as you drove into our  
15 community, you might have seen quite a few abandoned  
16 buildings and busted roads. We feel that our  
17 students are capable of changing those. We don't  
18 have to wait for someone else to do it for us. And  
19 so in our school, this is a big focus area. We want  
20 to create leaders, we want to create people who are  
21 willing to take action, not just for themselves but  
22 for the community and the world.

23 The second focus is on experiential  
24 learning through agriculture. As Mr. Jackson said,  
25 growing things is a very spiritual experience. But

1 beyond that, students can acquire the skills that  
2 they need for science, technology, engineering, and  
3 math through agriculture. Rather than reading it  
4 from a book, they can do it. They can feel it.

5           The third is the Diné empowerment through  
6 cultural revitalization and relevancy. We know that  
7 our students will do better if they know and they  
8 are firm in their identities as Diné people. We  
9 believe that through the school, we'll be able to  
10 give them their history that they have been denied,  
11 or the language, and this language is very important  
12 because it is how we relate to one another, how we  
13 relate to the earth, and we want to make sure that  
14 our students have access to that.

15           Our last focus area is on wellness and  
16 perseverance. Diné people and native people in  
17 general face a variety of health issues, whether  
18 it's diabetes, pregnancy, suicide, or other pressing  
19 issues, but very rarely do they get the skills or  
20 the knowledge they need in schools to combat those.  
21 And we want to make sure that our students have that  
22 support, so that's a big focus of our school.

23           So we're really excited to create this  
24 school because it's a reflection of what the  
25 community needs. So in thinking about this, we

1 really feel that we can set a precedent. If we're  
2 approved, we'll be the first high school/middle  
3 school charter school in the Navajo Nation in  
4 New Mexico. And I believe that we'll be able to  
5 lead the Navajo Nation in reclaiming their  
6 education. Thank you.

7 MS. GARNENEZ: Commissioners, really  
8 quickly, this idea is really driven by heart, you  
9 know, the heart of the community, and I hope you see  
10 that we do have community support. We go out and we  
11 talk to people. They really get excited about the  
12 idea of this charter school. And in even looking at  
13 the administration or even the school board, the  
14 folks that we've been talking to, folks who are  
15 saying they're interested in being on the school  
16 board or being part of the school, I can see it in  
17 them. I can see it in their eyes that it's about  
18 heart, and I think that's one of the reasons why the  
19 school will be successful, you know. We can give  
20 you guys numbers and tell you what the issues are,  
21 but I think the real success of this community is  
22 that it's going to be about heart and passion.  
23 Thank you.

24 COMMISSIONER SHEARMAN: Thank you.

25 COMMISSIONER GANT: You still have a few

1 more minutes, about a minute.

2 COMMISSIONER SHEARMAN: You don't have to  
3 take it, but you're welcome to.

4 MS. GARNENEZ: Well, you know, like I  
5 said, it really is about heart and passion.

6 COMMISSIONER SHEARMAN: Okay. Thank you.

7 MR. YAZZIE: Good morning. (In Navajo.)  
8 I'm Albert Yazzie. I am of the Bitter Water clan,  
9 born for the Todich'ii'niis. There are a lot of  
10 Todich'ii'niis in this community. And my Nalis are  
11 Tabaahi and my Cheiis are Bitahnii.

12 So that's who I am. And I grew up in this  
13 community as a young child. I grew up herding  
14 sheep, running the livestock and so forth, and I  
15 grew up in the agricultural community here. This is  
16 what we want for our children, because we have all  
17 that natural resources available here, and a lot of  
18 our young people need to learn that. And that's  
19 what we want to incorporate into the curriculum, and  
20 that's why we're asking of you to grant us that  
21 opportunity so that we can show the world that you  
22 need to do what the community wants and what they  
23 can do to raise their children to be successful.  
24 That's what we really are asking.

25 MS. BEGAY: Thank you.

1 COMMISSIONER SHEARMAN: Thank you very  
2 much.

3 Thank you for your presentation. We  
4 appreciate your time. The next group is  
5 representatives from the local school district. Do  
6 we have anyone from the local school district?  
7 Please come forward. Good morning. How are you?

8 MR. CHIAPETTI: Just fine, thank you.

9 COMMISSIONER SHEARMAN: You have ten  
10 minutes. Please introduce yourself.

11 MR. CHIAPETTI: Thank you, Madam Chair.  
12 My name is Frank Chiapetti, I'm the superintendent  
13 of Gallup-McKinley County Schools. We have a lot  
14 going on in Gallup today, movies, infrastructure  
15 bonds, and other type of things. So instead of  
16 spreading our resources thin, I decided to come out  
17 myself.

18 So I'd like to thank the Public Education  
19 Commission, PED, Mr. Pahl, for coming out and  
20 joining us here in Navajo.

21 While Gallup-McKinley County Schools is  
22 not against charter schools, we do believe that if  
23 they fill a niche and can work in partners with the  
24 public schools, that they're very well-warranted.  
25 The Middle College High School in Gallup is a big

1 indicator of that. They filled a need that  
2 Gallup-McKinley County Schools could not fill.

3 I have been instructed to speak for my  
4 board today about the concerns we have here in  
5 Navajo affecting our public schools. The charter  
6 schools started discussion when a previous  
7 administration discussed consolidating middle school  
8 and high school. We have a middle school built for  
9 400 students with occupancy under 150 students. We  
10 have a high school across the parking lot, capacity  
11 of 400 students, with less than 125 students in the  
12 school.

13 The administration, we're going to combine  
14 six through twelve, and they did it totally wrong.  
15 They did not talk to the community. I'm going to  
16 bluntly say they have lied to the PED and said they  
17 did, and they didn't. It was common knowledge, and  
18 the PED denied the consolidation, rightfully so,  
19 because schools did not follow the Indian Education  
20 Act.

21 But because of this, it upset the  
22 community and they started talking charter school.  
23 Well, today we have a middle school with 101  
24 students enrolled as of this morning. We have a  
25 high school with 133 students enrolled as of this

1 morning. The community was against consolidation,  
2 yet we're talking about opening a new school, a new  
3 school of up to 150 students, when it comes full  
4 force.

5 We have 234 students attending public  
6 school in Navajo, New Mexico. That includes  
7 students from Central Consolidated School. We have  
8 a formal memorandum of understanding to bus students  
9 from Crystal. I feel Crystal was very neglected by  
10 Central Consolidated Schools. When we were talking  
11 transportation issues this year, this last year,  
12 with the PED, the Indian Education Department, and  
13 the Department of Diné Education, Central  
14 Consolidated admitted they didn't even know Central  
15 Consolidated was in San Juan County. But we've been  
16 busing those students to Navajo because a 15-minute  
17 bus ride sure beats the hour bus ride over the  
18 mountain.

19 So we have 234 students total in  
20 Gallup-McKinley County Schools in Navajo,  
21 New Mexico. We have students who do move off to  
22 Arizona or go to BIA schools like Wingate, I'm going  
23 to say not to further their education, but because  
24 the standards are less there. The testing  
25 requirements to graduate are less there. New Mexico

1 Public Education Department has a high rigor,  
2 especially this year as they're going to the PARCC  
3 assessment. Gallup-McKinley County Schools is  
4 raising their rigor to meet those requirements of  
5 the Public Education Department.

6 With that, we see students going to the  
7 BIA. There's an easier test to take for graduation.  
8 The PARCC is an extremely rigorous test. Students  
9 are worried that they're not going to be able to  
10 graduate in New Mexico, where they can in Arizona  
11 and they can in the BIA. So I'm going to say  
12 they're not leaving to better their education;  
13 they're leaving because they know they can pass at  
14 that time.

15 So we are raising our rigor. We are  
16 working hand in hand with the Public Education  
17 Department, especially the Priority Schools Bureau.  
18 We've partnered with them in many initiatives.  
19 Navajo Elementary is one of six schools that  
20 Gallup-McKinley County Schools has partnered with  
21 the University of Virginia Darden project through  
22 the Public Education Department.

23 As we looked at students' needs when this  
24 first came to our attention, the agricultural tent  
25 on education, we looked at every student's next step

1 plans from eighth grade to twelfth grade. One  
2 student came close to requesting that for their  
3 future career. They wanted to become a  
4 veterinarian. The highest degree of students in  
5 Navajo wanted to become doctors, nurses, police  
6 officers, or go into the military.

7           With that, we're restructuring what we're  
8 doing at Navajo to keep up with the high rigor of  
9 the Public Education Department. We're working with  
10 the Fort Defiance PHS to start internship programs,  
11 since we have a high number of students wanting to  
12 go into nursing or the medical field. We're  
13 bringing the Cyber Academy into the school here.  
14 The previous administration wanted to put the Cyber  
15 Academy in Gallup, and we fought against it as  
16 principals then, and now that I'm superintendent, I  
17 don't have to fight against it, because the Cyber  
18 Academy is a duplication of services in Gallup. We  
19 have the Middle College High School charter where  
20 students can earn high school credit. But in the  
21 county they don't have that opportunity. So we're  
22 actually starting a cyber academy. It's in Navajo,  
23 in Tohatchi and Crownpoint this year. It was in our  
24 bond sale, the advertisement for our bond sale. We  
25 are using the bond money to purchase the computers

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1 to rework the system so we can offer a higher rigor  
2 and more classes that a traditional small, rural  
3 community cannot receive.

4 On top of that, Gallup-McKinley County  
5 Schools, just like the rest of New Mexico, has an  
6 extreme teacher shortage. Currently we're over 50  
7 staff members short in Gallup-McKinley County  
8 Schools. So as I look at a new charter school  
9 opening in Navajo with only 234 public school  
10 students, with a district that is already strapped  
11 to find staff, we're very worried that it's going to  
12 have a negative turn on public schools in the area,  
13 a force of consolidation or a force of closure.

14 In the history of Navajo, the community  
15 fought to have a public school here. When I was in  
16 Gallup-McKinley County Schools, there was not a high  
17 school in Navajo. They were bussed to Window Rock,  
18 Arizona, to attend school. We're getting to the  
19 point now to where if we do this, 84 public school  
20 kids in this area does not warrant a school. It  
21 would be very tough to keep our public schools open  
22 in this area. We couldn't qualify for a small  
23 district, since they're part of 34 other schools.  
24 We can't get our small-school funding. We no longer  
25 qualify for the rural isolation grant through the

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1 funding formula. So it's just going to strap an  
2 impoverished area even more.

3 So we do have concerns how it's going to  
4 affect the public school. We praise the committee  
5 out here for doing what they're doing. They're very  
6 passionate. They're working for their community and  
7 for their families, and we do appreciate that. But  
8 we'd like to see a better tie of us working with  
9 them to increase it to where our schools can stay  
10 open. Thank you.

11 COMMISSIONER SHEARMAN: Thank you. We  
12 appreciate that.

13 We have eight people who have signed up to  
14 speak. So that roughly translates into two and a  
15 half minutes each person. Commissioner Toulouse  
16 will call the names of the people. We would ask  
17 that you come forward to the table. Before you do,  
18 though, I just want to make a point, and I should  
19 have done this sooner. By statute, by law, this  
20 Commission makes a decision on the application as it  
21 is presented, taking into account the community's  
22 wishes. But the application as it's written, by  
23 law, is the main thing that we must look at. So  
24 after the community has had their chance to visit,  
25 you're going to hear Commissioners ask questions of

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1 the applicants. And what we're trying to do is, if  
2 there are any areas of this application where we're  
3 not clear, where we need more information, so on and  
4 so forth, those are the kinds of questions we're  
5 going to be asking, just for clarification, to make  
6 sure we totally understand this application. We may  
7 even question some things and say that we would need  
8 some additional legal input, if that is the case. I  
9 simply want the audience to know we value your  
10 input. It's very important. But the application as  
11 it is written is the biggie. Okay? Just so  
12 everyone is clear on how we have to make the  
13 decision.

14 Okay. Commissioner Gant, are you ready to  
15 begin the time?

16 COMMISSIONER TOULOUSE: Madam Chair,  
17 Mr. Pahl took the list away for someone else to sign  
18 in.

19 MR. PAHL: I'll readjust the time here, as  
20 well, real quick.

21 COMMISSIONER TOULOUSE: Two and a half  
22 should still be okay; right?

23 MR. PAHL: Yes, we're still good with two.

24 COMMISSIONER SHEARMAN: That's going to  
25 run over the 20 minutes. We don't do that. 2:15.

1 COMMISSIONER TOULOUSE: Two minutes, 15  
2 seconds.

3 COMMISSIONER SHEARMAN: We're good with  
4 the math. Two minutes, 15 seconds.

5 COMMISSIONER TOULOUSE: These are the  
6 education people. I'm not. I was a bureaucrat. I  
7 can do math, too, though. Alfred Barney.

8 COMMISSIONER SHEARMAN: Please spell your  
9 name for the transcriptionist, please.

10 MR. BARNEY: My name is Alfred Barney.  
11 A-L-F-R-E-D, B-A-R-N-E-Y. Good morning.

12 COMMISSIONER SHEARMAN: Good morning.

13 MR. BARNEY: My name is Alfred Barney. I  
14 was a former chapter president here, and I would  
15 like to request to the Commission that this  
16 application be approved. We as a Navajo people, you  
17 know, are in need of other type of technical  
18 assistance teaching for our kids, and with that, we  
19 as a people grew up as farmers, hunters, herders,  
20 ranchers. We work with the land. And if the school  
21 can be approved, I'd like to see that the teaching,  
22 you know, be something that is culture-oriented  
23 teaching, where we can learn, our kids can learn  
24 other types of outdoor trades like farming and other  
25 trades, welding.

1 COMMISSIONER GANT: One minute.

2 MR. BARNEY: And with that, I know if we  
3 have Gallup-McKinley County schools that ship their  
4 students across the state line, I think we can, as a  
5 chapter, as a charter school, also work with  
6 Arizona, where we can -- as a partnership. We can  
7 develop something good, you know, for the community  
8 and for our kids and the students that didn't have a  
9 chance to go on to college and go out to the  
10 community within the Navajo Reservation where I have  
11 talked to young people, and where they'd like to  
12 learn something and, you know, where they can be  
13 self-sustainable. Thank you.

14 COMMISSIONER SHEARMAN: Thank you very  
15 much.

16 COMMISSIONER TOULOUSE: Next is Dondi  
17 Begay.

18 COMMISSIONER SHEARMAN: Good morning.

19 MR. BEGAY: Good morning. My name is  
20 Dondi Begay. D-O-N-D-I, B-E-G-A-Y. I'll try to  
21 stick to the paper, hopefully.

22 COMMISSIONER SHEARMAN: We don't bite.

23 MR. BEGAY: I am a local youth here in Red  
24 Lake. I was born here -- well, I was born in Fort  
25 Defiance Hospital and raised here all my life. I

1 grew up in a house on Lone Pine Street here in town.  
2 Despite living here for most of my life, I have  
3 never been enrolled in any of the public schools in  
4 Red Lake. In my eleventh year of school, I still  
5 choose to go to school off the reservation, enrolled  
6 at a Gallup high school. I finally feel academics  
7 can prepare me for my future I want to have.  
8 Neither Navajo nor Window Rock schools I believe can  
9 do that. My family takes me to Gallup every day so  
10 I can receive a decent education, but they shouldn't  
11 have to. Many students and youth around here do not  
12 have a family that can take them, that can make the  
13 daily travel back and forth, and they shouldn't have  
14 to. They need a quality education that they so  
15 rightfully deserve, not just to make it in life,  
16 financially successful, but also spiritually and  
17 culturally, as well, and I believe the school can  
18 and will do those things for our youth.

19 COMMISSIONER GANT: One minute.

20 MR. BEGAY: I love farming and gardening.  
21 It's very important to me. My family has had a  
22 field where we have grown many different types of  
23 vegetables throughout the years. When I was young,  
24 I was fortunate to have a father that wanted to farm  
25 and had the capabilities. Many young people often

1 don't have that person to learn from. My  
2 great-great-grandfather used to plant watermelons in  
3 this very spot. I still find potatoes that he  
4 planted in my field. Agriculture for me is my way  
5 of connecting to him and other ancestors in this  
6 beautiful land I'm fortunate enough to live in.

7 I wish to pursue a degree in agriculture  
8 and share this connection with others, because many  
9 youth do not have that. Not only in agriculture,  
10 but the connections to the land, our ancestors, and  
11 ourselves. I view the school as an opportunity to  
12 change what our youth learned and provide them with  
13 an education that gives them that connection with  
14 their culture, their ancestors, and their heritage,  
15 their land, themselves, as well as preparing them  
16 for life outside the reservation.

17 Thank you for your time.

18 COMMISSIONER SHEARMAN: Thank you.

19 COMMISSIONER TOULOUSE: Emma Bitsie.

20 MRS. BITSIE: Good morning, everybody. My  
21 name is Emma Bitsie. I am originally from here,  
22 raised here, and I'm the great-granddaughter of  
23 Mr. Sam Cleveland, which this street was named after  
24 him. This was his name. The tribe took over in  
25 1960 and we were all raised here.

1 I have some of my relatives here, and  
2 Kayla is one of -- she's a great-great-granddaughter  
3 of Mr. Cleveland.

4 We used to raise a lot of vegetables here,  
5 right over here where the sawmill was built, at the  
6 high school. He used to raise all kinds of  
7 vegetables. When the tribe took over, they said  
8 they were going to build a lot of things around  
9 here. They promised that they would build stores,  
10 schools, and a lot of things, but since that, now  
11 there's not much here.

12 I'm really supporting the charter school,  
13 and I think it's going to be really good for the  
14 kids and the school here, the attendance is really  
15 down. I think that's the way -- I'm not really  
16 sure. I think it is. So I think charter schools  
17 should be -- we should have a charter school.

18 Okay. Thank you very much.

19 COMMISSIONER SHEARMAN: Thank you.

20 COMMISSIONER TOULOUSE: Jack C. Jackson,  
21 Senior.

22 MS. BEGAY: He already spoke.

23 COMMISSIONER TOULOUSE: So we can give a  
24 few more seconds. Then the next one, Ferlin Clark.

25 COMMISSIONER SHEARMAN: Good morning.

1 MR. CLARK: Good morning. (In Navajo.)

2 COMMISSIONER SHEARMAN: Translate that for  
3 me, please.

4 MR. CLARK: Good morning.

5 COMMISSIONER SHEARMAN: Oh, okay. Just a  
6 different "Good morning."

7 MR. CLARK: Ferlin Clark, F-E-R-L-I-N,  
8 C-L-A-R-K. The community and the school -- I  
9 believe that these two schools could coexist at the  
10 same time. Give parents, grandparents, the students  
11 an opportunity, options. Good opportunities.

12 The Indian Education Act of 2003 provides  
13 nine elements. One of them is to provide culturally  
14 relevant curriculum. One is to provide language  
15 sustainability. One of them is to engage the Navajo  
16 Nation in schools operating and serving Navajo  
17 students, Native American students.

18 In the state of New Mexico, 30 percent  
19 proficiency rate in reading, writing, math, science.  
20 Our students are at the bottom of that reading,  
21 writing, math, proficiency. Give them a culturally  
22 relevant curriculum that they can use and learn by  
23 plants, by harvesting. Right now, I'm farming. And  
24 I'm growing corn and we're finding prairie dogs. We  
25 need water. When it rains our water just runs

1 through the irrigation systems. Our students need  
2 to know some ecology, some agriculture, some dry  
3 land farming. We just had a recent fire here, the  
4 Assayii Lake fire. You probably heard about it.  
5 The rain is bringing all that down to the lake. So  
6 what happens to that, the fires that are happening  
7 in our state of New Mexico?

8 Our state of New Mexico relies a lot on  
9 water. And education includes all the natural  
10 elements: Earth, water, air, fire. These are all  
11 elements that our students need. If our students  
12 know their identity, who they are, where they come  
13 from, what they're about, they can succeed and risk  
14 in achieving something good for themselves, for  
15 their community.

16 I went to Gallup-McKinley County School  
17 District. And I believe in the school district and  
18 I believe in these two programs coexisting and  
19 working together. There's nothing wrong with both  
20 of them working and coexisting here in Navajo. And  
21 it's right here on the border, right here. You guys  
22 crossed into Arizona to come here. You violated,  
23 probably, New Mexico State law to come here. So I  
24 urge your favorable consideration. Thank you.

25 COMMISSIONER TOULOUSE: Actually, Madam

1 Chair, we had permission to take the state vehicle  
2 across state lines. I checked, because I had  
3 brought it up earlier, and I checked with them  
4 yesterday and they actually had gotten that  
5 permission. So no violation today.

6 The next one is Stanion Tso.

7 COMMISSIONER SHEARMAN: Good morning.

8 MR. TSO: Good morning.

9 COMMISSIONER SHEARMAN: Please spell your  
10 name for the reporter.

11 MR. TSO: S-T-A-N-I-O-N. Last name,  
12 T-S-O. First of all, I want to greet you guys.  
13 Good morning. For some of you good afternoon. For  
14 a lot of us, our mornings start earlier here, for  
15 myself, my morning starts around 4:00.

16 I believe that what's about to take place  
17 here with the charter school is a real good idea. I  
18 am not from this community. But from what I see and  
19 what I have been experiencing with my own kids, you  
20 know, I believe it's time for a change, a positive  
21 change. These schools around here, they only offer  
22 so much as far as academics. And then there are a  
23 lot of restrictions that these schools have, you  
24 know. I believe that these children nowadays -- I  
25 like to call them the TV generation, only because

1 the way they learn, they have to see, you know, and  
2 then they hear, you know.

3 But for our kids around here, it would be  
4 good, you know, actually for them to see something  
5 that they have put their time into, their heart,  
6 their mind, you know, for them to expand their  
7 knowledge, their imagination, you know, those kinds  
8 of things. And I know that's how my kids are.

9 I'm speaking from my own experience, what  
10 I have seen in my own kids, and I believe they have  
11 had plenty of good teachers around here to teach our  
12 kids these things. So I'm here on behalf of the  
13 children, you know. I hear people talking about  
14 farming and ranching, you know. I have been  
15 ranching and farming all my life, and I guess you  
16 could say that I do my best to pass on these  
17 teachings to my children on an everyday basis, not  
18 just one day of the week. It's an everyday thing  
19 for me. I know my kids they learn that way, and I'm  
20 sure around here a lot of kids are wanting that. I  
21 have several kids that come to my house and they  
22 want to learn certain things that I teach my kids,  
23 and I'm more than willing to teach them. The  
24 teachers have a good heart and good mind to do all  
25 those things.

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1 Thank you for your attention.

2 COMMISSIONER SHEARMAN: Thank you very  
3 much.

4 COMMISSIONER TOULOUSE: Patrick  
5 Kinlicheene.

6 COMMISSIONER SHEARMAN: Good morning.

7 MR. KINLICHEENE: Good morning. Good  
8 morning. My name is Patrick Kinlicheene,  
9 K-I-N-L-I-C-H-E-E-N-E. Just like the gentleman  
10 before me said, I'm not a community member here, but  
11 my children live here, and we just recently moved  
12 here, so my intention is to register here.

13 And as far as putting up a charter school,  
14 I'm neutral here. I haven't done my research on  
15 schools like that. But I believe that STEM, which  
16 is science, technology, engineering, and  
17 mathematics, is very important to the kids. It took  
18 me a while to get my associate's and from there, I  
19 believe that is very important for the kids, as far  
20 as agriculture, veterinarians, and construction, and  
21 so on. So I'm just here observing, listening, to  
22 your comments and everything. With that, thank you  
23 for your time.

24 COMMISSIONER SHEARMAN: Thank you.

25 COMMISSIONER TOULOUSE: I'm sorry, on this

1 next one, I'm not sure what the name is. Is it  
2 Laurenda Begay? The name has been written over.  
3 Laurenda Begay? Both of these were checked.

4 MS. HARDY: My name is R-E-N-E-E. Last  
5 name is Hardy. Because I signed in after he did,  
6 and --

7 COMMISSIONER TOULOUSE: Okay. The checks  
8 are -- okay. Thank you. It's early for me yet.  
9 I'm retired. I do nighttimes.

10 MS. HARDY: Good morning. My name is  
11 Renee, R-E-N-E-E, last name, H-A-R-D-Y, and I'm a  
12 parent. I'm a community member. I live here. And  
13 I have children in school here. I have two boys at  
14 the high school, so I can speak about the school.  
15 I'm not making assumptions or anything like that.  
16 And I can be quite honest. In the past years, I  
17 told stories where I would relay my son to the room.  
18 I would work three jobs to put my daughter through  
19 high school at Rehoboth. But my boys like it here.

20 And I think a lot, too, has to do with  
21 parents. I go to parent meetings, I go to school  
22 meetings, I go to school board meetings. I have  
23 gotten involved when the schools -- they wanted to  
24 close the schools. I was one of the first parents  
25 that said, "No. These are my kids. This is my

1 community. You will not do this to me."

2 I have nieces and nephews that go to the  
3 elementary, and I have a couple of nieces that are  
4 at the middle school. And to be quite honest, the  
5 elementary was such -- it was sad, but you know  
6 what? This year they turned everything around.  
7 They got rid of teachers, they moved people around.  
8 A lot of the teachers weren't happy.

9 A lot of teachers come and go. We have  
10 Teach for America that teaches for two years.  
11 There's nobody that stays more than two years,  
12 because they're only asked to be here for two years.  
13 We had great teachers at the middle school. They  
14 brought the MESA program in, and we had awesome  
15 scores then. But they left because they were only  
16 required to stay for two years.

17 I invite you, as a parent of Navajo Pines  
18 High School, to come out to our high school and ask  
19 our students what it is they really want. I hear  
20 Navajo culture. My boys are not interested in it.  
21 My grandmother talks it to us and speaks it to us,  
22 but that doesn't say that they're not going to learn  
23 it. I'm not leaving it on anybody else's shoulders  
24 to teach my boys. That's why I'm very, very active  
25 as a parent. I want to know where my boys stand. I

1 want to know what you have to offer.

2 COMMISSIONER GANT: Time.

3 MS. HARDY: Again, thank you for this  
4 time. Come out to our high school and see our  
5 students.

6 COMMISSIONER SHEARMAN: Thank you.

7 COMMISSIONER TOULOUSE: Tim Benally.

8 MR. BENALLY: I'll hustle down here, since  
9 I don't have that much time.

10 COMMISSIONER SHEARMAN: Your time doesn't  
11 start until after you introduce yourself.

12 MR. BENALLY: Good morning. My name is  
13 Timothy Benally, T-I-M-O-T-H-Y, B-E-N-A-L-L-Y. I'm  
14 the acting superintendent of the Department of Diné  
15 Education, and under the Department of Diné  
16 Education, established under the Navajo Sovereignty  
17 in Education Act of 2005, this mandate as a  
18 sovereign nation has authority over education with  
19 all the schools within the borderline of the Navajo  
20 Nation within the three states. The Navajo Nation  
21 Department of Diné Education has been involved with  
22 this endeavor and this initiative of Navajo,  
23 New Mexico, to have a charter school.

24 We fully support this endeavor, and we  
25 have, as the Department of Diné Education, the basis

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1 of how this school is going to be. We have the  
2 Navajo Nation Diné content standards: Content  
3 standards in government, in history, in language, in  
4 culture, in character.

5 And then as far as our Navajo education is  
6 concerned, what we're really talking about here is  
7 relevancy and relevant education. So another thing  
8 that we're talking about here is experiential  
9 learning. It's very important, experiential  
10 learning. What makes sense to these kids and what  
11 interests them can really skyrocket their  
12 performance scores.

13 So all together, you know, we're looking  
14 at a cultural-based education. So today, we're  
15 asking you for a favorable decision for the people  
16 of Navajo, New Mexico. Thank you for your time this  
17 morning.

18 COMMISSIONER SHEARMAN: Thank you.

19 COMMISSIONER TOULOUSE: That's it, Madam  
20 Chair.

21 COMMISSIONER SHEARMAN: Thank you very  
22 much. Did we miss anyone on the list that wanted to  
23 speak?

24 Okay. Thank you very much. If the  
25 applicants would come back up to the table, please,

1 because it's now the time for the Commissioners to  
2 ask questions. And I just want to remind you, if  
3 you're at the table, we think you know this  
4 application inside and out, and are going to be able  
5 to give us a very solid answer. Okay? If we could,  
6 let's start at this end. If you could, please,  
7 introduce yourself and spell your name, if it's  
8 unique, for our reporter, please.

9 MS. LITSON: Benita Litson. B-E-N-I-T-A,  
10 L-I-T-S-O-N.

11 DR. JACKSON: Dr. Florinda Jackson,  
12 F-L-O-R-I-N-D-A, J-A-C-K-S-O-N.

13 MS. YELLOWHAIR: Shayla Yellowhair.  
14 S-H-A-Y-L-A, Y-E-L-L-O-W-H-A-I-R.

15 MS. GARNENEZ: Prestene Garnenez.

16 KAYLA BEGAY: Kayla Begay.

17 MR. YAZZIE: Albert Yazzie, A-L-B-E-R-T,  
18 Y-A-Z-Z-I-E.

19 COMMISSIONER SHEARMAN: Thank you all for  
20 that. Commissioners, if you're ready, does anyone  
21 have questions?

22 COMMISSIONER CONYERS: I have some.

23 Commissioner Conyers. Good morning.

24 Senator Jackson, I'm already learning  
25 Navajo. Thanks for that.

1           My name is Jim Conyers. I'm from  
2 Bloomfield. I drove down here this morning, and I'm  
3 glad to be here. I have been to this area a few  
4 times, but not for a while.

5           I have some questions. I know you had  
6 said a number of students leave the community. Do  
7 you have any numbers, statistics, on like how many  
8 actually leave this area for their education?

9           MS. BEGAY: In looking at some of the  
10 census data, we gathered data for all the local  
11 chapters, which is this chapter here, Red Lake,  
12 Crystal, Sawmill, Fort Defiance, and Mexican  
13 Springs. So those are a lot of our students in this  
14 community. They either come here or they go to  
15 those places. So we counted them. And we found  
16 that there are 4,325 students in total, school-age  
17 children. But at the current school district here,  
18 the middle school only has 101 students, when their  
19 building is built for a capacity for 400. And the  
20 high school only has 133, when their building is  
21 also built for a capacity of 400.

22           So in thinking about a lot of that, we  
23 would really like to form a relationship with the  
24 school district. We don't anticipate this idea of  
25 stealing students. What we see is that we'll be

1 able to bring students back who are already not  
2 here, and so if we're able to work with the school  
3 district, then they wouldn't have to consolidate if  
4 we could work together and be in the same building.  
5 We can share so many things, and I think we should  
6 share so many programs, ideas. That's what we're  
7 looking forward to. So those are some of the  
8 figures we have.

9 COMMISSIONER CONYERS: Okay. Another  
10 question I had, the superintendent indicated that  
11 they are doing a lot of, I guess, innovative things  
12 in the area here that possibly weren't done before,  
13 and I have some knowledge of the area here. I also  
14 serve as president of the Bloomfield Board of  
15 Education and Region 1 of the New Mexico School  
16 Board Association, so I do know the school board  
17 members in this area and have been in this area  
18 quite a bit. So I'm just wondering if that changes  
19 your ideas about what your goals are. And as I say,  
20 it sounds like they're really making an effort to  
21 address the needs here that maybe weren't in the  
22 past. Do you have any thoughts on that?

23 MS. GARNENEZ: I think that they are  
24 starting to address some of the needs and some of  
25 the issues that have been coming out in the past

1 couple of years, especially ever since the idea of  
2 the charter schools started to take form, and I  
3 support that. I think that definitely the school  
4 district should still try to provide the best  
5 education they can to the children here in this  
6 community. This idea, that if this charter school  
7 opens, that it could potentially close the school  
8 district -- to me it doesn't make sense because the  
9 school district should still provide the best  
10 education they can. And we want to provide the best  
11 education we can, so we have a common goal for our  
12 children, educating children in this community. I  
13 think that we could peacefully and happily and  
14 mutually coexist with the school district.

15           If you look at the application, there are  
16 a lot of instances where we would like very much to  
17 work with the school district. As Kayla and  
18 Superintendent Chiapetti mentioned, the schools were  
19 built for a capacity of 400 students, both the  
20 middle school and the high school. But they're only  
21 using roughly a quarter of that. So there's room in  
22 their school buildings for the charter school to be  
23 able to utilize at least some school space from  
24 them.

25           We would also maybe like to engage them in

1 talking about transporting and busing some of the  
2 students here to the charter school if it's  
3 approved. You know, they also have a cafeteria  
4 where they could feed our students, as well.

5 So there's all these different things on  
6 different levels that we'd like to work with the  
7 school.

8 And as far as the innovation, I think it's  
9 great. We got a great presentation yesterday at the  
10 chapter meeting from the principal at the elementary  
11 school, some of the things they're trying to  
12 implement to engage the students as well as engage  
13 the parents. I think that's great.

14 I think it's all as a response to kind of  
15 what we're feeling here in this community. If they  
16 feel like they're meeting what we're doing, then  
17 they're going to forget about us again. Because I  
18 feel that's what happens. The high school, when it  
19 first opened, it was awesome. I remember it. They  
20 had a lot of different things to offer students.  
21 Like I remember taking a geology course and we  
22 actually took a hike up Fuzzy Mountain. We took a  
23 hike up there and the teacher who taught us was  
24 pointing out wild flowers and grasses and showing us  
25 what igneous rock is from Frog Rock. I remember

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1 that trip vividly.

2           You know, that speaks to what we want to  
3 try to do with the charter schools, is do  
4 experiential education. Back then, that's what they  
5 had. They had options. You could do drafting, you  
6 could -- kids could learn how to weld. There was a  
7 greenhouse. There's agriculture.

8           If you go to that school now, they don't  
9 offer any of those things. The home economics room  
10 is not used for home economics. When I went to  
11 school, they had photography and they had band and  
12 music classes. They don't offer those things  
13 anymore. What happened in the last 20 years? And  
14 why did the school district allow that to happen?  
15 These are things we say, "Okay, you're doing some  
16 great innovative things. We think you're educating  
17 our children."

18           You could say the district forgets about  
19 our tiny little community again.

20           COMMISSIONER SHEARMAN: Thank you very  
21 much. Commissioner?

22           COMMISSIONER CONYERS: Okay. Thank you  
23 very much. Commissioner Gant?

24           COMMISSIONER GANT: Good morning. I'm  
25 Commissioner Gant, district 7. I'm from Las Cruces,

1 way down in the south. We are part of the state.

2 I'm looking at your application here. One  
3 of the items is on page 8 that deals with the  
4 cultural revitalization SMART goal number 2. Part  
5 of the sentence says that the students will  
6 demonstrate use of their Diné language skills and  
7 cultural understanding, and it appears to be part of  
8 the standards in the center there, you see, meet/do  
9 not meet, et cetera. And my question is: Will all  
10 the students be able to speak Diné? I mean, again,  
11 I'm not sure all students in the Navajo community or  
12 whoever you -- where they come from, do they all --  
13 will they be required to speak Diné? That's really  
14 my question. They'll be required to speak Diné?

15 MS. BEGAY: I can answer. Our unique  
16 focus area, some of them is Diné empowerment through  
17 cultural revitalization, and although we recognize  
18 that many of our young people, including myself -- I  
19 don't speak the language, but I'd like to. And so  
20 we're not going to require them to develop a fluency  
21 requirement, if that's your question, but we'll be  
22 wanting them to be able to have access to that, and  
23 even if they might not feel that it's valuable now,  
24 we hear from our elders, we hear from our community  
25 members that it's an asset. If you look at many of

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1 the Navajo Nation job descriptions, they have a  
2 requirement for speaking Navajo. And so we want to  
3 make sure that they have those skills.

4 So in that goal there, we're still  
5 developing the curriculum, and I think what's really  
6 innovative is that this high school is going to  
7 explore: What does it mean to be proficient in Diné  
8 language as a Navajo, but a nonnative speaker? And  
9 what does that mean.

10 And so we're still working on looking at  
11 that, but that goal is really -- if you read it, it  
12 talks about family and community. And so how are  
13 they going to access family and community and  
14 culture through language? So that's something that  
15 we're looking into.

16 DR. JACKSON: I'd like to add also that I  
17 have been an educator for 30 years and I did my  
18 dissertation on reading comprehension in English  
19 only, the full immersion, and the second-language  
20 acquisition. And you know, the opportunity to have  
21 that type of classroom environment where you are  
22 able to learn English and Navajo at the same time is  
23 rare. We do lip service, saying that we're going to  
24 do that and the kids will come out of the school  
25 systems speaking both languages. But you know, just

1 having to have English take precedence over Navajo  
2 and trying to add the college-bound and adding  
3 rigor, it's math-based, science-based, but what  
4 we're trying to do is integrate both. And so as  
5 they're going through their curriculum, they're  
6 learning both languages and understanding, feeling,  
7 seeing, and that's the way that you get that  
8 second-language acquisition.

9           So it would be actually implementing some  
10 of the dreams that the Navajo educators have had in  
11 their developments and planning, but never had  
12 actual implementation. So there is, you know, the  
13 curve that -- like the students that don't speak  
14 English, they'd have to go through that phase where  
15 their scores will go low, but then again they're  
16 going to go high and there's research to show that,  
17 like any language that you have in a curriculum,  
18 especially if it's your native language or your  
19 second language, there's going to be a drop in  
20 scores and then that reading comprehension level  
21 where they'll be able to do both.

22           So our native speakers here that spoke  
23 today -- they're speaking Navajo and English at the  
24 same time, and their comprehensions are high. So  
25 those are the highlights, that we want to find

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1 pathways for our kids, a customized pathway, but  
2 what we're reading now is just the western education  
3 version and we're not able to really try that out  
4 with our kids and see the successful results.

5 COMMISSIONER SHEARMAN: Thank you.

6 MS. BEGAY: I just want to give you sort  
7 of a snippet of what we have in mind. So when we  
8 think about the language, we're not so much thinking  
9 about conversation, how they have to converse in  
10 Navajo. But for example, if we find this activity  
11 in farming where they grow a garden, maybe they're  
12 labeling every plant in Navajo and that would  
13 demonstrate them using their Diné language skills.  
14 Or maybe they're reading a poem that they wrote in  
15 Navajo, or a song. So in that way, they're  
16 demonstrating it in a way that's meaningful, that's  
17 innovative.

18 COMMISSIONER SHEARMAN: Thank you.

19 MR. YAZZIE: I think the question that was  
20 asked -- I just wanted to bring it back into the  
21 community here. I'm a former chapter official and I  
22 also serve on the farm board here. I think the  
23 question is, in order -- because if we allow our  
24 children to introduce themselves in Navajo, you  
25 know, you say your clan and who you were born for,

1 your grandpa, your paternal grandfather, and when  
2 you speak in front of your community and you know  
3 that, that really brings a prestige to the community  
4 and the elders, you know. They appreciate that you  
5 care enough to know who you are, introducing  
6 yourself. I think those are things that we're  
7 talking about. Our children should learn to not  
8 only speak English but they should speak Navajo and  
9 how to introduce themselves so that they feel  
10 accepted into the community. Thank you.

11 COMMISSIONER GANT: I read through your  
12 book quite a bit. I'm sure Commissioner Shearman  
13 did the same thing. One of my questions -- and I  
14 got a little background to this. Special needs is  
15 one of my magic buttons, and it's one button that  
16 people don't want to push if they don't want to get  
17 in trouble. But one of the problems I have is your  
18 speech therapy and OT, PT, diagnostic and all that.  
19 And I'm looking on page 30. And they're all going  
20 to be contracted. Who do you have that will be  
21 providing -- it's not in your budget. It's in the  
22 main part of your application, on page 30. Who's  
23 going to be -- what company, firm, wherever -- where  
24 are they from, and who are they, that will provide  
25 these types of contract services?

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1 MS. BEGAY: In planning for special  
2 education, we really estimated around 10 percent of  
3 our students would be special needs. But even then,  
4 we're not really sure what their specific needs are  
5 going to be. For example, we might have students  
6 who need physical therapists but not occupational  
7 therapists. So in writing this, it's really just a  
8 foundation. But in thinking about all the ancillary  
9 services, we do look to contract with some of the  
10 local agencies around here, including maybe social  
11 workers or physical therapists from the Indian  
12 Health Services.

13 We're also looking to -- there's a lot of  
14 contractors who work with Gallup-McKinley County  
15 Schools, Crystal schools, the BIA schools, so we've  
16 been building relationships with them. But in the  
17 budget and in the formula, we do intend to apply for  
18 additional aid including IDB. So we are budgeting  
19 and, if necessary, we can move some things around.  
20 For example, in our first year we have \$25,000 for a  
21 nurse, and we're willing to cut those hours, so that  
22 way, we can provide all the ancillary service we  
23 need. Or even cutting the custodian, if we need to  
24 budget more for those services.

25 COMMISSIONER GANT: Well, you just brought

1 up a question I have. Nurses is a part of usually  
2 the 504 plan. You have budgeted in your budget, and  
3 I could call it up, it's line 171, I believe, or 71.  
4 Anyway, you budget under contract for a nurse  
5 \$25,000 the first year, and you drop to \$5,000 the  
6 following year, and then back up to \$10,000 by the  
7 fifth year. I don't understand the rationale for  
8 that. Why did you start big, and all of a sudden --  
9 5K won't buy anything in the nursing business.  
10 Explain it, please.

11 MS. BEGAY: Sure. We started big  
12 initially because in our first year we're going to  
13 have 60 students and we anticipate that there's  
14 going to have to be quite a few health assessments,  
15 and we may need the extra person on board in case  
16 anything happens.

17 But by year two we plan to build those  
18 relationships with either the school district or the  
19 health services, so that way we can get some of  
20 those services. We're also working with the medical  
21 center and discussing how we could have a nurse come  
22 to our site, so we're thinking about things like  
23 that. But again, in that, we just incremented an  
24 amount each year. And we figured that by year two  
25 we'd be able to find some other friends or another

1 resource for a nurse or other health care.

2 COMMISSIONER GANT: I just lost my train  
3 of thought. I'm sorry. But I will ask one question  
4 off the top of my head. You talked about possibly  
5 using the facilities for the high school, the middle  
6 school, and also I believe -- I read seven of these  
7 things -- I believe yours is the application that  
8 says you spoke to Gallup-McKinley about portables;  
9 is that correct?

10 MS. GARNENEZ: Yes.

11 COMMISSIONER GANT: Do you understand how  
12 much it's going to cost to bring portables in here  
13 and how much it's going to cost to put the  
14 infrastructure in?

15 MS. BEGAY: Yes.

16 COMMISSIONER GANT: Do you have a number?

17 COMMISSIONER SHEARMAN: Where is that in  
18 the budget? That's one of my questions.

19 MS. GARNENEZ: We don't have an exact  
20 figure, but we understand that it will be very  
21 costly. We do know this. We have to do the  
22 infrastructure hookup, so we've looked at available  
23 areas in the community. So we have -- like I said,  
24 our first strategy is to try and work something out  
25 with the school district. Ideally that worked for

1 us, you know. We can easily meet any occupation,  
2 any of the requirements for that.

3 Our second option was to look at portables  
4 and we did talk to the school district about that,  
5 and they have said that they are willing to lease  
6 four buildings, I believe, here in the community.  
7 So that second option, we've been looking at places  
8 here in the community that might be appropriate.  
9 There's an available space of office space right now  
10 that the chapter owns, where there used to be a GED  
11 program, and that's no longer in that building now.  
12 So it's sort of set up for a classroom environment.  
13 It's got electricity, it's got water and wastewater  
14 services as well as gas services, I believe. So  
15 we're looking at that location.

16 Our third option is to look at another  
17 location but still keeping in mind the  
18 infrastructure needs for that. So that's one of the  
19 needs that, if approved, we'd be working on between  
20 now and then.

21 COMMISSIONER SHEARMAN: May I piggyback on  
22 that question while you're answering it? My concern  
23 is, every one of these options that you're looking  
24 at, other than sharing school facilities with the  
25 district -- all of those are going to require a

1 great deal of either remodeling or infrastructure.  
2 If you bring in portables, you have got to set  
3 foundations, bring in all the plumbing, the wiring,  
4 and all of that. Your budget -- all your money is  
5 spent. Where are you going to get the money to do  
6 all of that? I don't see any extra money in this  
7 budget that can be utilized for any of those  
8 expenses. Where do you see that coming from?

9 MS. BEGAY: We are working in relationship  
10 with Dream Diné and we were able to get free  
11 portables, and we can get the figure from them for  
12 how much it will cost to move them from Santa Fe to  
13 Shiprock.

14 But more importantly, we are seeking  
15 additional funding. We are a NACA-inspired school  
16 so we do have an additional \$100,000, and I think  
17 that's what we're going to use to help with our  
18 facilities. We're also seeking additional funding  
19 through grants with the Navajo Nation. The chapter  
20 might be able to offer us some of the resources as  
21 well as the Navajo Nation. So I think we don't  
22 really know what to budget for until we get  
23 something close, but that's what we're going to be  
24 working on in the coming year and we're confident  
25 we'll get the funds to get those buildings and

1 facilities at capacity.

2 COMMISSIONER SHEARMAN: Do you have a  
3 commitment in writing from the chapter that they  
4 will support this school to a certain dollar amount  
5 per year?

6 MS. BEGAY: No, not right now, but they do  
7 have resolutions that they are in support of it. So  
8 we haven't talked about that yet. And I think as  
9 the planning year progresses, we will talk about  
10 that.

11 COMMISSIONER SHEARMAN: I'm sorry to butt  
12 in.

13 COMMISSIONER GANT: No problem at all. We  
14 have 17 minutes left. I'm going to make this quick  
15 and dirty. Two more questions. One of them deals  
16 with your IT. I understand you have it in the  
17 budget, but also thinking about data processing,  
18 you're going to Common Core with the PARCC and all  
19 the assessments you're going to do during the year,  
20 et cetera. And as I read it, as I remember it, you  
21 had one person, the business manager, who was going  
22 to do the data entry and all that kind of good  
23 stuff. Do you really, really believe that that  
24 business manager can take care of STARS and take  
25 care of everything else that goes with data

1 management? One person?

2 DR. JACKSON: My current job is education  
3 research analyst, and I'm very familiar with all the  
4 different requirements, so I also can provide  
5 services in that area.

6 COMMISSIONER GANT: Are you the data  
7 manager?

8 DR. JACKSON: No.

9 MS. BEGAY: I think in planning for that,  
10 we really plan to go to the capacity of our board.  
11 We're going to have someone who's really great in  
12 fiscal management to help us with that. We're also  
13 looking for people in the community who are great  
14 with that. But I think in thinking about managing  
15 all of those as a staff, we're all going to try to  
16 work together to make sure things are in compliance.  
17 We are going to have an audit committee to do  
18 certain things with the financials. So I think as  
19 our school develops and evolves, we'll be able to  
20 understand where our needs are and if it's necessary  
21 that we hire an additional person to keep data, then  
22 that's something that we'll look into. But I think  
23 for now, we are going to work together. I know many  
24 of our staff wear multiple hats and have multiple  
25 roles and have to do multiple things, and we expect

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1 that of them during our first years, which are going  
2 to be pretty difficult.

3 COMMISSIONER GANT: All right. On that  
4 point, I would advise that we've been down this road  
5 many years, some of us eight years or more. If you  
6 get multiple people involved with data management  
7 and if you remember the reports of the newspapers,  
8 how the teacher evaluations, some of the other stuff  
9 was not -- it was a disaster. I'll put the word in  
10 there that I used. Disaster. And all the blame  
11 went down on the school districts, and the PED  
12 accepted none of the blame because they said it was  
13 all because the schools didn't put the bid in  
14 correctly, and you'll get the blame. And you'll get  
15 bad grades for your school. That's advice.

16 My last question is: Who did your budget?  
17 Who made your budget?

18 MS. BEGAY: Well, when we planned the  
19 school, we thought about all our different areas,  
20 and in creating the budget we really tried to create  
21 places where the budget made sense to fit with our  
22 program. So it was myself, the co-founder, as well  
23 as Prestene, and we worked with our business  
24 manager, Deanna Gomez, so she helped us in looking  
25 at it. And this is the first time we've really

1 worked with a school budget, but it is a learning  
2 experience, and we did notice some of the errors, so  
3 we'll be up front with you about that. And so we  
4 consulted with her and we intend on fixing them; as  
5 well as, if we're approved, working in our planning  
6 year to make sure our budget is ready to go.

7 COMMISSIONER SHEARMAN: Commissioner  
8 Parker.

9 COMMISSIONER PARKER: Hello. Language is  
10 something my brain doesn't do well, so I will just  
11 not mess up "Hello." Tyson Parker. I was going  
12 through your application and it looked like you  
13 exceeded pretty much every category --

14 COMMISSIONER SHEARMAN: No.

15 COMMISSIONER PARKER: Let me finish. It  
16 looked like -- the preliminary. There was some  
17 areas, though, that it did not. And seeing that  
18 those areas were when trouble was happening, whether  
19 it was with students or with educators, and as well  
20 as was addressed a moment ago, with students that  
21 may have special needs. And so it's not more of a  
22 question, but just a comment, if you want to address  
23 what I have noticed in the preliminary analysis.

24 MS. BEGAY: I think we definitely  
25 recognize that, and after we received our

1 preliminary scores we went through it with our team  
2 and we came up with solutions and how we were going  
3 to fix that.

4           So in the student disciplinary policy, we  
5 were missing the SPED students, so we added that in  
6 to make sure we're in compliance with appropriate  
7 statutes and regulations. But the facility really  
8 is something in the works, and as we create policies  
9 and procedures, we're trying to include all the  
10 mandates, but also really be reflective of our  
11 community and making it culturally relevant. So  
12 thank you for that. And we are working to fix all  
13 of those. And we're seeking exemplars for that,  
14 too, and exemplar policies and procedures and  
15 disciplines.

16           COMMISSIONER SHEARMAN: Thank you. I  
17 think we're probably going to exceed the time, but  
18 we do have some real important questions, and if  
19 it's all right with all of you all here if we exceed  
20 the time that's allowed for the Commission to ask  
21 questions, if we do, I would like your permission to  
22 go ahead and exceed the time so we can get all our  
23 questions answered and clarifications as we need  
24 them.

25           Now I'm going to be real picky. I told

1 you earlier I was using my schoolteacher voice. I  
2 taught in college for many, many years. I  
3 proofread. Let me tell you, I read these  
4 applications just like I read papers to grade.

5 If you would look at your appendix I,  
6 please, on page 3. I know there's a lot of paper  
7 here. Have you found it?

8 MS. BEGAY: I think so.

9 COMMISSIONER SHEARMAN: If you'll look at  
10 the second line, not the second sentence, the end of  
11 the first sentence, actually, and it says you're  
12 applying for a charter school from the New Mexico  
13 Public Education Department? You won't get one from  
14 them. They don't have the authority to grant one.  
15 That needs to be the Public Education Commission.  
16 I'm sure it was just an oversight, but I can't let  
17 it go by.

18 MS. BEGAY: I apologize for that.

19 COMMISSIONER SHEARMAN: Let me go to your  
20 910B5. You said a while ago that you use about a 10  
21 percent special ed. population. The instructions  
22 said to use 15 percent. So your 910B5 -- actually,  
23 you don't have any special ed. accounted for in your  
24 910B5. So you don't have any special ed. population  
25 in your budget, either. So you're shorting yourself

1 some money in your budget. Okay? But it bothers me  
2 that you didn't see that, because it would have been  
3 to the school's advantage to have seen that 15  
4 percent, and to have been able to use those funds  
5 and to budget them.

6 I want to look at your -- I'm just jumping  
7 from page to page, some things that I have printed  
8 off here. In your appendix L, which is your  
9 proposed salary schedule, it was supposed to be for  
10 teachers, for your hourly staff, for your  
11 administrative staff, and all I found was one  
12 proposed budget for teachers. And in that proposed  
13 budget, under the first column where it says BA, and  
14 you have level 1 and level 2, please be aware that  
15 your level 1 teachers cannot work as a level 1  
16 teacher for more than five years. So those numbers  
17 you have starting with the sixth year and so forth  
18 are not applicable.

19 The other thing I was wondering is, your  
20 average salary is \$41,000, or at least that's where  
21 you start out, year 1. So that looks like to me  
22 that you're over in BA plus 15, level 2, with  
23 something like 12 or 13 years' experience, or --  
24 well, you can't be a level 1 and make that kind of  
25 money.

1           Is the reason you have that salary bumped  
2 up so much the fact that the teachers are going to  
3 work more days, 200 days rather than the 180 that  
4 you have for schools? And I'm not sure if I'm  
5 asking this -- I'm looking at you, Kayla.

6           MS. BEGAY: Okay, sure. The reason we  
7 have that bumped up is because we're really  
8 reflective of the community and it is very difficult  
9 to acquire highly qualified, highly talented and  
10 local teachers. So we wanted to make sure that  
11 because DEAP is going to be an innovative school, we  
12 expect the teachers to be very active in the  
13 process. So yes, the salary is a little higher, but  
14 also we want to recruit the best, so we're looking  
15 for teachers who have dual licenses in SPED or TESOL  
16 endorsement. So that's -- your salary schedule is  
17 like that. And I think we anticipate that maybe  
18 we'll have a few. We budgeted at \$41,000,  
19 anticipating we might have some that are very  
20 qualified, but some that aren't as qualified.  
21 However, we want them to be the greatest.

22           COMMISSIONER SHEARMAN: But you are  
23 budgeting some extra, because those teachers are  
24 going to be working extra days?

25           MS. BEGAY: I don't know about extra days,

1 but they may have more responsibility.

2 COMMISSIONER SHEARMAN: It says in your  
3 budget -- or in your application they'll be working  
4 200 days.

5 MS. BEGAY: Okay.

6 COMMISSIONER SHEARMAN: The students will  
7 have 180 -- I believe it's in that appendix I --  
8 students 180 days, teachers 200 days. That's a lot.

9 MS. BEGAY: Yes, it is, and I think that's  
10 because the school -- we're going to be developing  
11 things. So when it first opens, we're going to do  
12 an orientation and we're also going to do a lot of  
13 community events that we expect our teachers to  
14 attend, so some of them, the teaching extra days are  
15 related to those.

16 COMMISSIONER SHEARMAN: My suggestion  
17 would be that you might want to break that out as a  
18 base salary plus stipend for extra days.

19 MS. BEGAY: Okay.

20 COMMISSIONER SHEARMAN: Because at some  
21 point someone might look at that and say, "If the  
22 base salary is \$41,000 and then you want me to work  
23 these 20 extra days, you're going to have to pay me  
24 for it."

25 And so that would be my concern.

1           On page 16 of your application, it says is  
2 also imperative that this education provide a 21st  
3 century skill set for Diné people. You can't limit  
4 who can come to this school. So in my mind, by  
5 saying it is for Diné people -- I understand we're  
6 on the reservation and that that's probably going to  
7 be your student body, but state funds are going to  
8 fund this school, so it must be for all students.

9           MS. BEGAY: Okay.

10           COMMISSIONER SHEARMAN: So I would hope  
11 that maybe you could reword that.

12           MS. GARNENEZ: Just very quickly, we've  
13 been talking to people, we've been telling them it's  
14 a public school, so it includes everyone. So that  
15 may say that in our application, but we voiced these  
16 to everybody, that it will be open to everybody.

17           COMMISSIONER SHEARMAN: Thank you. One  
18 other question, along that same line on page 63, it  
19 says DEAP's employment policies and procedures will  
20 be developed in consultation with the governing  
21 board's legal counsel and representative and based  
22 upon state and tribal regulation.

23           Again, if it's a publicly funded public  
24 school in New Mexico, state law, I believe, would  
25 have to trump any other law. So I think you might

1 want to get some legal advice there on how that  
2 particular aspect could work.

3           Okay. I really do want to go back to your  
4 budget, though. One of the things I noticed just  
5 right away, in year 1, you have one  
6 grade-1-through-12 teacher, one special education  
7 teacher, and one ELL teacher. How do you envision  
8 your special education teacher working? What is  
9 that person's day going to look like?

10           MS. YELLOWHAIR: Hi. So I was the special  
11 education teacher for six years. I worked for the  
12 middle school. And one of the things that I think  
13 is really innovative about DEAP is that we have the  
14 opportunity to make special education a part of the  
15 fabric of the school. So it's no longer an  
16 afterthought, in that this is the general education  
17 schedule and these are going to be the classes that  
18 we're going to pull kids out.

19           DEAP, the opportunity that we have here  
20 for our kids with special needs, regardless of their  
21 exceptionalities, regardless of their experiences,  
22 of their family lives, whatever they bring to school  
23 with them, the opportunity is that the school day is  
24 embedded with experiences that are relevant, that  
25 make sense to them, and is ultimately starting to

1 bring them back to that power of making choices and  
2 understanding that their choices have real-life --  
3 it's meaningful.

4 COMMISSIONER SHEARMAN: Let me be sure I  
5 understand. So it's going to be full inclusion.  
6 Your special-needs students will be in the regular  
7 classroom.

8 MS. YELLOWHAIR: I would say that that  
9 would depend on the student's needs. If I'm  
10 thinking about a program in DEAP, I would say, yes,  
11 it's going to be full inclusion, but I cannot  
12 guarantee that there's not going to be a student  
13 with, for example, an intellectual disability that  
14 needs one hour a day, two hours a day, of a specific  
15 type of --

16 COMMISSIONER SHEARMAN: So your special  
17 ed. teacher may be doing pullouts.

18 MS. YELLOWHAIR: If that's what the  
19 student needs.

20 COMMISSIONER SHEARMAN: They go into the  
21 classroom to assist students. Yes, that teacher  
22 will not have a classroom. That teacher will not be  
23 a sixth-grade teacher. Your special ed. person is  
24 going to be, for want of a better word, a resource  
25 person who pulls students out, who goes into the

1 classroom; right?

2 MS. YELLOWHAIR: I think we get caught up  
3 in labeling the settings and being restrictive in  
4 that. I think that if we think about what our  
5 students need at any given point of the day, if a  
6 student needs to be pulled out and that is in their  
7 IEP, in that legal document, then, yes, we do need  
8 to pull them out.

9 But I do think that the opportunities that  
10 are going to be created in a classroom -- language  
11 arts, math, science, whatever class it is -- there's  
12 going to be the collaborative effort between the  
13 special education teacher and the general education  
14 teacher if we need labels for that. The  
15 collaboration between that is so important. And so  
16 I think in creating and thinking about DEAP, that is  
17 one of the bases, and that is another way that our  
18 teachers are going to be having multiple --  
19 ultimately special education teachers are general  
20 education teachers. We're teachers; right?

21 COMMISSIONER SHEARMAN: Of course.

22 MS. YELLOWHAIR: So if we think about what  
23 is the difference between a general education  
24 English language arts teacher at sixth-grade level  
25 and the difference between a special education

1 teacher, it's that label within and the special  
2 training. So the collaboration is really going to  
3 make the difference there, I think.

4 COMMISSIONER SHEARMAN: Okay. Well, my  
5 concern is, first of all, if we count every teacher  
6 that you plan to pay in year one, it's three. In  
7 your application, you said your teacher/student  
8 ratio would be 15 to 1. In your application further  
9 you said there would be four classrooms. You have  
10 got three teachers. To my mind, you have got one  
11 teacher that's going to be in the classroom. You  
12 have got another special education teacher who's  
13 going to service multiple students, multiple  
14 classrooms. So you haven't staffed a classroom yet.  
15 You have only got one staffed.

16 You have an ELL teacher, I assume, who's  
17 going to do the same basically as your special ed.  
18 teacher. So you have got one classroom teacher  
19 where you have said you're going to have four  
20 classrooms. You don't have enough teachers, is the  
21 point I'm trying to make.

22 MS. BEGAY: So we won't have classrooms  
23 where they're self-contained. We'll have different  
24 classes and we anticipate that people on our staff,  
25 for example, the head administrator, may teach a

1 language course. So like we said, again, we  
2 anticipate that our staff are going to wear multiple  
3 hats. I don't know if we'll necessarily have  
4 teachers who stay in the classroom all day, because  
5 we want them to be doing different things. So if  
6 that makes sense.

7 COMMISSIONER SHEARMAN: Then how do you do  
8 a student teacher ratio of 15 to 1?

9 MS. BEGAY: We were just looking at our  
10 scope and sequence and how many classes and courses  
11 we hope to offer, and in thinking about that, the  
12 teacher ratio that we predicted, but we also see the  
13 special education teacher, if they're not doing the  
14 pullouts, then maybe they're teaching a wellness  
15 course. So because our curriculum is so  
16 experiential, I don't see where a teacher can't  
17 teach regular students, if it's wellness or if it's  
18 some of the other areas that we have.

19 COMMISSIONER SHEARMAN: Okay. Let me put  
20 my question this way. If you have enough  
21 special-needs students that your special education  
22 teacher is fully busy with those students, your ELL  
23 teacher is fully busy with those students, you have  
24 got one classroom teacher, and you have got 60  
25 students.

1 MS. BEGAY: I think we're, again,  
2 reflecting that we are going to add the special  
3 education funding into it. We can look at how we  
4 can staff those positions. But I also think that we  
5 can fix the student/teacher ratio.

6 COMMISSIONER SHEARMAN: But remember, as I  
7 said before, this is what we consider. We cannot  
8 look at anything else. The application as it was  
9 presented is all we can look at. So that's why I'm  
10 being so picky. I'm really trying to get what's  
11 going on here.

12 My other issue with your instructional  
13 budget is, you're adding so many specialists in year  
14 four and five, not adding students, but adding a lot  
15 of high-dollar people. And I understand you made  
16 the budget balance, but I'm not sure that it really  
17 can support that many high-dollar people with only  
18 120 students. I think it's a great idea, but I  
19 don't think it's viable. I really don't.

20 Commissioner Gant touched on facilities,  
21 and let me just ask, why is there so little money in  
22 the budget for something like utilities and  
23 insurance and all those kinds of things? Everything  
24 you had in there seemed really low.

25 COMMISSIONER GANT: Line 373.

1 MS. BEGAY: I think in budgeting for  
2 electricity and different resources for facilities,  
3 we just made an estimate about what we see in the  
4 community. And again, we're looking for  
5 cost-effective things. We're also working with the  
6 STAR School, which is a charter school in Arizona,  
7 and they are completely solar-powered. So we are  
8 looking for alternative forms of energy to cut some  
9 of those costs, as well. But I think we are going  
10 to really work with the Navajo Tribal Utility  
11 Authority, as well, to perhaps work with some of  
12 those figures.

13 COMMISSIONER SHEARMAN: And solar is a  
14 marvelous idea. I'm on the board of the Artesia  
15 Public Schools where I live. We put solar panels on  
16 the top of our natatorium to help heat the water,  
17 you know, all that stuff. Those solar panels were  
18 \$285,000. To put those systems in is horrendously  
19 expensive. They pay off, but it takes a while. I'm  
20 talking about infrastructure, up-front money that  
21 you have got to -- you know, where is it going to  
22 come from?

23 You know, I wanted to ask you about your  
24 agricultural immersion program. It's talked about  
25 in the year 4 narrative. I never saw a description

1 of it. Do you have a description or is that  
2 something you're going to develop?

3 MS. BEGAY: This is something that we're  
4 going to develop. In our scope and sequence, we  
5 designed some of the curriculum to be very  
6 science-and-math-heavy and we anticipate that our  
7 students will also take AP courses in science and  
8 math, as well as maybe dual enrollment. But as we  
9 evolve and our agricultural program becomes more  
10 rich and we have our specialist for that program,  
11 then we'll be able to really think about what does  
12 it mean to have an agricultural immersion program.

13 And also thinking about the community, for  
14 example, we're in -- this community is in the  
15 process of reviving its irrigation system. So if  
16 that becomes a reality, then maybe in our immersion  
17 program, we'll have a course on agriculture. So it  
18 is really in the development stages, and I think  
19 it's going to take shape in the way that we staff  
20 our school and the way that our students reflect on  
21 agriculture, and also the way our community does.

22 COMMISSIONER SHEARMAN: I promise I'll let  
23 somebody else have a turn here. But I'm -- oh, I'm  
24 sorry.

25 MS. LITSON: If I could just address a

1 little bit about the agricultural section. I do  
2 agricultural outreach with the community. In any  
3 agricultural major, in education -- you can get a  
4 degree in education, but most of us could teach, you  
5 know, multiple subjects. Trying to integrate  
6 science, math, and technology into your agricultural  
7 education curriculum I think could be very, very  
8 easy. So when we talked about staffing and  
9 educating a lot of our students, one teacher could  
10 do multiple subjects, using agriculture as a tool,  
11 you know, from crop development, from harvesting,  
12 and integrating math, different sciences, into those  
13 fields. But one teacher could actually cover  
14 multiple subjects within these different grades. So  
15 I think it could also be a good thing for staffing  
16 in terms of, you know, finding the right types of  
17 people to be educators with this unique curriculum.  
18 Because as a person, a Diné person, involved in  
19 agriculture, a lot of the things that we talked  
20 about, culture, language, must be implemented into  
21 this. Because you know, as many agriculturalists  
22 here have many ties traditionally to our culture and  
23 language, because it's embedded into what you learn  
24 from the ground, the earth, the seeds you plant, the  
25 earth, the water. So all of these have to be

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1 integrated. So finding that instructor that's going  
2 to be unique, to be able to teach, is going to be  
3 very important, and using that kind of method will  
4 really solidify or solve a lot of these issues, too.

5 COMMISSIONER SHEARMAN: Thank you for  
6 that. I appreciate it. I promise this is my last  
7 question. Commissioner Gant brought up your goals,  
8 indicators. I'm looking at -- I really urge all  
9 schools to have goals that follow the mission of the  
10 school, but you also have to have academic goals,  
11 because when your students take SBA testing or the  
12 PARCC testing, when they do their short-cycle  
13 assessments, the Discovery or MAPP or whatever it is  
14 your students will be taking, those are the ones  
15 that tell us year to year, here's a real measure,  
16 here's how you stand up against the rest of the kids  
17 in the state, or the nation, or whatever. So those  
18 academic goals are very important.

19 I'm looking at your third goal and it says  
20 100 to 85 percent of DEAP students will demonstrate  
21 progress on short-cycle assessment. What's  
22 progress? See, when we write a goal, we're going  
23 to -- if this school is approved and we negotiate  
24 the contract with you, we're going to really urge a  
25 goal that says 15 percent of all full-academic-year

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1 students will exceed a full year's growth as defined  
2 on the Discovery short cycle. And 75 percent of all  
3 full-academic-year students will meet a full  
4 academic year's growth. That's what exceeds. You  
5 see, there's a standard, there's a measure, there's  
6 a time. All of that is built in. And those are  
7 rigorous.

8           So I'm saying that because those are the  
9 standards that charter schools in New Mexico are  
10 being held to. All public schools are. But we're  
11 concerned with charter schools. So your academic  
12 standards are the ones that are going to be  
13 measured. Some of the other things that you all are  
14 doing, you may be able to see the students' growth,  
15 but how do you communicate it on a piece of paper?  
16 So they may not be as readily apparent to everybody  
17 else. Because see, yearly, you come up for review  
18 as a charter school. So those academic goals are  
19 really going to be front and center. Okay?

20           MS. BEGAY: Okay.

21           COMMISSIONER SHEARMAN: Commissioner, do  
22 you have a question?

23           COMMISSIONER TOULOUSE: Yes. I have never  
24 had a problem with being heard. None of my family  
25 has. Which is sometimes unfortunate, when you're

1 trying to do it quietly.

2 I'm going to get away from the picky  
3 stuff, but I have a couple of sort of more cultural  
4 and community questions, because first of all, I  
5 know that a number of years ago, many, many, now,  
6 for a lot of you way before your lifetime, but the  
7 chapter system was imposed on the tribe. So the  
8 chapter is still -- while it's a political entity  
9 and you all know how to use it very well, it isn't  
10 your cultural entity.

11 But I'm also -- in looking at the people  
12 who signed in -- and I know you're looking at a much  
13 greater group -- I see tremendous involvement from  
14 the Red Lake chapter. A few people were here from  
15 Crystal, but none of them spoke. No one else signed  
16 in, saying they were from any of the other chapters.  
17 And I wonder how you're going to try to do what  
18 really is a much larger community than your  
19 chapters, because you haven't got them in here  
20 today. Do you have plans for being able to outreach  
21 that way?

22 MS. GARNENEZ: Yes, we do. And we've  
23 already been working on that. We've been making a  
24 point to go to chapter meetings and even going door  
25 to door, you know. I know some people who live in

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1 Mexican Springs chapter area, so one day, you know,  
2 I went out and took a drive and I tried to visit as  
3 many people as I could of families that I know are  
4 on this side of the mountain. As well, you know, we  
5 can go to Sawmill chapter, go to Fort Defiance  
6 chapter, and talk with those folks.

7           But I think definitely like we said, we  
8 also want to focus on the community because we know  
9 that the kids are going elsewhere. We have a  
10 website, as well, to just let people know our  
11 application is on there, more information about our  
12 school is on there. There was a recent article  
13 about our school in the Navajo Times, the weekly  
14 tribal newspaper. We want to do more of that, more  
15 outreach and talking. We have a Twitter page. We  
16 also have a Facebook page. So we're working at ways  
17 to let other people who don't necessarily go to  
18 chapter meetings know about this charter school and  
19 what we want to do here. We've had several  
20 community meetings, as well, over the last few  
21 months.

22           MS. BEGAY: We have also been working very  
23 closely with the Navajo Nation, so the Navajo Nation  
24 Department of Education has been involved, as well  
25 as the Navajo Nation vice-president's office. So I

1 feel like through them we're really branching out to  
2 other communities and other local leaders. And I  
3 have actually heard quite a few communities saying  
4 they're interested in applying for a charter, as  
5 well. We're also part of a NACA-inspired school, so  
6 we're building a network, working with Dream Diné.  
7 So it's working within our communities but also  
8 within the Navajo Nation and the state.

9 COMMISSIONER SHEARMAN: Thank you very  
10 much.

11 COMMISSIONER TOULOUSE: The other thing I  
12 want to ask a little bit about is because I know  
13 that the Navajo language and culture are so  
14 completely tied together that I'm wondering how easy  
15 it's going to be if you're going to have a  
16 culture-oriented program, which I think is  
17 wonderful, but how the students who speak English as  
18 their primary language and are older -- little kids  
19 learn it right away. My grandson's in a  
20 dual-language Spanish/English class. After his  
21 kindergarten class we went to Puerto Rico and he was  
22 talking to everybody and correcting my Spanish. I  
23 don't speak to him in Spanish anymore. He did tell  
24 me I had a good accent. And that's just two  
25 Indo-European languages that are similar.

1           But when you get to be -- because you're  
2 dealing with older kids and it's harder for your  
3 brain to remap yourself under the Navajo world  
4 that's represented by its language. And I wonder,  
5 do you have curriculum or do you have teachers that  
6 have the ability to get these older kids into seeing  
7 their world through the language, not just through  
8 English?

9           MS. BEGAY: I think that's something that  
10 we're really excited about as a community. We are  
11 working with the Native American Community Academy  
12 and they have an indigenous core and they also teach  
13 Navajo, Lakota, and Tewa to their students six  
14 through 12, so learning from their practices. But I  
15 think it's also important that we note that you  
16 don't -- the sole way to access culture isn't always  
17 by language. We can do it in a variety of ways, and  
18 that's what we want our students to have.

19           For example, if you drove in, you might  
20 have seen our mural project, and we had some labels  
21 up there in our language, and for our students to be  
22 immersed in that sort of language I think is really  
23 powerful. So thinking beyond speaking it, thinking  
24 how are we going to make this language exciting?

25           And there are a lot of youth in our

1 culture who are doing great things with their  
2 language. They rap in the language. They do art in  
3 this language. And we want to make that relevant to  
4 our students, as well.

5 MS. LITSON: I just want to add that in my  
6 family and my husband's family, we have children  
7 that speak Navajo from baby to, well, going into  
8 first grade or kindergarten. Once they enter the  
9 public school system, they start to switch their  
10 language back to English. But when you talk to them  
11 after, you know, kindergarten, first grade, they  
12 understand it. They don't lose that language. So  
13 there's a lot of parents and families that still  
14 want to continue and see that that is a problem with  
15 trying to keep their kids talking Navajo. So I  
16 think this school system will also be addressing  
17 that need for the parents who are struggling with  
18 trying to maintain language in the home and, you  
19 know, a lot of times what we see is when we talk to  
20 them in Navajo, they're responding in English.

21 So I think this would give the opportunity  
22 for those youth to become comfortable speaking the  
23 Navajo language throughout their childhood and on  
24 through, you know, lifelong careers. Because when  
25 you come back to Navajo, you work with your

1 community, that's one of the struggles. If you  
2 don't know how to speak and communicate with your  
3 community, it's very difficult, because most folks  
4 that go to the chapter meetings or when they're  
5 going to outreach, all speak Navajo. So that's  
6 very, very important for our youth to continue.

7 MS. YELLOWHAIR: I think one thing, too,  
8 to add is that historically it's been a choice that  
9 parents have had to make between academic success  
10 and language. Like that shouldn't be. And so I  
11 think in my own experience as a kindergartener, my  
12 parents had to make that choice, put me in a  
13 specific track or to be in the immersion class. And  
14 I got here where I am because of the academic piece,  
15 but I also struggle with my identity as a Diné woman  
16 coming back to my community and, you know, raising  
17 my kids in a way that I can start to relay the  
18 teachings that my dad and grandpas and my grandmas  
19 also taught me.

20 So I think what's important is that in  
21 DEAP it's not a choice; right? Like we should be  
22 able to have an environment where kids can speak,  
23 can hear, can see, and can feel that this is a part  
24 of their identity, whether or not it's something  
25 that they identify with right away. Like our

1 identities right now have for so long been, you  
2 know, we turn on the TV and what do we see? It's  
3 this culture, western culture, that it's a struggle.  
4 And I think as a parent, I don't speak Navajo. My  
5 kids are Navajo. But I had to make the choice, with  
6 my daughter in kindergarten this year, of immersion  
7 or a regular kindergarten class. And that's not  
8 fair; right? So thinking about our mission here and  
9 the importance of having culture and language  
10 through identity development is really, really  
11 important.

12 COMMISSIONER TOULOUSE: Thank you. I  
13 know, I have a young grandson who several years ago  
14 said to me, "Grandma, we have Indian blood." Which  
15 my family does. We're the French who came all  
16 through the north. But he said, "Do we have cowboy  
17 blood?"

18 And it was much harder to explain to him  
19 what cowboy blood was than Indian blood. So I'm  
20 trying to get these concepts for kids. Thank you.

21 COMMISSIONER SHEARMAN: Thank you. Any  
22 other questions, comments from anyone? No? Okay.

23 In closing, any member of the public,  
24 including the applicant, may submit written input  
25 following this hearing. Written comments can be

1 sent to the Commission via the PED website, mailed,  
2 or hand-delivered. The details and addresses are  
3 listed on the handout at the back of the room.  
4 Please make sure that you identify clearly the  
5 school that you are commenting on.

6 Please note any written input must be  
7 received by no later than 5:00 p.m. on the third  
8 business day following the hearing on the  
9 application on which you wish to comment. And for  
10 the DEAP school, that deadline would be Thursday,  
11 August 21, 2014, by 5:00 p.m.

12 We thank you all for your presentations  
13 today. The Public Education Commission will meet in  
14 Santa Fe on September 25 and 26, 2014, to render  
15 their decision on approval or denial of this and  
16 other new charter school applications.

17 The Commission will now recess this  
18 hearing until 1:00 tomorrow afternoon, when we will  
19 meet in Albuquerque to continue the hearings. But  
20 just to note, the Public Education Commission will  
21 also have a regular meeting beginning at 8:30 in the  
22 morning at the Hotel Eleganté in Albuquerque. And  
23 certainly you're all welcome to attend, if you so  
24 wish. Thank you for your hospitality.

25 (The proceeding recessed at 11:03 a.m.)

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1 STATE OF NEW MEXICO )  
 ) ss  
 2 COUNTY OF BERNALILLO)

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## REPORTER'S CERTIFICATE

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

9

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11

I FURTHER CERTIFY that I am neither  
 employed by nor related to any of the parties or  
 attorneys in this case, and that I have no interest  
 whatsoever in the final disposition of this case in  
 any court.

12

*Mary A. Seal*

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Mary Abernathy Seal  
 BEAN & ASSOCIATES, INC.  
 NM Certified Court Reporter #69  
 License expires: 12/31/14

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(1123L) MAS  
 Date taken: August 18, 2014  
 Proofread by: KW

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