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BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF:

ALBUQUERQUE SCHOOL OF EXCELLENCE

TRANSCRIPT OF PROCEEDINGS  
CHARTER SCHOOL PUBLIC INPUT HEARING  
August 26, 2009  
1:58 p.m.  
5600 Eagle Rock NE  
Albuquerque, New Mexico

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

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- MR. RUDOLPH ARNOLD, Attorney for PED
- MS. PATRICIA BUSTAMANTE, Attorney for PEC
- MS. MARJORIE GILLESPIE
- MS. CORINA CHAVEZ

1 THE CHAIR: Good afternoon. It's a  
2 pleasure to welcome you. The purpose of this  
3 hearing is to solicit both written and oral input on  
4 the proposed charter. In accordance with the  
5 Charter Schools Act, quote, "The Commission shall  
6 receive applications for initial chartering and  
7 renewals of charter for charter schools that want to  
8 be chartered by the State, and approved or  
9 disapprove those charter applications." End of  
10 quote. This is cited from 22-8B-16, New Mexico  
11 Statutes Annotated, 1978.

12 In addition the Charter School Act states  
13 that, quote, "The chartering authority shall hold at  
14 least one public hearing in the school district in  
15 which the charter school is proposed to be located  
16 to obtain information and community input to assist  
17 in its decision whether to grant a charter school  
18 application. Community input may include written or  
19 oral comments in favor of, or in opposition to, the  
20 application from the Applicant, the local community,  
21 and, for State-chartered schools, the local school  
22 board and school district in whose geographic  
23 boundaries the charter school is proposed to be  
24 located." End of quote. And this is a citation  
25 from 22-8B-6, New Mexico Statutes Annotated, 1978.

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1           The applicant at this time will be the  
2 Albuquerque School of Excellence. And in just a  
3 moment, please, for the record, state the name of  
4 the school, the name or names of the founder or  
5 founders of the school, the proposed grade levels to  
6 be served and membership projection of the school.  
7 We request that you state for the record a brief  
8 description of the school, the reasons you believe  
9 this school will benefit the children and citizens  
10 of this community, and any other information that  
11 you would like the Commission to know about your  
12 application.

13           You have 15 minutes. So please be as  
14 precise as you can during this time. And one final  
15 thing. If you will please, as you're making your  
16 presentation, give your name and how you spell your  
17 name for our recorder.

18           And good afternoon.

19           MR. TARIM: Good afternoon, Madam Chair.  
20 And we want to thank you for giving us the  
21 opportunity to explain our school, our proposed  
22 school. My name is Soner Tarim. S-O-N-E-R, last  
23 name, T-A-R-I-M.

24           MR. SAKOGLU: And my name is Unal Sakoglu.  
25 I'm on the board of New Mexico Focus Foundation.

1 I'm the vice president. My first name is U-N-A-L.  
2 My last name is S-A-K-O-G-L-U.

3 MR. ALTUNC: Good afternoon. My name is  
4 Sam Altunc. I'm the president of the New Mexico  
5 Focus Foundation. S-A-M. My surname, A-L-T-U-N-C.

6 MR. TARIM: Madam Chair and members of  
7 Commission, you have a copy of my presentation in  
8 front of you. If you will allow me, I would like to  
9 walk you through this presentation page by page.

10 The second page, Albuquerque School of  
11 Excellence, college preparatory charter school,  
12 focus on science, math and technologies.  
13 Albuquerque School of Excellence will be a  
14 comprehensive, K-through-12 school program, and will  
15 serve all students regardless of socioeconomic  
16 background. However, focus will be given to lower  
17 income students and students of minorities.

18 The mission of Albuquerque School of  
19 Excellence is to provide a safe and collaborative  
20 environment which will cultivate the academic and  
21 social development of its students by emphasizing  
22 math, science, and technology for the purpose of  
23 students setting and meeting higher education goals.

24 There are so many reasons why there's a  
25 need for this type of school, especially the

1 Albuquerque School of Excellence. I would highlight  
2 a few of them. First of all, Albuquerque -- the  
3 City of Albuquerque economy needs workforce in the  
4 STEM fields, science, technology, engineering, and  
5 math. Science, math, and computer skills are  
6 essentials for our children, especially in this 21st  
7 century, to compete with our nations. Lack of  
8 comprehensive K-through-12 charter school  
9 programming in Albuquerque. As you all know, there  
10 are many charter schools in the state. However,  
11 most of them are elementary, middle school, high  
12 school. And there are only a few schools that have  
13 comprehensive K-through-12 program. And there are  
14 few college preparatory schools in Albuquerque.

15 Albuquerque School of Excellence will have  
16 science fairs, dual credit programs, will use  
17 project-based learning, specifically in the  
18 pre-engineering programs, and there will be  
19 technology integration for all class and grade  
20 levels. And we will offer parent education classes,  
21 and there will be parent enrollment, and we will  
22 have our parents to do home visits. And finally, we  
23 will have specialized teachers in science and math,  
24 teaching students starting as early as fourth and  
25 fifth grade to focus on those subjects so that we

1 don't lose our kids when they get to middle school  
2 and high school.

3 As you all know, many times when we talk  
4 about STEM schools, science-oriented schools, we  
5 also talk about middle school and high school  
6 programs. Although, many of those kids, it's  
7 already too late for them if they don't like math  
8 and science. Our program will catch them in  
9 elementary as early as fourth and fifth grade so  
10 they can continue on their math and science skills.

11 New Mexico Focus Foundation will be the  
12 parent foundation for Albuquerque School of  
13 Excellence. Members of New Mexico Focus Foundation  
14 are from University of New Mexico, and most of their  
15 backgrounds are in electrical engineering,  
16 mechanical engineering, and computer science. New  
17 Mexico Focus Foundation will have a partner from out  
18 of Texas called Cosmos Foundation. Cosmos  
19 Foundation is a nonprofit organization. Currently  
20 Cosmos Foundation operates 25 schools throughout the  
21 State of Texas and serves over 12,000 students.

22 Most of these schools focus on math,  
23 science, and engineering programs. Cosmos  
24 Foundation also has partners -- charter school  
25 partners in other states, such as Oklahoma,

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1 Missouri, Arkansas, and Louisiana.

2 And the next slide shows the location of  
3 those schools, where they are located in Texas.  
4 Cosmos Foundation has been operating charter school  
5 operations since 2000. And all of the Cosmos  
6 Foundation schools are high-performance schools, and  
7 many of their schools are listed in U.S. News &  
8 World Report as one of the best schools in the  
9 nation.

10 And they have 100-percent graduation rate.  
11 And they do participate in a lot of local, national,  
12 and international science competitions. The school  
13 they have is in El Paso. Actually, they have two  
14 schools in El Paso, and one with over 600 students,  
15 the other close to 350 students.

16 Upon approval of this charter, New Mexico  
17 Focus Foundation will create a school advisory board  
18 which consists of local community members, to  
19 include everybody from all walks of life so that  
20 they can provide the best program for the students  
21 of Albuquerque. New Mexico Focus Foundation will  
22 have final authority to approve, adopt, or amend the  
23 budget, approve direct disposition and safekeeping  
24 of public records. And New Mexico Focus Foundation  
25 will have the final authority to approve audit



1 reports.

2 On the other hand, school advisory board  
3 will receive reports in the areas of academics,  
4 finance, personnel, and parent involvement to  
5 provide best possible program -- New Mexico Focus  
6 Foundation.

7 Partnership organization, that is Cosmos  
8 Foundation, will play a critical role in the  
9 establishment of this proposed school in the areas  
10 of human resources, student achievement,  
11 professional development, curriculum development and  
12 testing, technology support, and facilities and  
13 school operation and database management.

14 First year, school will have 388 students  
15 in grades kindergarten through ninth grade, and  
16 every year, we're going to add one grade until we  
17 reach 917 students. If you think that this is  
18 middle school, high school, elementary school, each  
19 group will have approximately 300 students. So in a  
20 sense, even though you see 917 as a large number,  
21 when you break down in elementary, middle school and  
22 high school, each one is 300 students.

23 Next slide is staffing. Our staffing is  
24 aligned to support our mission and educational plan  
25 and needed services. As you see, first year, we're

1 going to have over 19 teachers. And as we increase  
2 our enrollment, by the end of -- by the beginning of  
3 fifth year, we're going to have 46 teachers.

4 Next slide talks about our financial plan.  
5 We have a strong and lean financial model. For the  
6 five years, there will be a surplus with start-up  
7 grants. And we believe that we will draw lots of  
8 philanthropic investments to this city from many  
9 large organizations and through universities,  
10 because of the science, math program and its  
11 integration.

12 If you notice, every year will be in  
13 surplus. And this budget is aligned to our mission  
14 and will work properly. Some of our educational  
15 plans and activities will include strong reading and  
16 writing emphasis. Even though we say we focus on  
17 math and science, we all know that students can't do  
18 math and science if they cannot read and write  
19 properly.

20 So, initially, we'll have a strong reading  
21 and writing emphasis. We'll utilize accelerated  
22 reading and accelerated math programs that are known  
23 nationwide, dual credit programs, performance  
24 assessment and benchmark tests to monitor our  
25 student progress and also teacher progress. And

1 we'll have character education and leadership  
2 development programs.

3 And we'll have robotics and automation,  
4 gifted and talented programs, cross-disciplinary  
5 learning. Participation in science contests will be  
6 heavily emphasized. And we will have extended  
7 schooldays with after-school programs on Saturday  
8 tutorials and Saturday programs.

9 Our school goals include interventions for  
10 academically deficient students, and we'll have  
11 career education starting as early as eighth grade,  
12 AP courses will go from starting at ninth grade.  
13 We'll have dual credit programs between partnership  
14 with CNM and University of New Mexico. And we will  
15 have higher education partnership for science  
16 events. And every high school student will have  
17 minimum 100 hours internship programs.

18 We'll supplement our education with online  
19 education classes during and after school or  
20 Saturday tutorial time. Advanced coursework, we  
21 will offer to our students. Workshops we'll be  
22 promoting so that we can have great parental  
23 involvement. And character education classes start  
24 as early as fourth grade. And science project, as I  
25 said is a requirement starting at fourth grade.

1 Every student in our schools, they have to complete  
2 a science project.

3 In the next slide, we highlighted or  
4 listed several examples of student activities.  
5 Students will participate during the after-school  
6 hours, a lot of academic and athletic clubs, such as  
7 math, science, language, computers, and some fun  
8 clubs such as soccer, basketball, and hiking.

9 Since we have been putting this  
10 proposition together, we are in communication -- we  
11 are in communication with our stakeholders, local,  
12 state agencies, higher education personnel, local  
13 business owners and state officials. Starting with  
14 the Mayor's Office, you will hear in a minute from  
15 Mr. Broom from the Mayor's Office. We have -- you  
16 might have spoke with -- explain our program where  
17 we can actually establish this program. Anyway, we  
18 are actually receiving his guidance in the  
19 establishment of this program.

20 We are also in communication with  
21 Representative Martin Heinrich's office, Senator Tom  
22 Udall's office. And we have a support letter from  
23 the Secretary of State's Office. And I personally  
24 spoke with Dr. King, Attorney General, knowing he is  
25 a chemist and will enjoy the institution of this

1 program. We also spoke with the Chamber of  
2 Commerce. Heavily, we have been speaking with the  
3 University of New Mexico personnel and faculties  
4 trying to elicit their guidance so that this program  
5 can be a best example for this city.

6 We have also support letters from  
7 Dean Rich Calabro from the School of Math and  
8 Science of CNM and personally spoke with the  
9 president of SIPI, and we will be in partnership  
10 also with them once the school is established.

11 Needless to say, we will have definitely  
12 local, you know, business support and significant  
13 neighborhood associations throughout the city. And,  
14 most importantly, we have parents that are potential  
15 prospective parents that want to see this school  
16 happening. And I want to thank you for your time.

17 THE CHAIR: That concludes your  
18 presentation?

19 MR. TARIM: Yes.

20 THE CHAIR: They're just your bodyguards  
21 or what?

22 MR. TARIM: They will hold me sometimes.

23 THE CHAIR: Okay. So we've heard from the  
24 charter school applicant. And now we're going to  
25 hear from the local school board and district --

1 excuse me -- and district representatives. At this  
2 time, we do know that Dr. Diego Gonzales from the  
3 Albuquerque school district was here earlier this  
4 morning. He gave his comments verbally. And he  
5 left with us a letter attesting to the fact that the  
6 Albuquerque Public School District is in opposition  
7 to all of the charter schools that are being  
8 proposed here during this session, yesterday,  
9 today -- well, yesterday was Rio Rancho -- but today  
10 and tomorrow. And I would hope you have a copy of  
11 that letter?

12 MR. TARIM: Yes, we do.

13 THE CHAIR: So we're set with that one,  
14 then. Is there anybody else here from the local  
15 board of education or the Albuquerque district? I  
16 see no one. We'll move on to the community input.  
17 Public comments and observations regarding the  
18 application will be heard at this time. There will  
19 be a four-minute time limit per person. Persons  
20 from the same group and having similar viewpoints  
21 are asked to select a spokesperson to speak on their  
22 behalf. Multiple and repetitious presentations of  
23 the same view will be discouraged.

24 So at this time, do we have anyone who  
25 would like to come forward? All right. I see

1 several people. So, sir, if you would come forward,  
2 please give your name and the spelling to our  
3 recorder.

4 MR. BROOME: My name, Madam Chair, is Paul  
5 Broome. I'm education coordinator for Mayor Martin  
6 Chavez here in Albuquerque. And I would very much  
7 appreciate a couple of moments to speak to this  
8 panel, to this group. And I very much appreciate  
9 the other people who are going to speak to defer to  
10 me first, because I do have an appointment back at  
11 City Hall.

12 The Mayor and I are very, very pleased  
13 with the presentation that has been made by this  
14 school and the fact that they're interested in  
15 coming to Albuquerque and starting their school  
16 here. We very, very much support the school and the  
17 movement, actually, toward rigor for our kids. It  
18 reminds us very, very much of another charter school  
19 that the Mayor was active in starting a number of  
20 years back. And that is the Albuquerque Institute  
21 of Mathematics and Science, which has proven to be a  
22 real jewel in the charter school family, as well as  
23 the school family throughout -- in the City of  
24 Albuquerque. They've had a tremendous amount of  
25 success. It's a math and science school.

1           Many of the best practices that AIMS has  
2 been involved in and has utilized over at that  
3 school to a great deal of success. And also a great  
4 many of the Albuquerque Public Schools are using as  
5 well, I might add, okay, actually, are going to be  
6 brought forward by this school as well. The ones  
7 that we are most, most happy about and pleased with  
8 are the project learning, the parental outreach  
9 approach that they're having, the high academic  
10 standards, rigor that they are actually promoting  
11 strong discipline among the youngsters themselves.  
12 These are the kinds of thing that we know that we  
13 need here in Albuquerque.

14           For the Mayor and for myself, the issues  
15 are twofold. One is choice for our citizens, which  
16 are being provided by charter schools. And the  
17 other is economic development. Albuquerque is not  
18 going to be prepared to deal, actually, with the  
19 kinds of demands that are going to be made on our  
20 workforce here in this city -- and for that matter  
21 probably in this state, but definitely in this  
22 city -- during the next 10, 20 and 30 years, without  
23 having a highly educated population. And that is  
24 especially true in the areas of mathematics and  
25 science.

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1           So I very much appreciate them coming  
2 here. I very much appreciate them applying here.  
3 And I would very much appreciate your support.  
4 Thank you, Madam Chair. It's good to see you again.

5           THE CHAIR: It's good to see you again.  
6 Paul and I both have white hair. But I knew him  
7 when he had white hair and I didn't. I probably  
8 turned it white for him back in those days.

9           MR. BROOME: You had a few moments when  
10 you did. For the record, I had mine done so they  
11 don't mistake me for the children.

12          THE CHAIR: That's the way it goes, Paul.  
13 It is good to see you again. It's been a  
14 multi-decades friendship. Thank you for being here.  
15 Okay. Do we have anybody else? Yes, ma'am, I  
16 believe we have you.

17          MS. SCHAFFER: My hair is turning white,  
18 actually. My name is Linda Schaffer. I have been a  
19 science educator for 34 years. I worked in  
20 Oklahoma, in teaching high school sciences for four  
21 years, and then for the Department of the Defense  
22 schools in Puerto Rico for 21 years, and then at the  
23 University of the New Mexico for eight years.

24           I want to reiterate that in the U.S., we  
25 are going to have a very difficult time replacing

1 retired scientists and engineers. And a good strong  
2 economy for us is based on our science and tech --  
3 among other things, our scientific and technological  
4 prowess as well as the patents that we receive  
5 through that prowess.

6 When I taught science education courses at  
7 the University of New Mexico, not always, but  
8 regularly, many of my students did not experience  
9 science in K through 6, modeling by their  
10 cooperating teachers of science. Most of them said  
11 that science was hardly ever taught.

12 There were exceptions. It's based on the  
13 interest of the principal in the school. There are  
14 good teachers teaching science, and there's good  
15 science being taught. Unfortunately, my -- in my  
16 experience, not enough.

17 NSTA Reports this summer had a really  
18 interesting article about our failure in science in  
19 this country being based on the pillar being removed  
20 at the elementary level. And that's all there is to  
21 it. There's no other problem. Children need to  
22 develop interest and the understanding very early.

23 So at this point, in Albuquerque, whether  
24 or not a child receives science instruction, really,  
25 I believe, in my experience, is based on the

1 interest and the desire of the principal. And this  
2 really limits choices for children who are  
3 interested in the sciences, and their parents.

4 For that reason, charter schools, I  
5 believe, provide public access so that parents don't  
6 have to send their children to private schools. And  
7 that can be a real problem for people who are not  
8 economically able to do that also.

9 I have been the director of the Junior  
10 Science and Humanities Symposium for four years.  
11 Last year, we had a national winner. She happened  
12 to be from El Paso. It was the first time -- I  
13 don't know how long it's been since New Mexico has  
14 had anybody win nationally. In the four years that  
15 I've been the director, we have only had one student  
16 participate from Albuquerque Public Schools.

17 It has been advertised. All of our  
18 schools' participants in Albuquerque have come from  
19 private schools. We have had some from AIMS, from  
20 that charter school. But most of our students come  
21 from El Paso. It's been a real source of sorrow for  
22 me. And for that reason, I support any new charter  
23 school that is going to focus on elementary science.  
24 Thank you.

25 THE CHAIR: Thank you very much. Is there

1 anyone else? Yes, sir.

2 MR. PERLS: Hi. Thank you. And I wish I  
3 had hair, whether it was brown or gray. My name is  
4 Bob Perls. I'm a former State Representative. I  
5 wrote the original Charter School Act in New Mexico  
6 back in 1993. I served in the 1998 task force that  
7 allowed, not just existing schools, but new schools,  
8 to become charter schools. And my wife and I  
9 cofounded PAPA, the Public Academy for Performing  
10 Arts. So I've had a pretty long, involved history.  
11 And this is the first time I've spoke publicly about  
12 another charter school that I've not been involved  
13 with.

14 Before I address while I'm here in support  
15 of this school specifically, I do want to make a  
16 couple of overarching comments. I want to  
17 congratulate this Commission for generally being  
18 supportive of charter schools. I'd like to remind  
19 everybody here that the original legislative intent  
20 that I can speak to of charter schools was to be the  
21 R&D, the research and development arm of the public  
22 school system, and that charter schools are not in  
23 existence simply to serve those students, but to  
24 show best practices and to lead the way for  
25 traditional public school districts, to show them

1 how teaching can be accomplished, to be the  
2 laboratory.

3 And I just hate seeing a letter like this  
4 from Mr. Gallegos, because -- let me read this  
5 sentence. "We also want to make it clear that we  
6 support charter schools that are accountable,  
7 characterized by high student achievement and family  
8 engagement, watchful financial stewardship and  
9 responsible governance." How many existing public  
10 schools actually meet those qualifications? I would  
11 argue that, within APS, at least, which I'm most  
12 familiar with, having been a product of APS myself,  
13 that not very many. And we need to hold all schools  
14 to the same standard.

15 So I would urge you, as you have often  
16 done, to be supportive of most of the applications  
17 that come in front of you. There may be a few that  
18 fail. But charter schools can be shut down. I  
19 would submit that many, many existing public schools  
20 are failures, and are not shut down. So the same  
21 accountability that you apply to charter schools, I  
22 wish all districts applied to schools generally.

23 So this school application, specifically,  
24 I was asked by Tom Udall's staffers to meet with  
25 some of the founders. I'm very impressed with what

1 I see. They've put the same kind of very thoughtful  
2 planning into the execution of the school that we  
3 did with PAPA. And I think that most people will  
4 admit that PAPA is one of the better functioning  
5 charter schools out there, in its planning, its  
6 having a template, as these founders do, of success  
7 in another state, that, also, I think, will lead to  
8 success in this state.

9 And I'd like to echo what the previous  
10 testimony did, that it is so important to have  
11 science and math -- a science and math emphasis in  
12 schools for young people, because most young people  
13 are turned off by third, fourth, fifth grade to  
14 science and math.

15 And so if you've got a school such as this  
16 that's going to be placed in -- ideally, as they've  
17 told me, more socioeconomically disadvantaged  
18 communities, like the Southeast Heights or like the  
19 Southwest Valley in Albuquerque, that it's not going  
20 to be cherry-picking. That is what people accuse  
21 charter schools of doing. It's going to be bringing  
22 state-of-the-art, best practices for science and  
23 math teaching to those students who really most need  
24 it. So I hope you'll support this application.

25 Thank you.

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1 THE CHAIR: Thank you very much. Is there  
2 anyone else? Oh. Hello, there.

3 MR. McCARRON: Hi. I'm Brian McCarron.  
4 And I appreciate your time to talk to you about  
5 Harmony Schools. I'm originally --

6 THE CHAIR: Would you give us your name,  
7 please.

8 MR. McCARRON: Oh. Brian McCarron.  
9 M-c-C-A-R-R-O-N. And if I'm not talking loud  
10 enough, please let me know. I'm going to talk to  
11 both my children attended Harmony Schools in  
12 Houston, Texas. I've been in New Mexico here for  
13 two years. Both my children now go to a private  
14 school here in Albuquerque.

15 The training that they received, the  
16 education that they received has been outstanding.  
17 Math and science, as you've just heard, is critical,  
18 especially at the early years. My son, Connor, just  
19 came back yesterday and commented to me that the  
20 math he's learning right now in class, he already  
21 had two years ago, and that was with Harmony. That  
22 is a very large statement, just coming from an  
23 eighth-grader, on what's going on here in  
24 New Mexico. Our kids need to have -- our  
25 Albuquerque kids need to have that type of same

1 education system.

2 Harmony has had great success in Texas  
3 and, actually, wherever they've been. I would  
4 highly recommend that you give them serious  
5 consideration and the opportunity to help our kids  
6 here in New Mexico achieve the same capabilities  
7 that my children have, too.

8 Right now, my older -- eldest, Angelica,  
9 is No. 1 in her class where she's going to a private  
10 school. And, again, she had that buildup, that  
11 education, structure from Harmony. You know, I  
12 could go on and on about the examples. That they're  
13 here, that they're willing to take advantage of  
14 what -- there are some problems in New Mexico. I'd  
15 be willing to help out there.

16 Again, the best -- I just can't speak  
17 enough about how good they've done. I may -- I work  
18 for the United States government. I used to be an  
19 Army intel officer, a PSYOP officer. And I do quite  
20 a bit of research. At first, I was very cautious  
21 where they were coming from, who they were, what  
22 they were. But I'm totally convinced that what they  
23 have to offer, especially not just tactically,  
24 locally here, they'll be able to reach out and bring  
25 in other resources to help Albuquerque, especially



1 the students achieve their -- what most of them can  
2 achieve.

3           And lastly, I'd just like to say that  
4 consider this: If my -- my kids are going to do  
5 outstanding, and they will continue to do  
6 outstanding. If you don't provide Albuquerque with  
7 a chance that Harmony has to offer the kids of this  
8 area, my kids -- actually takes away the competition  
9 from my kids. So really, by me being here, I'm  
10 actually enhancing the competition for my children  
11 and their future. Because right now, as it stands,  
12 they're not going to have too much competition.

13           But if Harmony comes here and has success  
14 like they did in Texas, they're going to increase  
15 that level and they're probably going to go up two  
16 grade levels in math and science. It's going to  
17 take time to do that. That's pretty powerful stuff.  
18 We're not just competing against the world. We're  
19 competing against Texas, which is, again, ahead of  
20 the New Mexico school systems.

21           I'm not an expert with this. But I am --  
22 just like all of us here, I want the best for your  
23 kids. I think you're going to find that here with  
24 Harmony.

25           THE CHAIR: Thank you. Is there anyone

1 else?

2 MR. BROOME: Good afternoon. My name Ted  
3 Gee. I'm a little -- it's hot in here for me. But  
4 I'm here on behalf of Albuquerque -- oh, God. I  
5 didn't mean to say that. But it's too hot for me to  
6 talk, and I think I better sit down before I pass  
7 out. I'm sorry.

8 THE CHAIR: Is he all right?

9 MS. LEE: Good afternoon, everybody. My  
10 name is Elsie Lee. I belong to the Navajo Tribe,  
11 the biggest tribe in the Four Corners. I heard  
12 about the school from one of my coworkers,  
13 Albuquerque School of Excellence. And as I was  
14 reading a book, it became more interesting. The  
15 more I heard about it, the more convinced I wanted  
16 my grandkids to get into it. Because lot of Native  
17 Americans -- as you all know, we don't have all the  
18 good things that other people have. So a lot of us  
19 struggle along the way with our education.

20 My land, which was taken away from me when  
21 I was seven years old. I had to go to school out  
22 in -- far away, stayed there nine months out of a  
23 year. And I tell myself, Well, whenever I get  
24 married, I don't want my kids to be like that. I  
25 remember being Student of the Month. I remember

1 earning \$4. I remember earning -- getting a watch.  
2 I remember being on the National Honor Society. And  
3 I was so proud. And earning \$4. This was in the  
4 '60s.

5 And I had my oldest son. And we bought  
6 him a toy. But he said, "Mom, where does this noise  
7 come from?"

8 And I said, "It's from inside." I said,  
9 "Just play with it."

10 But later on, when he went to bed with the  
11 toy -- it was a little car -- he had taken that toy  
12 apart wanting to know where the noise was coming  
13 from, wanting to know how it makes the noise.

14 And I began to think to myself, I think my  
15 boys are going to be smart. So nowadays -- I lost  
16 my oldest one. So I only have two boys left. Now,  
17 my grandson comes home, and he says -- from school.  
18 And he says, "Grandma, I want to be an instruction  
19 worker." And I'm thinking, "What is an instruction  
20 worker?" What he meant was "construction" worker.  
21 He said, "Me and you are going to go back to Arizona  
22 and I'm going to build a real pretty, pretty house.  
23 We're not going to use electricity."

24 So I want my kids to go to the school,  
25 this Albuquerque School of Excellence. And it's

1 going to be very, very beneficial to my grandkids,  
2 our future generation. That's what we're always  
3 told. And I support it 100 percent. Thank you very  
4 much.

5 THE CHAIR: Thank you very much. Is there  
6 anyone else?

7 MR. MARTINEZ: My name is Charles  
8 Martinez. I'm retired. I was a past director of  
9 the Middle Rio Grande Conservancy District, and I  
10 did have the opportunity to hire a couple of  
11 employees that came out of a charter school. They  
12 became real good employees because of their training  
13 that they got there and their education.

14 So I know that charter schools work. And  
15 I have -- now I have a grandchild that's doing real  
16 good, too, that went to a charter school. And he's  
17 got a family now. He has a good job and is doing  
18 very well. And I know that the "Excellence" is a  
19 good word for the charter school. Because I know  
20 that math and science is now our future of our city  
21 and of our country.

22 So I am here in support of the Albuquerque  
23 School of Excellence. And I want to say hi to  
24 Millie. How are you doing?

25 MS. POGNA: Hello, Mr. Martinez.

1 MR. MARTINEZ: Our girls used to run track  
2 together. It's good to see you, Millie.

3 MS. POGNA: Yes.

4 THE CHAIR: Thank you very much.

5 MR. GARCIA: Good afternoon. My name is  
6 Vince Garcia. And I'm a native here of New Mexico.  
7 And I have a young child that is getting ready to go  
8 to school. And my name -- my new neighbor, Russell,  
9 had come up to me and told me about this school that  
10 they're going to be opening up, or they want to open  
11 up here in Albuquerque.

12 And I had debated a lot on, you know,  
13 whether I was going to send her to a private school  
14 or to a public school. And I looked into this  
15 Albuquerque School of Excellence. And I believe  
16 this school will really benefit the students of  
17 New Mexico, of Albuquerque here. It -- you know,  
18 with the math and science emphasis, they -- I mean,  
19 that's our future, you know. Our national labs here  
20 have a lot of scientists here. And I think this  
21 school will do great here, you know, in keeping, you  
22 know, the New Mexican students -- you know, get  
23 these jobs that these out-of-staters are getting.  
24 So I support this school 100 percent.

25 THE CHAIR: Thank you very much. Is there

1 anybody else?

2 MR. TARIM: That's all of them.

3 THE CHAIR: All right. We'll move to the  
4 point on our agenda where the Public Education  
5 Commission reserves time to address any questions  
6 that the Commissioners may have of the Applicants.  
7 The Chair would like to ask the Applicant to be --  
8 keep your responses as brief as possible to allow  
9 for questioning from other Commission members.

10 At this point, the Chair will recognize,  
11 on this side, Ms. Shearman.

12 MS. SHEARMAN: Let's start with the  
13 budget, shall we? I have some specific questions  
14 about some line items in your budget. The first one  
15 is in the 11000 series, 2500, Other Professional  
16 Services.

17 MR. TARIM: Can you tell me page numbers?

18 MS. SHEARMAN: I'm sorry. We don't -- I  
19 don't have the same --

20 MS. KRIVITZKY: Do you have a line number?

21 MS. SHEARMAN: I have a line number. It's  
22 320, if that'll help you.

23 MR. TARIM: And your question?

24 MS. SHEARMAN: Did you find it? It's  
25 Other Professional Services. Starts out \$60,000 in

1 the first year, goes up to 65, 70, 75, and then 85.  
2 I wonder what that's for.

3 MR. TARIM: \$60,000, Professional  
4 Services. I'm sure it's for accounting and business  
5 office services, that we're a contract association  
6 to do accounting services.

7 MS. SHEARMAN: So that's why I didn't find  
8 a business manager?

9 MR. TARIM: Yes, ma'am. And we did not  
10 include business manager in that.

11 MS. SHEARMAN: It's included in that?

12 MR. TARIM: That money is actually going  
13 to go to association.

14 MS. SHEARMAN: Those are fairly  
15 significant increases, though, every year.

16 MR. TARIM: I think they start with  
17 \$60,000. We spoke with them, that we were going to  
18 work with them. So they told us 60, just budget for  
19 \$60,000.

20 MS. SHEARMAN: And goes up to 85?

21 MR. TARIM: We are just projecting that.  
22 We don't know. I mean, if it's less, we're happy.

23 MS. SHEARMAN: Very good. The next one is  
24 in the 3100 series. And it's under Purchased  
25 Professional and Technical Services, line 476.

1 MR. TARIM: Okay.

2 MS. SHEARMAN: What is that?

3 MR. TARIM: That's food service, for the  
4 food service.

5 MS. SHEARMAN: Food service?

6 MR. TARIM: Yes.

7 MS. SHEARMAN: Is that an unusual place  
8 for food service?

9 DR. DURAN: I'm not sure. What line item?  
10 What --

11 MS. SHEARMAN: It's under Purchased  
12 Professional Technical Services, Other Professional  
13 Services.

14 DR. DURAN: Yes. It would be an unusual  
15 place for it.

16 THE CHAIR: Yes. Say that louder, please.

17 DR. DURAN: Yes. It would be an unusual  
18 place for that.

19 MR. NAMVER: My name --

20 THE CHAIR: Yes, sir. Go ahead.

21 MR. BROOME: My name is Mark Namver. I'm  
22 with the partner organization, Cosmos Foundation. I  
23 was involved with preparation of the budget. That's  
24 why I wanted to speak, if I may. Thank you. I  
25 wanted to make sure we are on the same line item.



1 Are we on 3100, Food Service Operations on Other  
2 Professional Services?

3 MS. SHEARMAN: 53414.

4 MR. NAMVER: The first year is \$55,000.

5 MS. SHEARMAN: \$55,000.

6 MR. NAMVER: Yes, ma'am. What we are  
7 going to do is the school is not going to have a  
8 kitchen. The school is going to contract the food  
9 services from an outside company. And that money is  
10 allocated for that contract of services. We are  
11 going to be a part of the National School of  
12 Breakfast and Lunch Program. But like I said, we  
13 are not going to have our kitchen in our school. So  
14 we are going to have contract services from an  
15 outside catering company.

16 And that \$55,000 is allocated for that  
17 service so we can make sure that there's food for  
18 our students. And part of that money is -- like I  
19 said, is going to come from the federal government  
20 as part of the National School -- Breakfast and  
21 Lunch Services. For the students who do not qualify  
22 for the free or reduced lunch or breakfast, and they  
23 will pay for their own lunch.

24 DR. DURAN: So in that case, it is in the  
25 right area, because they're doing a contract

1 services.

2 MR. TARIM: Contract services.

3 MS. SHEARMAN: Okay. Thank you. The next  
4 one is in the 1000 series. Go back up.

5 MR. NAMVER: Yes, ma'am.

6 MS. SHEARMAN: 2500. Oh. It's in line  
7 60, under "Supplies."

8 MR. NAMVER: Yes, ma'am.

9 MS. SHEARMAN: 56118, General Supplies and  
10 Materials. It's \$30,000.

11 MR. NAMVER: That -- that is for the  
12 supplies and materials that is allocated for the  
13 teachers. We want to make sure that there is enough  
14 funds that is allocated specifically for the  
15 service. So if teachers are going to need supplies  
16 for direct instruction in their classroom, that they  
17 have access to those funds.

18 MS. SHEARMAN: It -- I'm just sort of  
19 surprised at the amount of increase as it goes  
20 across. But, again, as you say, you're projecting.

21 MR. TARIM: Projecting 900 students, yes.

22 MR. NAMVER: The reason is the amount  
23 increases by years, because the number of students  
24 increase by years. And also we want to make sure  
25 that we have that allocated in our budget. If we

1 spend less, then we're happy. But we want to make  
2 sure that we have a conservative budget, that we  
3 have money allocated just for the direct instruction  
4 so that our students will benefit from that.

5 MR. TARIM: If you look at the number of  
6 student increase first year, next year is almost  
7 580, 600. It's almost double. So the increase.

8 MS. SHEARMAN: Exponentially. It just  
9 builds real fast. You answered my question why I  
10 couldn't find the business manager. But I don't  
11 find an amount for an audit.

12 MR. TARIM: We updated --

13 MR. NAMVER: There's an amount for audit.

14 THE CHAIR: What was your response, sir?

15 MR. NAMVER: There is an amount already  
16 allocated for audit in the budget. Let me find out.  
17 This budget sheet is, I guess, eight pages long. So  
18 I have to --

19 MS. SHEARMAN: I'm looking at line 218.

20 MR. NAMVER: 218?

21 MR. SAKOGLU: Did you say 218?

22 MS. SHEARMAN: Two, one, eight. Eleven  
23 two, one, eight. Okay.

24 MR. TARIM: You said line 218? Yeah, we  
25 don't have that line showing on this here. So it's

1 hard to find.

2 DR. DURAN: So if you would like to, so  
3 that we don't -- if you'd like to respond to that in  
4 writing, you can.

5 MR. NAMVER: Okay.

6 MR. TARIM: Certainly, we know that it's  
7 included, but we'll find it.

8 MR. NAMVER: We don't have the Excel line  
9 items here so --

10 THE CHAIR: If they know what the question  
11 is.

12 DR. DURAN: The question is where is the  
13 money for the audit.

14 MR. TARIM: But this doesn't show the  
15 Excel line numbers, so --

16 MS. SHEARMAN: It's difficult. I  
17 understand. And I'm back to my same old question.  
18 It doesn't balance. Let me make sure what years I'm  
19 looking at. Yeah. I know what Dr. Duran has said  
20 today. This -- this budget is sort of preliminary.  
21 But I'm looking at the first year. Your  
22 expenditures are \$2.260 million. Your projected  
23 revenue is \$2.116 million. I'm just looking at your  
24 SEG.

25 MR. NAMVER: The revenues include SEG and

1 other line items. If you will -- if you kindly look  
2 at on our application, Page 242, please.

3 MS. SHEARMAN: Say it again?

4 MR. NAMVER: Page 242 on our application.

5 MS. SHEARMAN: On the application?

6 MR. NAMVER: Yes, ma'am. Page 242. In  
7 the first year, we projected SEG in the amount of  
8 \$2,116,405, plus \$15,000 from fees, student of food  
9 services. And this money comes from the students  
10 who are not eligible for free or reduced lunch.  
11 That's also another revenue source.

12 And if -- another revenue source is  
13 \$40,000 is projected to come from the federal  
14 government as part of the National School Lunch and  
15 Breakfast Program. That's there. And the V  
16 Project. \$369,000 from the restricted grants of  
17 federal grants. And they are Title I, Part A  
18 grants; Title IV, Part A grants; Title III, Part A  
19 grants; federal start-up grants.

20 And if we put all of them together, our  
21 revenue comes out to the amount -- we made a summary  
22 table. I'm going to tell you the page number now.  
23 If you look at Page No. 76 on our application, our  
24 revenues, with the start-up grant, comes up to  
25 \$2,540,405. And without start-up grant, it's

1 \$2,290,405. Either with start-up grant or without  
2 start-up grant, our revenues is more than our  
3 expenditures in the first year and the proceeding  
4 years.

5 MS. SHEARMAN: Okay. Okay. Thank you for  
6 that explanation.

7 MR. NAMVER: Thank you. Thank you.

8 THE CHAIR: Thank you. Anybody down this  
9 way? Ms. Krivitzky?

10 MS. KRIVITZKY: I just have sort of a -- I  
11 guess a logistics question here for you. Harmony  
12 was mentioned and Cosmos -- is that it? --  
13 mentioned. And then your school is mentioned? I  
14 know there's partnerships and so forth going on.  
15 You gentlemen don't work for Harmony.

16 MR. TARIM: I work for --

17 MS. KRIVITZKY: You do.

18 MR. TARIM: Yes.

19 MS. KRIVITZKY: Do you guys work for  
20 Harmony?

21 MR. TARIM: I work for Harmony. They work  
22 for New Mexico Focus Foundation.

23 MS. KRIVITZKY: The Focus Foundation here  
24 in Albuquerque, is that part of Cosmos or Harmony?

25 MR. ALTUNC: My name is Sam Altunc. I'm

1 the president of New Mexico Focus Foundation. I  
2 work at UNM computer department as a faculty. I  
3 also teach at SIPI and University of New Mexico,  
4 math, science, and technology classes, you know. I  
5 came in early 2000, you know. And I had, you know,  
6 too many graduates -- I just see that we do not have  
7 that many, like graduates, special engineering from  
8 New Mexico, you know. Think about it. I got my  
9 Ph.D. from UNM two years ago. It was State funded.

10 Therefore, I'm just saying there's  
11 something wrong. And in 2005, we establish New  
12 Mexico Focus Foundation, you know. We just found  
13 out, you know, started charter school. We will  
14 focus on math, science and technology. And then  
15 about two years ago, we met with Cosmos Foundation,  
16 and, you know, we are getting consultation from  
17 them.

18 So New Mexico Focus Foundation, as you can  
19 see from our governance, you know. But we have the  
20 ultimate responsibility. They are consulting us.  
21 Yeah.

22 MR. TARIM: Basically, the Cosmos  
23 Foundation is an organization in Texas that operates  
24 schools. The brand name of the schools is Harmony  
25 Science Academy. And you just heard one of our

1 former parent from Houston. Now he lives in  
2 Albuquerque. That's why there's Harmony, Cosmos and  
3 New Mexico Focus Foundation. Harmony is the name of  
4 schools. But it's operated by Cosmos Foundation.  
5 Same thing here. New Mexico Focus Foundation is the  
6 foundation itself. And we're going to be helping  
7 them to establish and -- almost the same model and  
8 replicate here with some tweaks based on the state  
9 rules and regulations.

10 MS. KRIVITZKY: I guess I have another  
11 question. You may or may not know this. But I  
12 guess in Texas, a nonprofit corporation like that  
13 can have a lot of different charter schools?

14 MR. TARIM: That is correct. You can have  
15 multiple schools. So we have schools almost every  
16 large city, including border towns, border cities,  
17 like Brownsville, Laredo, El Paso, everywhere. So  
18 you can have multiple locations under one -- you can  
19 have multiple locations under one charter. Or you  
20 can go back and apply to the state every year and  
21 get a new charter. In that state -- what you're  
22 asking -- if you go back and apply to new charter in  
23 Texas, you -- on your own, if you want to open a  
24 campus to your existing charter, you don't get any  
25 federal funding. So that's the only difference.



1           As you know in Texas, they've reached a  
2 cap. If you have a charter, you can have a  
3 multiple -- you can continue opening schools as long  
4 as you have a charter. If you have a brand new  
5 school and you want to apply, there's no charters  
6 anymore in Texas.

7           MS. KRIVITZKY: And so you feel that here  
8 in New Mexico, if this charter was granted, that the  
9 governance council will feel that autonomy that  
10 other charter schools governing councils feel? Or  
11 do you think that Cosmos is going to be making  
12 decisions at that level for them? I read through  
13 your application and so forth. And it wasn't  
14 completely clear that this was a school that could  
15 feel independent. It felt like -- it feels like  
16 it's another branch of another Harmony School.

17           And I'm not saying that that's bad. I  
18 mean it sounds like the Harmony Schools are very --  
19 how do you say this -- successful, you know, with  
20 what they do. But it's kind of different here. And  
21 I just -- I just wanted to see if you felt that they  
22 would feel independent.

23           MR. TARIM: Certainly. I mean, it's --  
24 based on the analysis, I realize that it's not  
25 really -- we didn't make it clear. And that's why

1 we're going to respond in a written -- by  
2 September 1st. We want to make sure it's clear that  
3 Cosmos or Harmony has nothing to do with it. Cosmos  
4 Foundation will have no authority on saying, you  
5 know, "Do this or do that." It's going to be up to  
6 the New Mexico Focus Foundation and the board  
7 members.

8 MR. ALTUNC: As you can see from our  
9 governance structure, New Mexico --

10 MS. KRIVITZKY: Yeah. I saw that. I know  
11 it's there. I just know -- I just feel like,  
12 because it's such a big group and they're very  
13 strong, and I'm sure that's why you went to them  
14 because they were successful and they can get things  
15 done.

16 MR. ALTUNC: Yeah. But things like --  
17 explain to you. Like I came early 2000. I was  
18 getting my Ph.D. We are also correlating with like  
19 Sandia National Labs, Los Alamos Labs. So there's  
20 no -- as far as I can see, like, we don't have --  
21 they are either out of state, so overseas, you know.  
22 So we just want to start something, you know,  
23 like -- you know. Because as I said, you know, like  
24 I got my Ph.D. with -- from UNM, state funded  
25 school. It's payback time, you know. Like, I got

1 my degree. Okay? And --

2 MS. KRIVITZKY: Yeah.

3 MR. ALTUNC: -- it's payback time. So but  
4 somehow we need consultation, too. Because, okay,  
5 we are educators, you know. I have been involved  
6 like countless of other charter schools, you know.  
7 But somehow we needed consultation, too. That's why  
8 we want to work with Cosmos Foundation. We know  
9 they are best. And I also think that, you know,  
10 this is an opportunity. Like, okay, it's an  
11 opportunity for us, but for, you know, our  
12 community, too, it's really important.

13 MR. TARIM: We're not best. We're just  
14 trying -- but we're going to make it clear -- I'm  
15 sorry to interrupt. But we're going to make it  
16 clear that this is relationship between the Cosmos  
17 and the New Mexico Focus Foundation. It's going to  
18 be much clearer when you receive that in writing.  
19 So -- and knowing that even though we have a large  
20 organization, we always operate like it was a small  
21 school, because that's the focus.

22 I mean, we never lose that focus. We have  
23 a cluster of schools. Each school has independence.  
24 And we know every state has different rules and  
25 regulations and different population. That's why we

1 work with schools in New Orleans and Oklahoma,  
2 Arkansas. So we have a wide range of experience  
3 dealing with local, group, populations and laws.  
4 And when we saw that recommendation from the charter  
5 office, we consulted with a local law firm, Modrall  
6 & Sperling to get professional feedback from them to  
7 structure so we don't step on any other rules and  
8 regulations. So we're going to make it clear.

9 MS. KRIVITZKY: I just have one more  
10 thing. You guys should help them get a building,  
11 then, if you have that kind of connections. I mean,  
12 that's the biggest thing for charter schools is  
13 their facilities. And I kept thinking, And then  
14 they're going to give them a building, you know.  
15 But --

16 MR. TARIM: That's absolutely important.  
17 And if you -- I wish you would get a chance to see,  
18 maybe -- you obviously wanted to see our school  
19 operation in El Paso. That's the closest one. And  
20 when we move into a building and we renovate -- and  
21 in every case, it's different. And which we will  
22 help them to get facilities in a way -- in a  
23 creative way that we have done. For instance, in  
24 El Paso the first location was a church building.  
25 They couldn't operate their Sunday school and

1 released their facility, 30,000 square feet. And in  
2 two years, they liked what we offer to the  
3 community. The church built a building for  
4 \$6 million to lease back to the charter school.

5 I know in this case, there are laws  
6 prohibit -- we have to be in a state building and  
7 stuff like that. But there are so many ways to  
8 bring philanthropists with the math and science. I  
9 mean, Dow Foundation sponsors our schools in  
10 Brownsville. They want to see low income families  
11 to have this opportunity in Laredo and Brownsville  
12 and El Paso, which we have done successfully. And  
13 we will bring our philanthropists here to fund this  
14 type of education.

15 MS. KRIVITZKY: Thank you.

16 THE CHAIR: Is there anybody else?

17 MR. BERGMAN: I have several this time.  
18 You may -- I share, Chairman -- or Commissioner  
19 Krivitzky's concerns about this, because I wrote  
20 down, "How much influence will Harmony and Cosmos  
21 have in the local operation?" I think you've  
22 answered that. But this is a local school with  
23 local oversight, and I want to be absolutely certain  
24 that there's not going to be interference from  
25 outside.

1 MR. TARIM: That is absolutely correct.  
2 That's why we created advisory board, not to say  
3 that advisory board will take over the school. We  
4 just want to have greater input from the community.  
5 We have been speaking with dean of the college of  
6 engineering at UNM, a lot of the professors at UNM  
7 to see what we can include, not only as an  
8 educational level, but higher education level.  
9 We're talking to Mayor's Office, as you've seen  
10 earlier.

11 We have been speaking with everybody.  
12 They tell us that this is a school that we can  
13 actually -- the community will benefit from this  
14 school. Leave it up to local input to create this  
15 program. Otherwise -- we cannot tell how to run  
16 school.

17 We do the same thing in New Orleans,  
18 Oklahoma, everywhere. They don't see us. We don't  
19 allow our name to be used other places, because we  
20 want to make sure that this is a local school. But,  
21 initially, we're going to have a lot of work with  
22 them. We're going to sit down and see how we can do  
23 things together.

24 MR. SAKOGLU: I'd like to add to this, if  
25 I may. In the start-up stages, it's that tremendous

1 amount of technical support we're giving them. As  
2 we start operating the school with your approval,  
3 it's going to be a little clearer and clearer.  
4 We'll still keep getting their technical help and  
5 consultation, but it's going to be a lot more --

6 MR. BERGMAN: That was going to be my  
7 concern. There seemed to be a lot of intertwining  
8 so far.

9 MR. TARIM: It seems that way. But if you  
10 called a school in, you know, New Orleans and called  
11 Abramson, "Do you know anybody from Harmony?" They  
12 would say, "No." We have been working closely with  
13 them always. LSU. University of Missouri in Kansas  
14 City. We have two schools. We help to set up two  
15 schools in Kansas City, which there is a high need,  
16 you know. But if you call the school, no one will  
17 say, "This is a Harmony School." This is a local  
18 school.

19 MR. BERGMAN: My next question -- I want  
20 to dig into that \$60,000 that you've identified a  
21 little deeper. Is that going to the Cosmos  
22 Foundation or the Harmony Schools?

23 MR. TARIM: No. It's going to go to the  
24 association, New Mexico Charter School Association  
25 Alliance.

1 MR. BERGMAN: So someone local is going to  
2 be providing the business -- my tax dollar is not  
3 going to --

4 MR. TARIM: They've been helping all the  
5 charter schools business office.

6 DR. DURAN: Don't point to us. It's not  
7 going to be us.

8 MR. GARRISON: Don, is that a new suit?

9 MS. KRIVITZKY: Don's finally making some  
10 money.

11 MR. TARIM: New Mexico Charter School  
12 Coalition.

13 MR. BERGMAN: Someone in New Mexico will  
14 be providing these services? In these difficult  
15 economic times, I want our dollars staying in  
16 New Mexico.

17 MR. TARIM: We will bring dollars here to  
18 invest.

19 MR. BERGMAN: And I notice one other thing  
20 in the information you provided us on your  
21 governance chart. That's what also led to my  
22 concern about the intertwining. You have a direct  
23 arrow between the school principal and Cosmos  
24 Foundation. Thank you. And, Dr. Duran, you may  
25 need to jump in on that. That is not allowable, is



1 it? They don't have oversight on the local  
2 principal?

3 DR. DURAN: I believe that's part of our  
4 analysis.

5 MR. BERGMAN: I didn't see a comment in  
6 what I had.

7 DR. DURAN: I think that's part of our  
8 analysis. Yes, it is. We have a question on that  
9 which they need to respond. But the answer to your  
10 question, in short, is yes, we have a concern about  
11 that as well.

12 MR. TARIM: And we know that there's -- if  
13 it's approved, we're not going to -- first of all,  
14 it's not a direct line. It's a dotted line.

15 MR. BERGMAN: Dotted line.

16 MR. TARIM: Dotted line is just talk.  
17 But, definitely, we'll make sure that --

18 MR. BERGMAN: Will be addressed and we'll  
19 have some further information. I think that's all  
20 I've got. Thank you.

21 MR. TARIM: Thank you.

22 MS. SHEARMAN: I have one more. I'm going  
23 to follow up on that conversation. In the analysis,  
24 in the section under "Partner Organizations and  
25 Contact Information," there is a concern listed.

1 And it says, "It appears that the advisory services  
2 described in this application could be provided by  
3 other entities. Is Cosmos sole source? The  
4 practice of already identifying Cosmos to be the  
5 provider of these advisory services may conflict  
6 with the procurement code."

7 MR. TARIM: That is correct. And Cosmos  
8 is not the sole, you know, group that will provide  
9 services. And over the -- you know, Coalition,  
10 Charter School Coalition will provide services and  
11 provide business office services. We're not going  
12 to be going to -- it's up to them to decide to work  
13 with whomever they want. They could say tomorrow  
14 that they don't want to work with Cosmos if they  
15 don't want to.

16 MS. SHEARMAN: So number one, it needs to  
17 be bid.

18 MR. TARIM: Needs to be bid, probably.

19 MS. SHEARMAN: And No. 2, though, here's  
20 Cosmos actually coming in to the operation of the  
21 school as a paid provider, if it gets the bid.

22 MR. TARIM: It's not the operation of the  
23 school. It's not products and services. Principal  
24 will run the school. Certified principal will hire,  
25 will run the school on a daily basis. We'll just

1 provide service to them. And it's up to them to  
2 just go through the bidding procedure and to --  
3 whatever service they want, they can hire.

4 MS. SHEARMAN: Okay. Thank you, Madam  
5 Chair.

6 MR. TARIM: Again, we'll make sure that  
7 it's clear in -- which we already started working  
8 lot of issues.

9 THE CHAIR: Thank you. I have a question  
10 over here on your PowerPoint presentation, about  
11 midway through, talked about schools, roads, and  
12 enrollment. And you're talking about the first year  
13 that you propose a school that enrolls K through 9,  
14 which would be ten grades, I'm thinking. And you're  
15 projecting an enrollment of 388. The second year,  
16 you're going to pick up another grade level, but  
17 you're going to also -- just some rough estimates  
18 that I was trying to make here.

19 You're talking about first year, about 38  
20 students per -- per grade level. Second year, 46.  
21 We move on down throughout the time for the fifth  
22 year, and we see a tremendous increase. At least  
23 that's the way it appears to me when we look at what  
24 is happening with student populations today.

25 And I know your anticipation is that your

1 program will be of such quality and enticement that  
2 you don't lose students, that you actually gain  
3 them. And so I'm wanting to know what is it that  
4 you're saying that you're going to -- what appears  
5 to me the difference between the fourth and fifth  
6 year as being a pretty hefty gain in student  
7 enrollment. What's going to cause that?

8 MR. TARIM: Yeah. We do it all the time  
9 is that from K through this -- once you have  
10 instruction grade levels and we get the feel that  
11 everything is under control -- that's why we started  
12 K through 9 with 388 students. And we can add every  
13 year -- even though we increase one grade to tenth  
14 grade. But we will open -- open grade levels in the  
15 middle of the years.

16 Like, in the fifth grade -- usually, with  
17 sixth-graders, sort of enroll 50 kids, we can enroll  
18 100 kids. So fifth-grade level, sixth-grade level  
19 and ninth-grade level, we can open more sections,  
20 more students, even though we're just adding one  
21 grade level. So we're adding more students at lower  
22 levels and opening more sections. So that's  
23 increasing.

24 THE CHAIR: Okay. When I go back here to  
25 the map of Texas at the beginning of this someplace.

1 I don't know exactly where you're citing the numbers  
2 of schools I think you said that are using that  
3 program. And so I'm wondering, have those schools  
4 experienced this kind of --

5 MR. TARIM: Same model. Same program. We  
6 started K through 8, K through 9 first year with  
7 350 -- we opened six schools -- as of Monday, we  
8 opened six schools in Texas. And average school,  
9 depending on the size of the building, started with  
10 350, 400, K through 8. And then we add one grade  
11 every year until we reach 900, 950. We feel that  
12 900, 950 is the ideal number, so we can have enough  
13 graduates, once we get a group of cohorts graduate  
14 from 12 grades.

15 THE CHAIR: Dr. Duran, I guess I have a  
16 question of you on this. If, by the fifth year,  
17 they -- is the Charter Schools act written in such a  
18 way that if they don't reach the 900, there's not  
19 any kind of adjustment that has to be made in the  
20 contract, so to speak? But if they do want to go  
21 beyond that, then they have to come back, and they  
22 have to say, "It looks as though we're going to --  
23 to have more students than we anticipated, and we'd  
24 like to adjust that enrollment fact?" Am I accurate  
25 in that?

1 DR. DURAN: Well, I -- Madam Chair,  
2 members of the Commission, when a charter writes  
3 that there's a plan for the first year through the  
4 fifth year, and they're at 917, and they hit 917 in  
5 the third year, that's fine. They can't go beyond  
6 917.

7 The issue is, if they say they're going to  
8 have a K-12 school, and only have enough for a K-8  
9 school, then they have not fulfilled their contract  
10 because they had asked for a K-12 school. So I'm  
11 not sure that answers your question.

12 THE CHAIR: No. It does. It does.

13 DR. DURAN: But the plan of getting to  
14 917, if a school gets there the first year, we don't  
15 care. At the end of the fifth year, we do care if  
16 they're not meeting all the grade levels that they  
17 said they were going to be in the contract.

18 THE CHAIR: Yes. Because it would take  
19 the grade levels to meet that enrollment, so to  
20 speak.

21 DR. DURAN: To fulfill the contract that  
22 they're going to meet the needs of K through 12  
23 students.

24 MR. BERGMAN: That means if they only get  
25 to the eighth grade, they can only have the number

1 they projected.

2 DR. DURAN: Actually, it would be a  
3 violation of their contract. It would be enough to  
4 perhaps ask that their contract be revoked, because  
5 they are not meeting their contract obligations. Is  
6 that --

7 THE CHAIR: Okay. Mr. Bergman, I guess I  
8 didn't understand your question on that.

9 DR. DURAN: It's probably me.

10 MR. BERGMAN: Well, I just -- I probably  
11 won't be able to find that chart. They had a number  
12 for the eighth grade, whatever that number was. And  
13 they were talking about getting to 917 maybe in the  
14 third year. But if they get to 917 but they only  
15 have the eighth grade, you're saying that would be a  
16 violation.

17 DR. DURAN: That would be a problem.  
18 That's correct.

19 MR. BERGMAN: Would they have to come  
20 back? They don't lose their charter.

21 DR. DURAN: Nothing in the charter world  
22 is automatic.

23 THE CHAIR: I guess it doesn't matter,  
24 because we're not there. But I guess I am wholly  
25 confused now. Sorry I ever asked the question.

1 MR. BERGMAN: I didn't understand it.

2 DR. DURAN: But it --

3 THE CHAIR: We'll hope their program is  
4 successful enough that they reach the places that  
5 they want to reach and that students are being  
6 served in New Mexico, as apparently they are in  
7 other states.

8 MR. TARIM: I don't want to bring up Texas  
9 issues all the time. I mean, I just -- I do want to  
10 let you know that last year in Texas, there were  
11 18,000 students on the waiting list and 240 charter  
12 schools. And 9,000 of them were on our waiting  
13 list. There will be a lot of people on the waiting  
14 list. We know that once they establish this school.

15 THE CHAIR: Thank you for that  
16 clarification. All right. Are there any other  
17 Commissioners who would like to ask a question or  
18 make a comment? Okay.

19 Then seeing no one, the Commission  
20 encourages continued public input in writing until  
21 September 1, 2009, at 5:00 p.m. Written comments  
22 should be sent to the Public Education Commission in  
23 care of Beverly Friedman, 300 Don Gaspar Avenue,  
24 Santa Fe, New Mexico, 87501. Or you may e-mail  
25 comments to Beverly Friedman at



1 bev.friedman@state.nm.us.

2 And the Commission will now recess until  
3 8:00 a.m. tomorrow, August the 27th. And we will  
4 convene at the same location. I will remind  
5 Commissioners that following the Tierra Adentro  
6 session -- we'll have three applicants to be heard  
7 tomorrow: New Mexico Virtual Education Partners,  
8 Sandia Academy, and Tierra Adentro. And following  
9 the Tierra Adentro, we will journey to Las Vegas,  
10 New Mexico, for the Luna Charter Academy scheduled  
11 at 4:00 p.m. at Highlands University at Thomas  
12 Donnelly Library in the Sanchez Lecture Hall, 802  
13 National Avenue, Las Vegas. And we will spend the  
14 night, some of us, in Las Vegas.

15 And on Friday, we will go to Santa Fe for  
16 the Masters Program, and then, at the conclusion of  
17 that, that will be in Mabry Hall, our usual meeting  
18 place. And we will then journey to Taos for the  
19 Taos Integrated School of the Arts on Friday. And I  
20 will tell Commissioners, the executive committee did  
21 meet late last week. And we did determine that we  
22 were going to ask Dr. Duran to find the September --  
23 10 and 11 or 11 and 12? I can't remember.

24 MS. BUSTAMANTE: Ten and 11.

25 THE CHAIR: Ten and 11. Meeting here in

1 Albuquerque, we hope. We think that that will be  
2 more convenient for more people to hear the -- hear  
3 the final action of the Commission on the various  
4 applications. So just to give you advance notice of  
5 that. Is there any other business to come before  
6 the Commission at this time? Mr. Bergman?

7 MR. BERGMAN: Since I have to travel, let  
8 me clarify something. On the 10th and 11th, are we  
9 going to be meeting all of the day on the 10th? Or  
10 do I have to be here on the evening of the 9th?

11 THE CHAIR: We're hoping, Mr. Bergman,  
12 that we probably will be through on the 10th. But  
13 we are reserving the 11th in the event that it lasts  
14 longer.

15 MR. BERGMAN: We will be starting first  
16 thing in the morning?

17 THE CHAIR: We will be starting first  
18 thing in the morning -- what did we do? 8:30? Is  
19 that what we did finally?

20 THE CHAIR: Finally, we determined 8:30.  
21 Some of us tried to get 8:00, but we were outvoted  
22 or something.

23 MR. BERGMAN: I don't have a desire to get  
24 up at 4:00 in the morning and drive.

25 THE CHAIR: But, at any rate, just so that

1 you have notice of what we anticipated --

2 MS. SHEARMAN: That's a Thursday instead  
3 of a Friday.

4 MR. BERGMAN: The 10th is a Thursday.  
5 Right?

6 MS. KRIVITZKY: Thursday and Friday.

7 THE CHAIR: So that we could notify you  
8 that we thought it would be more convenient for more  
9 people to be here in Albuquerque for this type of  
10 meeting. And so that's why we asked Dr. Duran to  
11 find us a place. Now, we will be in recess, now,  
12 until in the morning at 8:00?

13 DR. DURAN: 8:00, bright and early.

14 (Proceedings concluded at 4:11 p.m.)  
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25

1                   BEFORE THE PUBLIC EDUCATION COMMISSION

2                                   STATE OF NEW MEXICO

3  
4           IN THE MATTER OF:

5           ALBUQUERQUE SCHOOL OF EXCELLENCE

6  
7  
8  
9                                   REPORTER'S CERTIFICATE

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

17           In testimony whereof, I have hereunto set my  
18           hand on September 2, 2009.

19  
20  
21  
22                                   \_\_\_\_\_  
23                                   Cynthia C. Chapman, RMR, CCR #219  
24                                   201 Third Street, NW, Suite 1630  
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