

BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
COMMUNITY INPUT HEARING
DREAM DINE CHARTER SCHOOL
Shiprock Chapter House
Shiprock, New Mexico

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

COMMISSIONERS:

MS. CAROLYN SHEARMAN, Chair
MR. EUGENE GANT, Vice Chair
MR. JAMES CONYERS, Member
MS. CARMIE TOULOUSE, Member

STAFF:

MR. TONY GERLICZ, Director, Options for Parents
MR. BRAD RICHARDSON

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1 THE CHAIR: Ladies and gentlemen, I
2 understand this clock is not correct, so we're going
3 to use the clock on my computer. And I have 9:00,
4 so let's get started.

5 I'd like to welcome everyone here today.
6 We have some business to take care of before we
7 actually get started with your presentation today.
8 First of all, I have called this hearing to order.
9 I will ask Vice Chair Gant to do a roll call,
10 please, to make sure we have sufficient number of
11 Commissioners to hold this hearing.

12 COMMISSIONER GANT: Commission Toulouse.

13 COMMISSIONER TOULOUSE: Present.

14 COMMISSIONER GANT: Commissioner Conyers.

15 COMMISSIONER CONYERS: Here.

16 COMMISSIONER GANT: Commissioner Shearman.

17 THE CHAIR: Here.

18 COMMISSIONER GANT: Commissioner Gant is
19 here. We have four in attendance.

20 THE CHAIR: Thank you, Vice Chair Gant.
21 We do have a sufficient number of Commissioners
22 present to hold this hearing. By law, three
23 Commissioners are required to be present for a
24 hearing.

25 Next is the Pledge of Allegiance and

1 Salute to the New Mexico Flag, which I don't see --
2 is it there? Oh. All right. I just didn't see it.

3 I'll ask Vice Chair Gant to lead us in
4 that, please.

5 (Pledge of Allegiance and Salute to the
6 New Mexico Flag conducted.)

7 THE CHAIR: Thank you, all.

8 This meeting is being conducted pursuant
9 to New Mexico Statutes Annotated, Title 22,
10 Section 8B-6J 2009 [verbatim]. The purpose of these
11 community input hearings that will be held from
12 August 19 through August 21st, 2013, is to obtain
13 information from the applicant and to receive
14 community input to assist the Public Education
15 Commission in its decision whether to grant the
16 proposed charter applications.

17 According to this section of the law, the
18 Commission may appoint a subcommittee of no fewer
19 than three members to hold a public hearing.
20 According to law, these hearings are being
21 transcribed by a professional court reporter. The
22 time -- the total time allocated to each application
23 is 90 minutes, which will be timed to insure an
24 equitable opportunity to present applications.

25 During the hearing, the Commission will

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1 allow for community input about the charter
2 application. The time for public comments will be
3 limited to 20 minutes -- pardon me -- the time for
4 public comments will be limited to 20 minutes. If
5 you wish to speak regarding the application, please
6 sign in. And we would like for that to have
7 happened 15 minutes ago, but you may still sign in
8 if you would like.

9 Please be sure that you indicate on the
10 sign-in sheet whether you are here in opposition or
11 support of the charter school. The Commission
12 Chair, based on the number of requests to comment,
13 will allocate time to those wishing to speak. If
14 there are a large number of supporters or opponents,
15 you are asked to select a speaker to represent
16 common opinions. We will try to allocate an
17 equitable amount of time to represent the community
18 accurately.

19 The Commission will follow this process
20 for each community input hearing:

21 The Commission will ask each applicant or
22 group to present at the table in the front. They
23 will be given 20 minutes to present their
24 application in the manner they deem appropriate.

25 The Commission will not accept any written

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1 documentation from the applicants, but will -- but
2 the applicant may use demonstration exhibits to
3 describe their school, if necessary. However, setup
4 time for the exhibits, et cetera, will be included
5 in the 20 minutes. And I see you've already set up,
6 so you're in good shape.

7 I will ask that the -- that the applicant,
8 after the end of your presentation, that you would
9 move from the table so that the next group can come
10 up to use that as their presentation area.

11 Following the applicant's presentation,
12 the local school district representatives, which
13 include the superintendent, administrators, and
14 board members, will be given ten minutes to comment.
15 Subsequently, the Commission will allow 20 minutes
16 for public comment, as described above.

17 Finally, the Commission will be given
18 40 minutes to ask questions of the applicants.

19 Commissioners, are we ready to proceed?

20 COMMISSIONER TOULOUSE: Yes, ma'am.

21 COMMISSIONER GANT: Yes.

22 THE CHAIR: We have an official timekeeper
23 here, and we'll ask that he will start your
24 20 minutes as soon as I complete the rest of this
25 presentation.

1 Dream Diné, please come forward. I assume
2 you're already here. For the record, please state
3 the name of your school, the names of the founders
4 of the school, and any other person who is here
5 today on behalf of your school. You will have
6 20 minutes to present information about your
7 application. And the introductions are not part of
8 your 20 minutes.

9 So, if we would start here, please state
10 your name very clearly and spell your name for the
11 recorder. Thank you.

12 MS. R. BEGAY: Good morning. My name is
13 Roselyn Begay. R-O-S-E-L-Y-N; Begay, B-E-G-A-Y.

14 THE CHAIR: Would you please state your
15 position with the school?

16 MS. R. BEGAY: I will be recorded as one
17 of the founders, and as the principal of the school.

18 MS. NOFCHISSEY: Good morning. My name is
19 Rose Fasthorse Nofchissey, spelled R-O-S-E,
20 F-A-S-T-H-O-R-S-E, N as in "Nancy," -O-F- as in
21 "father," -C-H-I-S-S-, as in S-A-M, -E-Y. And I'm
22 on the Governing Board. Thank you.

23 UNIDENTIFIED SPEAKER: Ya'at'eeh. Good
24 morning. My name is Celeste, C-E-L-E-S-T-E; last
25 name "Yazzie," Y-A-Z-Z-I-E. And I'm part of the

1 founding committee and planning.

2 MR. SOSA: Good morning. My name is Gavin
3 Sosa, G-A-V-I-N, S-O-S-A. And I'm one of the
4 planning team members.

5 MS. L. BEGAY: Good morning. My name is
6 Lula Begay, L-U-L-A, B-E-G-A-Y. And I'm one of the
7 founders of the school.

8 THE CHAIR: Thank you. Before your
9 presentation begins, could I ask everyone to please
10 turn off cell phones or any electronic devices that
11 make noise? Let me also ask -- you'll want to keep
12 that. Is your presentation all video?

13 MR. SOSA: It's a PowerPoint presentation,
14 so -- it's a PowerPoint presentation.

15 THE CHAIR: Okay. It's all up here.

16 MR. SOSA: Correct.

17 THE CHAIR: That's going to be difficult
18 for the court reporter. Do you have a hard copy of
19 that that she might have?

20 MR. SOSA: We don't. We were told that
21 you all wouldn't accept -- we can do it, but we were
22 told we weren't allowed to provide additional
23 written materials.

24 THE CHAIR: Okay. Could you provide a
25 hard copy of that after the hearing for the court

1 reporter?

2 MR. SOSA: We can, yes.

3 THE CHAIR: We would appreciate that.

4 MR. SOSA: Sure.

5 THE CHAIR: All right. If you're ready,
6 please begin. (Recorded PowerPoint presentation
7 played.)

8 MS. L. BEGAY: Ya'at'eeh. My name is Lula
9 Begay. The Navajo emergent story tells that the
10 Navajo people chanted the Navajo way of life into
11 being. Just as Mother Earth rotates and revolves
12 around the sun, so should our daily lives, it was
13 said. So, into the early morning every day, my
14 ancestors face east with an outstretched arm to
15 connect the spiritual entity of the mind's eyes to
16 the spiritual realm of the universe, our father, for
17 that day, for that year, and even for one's life
18 term.

19 In the midday blue, an individual design,
20 plan, discuss, to bring this vision, to bring this
21 dream, to become a reality [verbatim]. So he set
22 about working on it. Upon completion of this
23 creation, he then turned toward western direction,
24 where he shared his creation with his family, with
25 his relatives, with the community, and, in today's

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1 world, with -- to share with the world through the
2 technology. The people looked at him as a leader.

3 Into the evening, to settle for the night,
4 this individual, a leader, reflected and assessed
5 his skills, his leadership skills as a chanter, as a
6 huntsman, as a father, as a parent, as a teacher, as
7 a lawyer, as a doctor, so on. This mandala of the
8 Navajo way of life's learning guide the Navajo
9 people to create a hogan, a home. This home, in
10 itself, is a replica of the human brain, a home to
11 the soul.

12 This Navajo way of life's learning is a
13 system that will be the foundation of the charter
14 school, where each participating student will not
15 only just practice the routine daily in the school
16 and in their homes; but, they will live the system
17 throughout their lives, even stronger.

18 To see what a day in this charter school
19 would look like, I introduce Roselyn Begay.

20 MS. R. BEGAY: Within this charter school,
21 we plan on starting in the morning at like all the
22 schools, starting when the students come to the
23 school first thing in the morning. Just like we do
24 in our traditional way of living, we do our morning
25 run, our morning exercises and reflecting, and also

1 making plans for the day. So we'll do that in the
2 morning.

3 And, then, the whole thing behind that is
4 to endure the understanding, what will our students
5 take away from today in their work as a lifelong
6 lesson. The essential question will be the three to
7 five key concepts based on the enduring
8 understanding. There is also a level during the
9 teachers' planning that involves this part of their
10 planning, when they're thinking through the lessons
11 and the things that they want the students to learn.
12 There's a student level; there's also a teacher
13 level.

14 As always, we begin in the east, in the
15 morning. From then on, 9:00 to about noon-ish,
16 we'll have the academic portion of the day, where
17 the students will be learning the skills and the
18 knowledge and the concepts that will be needed to be
19 taught for the day. And that includes most of the
20 literacy skills, the math skills, the science, and
21 so forth. And there will also be a Navajo language
22 portion that will be treated as an academic and
23 which will include the literacy skills as well.

24 Around noon-ish will be the lunch break.
25 Hopefully, we will be situated in a community,

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1 either here or the adjoining community, Cudei High,
2 west of Shiprock. And so we are now in the process
3 of working on that. But we are hoping that the kids
4 will be eating lunch with the elders and others from
5 the community at that time.

6 And, then, in the afternoon, from after
7 lunch, will be the integrated experiential
8 educational activities that we would hope to have
9 the students be engaged in, where there will be a
10 lot of talking circles, small groups activities that
11 will include a lot of hands-on types of activities,
12 like visiting -- they could -- visiting of the local
13 stores, the farms, the river, the wash, and doing
14 other geological activities, maybe around Shiprock
15 Hogback, nature hikes, and maybe even here working
16 with the leaders of the community, chapter houses,
17 community garden; and, also, the cultural activities
18 that will be -- hopefully, will be involving the
19 parents and the community as well, through
20 storytelling, singing, cooking, pottery-making, and,
21 et cetera. And all those include the academics that
22 they've been taught.

23 And the main thing -- idea -- here is for
24 them to apply the skills and the knowledge that
25 they've picked up and to apply those.

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1 Community service may include cleanups,
2 gardening, partnering with the elderly, going to
3 their homes and repairing things around the home,
4 because that, in itself, is a lesson.
5 Family-planning initiated activities, as they arise,
6 like, sometimes we may have people preparing food
7 for upcoming events, cultural events, like
8 butchering, or other ceremonial things that might be
9 happening in the evening. We'd like to have the
10 whole families involved in those types of
11 activities, right alongside using the Navajo
12 language to teach the principles and the values of
13 the community. So that will be in the afternoons.

14 3:00 to the rest of the day is a
15 reflection for all those who are involved with the
16 school, including the principal, the staff members
17 who are teaching, people who are cooking, people who
18 are helping us with transportation or whatever. And
19 we will reflect every day, debrief for the day,
20 reflect on the essential questioning from the
21 Nitsahakees: What did we accomplish, what do we
22 need to improve on, what do we need to expand on to
23 provide the students with the opportunities to learn
24 from, not only the academics, but from the
25 community. So that would be what a day in our

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1 school would be like going through the four
2 directions as a phase for planning what will happen
3 each day. Thank you.

4 And the next person we have is Celeste,
5 who will be talking about the -- a little bit more
6 on the curriculum piece.

7 MS. YAZZIE: As mentioned before, this is
8 a typical lesson -- day in the life at Dream Diné.
9 This is what our lesson plans are going to be
10 emphasis on the Diné philosophy. (Navajo spoken.)

11 And, so, the first part of the Nitsahakees
12 is the enduring understanding. This is going to be
13 the focus point is kindergarten, a two-day lesson.
14 We would start with a direct question of enduring
15 understanding, what we do to the earth, we do to
16 ourselves. Because one thing with the Diné
17 philosophy that we really want to emphasize is Keh
18 [ph], is family, kinship, not just with human
19 beings, but it's with every living thing on this
20 earth. We are connected to earth. So that is one
21 of the questions that we would always emphasize in
22 every lesson is how are we related to this topic?

23 In this case, it would be how are we
24 related to the soil? How are we related to the
25 dirt? We have essential questions that support our

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1 enduring understanding, but also support the math,
2 science, language arts, the culture, history.

3 And then we go into our planning, which
4 would be in the classroom. Nahat'a is where we're
5 using the Diné language, doing our 50/50 English and
6 Navajo. We have songs; we have read-aloud texts
7 that we have; our writing, math, and science,
8 cultural art. And this is where we're just really
9 emphasizing again the planning of the process of the
10 soil.

11 And, then, in the afternoon, we go into
12 the Iina, the learning, the expeditionary learning,
13 where we take the student outside. And this is
14 where we connect, again, with earth. This is where
15 we make our connections with what we learned inside,
16 but apply it in the outdoors of our environment.
17 For instance, since these are kindergarten kids, we
18 would have them go outside barefoot, really feel the
19 connection with the dirt. How does it feel? How --
20 you know, how does it feel between your toes? And
21 does it make us happy? What are our emotions when
22 we're doing this? How do you feel connected to the
23 earth?

24 We'll also have some times of doing
25 experiments of having store-bought soil, compared to

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1 sand soil and the dirt.

2 So it's just a lot of outdoors things that
3 is directed towards kindergarten. So something that
4 we would ask them, that they can give us one-word
5 answers, and they can think. And we always end the
6 day with the Shihasin, with the reflection time. We
7 are always going back to the Nitsahakees connection.
8 We're always going back to those questions of
9 enduring understanding, the essential questions.
10 Are our students able to reflect and answer the
11 questions that we have?

12 So our lesson is what is soil, dirt, how
13 does it look, how does it feel, what do we use for
14 dirt, because there's multiple purposes of dirt that
15 we use, not just in the Western society, but also in
16 our culture, in the Navajo culture. Why is dirt
17 important to us? Why is soil important? And this
18 is the very basics of -- and our topic on this --
19 our theme unit would be farming.

20 So this is the very basic of the talk.
21 So, thank you, and I'd like to introduce Gavin,
22 who's going to be doing the more technical.

23 MR. SOSA: So I'm going to be presenting
24 something from District Ed. And I just want to
25 really start by framing this properly.

1 We have some phenomenal educators in
2 Shiprock and throughout Central Consolidated,
3 including a lot of our team members who are career
4 educators in this community and this area. So I'm
5 presenting this data, and I, in no way, intend to
6 offend anyone. I work with the schools; I work with
7 teachers here, and they're great people. But I
8 think it's important to at least acknowledge kind of
9 where schools are and where they have been.

10 So what we're looking at is some, just,
11 four-year data of the three elementary schools here
12 in Shiprock that -- the three public schools. So
13 you can see, from 2009-2010 until today, there's
14 kind of a leveling-off trend. From last year to
15 this year, there's been a bit of growth. But, over
16 the past four years -- this is in reading -- the
17 percentage of students that are proficient and
18 advanced, combined, that 40-percent mark, has been
19 rather challenging to reach for a lot of our
20 students in this area. So that's the reading data.

21 In particular, we're talking about a dual
22 language school. And, so, I think it's important to
23 look at the English Language Learners, those
24 students identified as learning the English
25 language. You can see the 20-, 25-percent mark has

1 been a challenge to reach. It's been fluctuating.

2 This year, there's been some growth, this
3 year, Nizhoni Elementary in particular; not
4 consistent growth, which is obviously what we all
5 like to see for our children.

6 In the area of math, something similar.
7 Over the past four years, you can see, back in
8 2009-2010, there was 40-percent proficiency; a
9 couple of the schools were there. Since then,
10 there's been some slipping, and they are starting to
11 come up back for the schools, which has been great
12 to see. But still, they're stuck kind of around
13 that 35-percent mark; some are a little bit lower.

14 This is some math once again. And looking
15 at the ELL proficiency in math, there have been some
16 challenges. In particular, Mesa Elementary this
17 year had had a difficult time with their ELL
18 students. I believe they had approximately
19 60 students, and one of them was proficient in math.

20 So that's a challenge that we've
21 acknowledged. It's an area that we hope to see some
22 improvement. And I should say, we acknowledge that
23 over the time, over the future, Dream Diné as a
24 charter school, and our educators, a significant
25 portion are in this district. We recognize that the

1 Central Consolidated District will fundamentally be
2 responsible for the education of most of the
3 students in this District, and we do hope to work
4 very closely with them would be the ideal situation.

5 Their estimated enrollment data across the
6 district: Central Consolidated is over
7 6,000 students. Our year-one projected enrollment
8 is approximately 30 students. So we're talking
9 about -- about half of 1 percent of the District
10 might be enrolled in this charter school.

11 The operational budget for Central
12 Consolidated is estimated to be a bit over
13 \$58 million. Our year-one projected budget, just
14 based on the State Equalization money, looks to be
15 about \$270,000.

16 Once again, it's half of 1 percent. And
17 we're hoping not to disrupt, in any serious way, the
18 District's operations. And, so, I just wanted to
19 point out some of this data.

20 As I said, I know that there are educators
21 in the room, and I hope that you understand that
22 we're -- we're really hoping to work with you all.

23 I'd like to present Rose now, who will
24 talk about our time line in planning next year.

25 MS. NOFCHISSEY: Thank you. Well, for

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1 this year's planning, we're going to be working very
2 hard to plan for opening day in Fall 2014. As you
3 can see, we have this time line with working with
4 the community and getting the Board -- the Board
5 implemented, hiring consultants, getting the
6 curriculum ready. That's the most important part
7 getting our -- our charter school ready.

8 We're going to be applying for different
9 grants, like Indian education grants. And we'll be
10 doing a lot of professional development for the
11 planners and for the Board. And, so, we -- we're
12 going to be working very hard; we're committed.
13 This is what we like to do. We're very passionate
14 about this, and we know it's going to be a long road
15 of hard work. And so we will open our doors
16 August 14th -- on August 18th, 2014.

17 MR. SOSA: I know our time is out. So
18 we'll end there. Thank you all very much.

19 THE CHAIR: Thank you for that
20 presentation. We appreciate the information. We'll
21 ask that you vacate the table, and our next group
22 will come up. And those are folks who represent the
23 local school districts.

24 All right. I have -- it looks like two
25 people from the school district. I have one person

1 identifying themselves as a community member on the
2 school district sign-in sheet. So I'll hold that
3 one. Also, anyone who has already spoken or is a
4 founder, your time is up. So this is -- this time
5 is just for community and school district.

6 So, first on the list for school district
7 representatives is Scott -- and pardon me if I
8 mispronounce your name -- McClay [ph]. Please come
9 forward. And if you would, give your name to the
10 reporter and spell it, please.

11 MR. GERLICZ: Use that microphone.

12 THE CHAIR: There. That's wonderful,
13 Thank you. And your position with the District?

14 MR. NICOLAY: Thank you. My name is Scott
15 Nicolay, N-I-C-O-L-A-Y. And I'm the coordinator for
16 community relations for CCSD. And I believe our
17 school principal will touch upon some more glaring
18 issues.

19 But I did want to bring to the attention
20 of the Commission that a lot of the -- the basis of
21 the proposed charter school is already being served
22 by Central School District in its Navajo language
23 immersion program that we've been developing.
24 Additionally -- and the PEC may not be aware of
25 this -- but, here in Shiprock, we have a

1 longstanding tribal charter school which is now
2 called the Shiprock Associated Schools, and was once
3 called the Shiprock Alternative School. And this is
4 right up the hill here.

5 And that program was established in the
6 1920s under a charter to provide exactly the
7 services that are being discussed for this proposed
8 charter school.

9 And that school, which I looked at at one
10 time, has deviated from that charter, and the Tribe
11 has allowed it to water down the original charter
12 and to remove the services for Navajo language and
13 Navajo culture. But I think that that impetus, if
14 it is to really be pursued here in the community,
15 there is an entity which was established during the
16 1970s, during the period of, you know, great
17 political ambition, to serve those purposes, and has
18 now been allowed to deviate from that, and,
19 basically, just become a watered-down version of a
20 public school.

21 Additionally, I think the PEC should be
22 aware that many of the people -- Mr. Sosa said -- or
23 explained -- how they hoped to work directly with
24 the District. But, yet, we've had no contact at the
25 District with this group. We hear -- we have to

1 hear secondhand what is going on. And this
2 information is not available. There's been no
3 attempt to reach out, no attempt to form a
4 partnership, no attempt to compare services. And,
5 in fact, many of the people involved are disgruntled
6 former employees of the District.

7 An additional concern, I think, that the
8 PEC should really look at is that Mr. Sosa, with all
9 due respect, is an alumni of the Teach for America
10 program and of their administrative program. And
11 that's the same model that is being used at the
12 Native American Community Academy in Albuquerque,
13 which has been a very low-scoring school, and I
14 think is generally regarded as a failure as a
15 charter school.

16 So, you know, it's a real concern here
17 that the -- the State may end up in a very expensive
18 boondoggle here with, you know, devoting funds to a
19 charter school that would be very difficult to undo
20 that is not really prepared to provide the services.

21 And I'll raise a final point. Now, I
22 obviously am not Diné myself. But I have lived and
23 worked here for over two decades. And I was shocked
24 when one of the presenters began, at the very
25 beginning of the presentation, by outlining the

1 Navajo emerging story, because that is utterly taboo
2 for this time of year. That cannot be discussed
3 until after the first frost.

4 So, here we have a program that's
5 purporting to represent Navajo culture, Navajo
6 tradition, and Navajo language; yet, the organizers
7 seem oblivious to the fundamental aspects of that
8 program and violated an important taboo right in the
9 beginning of their presentation.

10 So those are some key points I wanted to
11 bring forward that I thought the PEC should be aware
12 of. Thank you very much.

13 THE CHAIR: Thank you very much. Matthew
14 Tso?

15 MR. TSO: Tso.

16 THE CHAIR: Member of the School Board,
17 president of the School Board, Central Consolidated.

18 MR. TSO: Good morning, members of the
19 Public Education Commission. (Spoken Navajo
20 language.) And, as was mentioned before, my name is
21 Matthew Tso. My name is spelled M-A-T-T-H-E-W; last
22 name is spelled T-S-O. And I'm also the president
23 of the School Board.

24 One of the first thing I'd like to express
25 and bring to your attention is a very important

1 legal requirement that's required of any charter
2 school application and the process which I'm sure
3 you are all aware of. And one of the biggest
4 concerns that we have, as a district, is that our
5 district was not properly notified about this
6 application or the existence of an application.

7 And the NMAC 6.80.2.8, as well as NMSA
8 1978, Section 200-8B-6B [verbatim], clearly states
9 the notice requirements and what the fundamental
10 requirements are in order for a group, or organizers
11 of a group, to meet the notification requirements,
12 and, that under penalty of a group having their
13 charter application rejected, this group has clearly
14 not followed that requirement that's clearly stated
15 in State law, and, also, on this application itself.

16 And it clearly states, even on the
17 application's contents, on the face, it states that,
18 "Notice of intent to submit a charter application
19 must be filed by the organizers of a proposed
20 charter school to the Public Education Commission
21 and to the superintendent of the school district in
22 which the charter school is proposed to be located."

23 And I quote: "Failure to notify may
24 result in your application being rejected."

25 And, because of one of the most

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1 fundamental procedural defects, this entire
2 application should be rejected because we were never
3 notified. And, as the Administrative Code reads,
4 the superintendent is required, under State law and
5 also the Administrative Code, to notify the school
6 board in accordance with this particular statute,
7 and procedural requirement, and, because, as a
8 school board, we have not been notified about this
9 by the superintendent, because the superintendent of
10 our district has not been provided notification in
11 the process that's been required.

12 And the other part that's also stated here
13 is that, in addition to personal delivery upon the
14 superintendent, it also clearly states and
15 encourages that the organizers shall also submit a
16 copy of their NOI, their Notice of Intent, by
17 certified mail, receipt requested. Upon a
18 conversation I had with the superintendent this
19 morning, that never, ever, ever happened at all,
20 which is very, very disturbing, because, as a school
21 board, the local entity that's elected to serve and
22 represent the people here, having information about
23 a significant change in education programs here is
24 quite substantial and also is very concerning,
25 because the charter school application itself does

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1 have -- have substantial implications upon the
2 education of the students in our area, especially
3 the financial implications.

4 One of the other big concerns, in addition
5 to the lack of notice requirements, is also the
6 financial impact that it will have upon the local
7 school district. While the presenter may present
8 information that the first class is going to have
9 about 30 students, and it's not going to have a big
10 impact on the school district -- but, according to
11 their plan, it's going to have an estimated
12 projected enrollment of between 180 to 200 students,
13 which is going to have a significant impact upon the
14 schools in our area.

15 And if school construction is also
16 proposed, one of the other legal requirements that's
17 also met is that the local school district also has
18 to pay for facilities to be constructed in this
19 area. And, upon information that we have, our
20 district is also approaching the -- the nearly
21 6-percent threshold within their bonding capacity,
22 which is required to use the building and construct
23 school facilities in this area.

24 We're also having an upcoming bond
25 election on August 27, where voters are going to be

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1 voting to approve authorization to build a school in
2 a neighboring community, plus also building
3 improvements upon schools within the Newcomb,
4 Shiprock, and Kirtland school district areas.

5 And, so, taking all these factors into
6 effect, we will have little, if any, wiggle room
7 when it comes to a bonding capacity, if and when
8 this application is improved. So does it have an
9 impact on our finances? The answer is yes.

10 And the other is, when you go to the land
11 itself, where this school is going to be located at,
12 land up --

13 MR. RICHARDSON: One minute.

14 MR. SOSA: Okay. Land on the reservation
15 is very, very tough to come by. And the application
16 itself proposes some very ambitious, and even
17 unrealistic, time lines as far as being able to get
18 the land to build the school.

19 The area that they're requesting has a
20 severe lack of infrastructure to build the necessary
21 school. And, if the infrastructure is put in, it's
22 going to add additional cost, up and beyond what's
23 been provided already. And, even within our
24 district, even trying to get a lease renewed and
25 re-renewed, the process took, alone, two years, you

1 have to factor on top. The land clearances, having
2 to obtain clearances from the Navajo Council, and
3 even up to the Tribal government in Window Rock,
4 it's a very, very long process that is unrealistic
5 in its scope.

6 Our district has a very close working
7 relationship with the Navajo Nation, and as has been
8 mentioned earlier, we do have a school that's
9 provided some of those services. And that's our
10 emergent school here in Shiprock. Thank you.

11 THE CHAIR: Thank you very much. We will
12 now go to community representatives who wish to
13 speak. And I count twelve. So I have -- for a
14 total of 20 minutes. So I'm going to allow
15 one-and-a-half minutes for each speaker.

16 So, if -- as you're speaking, if you would
17 watch Brad closely. Brad, would you raise your hand
18 so everybody knows who the timekeeper is? Watch him
19 closely, so that you're going to be sure that you're
20 getting everything in in your minute and a half that
21 you want to.

22 First on the list is Tina Deschenie.

23 MS. DESCHENIE: Good morning, Commission.
24 I am very proud of my relatives who have brought
25 this process forward, investigating and exploring

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1 the idea of a charter school. I'm the president of
2 the Diné Language Teachers Association. And we are
3 very proud of any organization that promotes an
4 effort to maintain our language.

5 I have also worked with the New Mexico
6 Indian Education Advisory Council. And, contrary to
7 what was said earlier, the Native American Community
8 Academy is held as a great example of native
9 education in the state, along with Walatowa Charter
10 School.

11 Now, Navajo has never had a charter school
12 in the public school system, so this would be a
13 first time ever. Navajo, for all of its student
14 population, over 25,000 in the state of New Mexico,
15 has never had a Navajo superintendent in any of the
16 public school districts serving Navajo. And, so,
17 this initiative of a grassroots group, lifetime
18 Navajo educators, primarily working in Navajo
19 language education, is looked to as a wonderful
20 initiative. It's something that we are very proud
21 of.

22 I do support the idea of choice and equity
23 in public education, and this would offer our Navajo
24 students that opportunity. The New Mexico Indian
25 Education Act has eleven purposes, and several of

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1 those --

2 MR. RICHARDSON: Time is up.

3 MS. DESCHENIE: Okay. Thank you.

4 THE CHAIR: Thank you. Tatiana Deschenie.

5 And please spell your name for the reporter.

6 MS. T. DESCHENIE: Hi. My name is
7 Tatiana, T-A-T-I-A-N-A, Deschenie,
8 D-E-S-C-H-E-N-I-E. I'm speaking on behalf of
9 Michael Thompson.

10 "I am sorry I could not attend the hearing
11 today, but I am meeting with students at San Juan
12 College. I have been part of the community planning
13 group for Diné Dream. For the past two years, I
14 have served on the leadership team for the National
15 Writing [inaudible] as part of a literacy design" --

16 THE REPORTER: Will you please slow down?

17 MS. T. DESCHENIE: Oh, yeah. I'm sorry --
18 "specifically concerned with implementing the Common
19 Core. I feel very confident that the Dream Diné
20 planning group is committed to implementing the CCS
21 into their day-to-day learning process. Letting you
22 know, briefly, a few of the major shifts that the
23 Common Core expects of schools and their relevance
24 to the Dream Diné vision." I don't have enough time
25 to read all of these, so I'm going to name all nine,

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1 just the main headers.

2 "No. 1, Greater focus.

3 No. 2, Coherence.

4 No. 3, Skills, understanding, and
5 application.

6 No. 4, Emphasis on practices.

7 No. 5, Informational text.

8 No. 6, Focus on evidence.

9 No. 7, Staircase of text complexity.

10 No. 8, Speaking and listening.

11 No. 9, Literacy in the content areas.

12 "I am personally committed to assisting
13 the Dream team in developing a world-class school
14 that honors the Navajo language and culture every
15 day, but also meets the highest levels of the Common
16 Core standards. I urge you to approve the
17 application."

18 This is from Michael Thompson, Humanities
19 Department of San Juan College.

20 And I believe I can send a written copy of
21 this after this hearing, because these go into great
22 detail of how to support these. Thank you.

23 THE CHAIR: Thank you very much. Next is
24 Carol Etcitty-Roger.

25 MS. ETCITTY-ROGER: Good morning,

1 Commissioners. My name is Carol, C-A-R-O-L,
2 Etcitty, E-T-C-I-T-T-Y, hyphen, Roger, R-O-G-E-R.
3 I'm the Gadii'ahi/Tokoi chapter president. So
4 G-A-D-I-I-A-H-I, slash, Tokoi, T-O-K-O-I, chapter
5 president.

6 Okay. Yes. I'm here to -- I'm really
7 fond of this charter school here within the Shiprock
8 area. And I do have a son that went to school here
9 and transferred him to Albuquerque to Native
10 American Academy. I'm very -- I'm really -- it's
11 really a good school, I should say. It really fit
12 in my child's need. And they're teaching him what I
13 wanted to get out of the school, and that's what's
14 going on right now.

15 He's a special needs child, and they're
16 working with the special department also in getting
17 all what he has needed. So he really fit into that
18 education, NACA. And I didn't know there was such
19 school like that until one day, I was searching; I
20 found that school. And I had relatives living out
21 there, so that's where he's at.

22 And I have daily contact with my son from
23 here. Every weekend, I go up there. Whatever he
24 needs, I'm over there for him. So it's -- I am
25 really for this school, charter school here. I know

1 other parents will have their children come to
2 school there and attend school. And I'm really glad
3 that there's something like this is happening in
4 this community.

5 MR. RICHARDSON: Time is up.

6 MS. ETCITY-ROGER: Thank you.

7 THE CHAIR: Thank you. Connie Bernally.

8 MS. BERNALLY: Good morning. (Spoken
9 Navajo) Connie Bernally. B-E-R-N-A-L-L-Y,
10 C-O-N-N-I-E (Spoken Navajo). I wish that I could
11 express myself completely in my own Diné language,
12 but my mother made sure that we spoke perfect
13 English so we wouldn't be abused for what they call
14 broken English in the 1960s. Even though she came
15 from a prominent Diné family, she, like all other
16 Native Americans at Albuquerque Indian School,
17 endured the intentional infliction of harm by their
18 non-Diné teachers in the name of Western education.

19 To be sure, I am a student of my own
20 history. But far too long, we have paved the way
21 for outsiders to educate our precious children. For
22 far too long, their system only works for a few.
23 Sixty percent of our kids are failing, even though
24 they say a B is not a B; a B is 80 percent. Come
25 on.

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1 In the beginning, non-Diné came to our
2 community because we lacked degreed professionals.
3 Obviously, we have enough people degreed and no
4 longer need outsiders to run our school programs.
5 The non-Diné came with a mission to educate our
6 people so they could work themselves out of a job in
7 our communities.

8 The time has come to step aside as their
9 mission has been accomplished. Dream Charter School
10 serves to reverse culture shift, language shift.
11 Our beautiful way and natural way of life in
12 teaching our own children can be restored and
13 maintained on into the future.

14 MR. RICHARDSON: Time is up.

15 THE CHAIR: Time is up. I'm sorry. Your
16 time is up.

17 MS. BERNALLY: Thank you. I'll send the
18 rest in the mail.

19 THE CHAIR: Dwain Yazzie.

20 MS. YAZZIE: Good morning.

21 THE CHAIR: Good morning.

22 MS. YAZZIE: I'm a chapter president of
23 the Shiprock. I am the mayor of the community of
24 Shiprock. I stand in favor of the Dream School.
25 One thing that we say, as natives, is that we live

1 in two worlds. We have a foot in two worlds, one
2 world being represented here this morning by the
3 paranoid comments of the District; the other real
4 world that we belong in, which would be represented
5 by this Dream School.

6 I totally feel that this opportunity needs
7 to be provided to this proposed Dream School,
8 because it would represent an alternative. It would
9 represent a true effort, a mechanism that will work
10 with our native children. It will reach down into
11 their depths of their souls and the cultural makeup
12 of our people.

13 Short of that, we would be denied the true
14 opportunity to live our culture and our language and
15 our way of life. Thank you.

16 THE CHAIR: Thank you. Tia Jean.

17 MS. JEAN: Ya'at'eeh. Tia Jean. (Spoken
18 Navajo.) I'm sorry. I'm really nervous, but I'll
19 try to be as quick as possible.

20 I just want to say that I'm a proud
21 supporter of Dream Diné, because I think education
22 isn't only about facts or figures or scrambling to
23 make AYP. I think a simple understanding that
24 planning, communicating, taking action, and analysis
25 is -- can make a world of difference to a child when

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1 they learn that at a young age. And I think it
2 should also be considered fundamental.

3 And I want an education that I can believe
4 in. I want children and the families and the
5 community to be excited about where they come from.
6 And I want them to be excited knowing that they can
7 provide for themselves and for each other.
8 Subsequently, I think we should be true to
9 ourselves. So thank you.

10 THE CHAIR: Thank you. Russell Begay.
11 Russell Begay? Is that you?

12 MR. R. BEGAY: Well, thank you,
13 Commissioners. And I just appreciate you all coming
14 here to our community and having a meeting here. So
15 I think -- I don't know if you've ever been to
16 Shiprock for a Commission meeting or not. But this
17 is the first -- this is a first time. It will be
18 historic for us, and we don't have to see many
19 people from New Mexico, Commissioners, come out.

20 And we did have the legislators came out
21 one time for -- I think it was one of the committees
22 came out and met with the community people here,
23 listened to their concerns. And, so, thank you for
24 being here this morning.

25 And, also, (Spoken Navajo).

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1 The charter school that's being proposed
2 is something that's new for the Nation, and -- for
3 the whole nation. Russell Begay is my name. I'm
4 with the Navajo Tribal Council. I serve on the
5 Council. There are 24 members, elected officials.
6 So the -- but this charter school is something that
7 is new, that's kind of been talked about over the
8 years. But, to see it coming to fruition and the
9 emphasis of the school, the curriculum that is being
10 proposed, is more culturally based, and the use of
11 the Navajo language being --

12 MR. RICHARDSON: Time is up.

13 THE CHAIR: Your time is up.

14 MR. R. BEGAY: Okay. Thank you.

15 THE CHAIR: Thank you for your comment.

16 Bernadette Todacheene. And I probably totally
17 mispronounced your last name. If you will pronounce
18 your name and spell it, please?

19 MS. TODACHEENE: Yes.

20 B-E-R-N-A-D-E-T-T-E, T-O-D-A-C-H-E-E-N-E.

21 Ya'at'eeh. It's an honor to be here
22 before you. I am a member of the Navajo Nation
23 Board of Education, elected from the Northern
24 District here. We oversee 32 charter school --
25 well, BIA schools, and other schools on the Navajo

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1 Nation. We passed a resolution after the
2 presentation of the Dream School in April. I will
3 read you the resolution.

4 It says, "Relating to Education,
5 Resolution of Support for the Proposed Diné Dream
6 Charter School Application to the New Mexico Public
7 Education Department.

8 "Whereas, the Navajo Nation Board of
9 Education, hereafter, the Board, is the education
10 agent in the executive branch for the purposes of
11 overseeing the operation of all schools serving the
12 Navajo Nation. 10 Navajo Nation, Subsection 106A,
13 the Board carries out its duties and
14 responsibilities to the Department of Education.

15 "10 NNC, Subsection 106-G-3, and to the
16 Department of Navajo Education, hereafter, the
17 Department, is the administrative agency within the
18 Navajo Nation with responsibility and authority for
19 implementing and enforcing the education laws of the
20 Navajo Nation.

21 2 NNC, Subsection 1801B, 10 NNC,
22 Subsection" --

23 MR. RICHARDSON: Time is up.

24 THE CHAIR: I'm sorry. Your time is up.

25 MS. TODACHEENE: We do support it. We

1 passed a resolution. Thank you very much.

2 THE CHAIR: Thank you very much. Vern Buy
3 [ph]. Last name, B-I-A.

4 UNIDENTIFIED SPEAKER: I thought that was
5 a sign-in sheet. I have no comment to make today.
6 Neutral.

7 THE CHAIR: Anthony Lee.

8 MR. LEE: I'm with him. I thought it was
9 a sign-in sheet, too.

10 THE CHAIR: Thank you very much. How
11 about Albert Lee.

12 UNIDENTIFIED SPEAKER: Albert Lee.

13 THE CHAIR: Albert Lee.

14 MR. LEE: Ya'at'eeh. The Tribal Council
15 give you five minutes here. That's only a minute
16 and a half, so that's not very long.

17 First of all, I want to ask you guys a
18 question. Do you guys know the Treaty of 1868, what
19 it says in there about education, where the schools
20 should be built? Whatever my relatives are asking
21 for is all they say -- I'll teach you two real quick
22 new words. Instead of saying "Pepsi," say "Pepsi."
23 Instead of saying, "Kentucky Fried Chicken," say
24 "KFC." That's what the culture is.

25 How many of you have family here to teach

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1 you Navajo culture at home instead of watching TV
2 or -- or going to a movie downtown? Let's see your
3 hands.

4 THE CHAIR: Sir, please direct your
5 comments to the Commission.

6 MR. LEE: I don't see --

7 THE CHAIR: Please direct your comments to
8 the Commission so that we can hear what you're
9 saying.

10 MR. LEE: That's why this school has to be
11 made, has to be done. And it's very impolite to
12 interrupt somebody like this. So, thank you.

13 THE CHAIR: Last on the list is Eva
14 Stokely.

15 MS. STOKELY: Good morning. I'm Eva
16 Stokely, S-T-O-K-E-L-Y. To start with, I'm a board
17 member of Shiprock Associated Schools, which is
18 located up on the hill. And please don't rush out
19 of here after the meeting. I'd like to take you up
20 to our school, our elementary at Atsa Biyaazh, which
21 is a charter school-like school. I think you would
22 be interested to see that.

23 We're always interested in schools that
24 promote education, because our students will be
25 leaving here, and they need to be able to fit into a

1 world other than living here on the reservation.

2 I'm so sorry that many of our community
3 members aren't here to voice their concern, their
4 opinions. But, as I said, anything that will help
5 our children succeed in the world in the future.
6 Thank you.

7 THE CHAIR: Thank you very much. That's
8 the last name on the community list. So I will ask
9 the founders if they would come back up to the table
10 and take questions from Commissioners.

11 Commissioners, do you have questions?
12 We'll start with Mr. Conyers -- Commissioner
13 Conyers.

14 COMMISSIONER CONYERS: Good morning.
15 Mr. Tso raised a question that I think is a very
16 legitimate in terms of facilities in the various --
17 you know, getting clearance and appeals and so on.
18 And he's quite right that it takes a lot of time to
19 do that.

20 Could you address that issue on facilities
21 and how you expect to have that ready to go?

22 MR. SOSA: Sure. So I'll address the
23 facilities question. So we have a couple of
24 potential options -- three temporary options, then
25 one more long-term option. So, the temporary

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1 options: First and foremost, per State statute, we
2 would like to work with Central Consolidated School
3 District to locate any unused educational space.
4 They're talking about building more schools there
5 currently. There is one school that, at this point,
6 has been closed.

7 There is another school that was on the
8 verge of being closed this past year, based on
9 funding challenges. And so we assume that there is
10 a potential that they will be closing this at the
11 end of this closing academic year, and there may be
12 a school that's available for this school on a
13 temporary basis.

14 A second option: Diné College here in
15 Shiprock, there's two campuses. They have capacity
16 for approximately 1,000 students. The enrollment is
17 about 400 right now. So they have excess classroom
18 space. And we have been -- some of us have worked
19 with, or are working with, Diné College currently,
20 and so we plan to develop that relationship and hope
21 to develop a Memorandum of Understanding, where we
22 might be able to access some of this excess space,
23 work with the PSFA to bring it up to E-Occupancy
24 standards.

25 The third is to work with the Indian

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1 Health Service. The Northern Hospital here at the
2 top of the hill, they also have some space that
3 might be available for use on a temporary basis for
4 classrooms. A high-level administrator in the IHS
5 there is one of our Governing Board members, and so
6 we have a relationship developing with that
7 hospital.

8 On a more long-term basis -- and --
9 sorry -- and we'll also work with the Public School
10 Facilities Authority to bring that facility up to
11 E-Occupancy standards, if necessary.

12 A long-term option, as Ms. Etcitty-Roger
13 had mentioned -- she's the Gadii'ahi Chapter
14 president. We've been working with them. Their
15 community had a resolution of support passed working
16 with their land management folks, the Chapter land
17 use planning committee, to locate and secure
18 approximately 12 to 15 acres of land. They have
19 several hundred acres in their community that has
20 already been surveyed, and they're looking to use it
21 for housing and social and community development.

22 It is our intention to work with their
23 community on a long-term basis to develop a school.
24 They voiced to us an excitement of working with this
25 project.

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1 THE CHAIR: Anything else?

2 COMMISSIONER CONYERS: No, that's it.

3 THE CHAIR: Commissioner Gant?

4 COMMISSIONER GANT: Good morning. I want
5 to preface my questions in that I'm just trying to
6 understand your application. And I'm a simple
7 person, so it has to be in "Dick and Jane." Do you
8 understand? Dick and Jane? And my first question
9 comes up on Page 12. And you talk about the -- some
10 of the community activities this -- on this page.

11 And one of them is working on the local
12 farms. What is it you expect the children to do on
13 the local farms?

14 MS. R. BEGAY: Like I said what a day
15 would look like in a day at our school, the morning
16 section will be about learning the literacy skills
17 and the math skills and so forth, the content of all
18 that. And the afternoon will be the hands-on. In
19 this case, the farm might include land use for the
20 community. They would question -- answer questions
21 and discuss things in ways that the people use the
22 land, what's the land use. One of the main things
23 in this area is that we are known to start -- the
24 harvest time is a big thing for this community. We
25 raise corn, cantaloupe, and what have you,

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1 vegetables, and what it takes to have a good working
2 farm.

3 Why would we have farms? We help other
4 people in the community. We provide things for the
5 ceremony -- ceremonial purposes across the Navajo
6 Nation that comes from the farm. The beans that are
7 grown is being used in the yeibichai ceremonies and
8 things like that.

9 They would be learning about their
10 cultural -- cultural knowledge of how the land is
11 being used, the -- how the water is being used, you
12 know, how do we conserve water. It has a lot of
13 science content in there. They will be solving
14 problems.

15 We have a lot of problems that the chapter
16 houses are faced with. And it's -- the way things
17 are being run is a lot of top-down. You tell us
18 what to do to solve our problems. We want children
19 who will be able to solve problems and look at the
20 situations in the farming areas, looking at those
21 situations, and analyzing the problems and what
22 needs to be done. They're going to be going through
23 the whole planning. Nitsahakees will be the
24 planning.

25 And then they will come up with a plan.

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1 They will talk about it. They'll discuss things,
2 and they'll analyze and question one another's
3 thinking, clarifying each other's ideas, and then
4 going and gathering the materials that need to be
5 done. And, then, we'll try it and see it tested
6 out, and they'll hypothesize answers. Then they'll
7 write about it. They'll do whatever, you know, the
8 culture does to address those -- address those
9 problems.

10 And, then, in the end, they'll go back and
11 reflect on how they -- how they look at themselves
12 as problem-solvers, how do we work together to solve
13 a problem. "I'm important in solving this problem.
14 I will not allow somebody else from the top to tell
15 me how to fix it."

16 So those kinds of things is what we're
17 focusing on when we're talking about experiential
18 learning, hands-on learning. So that might be -- I
19 hope that answers --

20 MS. NOFCHISSEY: I just wanted to add on
21 to what Roselyn said. The concept of farming is --
22 provides a lot of opportunities for all kinds of
23 Common Core State standards that we're going to be
24 teaching in the afternoon, both in Navajo and in
25 English. And they'll be testing soil, testing

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1 water, learning about insects that attack the crops,
2 how to plant -- I mean, there's just so many
3 opportunities that we're looking at. It's not just
4 going to be a one-day, one-week thing. It's a
5 lifelong learning.

6 And our community of Shiprock is a farming
7 community. So most everybody has a farm here.
8 We're known to be the farmers here of the Navajo
9 Nation. So thank you for the question.

10 MS. YAZZIE: Also, I just wanted to add a
11 tangible lesson plan of actual farming. Something
12 simple, as with kindergarten, taking them down -- my
13 niece -- I've been using her kind of as a guinea
14 pig. She's in kindergarten. She was in
15 kindergarten. Something simple, by saying, "This is
16 soil. This is the soil. This is what good soil
17 is," compared to the lesson I was putting up, good
18 soil, not-so-good soil. And how to put in the
19 seeds. Why do we cover it?

20 When do we water? We water in the
21 morning; we water in the evening. Why is that? And
22 also, being -- you know, letting her know, like,
23 this is a daily thing. It's -- just because we put
24 the seed in there doesn't mean we just leave it. We
25 have to be -- you know, it's a daily thing, morning

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1 and afternoon. Before she goes to school, she goes
2 out and she waters her garden. And, you know, at
3 night, after dinner, she goes out and waters her
4 garden. It's just something like that.

5 And, then, something for kindergarten,
6 but, then, long-term, we're really looking at the
7 scope and sequence of farming. How would it look
8 like in fourth or fifth grade?

9 Well, I taught fifth grade this past year.
10 And something from that simple thing of just
11 planting and learning the soil, going to fifth
12 grade, where I took the students out to do a
13 community garden just right across the road over
14 here, where we actually got the lumber, and they
15 were able to -- okay, how do we use these drills and
16 the degree angles of geometry; how big the garden
17 space had to be; why do we have to do, you know, the
18 corn rows, and which ones do we do in the garden
19 bed, which ones do we do out in the big area. So it
20 gets bigger every year, and it's something that will
21 build. Thank you.

22 COMMISSIONER GANT: Thank you. Page 23,
23 it's under Organizational Plan, the Governing Body.
24 It's stated that it's going to be seven or nine
25 active members. And I'm not sure what "active"

1 means. What a "active member" mean?

2 MR. SOSA: The willingness to be able to
3 attend monthly meetings, evaluate a school
4 principal, conduct the annual audit, and attend the
5 minimum of five hours of professional development
6 required by the State. So it was just an
7 understanding that these Board members -- and some
8 of them -- we've identified five currently. And,
9 so, some of them -- most of them -- are in this
10 community. But those who are not or may be
11 traveling from a distance will have to be aware that
12 that's an expectation or requirement to be on the
13 Governing Board.

14 COMMISSIONER GANT: Okay. Go from there
15 to Page 20 in the appendices, that the -- first of
16 all, on Page 23 of the application, it said seven or
17 nine. Then, you go to the appendices; it says five
18 or seven -- five to seven members. That's on
19 Page 20 of the appendices. Then, on Page 21 of the
20 appendices, it says the quorum will be, "Five Board
21 members shall have authority to conduct
22 business..., " et cetera, et cetera.

23 So this leads me to believe there will be
24 at least seven members. So what is the final goal
25 for membership as the size of the Board?

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1 MR. SOSA: So the State minimum is five.
2 I think nine is the number that we recognized
3 recently is going to be required. And it's because
4 of the necessity to have several members who
5 represent various community stakeholders, as well as
6 somebody who has some legal experience, somebody who
7 has a finance background, somebody who has the
8 ability to navigate Navajo Nation laws.

9 So, we recognized initially that there
10 will be some overlap in some of those. But, as
11 we've been talking to folks in the community,
12 potential Board members, we realize that we're going
13 to require nine Board members.

14 COMMISSIONER GANT: Page 29 of the
15 application. This deals with local board or
16 vacancies, Section 22-5-9, NMSA. It says, "A
17 vacancy occurring in membership of a local school
18 board..." -- you will be considered a "local school
19 board" -- "...shall be filled at an open meeting at
20 which the quorum of the membership is present, a
21 majority vote of the remaining members appointing
22 the qualified person."

23 Does the charter school Governing Board
24 not allow for the same procedure? If you read it,
25 it says you're appointing. I mean, simple words in

1 there, on Page 26. The Governing Board consists --
2 wait a minute. Let me bring the page up.

3 "The Governing Board will meet one on one
4 with identified individuals."

5 Then it gets down to paragraph 5. "The
6 Governing Board and lead administrator will then
7 consult and select the candidates most appropriate
8 for the vacancy."

9 To me, this is verging on violation of the
10 Open Meetings Act. Can you explain?

11 MR. SOSA: At this point, I would have
12 to -- I think we'd have to review that to be more in
13 alignment with all State statutes and policies.
14 That is our firm intention. If there's wording in
15 there that needs to be changed, I think that's
16 something that we can definitely look at. And you
17 were saying it's Page 29, paragraph 5?

18 COMMISSIONER GANT: Page 26.

19 MR. SOSA: Paragraph 5?

20 COMMISSIONER GANT: Starts with
21 paragraph 2, and then goes on through -- down to
22 paragraph 5.

23 MR. SOSA: Okay.

24 COMMISSIONER GANT: Correction. Page 41.

25 This has to deal with disenrollment. Page 41,

1 "Disenrollment." This section of -- on
2 disenrollments, I don't believe actually meets the
3 requirements of Section 6.11.2.11G of the New Mexico
4 Administrative Code. "Students' rights and
5 responsibilities."

6 This is based upon Section 22-1-1 and
7 22-2-2 NMSA 1978. I really -- it's, in my view, not
8 covering special needs students properly, et cetera.

9 Can you explain your disenrollment policy,
10 please? It says, "If a student is gone more than
11 ten days, the parents have not responded to contact
12 from the school, then the student is disenrolled."

13 But there's a lot of procedures involved
14 based upon these statutes and Administrative Code.
15 Do you all understand what is in the Administrative
16 Code and the statutes associated with this?

17 MS. R. BEGAY: We will probably need to
18 look at it and make the adjustments.

19 COMMISSIONER GANT: Well, you all know
20 that when we vote in September, that we're voting on
21 what's here; not what can be, but what's in your
22 application. Okay?

23 My last question, Madame Chair -- and this
24 is a difficult one for me, because I'm not sure how
25 to word it. It's on Page 39. And the application

1 reads, "The Dream Charter is a New Mexico
2 nonsectarian, non-homeschool-based public school
3 that does not -- does not require tuition or have
4 administrative -- admission requirements. Section
5 22-8B-4 -- point 4 point J, New Mexico Statutes
6 Annotated 1978, states that, "A charter school shall
7 be a nonsectarian, nonreligious, non-home-based
8 school.

9 The part that's missing in the application
10 on Page 38 is "nonreligious." Please explain.

11 MS. L. BEGAY: Our Dream Diné, although
12 it's based on the Navajo philosophy of learning,
13 which is really a way of living of our lives in our
14 daily lives, it's not religion, it's not sectarian
15 in any way; although, people kind of view is it as
16 such. So, when we say that our school is going to
17 be based on the Navajo philosophy of learning, it is
18 a way of system thinking that will be practiced, not
19 only in our teaching, like lesson plans, or the
20 students' self-evaluating themselves; but, whether
21 we really realize it or not, our Navajo, our Navajo
22 people, are living the lives of what our ancestors
23 have laid down in this foundation of the system
24 thinking of the Navajo way of life's learning.

25 In the public school, although we are

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1 teaching the Navajo language, although we say we are
2 teaching the culture -- but the basic essence of the
3 spiritual -- from within everybody, the intrinsic
4 spiritual realm of how one wants to partake his
5 life/her life, and become one with the earth, become
6 one with the school, is missing.

7 What we're proposing in this school is
8 that, through this system thinking of the Navajo way
9 of life's learning, the students will become one
10 with the natural phenomenon in a way that it will
11 bring out their characteristics to respect what is
12 out there, because we really, scientifically
13 thinking, are a makeup of what is in the earth and
14 what is in the sky.

15 Now, that's not religion. Our way of
16 life, as I know it, is very scientific. The
17 emergent story is all scientific, which is brought
18 into the present world. And our -- and our medicine
19 people call it "the glittering world," which is now,
20 today. I don't know if that will answer.

21 MS. YAZZIE: And I'd like to speak of this
22 way of life in just the Western part of, you know,
23 education. Growing up, it was -- there was a
24 process. Just like that story that we had in our
25 PowerPoint, there was always a process. There's a

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1 way. There's a purpose to a process. There's
2 reasons why we do certain things. And that's how we
3 grow up.

4 And that's how things happen. And, in --
5 you know, now, it's -- I guess we compare it to the
6 PDSA, you know. There's a plan due at study. This
7 is our PDSA. This is our Diné philosophy. We have
8 to think about it. Nitsahakees is the thinking. We
9 go into on the Nahat'a. That's the planning, the
10 plan. Then we go into the Iina. We put our plan
11 action; we do.

12 The last one is the Shihasin; we reflect
13 on what we thought. We reflect on what we plan.
14 And, then we're reflecting on what we do. That's --
15 it's -- again, it's not a religion. It's not -- you
16 know, it's our way of life. I feel, as a young
17 Navajo woman, I grew up in a Christian home. I had
18 religion. That's -- but it was separate, always
19 separate. It was just -- you know, my grandparents
20 are the ones who taught me this process. The way
21 that I learn is this process. The way that I
22 understood was this process.

23 And I struggled in school. I struggled
24 trying to do the linear process. But, when it was
25 put in this circle, when it was put in this process,

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1 it was like, "Ah, okay. Now I can do it. Now I
2 understand."

3 And I feel that, with indigenous, not just
4 Navajo, but with indigenous life all across the
5 U.S., they have this sort of process, the wellness
6 wheel. They do the social, emotional, intellectual,
7 and physical, just across the world. You know, I've
8 researched, and, you know, I feel like this is just
9 a process of thinking. It's a process of learning.
10 So, thank you.

11 COMMISSIONER GANT: Thank you for the
12 answer.

13 Madame Chair, with your permission,
14 Mr. Gerlicz, I think because this is a deviation
15 from what is normally expected, that paragraph, I
16 think we need a legal opinion from the PED, and,
17 possibly, from the AG, on this one, because the
18 statute clearly states that all other charter
19 schools have to follow that statute. So I think,
20 before we can make a decision in September, in my
21 view, Madame Chair, we need a legal decision on
22 this -- on what has been stated in this -- I
23 understand their answer. I appreciate their answer.
24 But we, as a Commission, must live by the charter --
25 by the statutes. Thank you.

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1 MR. GERLICZ: Got it.

2 THE CHAIR: Thank you, Commissioner.
3 Thank you, Director. If you'll look into that for
4 us?

5 I appreciate your presentation this
6 morning. It's been very informative. I do want to
7 state again, though, as Commissioner Gant said, the
8 Commission is bound to make our decision based on
9 the application and the documentation that's been
10 presented to us. So the questions we ask will be
11 for clarification and more information. So we
12 appreciate your help this morning.

13 First, I'd like for you to look at Page 3
14 of the application, underneath "Education Plan,"
15 where it says, "Number of students in year one is
16 30. Grade level is kindergarten and first grade."

17 Now, I look at the facilities letter, the
18 letter from the PSFA. And they indicate that it
19 will be pre-K, starting in the pre-K level rather
20 than, as you indicated, at the kindergarten level.
21 Can you help me out there?

22 MR. SOSA: Yeah. Actually, our intention
23 is to grow a pre-K program. One of the challenges
24 is, of course, it's a competitive grants process
25 with the State, and we fully intend to apply for

1 that grant and to develop that part of the program.
2 At that time, when we submitted the PSFA
3 application, I don't believe the numbers changed.
4 It was just the realization, at this point, we're
5 probably going to have to focus on kinder and first,
6 as opposed to going down to the pre-K program this
7 year.

8 THE CHAIR: Okay. But there's no pre-K
9 indicated in this education plan anywhere.

10 MR. SOSA: Correct. Because this program
11 is run separate from the Public Education Department
12 through a competitive grant process, and, working
13 with the Gadii'ahi community, is looking to develop
14 a pre-K program. It would potentially be somewhat
15 distinct from the rest of the academic program.

16 THE CHAIR: And it would still be part of
17 the school. And if you did put it in, it would
18 require an amendment to your charter. You're aware
19 of that, just so you don't --

20 MR. SOSA: Correct.

21 THE CHAIR: Okay. If you go to Page 3 --
22 pardon me. We're already on Page 3. The goals -- I
23 always go to the goals.

24 One of the things that I notice in
25 admission goals, there on the bottom of Page 3, is

1 that they -- there is no time lines, there is no
2 assessments, there is no accountability factors.
3 It's all -- and if you'll look at the instructions
4 for admission, it says how are you going to
5 accomplish it -- those kinds of things. So I have a
6 real concern about the goals for the mission.

7 It says, "The goals must be..." -- I'm
8 reading on Page 4. "The goals must be specific and
9 measurable. The goals must be referenced to a time
10 frame." And, as I read through the goals you have
11 listed there, none of them are. There are no
12 assessment factors, no time frames, nothing. So I'm
13 afraid I don't think you have any mission goals.

14 Then, if you'll look on Page 6, I'm
15 looking at the middle paragraph, the last sentence.
16 It says, "Looking at comparable schools, we expect
17 to see X-X-X-X growth in Navajo language proficiency
18 each year." That's sort of like a black hole that
19 does not give us information.

20 MR. SOSA: Yeah. Over the next year,
21 there are several schools in this area. There's a
22 school in Window Rock, the Rock Point and Rough Rock
23 schools. There are multiple schools across the
24 Navajo Nation that are implementing either emergent
25 programs or dual language programs.

1 And our intention is to spend the next
2 several months visiting those schools, assessing
3 their growth factors, working with the Navajo Nation
4 Department of Education and setting goals that are
5 equal or above those goals that we're seeing,
6 comparable schools working with similar student
7 bodies.

8 THE CHAIR: But for an application that
9 gives us nothing -- you know. Okay.

10 MS. L. BEGAY: Excuse me. May I also add
11 a little bit more on top of that? We talked about
12 our goals more than just a few times. I think we're
13 looking at the long-range goal, where we want our
14 students to be able to be bilingual, both in Navajo
15 and in English, and, with this capability, to be
16 functioning out there in the world with more than a
17 person whose language is just one.

18 I feel -- with being bilingual, I feel
19 that I am built with two people in one. And, so,
20 personally speaking for the elders of the community,
21 speaking for the grassroot people of Shiprock, I
22 want our children to be able to be bilingual, just
23 as I am, and to be fluent in both languages.

24 I want them to be able to step outside of
25 their hogan, the home, and then change into what is

1 in the modern trend of today's world. I want them
2 to function in these two different cultural aspects
3 of life. I believe that's what every grandparent,
4 every parent wants who lives in this community.

5 When I have worked with the Navajo
6 language and culture with the public schools here,
7 and we have been using the Diné language, other
8 language assessments from Window Rock. And we're
9 going to be using the same thing here with our
10 school, because we want to be able to compare our
11 students with how the other students are doing. And
12 that will be just one of our datas, also, not to
13 mention the other quarterly assessments that we're
14 still working on with our Navajo language curriculum
15 and including our weekly -- or unit assessments that
16 we'll be administering to our students. Thank you.

17 THE CHAIR: Thank you very much. I ask
18 about goals, though, because, specifically, in the
19 application, it asks for your first-year goals. So
20 I appreciate your long-range thinking. I agree with
21 you on bilingualism. But I'm looking for first-year
22 goals, as it's asking for on the application.

23 Let me just get through my -- look on
24 Page 17, please, of the application, H.(1)(d). It
25 says, "Dream Dine's principal will need to hire a

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1 licensed special education teacher with an
2 elementary teaching endorsement to teach either
3 kindergarten or first grade."

4 Your special education teacher is going to
5 be a full-time classroom teacher. And, if so, then
6 how are they going to help the students in the other
7 grade, or grades? It's my -- my experience that
8 your SpEd teachers help in the classrooms wherever
9 they're needed, rather than being tied to one
10 classroom so that the other students don't have
11 access to them. Could you explain that?

12 MR. SOSA: Yeah. Looking at the year-one
13 budget that the financial constraints on being told
14 to plan conservatively -- so we recognize that the
15 reality is we'll probably have more special ed
16 students. We calculated with zero into our State
17 Equalization Grant. We were asked to do that by
18 the -- through the workshops that the Public
19 Education Commission hosted. We planned
20 conservatively.

21 We recognize that there will be Title 1
22 funding, that there will be Title 3 funding. There
23 will be additional sources of funding, if and when
24 those sources come in. Our intention is -- there
25 are a few positions that we prioritized, special

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1 education specialists being one of them.

2 THE CHAIR: But a special education
3 specialist or a special education teacher?

4 MR. SOSA: I'm sorry. A teacher. But
5 someone with a special education endorsement who
6 understands how to work with our professional
7 development program, with our teachers, with our
8 students.

9 THE CHAIR: Then, the third paragraph, "In
10 order to provide the necessary ancillary support
11 services we expect to develop an MOU with Indian
12 Health Services."

13 What if that doesn't work out? Because I
14 notice in the budget, there are no monies set aside
15 for your ancillary services, such as diagnosticians
16 or OTs or PTs or speech. And it's been my
17 experience, again, that the more elementary students
18 are the ones where the speech pathologist is the
19 busiest. So if that MOU does not happen, how are
20 you going to provide those services?

21 MR. SOSA: We have a commitment from the
22 Kellogg Foundation that, if this school is approved,
23 starting in October, there would be funding for both
24 the start-up -- for both the planning year, as well
25 as the start-up year. We expect that some of that

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1 funding would be able to be utilized in things like
2 this.

3 There is a small amount for a
4 diagnostician on an hourly rate to come in and do
5 assessments of identified students who might be
6 needing additional services.

7 THE CHAIR: Okay. Look at Page 20,
8 please. I'm back to student goals, the very top of
9 the page, Page 20. "Dream Diné students will
10 participate in both formative and summative
11 assessments."

12 Again, there is no -- no distinction on
13 how well you expect those students to do, what
14 percentage of the students will do well, how many
15 will gain, how many will -- there's no time line.
16 There's -- again, your goals lack all of the -- the
17 finite information we need to -- to really make --
18 if we took this contract -- this application -- and
19 tried to write a charter school contract from the
20 goals you have listed here, we wouldn't be able to
21 do it. We don't have the information that is
22 needed. Okay?

23 Let me look at the budget, starting on
24 Page 87. Oh, I think it must be a separate
25 document. Let me just ask you. Professional

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1 services, employee benefits. Year one is \$10,600.
2 Year two is \$19,500, and year three is \$26,000. Can
3 you tell me what that pays for?

4 MR. SOSA: I'm sorry. I don't have that
5 document in front of me. Can I look into that and
6 submit a description in the next 30 days, if that's
7 possible?

8 THE CHAIR: Then, let me just ask you
9 perhaps -- oh, I've already asked that question.
10 Page 88 of your budget, you have \$750 for property
11 insurance. Is that really enough? You're
12 questioning, too?

13 MS. YAZZIE: What's that?

14 THE CHAIR: \$750 for property insurance
15 for a year. Is that realistic?

16 MR. SOSA: To be perfectly honest with
17 you, none of us are budgetary folks. We had
18 assistance with this from people who have worked
19 with charter schools in Albuquerque, and that was a
20 recommendation they gave to us. We can reevaluate
21 some of those numbers. But these are done by folks
22 who have worked on budgets in charter schools in
23 this state.

24 THE CHAIR: Then, on Page 90 of the
25 budget, no money for auditing or legal. That, you

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1 have to -- you have to have an auditing -- you have
2 to have an audit every year, and they run between
3 \$12,000 and \$15,000. You have to.

4 Legal fees, I don't believe I've seen one
5 yet that didn't include some legal.

6 Page 91 -- oh, okay. I knew I had too
7 many questions. You have .60 for your business
8 manager. Is that an on-site business manager?

9 MR. SOSA: It is.

10 THE CHAIR: Okay. Is -- is that -- is
11 that likely to be someone already in the community?
12 I know those people are rather specialized and hard
13 to find.

14 MR. SOSA: That's obviously a challenge,
15 finding somebody who doesn't just have a finance
16 background, but, specifically, has worked with
17 charter school finance. We recognize how difficult
18 that is. That's something that we're looking into.
19 We've contacted a few folks. Some of them were in
20 Albuquerque and outside of our region right now.
21 We'd love to find somebody in the community with
22 that experience.

23 THE CHAIR: Just, school finance is very
24 difficult. Utilities seem very low to me. Teacher
25 salaries schedule, Level 1. I don't believe you can

1 go more than five years on a Level 1 salary
2 schedule.

3 MR. GERLICZ: I believe that's correct.

4 THE CHAIR: And yours goes quite a bit
5 farther than that. You can't stay at Level 1 more
6 than five years is my understanding.

7 Okay. I believe since we're running out
8 of time, that better be all my questions.
9 Commissioner Toulouse?

10 COMMISSIONER TOULOUSE: Madame Chair, I
11 actually don't have a question. I'm new; I'm
12 learning. This is my learning year, so I'm
13 listening.

14 However, I do have familiarity with the
15 Navajo Nation for many, many years. My father
16 helped codify the Navajo tribal laws back as a very
17 young lawyer, when he got out of law school after
18 World War II. And so we've had a lot of experience.

19 But what I want to do is bring up a legal
20 point to go with Commissioner Gant. I want to make
21 sure that, when our attorneys look at the law, they
22 also look at the State Constitution, because it
23 guarantees rights specifically to the various native
24 tribal groups, as well as to the Hispanic
25 population, and referring to the Treaty of Guadalupe

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1 Hidalgo.

2 So before they look just at that, I
3 request that they get a Constitutional look, too,
4 since we're looking at a very active native
5 community. Thank you.

6 THE CHAIR: Thank you, Commissioner.

7 COMMISSIONER GANT: I have 50 seconds, so
8 I'll be quick.

9 On staffing -- this is on Page 33 --
10 you're only going to use volunteer parent office
11 managers? That's what you list for -- and what
12 qualifications do they have to have, and how can you
13 be guaranteed they're going to be at work if they're
14 all volunteers?

15 MR. SOSA: This actually was an issue as
16 well, as brought up in the capacity interview. And
17 as I mentioned, with additional funding sources.
18 Special education is a priority focus, and office
19 manager, as well as educational assistants in the
20 classrooms -- those are our three priorities we're
21 talking about the potential for additional funding.

22 There are several successful charter
23 schools I've seen on the West Coast that have used
24 parent office managers, volunteer, very
25 successfully. So it is something that we've been

1 looking into. So --

2 MS. YAZZIE: And, also, there is a program
3 here in this community that you have -- it's called
4 the FACE program, where you have to go to school
5 with your child, for nonworkers. And they usually
6 utilize them for things at the school. So that is
7 one of the partnerships that we're hoping to get in
8 contact with, because there are so many nonprofit
9 organizations here in the Shiprock area that require
10 volunteer work and community service work that we're
11 partnering with as well.

12 COMMISSIONER GANT: Thank you.

13 THE CHAIR: Thank you very much. I
14 believe our time is up. Any member of the public,
15 including the applicants, may submit written input
16 following this hearing. Written comments may be
17 sent to the Commission via the PED Web site, using
18 the link <http://www.PED.State.NM.US/Comments>. There
19 are also yellow sheets on that sign-in table with
20 that information on them.

21 At that point, if you log on to that
22 address, you'll be directed to an e-mail format in
23 which to write your comment. Make sure you identify
24 the school you're commenting on in the drop-down
25 menu. Please note that any written input must be

1 received by no later than close of business on the
2 third business day following the hearing on the
3 application you wish to comment on.

4 We thank you all for your presentations
5 today. The Public Education Commission will meet in
6 Santa Fe September 26th and 27th, 2013, to render
7 their decision on approval or denial of this and
8 other new charter school applications.

9 The Commission will now recess the hearing
10 until 7:45 a.m. in the community of Albuquerque
11 tomorrow morning. And we thank you all for your
12 participation.

13 (Proceedings in recess at 10:45 a.m.)
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1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

3
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5 REPORTER'S CERTIFICATE

6 I, Cynthia C. Chapman, RMR, CCR #219, Certified
7 Court Reporter in the State of New Mexico, do hereby
8 certify that the foregoing pages constitute a true
9 transcript of proceedings had before the said NEW
10 MEXICO PUBLIC EDUCATION COMMISSION, held in the State
11 of New Mexico, County of San Juan in the matter
12 therein stated.

13 In testimony whereof, I have hereunto set my
14 hand on August 29, 2013.

15
16
17 *Cynthia Chapman*

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