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BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF:

ORGAN MOUNTAIN COMMUNITY CHARTER SCHOOL

TRANSCRIPT OF PROCEEDINGS
CHARTER SCHOOL PUBLIC INPUT HEARING
August 24, 2009

1:00 p.m.

New Mexico State University, Milton Hall
Las Cruces, 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

COMMISSIONERS:

MS. CATHERINE SMITH, CHAIR
MS. KATHRYN KRIVITZKY
MS. CAROLYN SHEARMAN
MR. VINCE BERGMAN

STAFF:

DR. DON DURAN
MR. SAM OBENSHAIN
MR. MICHAEL C DE BACA
MR. RUDOLPH ARNOLD, Attorney for PED
MS. PATRICIA BUSTAMANTE, Attorney for PEC
MS. MARJORIE GILLESPIE
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1 THE CHAIR: I call the Public Education
2 Commission Charter School Public Input Hearing in
3 Las Cruces, New Mexico, on August the 24th, 2009, to
4 order. Present are Mrs. Carolyn Shearman,
5 Mrs. Kitty Krivitzky, Mrs. Catherine Smith. And
6 Mr. Vince Bergman is in the building someplace.

7 As many of you may know, the law was
8 changed this past year. We do not have to have a
9 quorum of the Public Education Commission present at
10 these hearings. We have to have at least three
11 members of the Commission present. So right this
12 minute, without Mr. Bergman, we do have the three,
13 and we will proceed. When Mr. Bergman comes, well,
14 he just solidifies that.

15 So I basically have called the roll. And
16 do we have a -- yes, we do. Mr. C de Baca --
17 Dr. C de Baca always sees that we have the flags for
18 the pledge to the flag. So let's stand and render
19 the pledges.

20 (Pledge of Allegiance and

21 Salute to the New Mexico Flag.)

22 HEARING OFFICER: Okay. We got through
23 the first three parts of the agenda. If we do the
24 rest as expeditiously, we'll be doing fine, won't
25 we?

1 No. 4, the Statement for Hearing. The
2 purpose of this hearing is to solicit both written
3 and oral input on the proposed charter in accordance
4 with the Charter Schools Act. The Commission shall
5 receive applications for initial chartering and
6 renewals of charter for charter schools that want to
7 be chartered by the State and approve or disapprove
8 those charter applications. 22-8B-16, New Mexico
9 Statutes Annotated, 1978.

10 In addition, the Charter School Act states
11 that the chartering authority shall hold at least
12 one public meeting in the school district in which
13 the charter school is proposed to be located to
14 obtain information and community input to assist in
15 its decision whether to grant a charter school
16 application.

17 Community input may include written or
18 oral comments, in favor of or in opposition to, the
19 application from the applicant, the local community,
20 and, for State-chartered schools, the local school
21 board and school district in whose geographic
22 boundaries the charter school is proposed to be
23 located. 22-8B-6, New Mexico Statutes Annotated,
24 1978.

25 No. 5 of the agenda. The applicant at

1 this time will be Organ Mountain Community Charter
2 School.

3 And then No. 6, at this time, we would
4 like to hear from the Applicant. And please, for
5 the record -- in just a moment or two, please, for
6 the record, state the name of the school, the name
7 or names of the founder or founders of the school,
8 the proposed grade levels to be served and
9 membership projection of the school.

10 And I guess, Dr. Duran, I'm having a hard
11 time. This next paragraph, when does that fall in?

12 DR. DURAN: Sorry, Ms. Smith. Let me get
13 over there.

14 THE CHAIR: I think they need to make
15 their statement, and then we have a request that you
16 state for the record a brief description. Is that
17 still part of it?

18 DR. DURAN: Yes, ma'am.

19 THE CHAIR: Okay. We now request that you
20 state for the record a brief description of the
21 school, the reasons you believe this school will
22 benefit the children and citizens of this community,
23 and any other information that you would like the
24 Commission to know about your application.

25 You will have 15 minutes, so please be as

1 precise as you can during this time.

2 Now, before I begin that, I do want to --
3 I'm sorry. I remember your given name, but not your
4 surname.

5 MS. BUSTAMANTE: Bustamante.

6 THE CHAIR: Bustamante. Ms. Bustamante is
7 the attorney for the Commission. And Ms. Cindy
8 Chapman, right there doing the recording, is the
9 recorder for this hearing. And so the Commission,
10 within a week's time, does receive a very excellent
11 statement from her about what took place at this
12 meeting. So it is something that is available for
13 the public record, should any of you find it
14 necessary.

15 And with that, Dr. Don Duran heads the
16 Charter Schools Division. And, Don, maybe you might
17 just want to ask your staff members to stand, at
18 least, or perhaps go ahead and introduce them
19 quickly, if you would.

20 DR. DURAN: Thank you. I want to
21 introduce our attorney, Mr. Rudolph Arnold, who's
22 here; our Albuquerque staff member, Marjorie
23 Gillespie; our Santa Fe office is Corina Chavez; and
24 Albuquerque office is Sam Obenshain; and, of course,
25 the infamous Dr. Michael C de Baca.

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1 THE CHAIR: And he is the keeper of the
2 minutes. Is that not correct?

3 DR. DURAN: He's the keeper of the time.

4 THE CHAIR: Pardon me. I said "minutes,"
5 but minutes are in hours. But this time I do mean
6 time.

7 DR. DURAN: I have already warned the
8 applicants that he does have the hook, and when the
9 time is up, we will bring it up.

10 THE CHAIR: Uh-oh. We better be most
11 careful, considering that. So, now, at this time,
12 then, you will have 15 minutes. So please be as
13 precise as you can during this time, and you may
14 begin now. And thank you.

15 MS. JENKINS: Thank you. My name is Bea
16 Jenkins. I'm one of the founders, and I'm a council
17 member for Organ Mountain Community Charter School.
18 I am retired from the Las Cruces Public Schools. I
19 taught 36 years, everything from K through 5 regular
20 ed, some special ed, and arts. And over the years,
21 especially with No Child Left Behind, I watched the
22 focus change from being all about the child to being
23 more about succeeding, succeeding, making test
24 scores.

25 And as that happened, I saw children begin

1 to fall through the cracks. There were at-risk
2 children, bilingual children, gifted children, those
3 that just learned differently and were not able to
4 learn as well, once the focus went, you know, so
5 hard towards tests. So in searching for an
6 alternative or a solution, we came up with a charter
7 school.

8 And we named ours Organ Mountain Community
9 Charter School because of our beautiful Organ
10 Mountains and community, because we feel like it
11 takes a whole community to, well, educate our
12 children well. And I'd like to read our mission
13 statement. Says, "Organ Mountain Community Charter
14 School, in conjunction with families and community,
15 will serve pre-K through eighth-grade students from
16 the diverse population of Las Cruces and surrounding
17 areas, regardless of social, physical, or
18 educational needs. OMCCS, providing superior
19 academic instruction with dual language options,
20 will guide its students as they endeavor to reach
21 their academic, physical, and social potentials
22 through active" progress -- I'm sorry --
23 "project-based learning, while fostering awareness
24 of themselves as contributing members of their local
25 and world community."

1 The integration of the visual and
2 performing arts, health and wellness, and technology
3 throughout the curriculum will serve to enrich the
4 students' educational experiences and performance.

5 And I would like to tell everyone what a
6 charter school is. It's a tuition-free public
7 school. We are governed by a governance council
8 that answers directly to the State. We are
9 responsible for meeting or exceeding all State
10 standards and benchmarks. We will have all the same
11 testing and even more. But we have the freedom to
12 use innovative teaching methods to meet the needs of
13 the children.

14 OMCCS will be a uniform school, and we
15 chose uniforms because we feel like it gives the
16 children a sense of pride and belonging, and it also
17 puts them all on the same footing.

18 We will incorporate a really stringent
19 academic core curriculum consisting of language
20 arts, which is reading, writing, speaking, spelling,
21 math -- math -- oral and written communication. And
22 then we will have math that incorporates numeration,
23 mathematical operations, algebraic and geometric
24 concepts, measurement data, probability and more.

25 And we are going to use the Scott Foresman series

1 for this delivery. But it will be enhanced by
2 supplemental materials, trade books, magazines,
3 manipulatives, and, definitely, technology.

4 We are going to cluster our children for
5 language arts and math by academic needs so that we
6 provide challenge for all students, whether they're
7 at risk, at grade level, or above grade level.

8 Science and social studies will be taught in
9 thematic kit units that meet or exceed the standards
10 and benchmarks for each grade level.

11 We will use project-based delivery as our
12 main method of delivery. And what makes our school
13 unique, we have the same curriculum, same standards
14 and benchmarks, but we have higher expectations we
15 think, different methods of teaching and learning.

16 The enhancement of all our music, art, and
17 drama and our health and wellness technology, all
18 integrated throughout the curriculum, offered again
19 during our afternoon enrichment time and offered
20 again in our after-school program.

21 Often, we think testing pressures lead to
22 the sacrificing of physical activity for academic
23 study, but we think we can combine the two and
24 testing will take care of itself.

25 In many areas, we are going to use

1 project-based learning. And I will quote from the
2 Buck Institute. "Project-based learning is a
3 systematic teaching method that engages children in
4 learning knowledge and skills through an extended
5 inquiry process structured around complex, authentic
6 questions and carefully designed products and
7 tasks."

8 We chose project-based learning because it
9 engages students in their own learning, it's
10 collaborative, cooperative, prepares them for the
11 workplace. It provides them with opportunities for
12 practice and application of all the skills that they
13 learn in the core instruction. And each project
14 will address a wide variety of standards and
15 benchmarks, and it will be rubric assessed.
16 Children will know in the beginning what we expect
17 of them in the end.

18 And the outcomes of this method are well
19 illustrated by our learning pyramid, if you look up
20 there. It says, "Average retention rates for
21 different teaching methodologies." And it starts
22 with lectures and it goes all the way down -- when
23 you get to 75 percent and 90 percent, which is
24 "Practice By Doing" and "Immediate Use of Learning,"
25 those are what is used in project-based learning.

1 And then -- so we think that will greatly
2 enhance our curriculum. The students with special
3 needs will serve -- will be served in full inclusion
4 classrooms with necessary support and modification
5 as much as possible. The IEP needs of every student
6 will be strictly adhered to. Special education
7 self-contained classrooms will be used only in the
8 case of students who are unable to function
9 effectively in regular classrooms.

10 Our schoolday will start at 7:50 and end
11 at 3:15, a little bit longer than State regulations
12 because we have put recess back into the day for the
13 activity purposes of our children. We'll have a
14 morning recess and afternoon recess or directed play
15 area -- I mean, play time. And we have an afternoon
16 project block built in to where the children can do
17 the work on their projects as a group.

18 And I'm losing my place. Sorry. Oh. And
19 then we will have -- right here. 3:15 to 4:15 is
20 our after-school program. And during that time, the
21 children will receive tutoring -- they'll receive
22 tutoring during the enrichment time, too. So
23 there's two times throughout the day that they get
24 specific tutoring. Then there will be added
25 physical activity enrichment and more of the arts.

1 And we plan to fund this with grants, so it's not
2 just for some children, but for all.

3 We will have a balanced calendar year with
4 four nine-week sessions with two-week breaks in
5 between, because research shows that shorter, more
6 frequent breaks lead to less learning loss and
7 higher academic success.

8 If -- we will start by enrolling
9 200 students, grades K through 5, and there are no
10 admission requirements. We welcome all students
11 regardless of where they come from. If we register
12 a greater number of students than we have slots,
13 then, of course, we implement the lottery process.

14 Our plans for year three -- by year
15 three -- this is the future plans of our school --
16 is adding grades pre-K through -- and six and eight,
17 and adding curriculum that satisfies middle school,
18 which is communication skills, formal PE, New Mexico
19 history, geography, and health education and band.

20 How are we different from traditional
21 school? High expectations, teaching methods,
22 project-based learning, inclusion of the arts, our
23 emphasis on health and wellness, our technology
24 plan, our parent and community involvement, and,
25 above all, our goal to have academic success for

1 everyone. And I will give it to Anna at this time.

2 THE CHAIR: Thank you.

3 MS. HOOLEY: My name is Anna Hooley. I'm
4 a board-certified family nurse practitioner. I'm a
5 member of the OMCCS governance council. I was born
6 and raised in New Mexico and have spent all my
7 professional career, 24 years, in health care. I
8 own and operate a small business here in Las Cruces,
9 and I have two children, age 7 and 8, enrolled in
10 the public schools now. I have spent the last five
11 years exploring the various options and
12 opportunities available to my children. That's how
13 I found Bea.

14 I am here to talk briefly about how
15 health affects a child's school performance. We, at
16 OMCCS, believe that children learn better when
17 they're healthy, and we want to positively influence
18 the relationship between school performance and
19 those health issues that affect it.

20 The research shows there are four main
21 health issues that consistently predict why some
22 children do not do well in school. OMCCS will be
23 mindful of these specific issues. We'll model
24 behaviors throughout the schoolday that positively
25 affect this relationship and will teach those

1 behaviors to both the students and their families as
2 best we can.

3 Our goal is make a healthy lifestyle the
4 norm and a consistent expectation at the school,
5 with the idea that those life skills will transfer
6 to the children's home and continue throughout their
7 lives.

8 The first issue to be discussed is lack of
9 sleep. The CDC recommends that children age four to
10 12 get nine to 13 hours of sleep. It's been well
11 documented in the literature that poor sleep equals
12 pure grades. Poor sleep is one of the most
13 definitive causes of poor academic achievement.

14 Most children need at least nine hours of
15 sleep at nine to function properly. However, for
16 many reasons school-age children receive far less
17 than that. Some children who are performing poorly
18 in school or are suffering from disinterest or a
19 short attention span should be evaluated for sleep
20 problems at home; sleep problems, like resisting
21 going to bed, frequent awakenings during the night,
22 an unusual noisy breathing, snoring, or sleep apnea.
23 It's recommended that children who are having any of
24 these problems be evaluated by a pediatrician.

25 OMCCS plans to implement at intervals a

1 simple routine survey, a five- to ten-question
2 health questionnaire. It will be given to the
3 parents on a regular basis, such as with
4 parent-teacher conferences, in order to gather data.
5 Gathering data about sleep, exercise, and chronic
6 health conditions will make parents more aware of
7 health issues that affect school performance and
8 could easily identify these health concerns.

9 Once identified, we would offer parental
10 guidance, education, and recommend evaluation by our
11 school nurse and referral to the child's
12 pediatrician.

13 The second issue is lack of exercise. The
14 CDC recommends 60 minutes per day for school-age
15 children, moderate to vigorous in intensity, and
16 should include activities that are aerobic, that
17 increase muscle strength and bone strength. The
18 2006 School Health Policies and Program study shows
19 only 3.8 percent of elementary schools provide daily
20 exercise, and only between 6 and 8 percent of those
21 provide the recommended daily physical education for
22 the entire school year.

23 Most would agree that exercise helps us to
24 feel better. But it also helps children perform
25 better in school and improve their overall health.

1 Research consistently finds that physical activity
2 programs help children in many ways. And I'm going
3 to cut it down, because we're running out of time.

4 If you look at the OMCCS schoolday, you'll
5 see that there are set periods for physical activity
6 incorporated into each day. Be alluded to the fact
7 that we will likely be meeting and exceeding the CDC
8 requirements for each student every day they're in
9 school. Forty-five minutes daily of physical
10 activity, with our morning walk, which we will all
11 be taking. Two recesses, one of which will be
12 directed physical play, where we'll be doing things
13 like Jump Rope Math and Know Your States Hopscotch,
14 and up to three hours total physical activity
15 throughout the day, with 20 minutes before school,
16 where there's supervised play, 60 minutes
17 potentially in after-school programs, and 60 minutes
18 in the week with the alternating elective classes.

19 The third issue is breakfast. We know
20 that's the most important meal of the day. Some
21 children simply do not get enough to eat, and that
22 food insecurity is truly negatively affecting their
23 school performance. When children do not consume
24 enough food, it can affect their ability to learn.

25 A healthy breakfast is an effective means to improve

1 academic performance and cognitive functioning.

2 My mentor, Dr. Howard Taras, a
3 board-certified pediatrician, who specializes in the
4 field of school health from the University of
5 California-San Diego, recommends that all students,
6 both affluent and low-income families alike, be
7 assessed whether they're eating breakfast at home.
8 Taras noted that studies of absenteeism rates among
9 students show that when schools offer breakfast,
10 children are more likely to attend school and have
11 lower rates of tardiness.

12 We agree. We plan to have a nutritionally
13 sound breakfast and eat it together on a daily
14 basis. We believe a healthy breakfast will get
15 children started in the morning and establish
16 healthy eating habits throughout the day and help
17 them live a longer life.

18 Finally -- I don't want to take up too
19 much more time -- the dangers of obesity and chronic
20 illness. We know that children need to be healthy
21 in order to learn at their highest potential.
22 Dealing with chronic illness can direct -- directly
23 affect learning. We won't be maintaining or
24 managing chronic health problems directly. But
25 we -- our goal is to help solidify the value of a

1 healthy lifestyle and intervene where we can while
2 the children are at school.

3 The two big issues in school-age children
4 are obesity and asthma and allergies. We all know
5 of the risks and problems associated with obesity.
6 I'm not going to go over those. But we plan to
7 positively affect the issue of obesity throughout
8 the school year by offering healthy foods and
9 snacks, purposefully modeling and teaching
10 nutritional and physical importance, utilizing
11 health surveys and parent community education, and
12 providing consistent opportunities for movement and
13 active play.

14 With regards to asthma, we plan to take an
15 active role in monitoring behavior and school
16 function, regularly utilizing those health surveys
17 and providing necessary support to maximize our
18 school nurse's role in efforts towards health
19 maintenance. In most cases, however, it's not a
20 chronic health issue that's affecting school
21 performance but one that's resolvable, such as
22 getting enough sleep or exercise, as I previously
23 mentioned.

24 OMCCS has made student health a priority.
25 Children can't tackle these issues alone, and

1 addressing these issues is difficult for some
2 families. They need all the support they can get,
3 and I hope I've been able to illustrate how OMCCS
4 will be there providing that support. I'm sorry,
5 Mary.

6 MS. LOVELAND: Hi. I'm Mary Loveland.
7 I'm an OMCCS founder and governance board council
8 member. I'd like to talk about the vital role of
9 OMCCS parent involvement with the school. First,
10 I'd like to mention a little bit of my own
11 background with parent volunteering. I began by
12 serving as a parent volunteer in my children's
13 Mesilla bilingual classroom, serving on the
14 bilingual parent advisory board and attending
15 bilingual program professional workshops and
16 meetings with the teachers who became my friends.
17 Mary Helen Garcia would always save me a seat at
18 these meetings.

19 These experiences encouraged me to help
20 found and subsequently chair the organization
21 volunteers in public schools whose function was to
22 provide support to the public schools in whatever
23 ways possible to further the education process. I
24 then obtained my New Mexico education elementary
25 teaching certificate and taught in the elementary

1 schools for 20 years. Since retiring, I have served
2 as a tutor/mentor in two local public schools.
3 Because of these experiences, I have found
4 volunteers to be a vital and essential aid to the
5 students' academic success. Parent integration into
6 the daily life --

7 MR. C de BACA: Ms. Smith, that's time.
8 I'm sorry.

9 MS. LOVELAND: Shoot.

10 THE CHAIR: I guess that was the signal to
11 end this?

12 MS. LOVELAND: I'm sorry. I thought it
13 was somebody's phone they forgot to turn off.

14 THE CHAIR: I did, too. Both of us have a
15 learning curve here, don't we? Okay. So that,
16 then, takes care of the presentations by the -- by
17 the charter school applicant. We're to Item 7 on my
18 agenda, and that's the local school board and
19 district representatives. At this time, we would
20 like to hear from the local school board and/or
21 district representatives. I would ask you to state
22 your name and title for the record. Good afternoon.

23 MR. ROUNDS: Good afternoon. I'm Stan
24 Rounds. I'm Superintendent of Schools with
25 Las Cruces Public Schools. And with me is

1 Dr. Stephen Sanchez, who is my Associate
2 Superintendent for Curriculum and Instruction. On
3 this first application, I do not have any comments,
4 except for what Dr. Sanchez will represent on the
5 part of the District. So, if I may, I'll move to
6 Dr. Sanchez.

7 MR. SANCHEZ: Madam Chair.

8 THE CHAIR: Hello, Dr. Sanchez. Nice to
9 see you.

10 MR. SANCHEZ: Nice to see you. Members of
11 the Commission. We reviewed this application in
12 terms of the charter school law in looking at
13 innovation and how it's going to contribute to that
14 innovative agenda for education here in New Mexico.
15 We have no huge, overarching concerns about the
16 application or the proposed K-through-8 school.

17 The proposal does have a number of areas
18 which are not particularly well substantiated or
19 addressed very fully. And these would include --
20 and I'll be very brief -- a clear mission statement.
21 There is a mission statement there. But it's not
22 written very clearly so you can understand what the
23 outcomes of that would be.

24 Another -- another case is the role that
25 Marzano's strategies will play. It's a very

1 powerful piece in the literature. But how is that
2 going to be seen in the operationalized curriculum?
3 Not a lot of evidence there.

4 The ELL supports on Page 7. Notice that
5 we're building the support for ELL learners as they
6 come into the school. And they'll begin in
7 kindergarten, first grade. But yet if the school is
8 open through eighth grade, it's not clear how
9 they'll provide those supports for those students
10 enrolling in older grades.

11 We would, again -- they're using a variety
12 of assessments which are well documented in the
13 literature as being very useful; portfolios, those
14 kinds of things. Although, they don't address how
15 they will look at validity and reliability of those
16 instruments to actually design programs for the
17 students. Not that it can't be done. And I don't
18 doubt that they have the capacity to do that. It
19 just wasn't well elaborated in the application.

20 They talk about sciences and social
21 studies themes, four per grade level. I ask the
22 question how are they going to look at the depth and
23 the complexity of the science and social studies
24 standards, which are very, very broad. Again, not
25 impossible to do, but there just wasn't a lot of

1 elaboration there.

2 It talks about an agreement between NMSU
3 music department. There was no discussion about
4 what that MOU looks like and what are going to be
5 the services. The interns that are coming in, will
6 they be doing student teaching? Will they be
7 teaching the class? Will there be a teacher of
8 record? Just wasn't a lot there.

9 Technology access is another issue. Very
10 very expensive cost to a start-up school. And I
11 understand that. They actually have a very
12 interesting proposal to use a lesser -- to use
13 appliances, which are basically monitors and
14 keyboards that run off of an essential server, which
15 is a cost-saving thing. But given their focus on
16 the project-based learning that really frames -- and
17 that's the innovative part of their proposal -- will
18 this technology, in practice, be able to support
19 that? It's not particularly well described, and
20 when it comes to using PDAs for the field
21 experiences and those kinds of things.

22 One of the things that's problematic is
23 that there are two or three references throughout
24 the proposal about the utilization of grants to
25 cover essential things -- page 29 is one example of

1 that -- where if they can't meet payroll, they'll --
2 you know, they'll use grants for supplies and
3 materials.

4 I think we need to be a little careful as
5 we get -- those statements kind of make me nervous.

6 Grouping by ability. They're going to
7 really be grouping by ability. And, again, while
8 that's a good practice in some cases, that seems to
9 be their -- their format for using how will they
10 guard against tracking. And we know the devastating
11 effects that tracking can have on children.

12 There are -- the NM-SBA will be used.
13 They note that the NM-SBA will be used to work with
14 students to define what their learning program is.
15 There's a bit of a misalignment. NM-SBA data
16 doesn't usually come in until the summer. And how
17 useful is that going to be if they could -- using
18 the other assessments that they've identified, I
19 think they'll be able to pull that off just fine.
20 But I would caution the school to rethink that one
21 again.

22 The RTI model which is required by the
23 Secretary of Education follows the PED guidelines.
24 Nothing terribly innovative in that description
25 about how they will provide that for differentiation

1 of the -- differentiated instruction for those
2 students that might be moved into Tier 2.

3 There was also something else on Page 30,
4 supporting special education students that might
5 enroll. There is a statement in there that's
6 somewhat problematic. They don't expect that
7 special ed students will enroll at the rate that
8 they -- that we might find in the public schools.
9 That may be problematic, and it is something that
10 the school needs to look at, because this is a
11 free -- this is a public school. All children are
12 welcome to attend. And we can't always pick and
13 choose who might or might not show up.

14 There, again, on Page 32, there was
15 another mention of fundraising grants in case there
16 is difficulty in meeting payroll. Again, I would
17 caution the Commission to look at those statements
18 very, very carefully. With that, Madam Chair, I
19 have no other comments.

20 THE CHAIR: Thank you very much,
21 Mr. Rounds.

22 MR. ROUNDS: If I may close. I think
23 we're within the time line. The primary issue that
24 we do raise is not that we don't support this
25 effort. But the financial sustainability has to be

1 something that I would think the Commission would
2 want to carefully look at. As Dr. Sanchez outlined,
3 we are unable to run public schools on speculation
4 of grants. And I'm concerned about, apparently,
5 some speculative -- speculation within the -- within
6 the financial structure here.

7 Starting up a school is a very costly
8 issue. I would think you would want to have better
9 definition as far as how you're going to sustain
10 your financial stream over time. If we start a
11 school like this, it's important that it's
12 successful and that it endures over time, that it's
13 sustainable for the full five-year cycle so that you
14 can look at it again. That would be the only issue
15 that I would raise beyond Dr. Sanchez' comments.

16 THE CHAIR: Thank you very much.

17 (A discussion was held off the record.)

18 THE CHAIR: Instead of coming up here, you
19 want them to come back there to that balcony sort of
20 type ledge there?

21 DR. DURAN: Right.

22 THE CHAIR: What Dr. Duran was saying to
23 me, for the public comments and observations
24 regarding the application that will be heard at this
25 time, you're asked to come forward to that barrier

1 right there where he is standing now. There will be
2 a four-minute time line per presenter. Persons from
3 the same group and having similar viewpoints are
4 asked to select a spokesperson to speak on their
5 behalf. Multiple and repetitious presentations of
6 the same view are discouraged.

7 So is there anybody who would like to come
8 forward at this time to speak for, or some other
9 range of -- of -- I thought I saw someone standing
10 up here. Yes, ma'am. Why don't you come up. Or go
11 back, rather, I guess.

12 MS. OLIVER: My name is Dr. Kim Oliver.
13 K-I-M, O-L-I-V-E-R. I am a professor in the
14 Department of Human Performance, Dance and
15 Recreation, here at New Mexico State, and have been
16 the program director of the physical education
17 teacher education program for the past six years. I
18 have taught K-12 physical education in the public
19 schools, and have been in academia in teacher
20 education for the last 13.

21 And I am thrilled, absolutely thrilled,
22 about the opportunity for there to be a school in
23 Las Cruces that focuses on health, wellness, and
24 physical activity. I believe it was Anna -- is that
25 your name? -- she was mentioning childhood obesity.

1 But what she didn't say is that one in four children
2 are clinically obese. Girls suffer more than boys,
3 Hispanic and African-American children more than
4 their white counterparts. And so to have a school
5 that focuses on physical activity daily is -- it's a
6 missing link in our community, and I think it's
7 fantastic. That's from the parent side and the
8 professional side.

9 But, also, I'd like to speak for the
10 opportunities that it might allow our students at
11 NMSU. We are always searching for places to teach
12 our methods courses; for example, send our students
13 for practicum, for student teaching. And to have
14 a -- an opportunity where they can be in a school
15 that values physical activity is something that we
16 value here at NMSU in the PE program.

17 And so I just want to offer my support for
18 the program. In terms of just a little bit of
19 information, I don't know -- when you were talking
20 about grants to sustain, the Carol M. White Physical
21 Education Program Grant is an outstanding resource
22 for both public schools and charter schools. And
23 that's to support physical activity and physical
24 education in schools. So thank you.

25 THE CHAIR: Thank you. I thought I saw a

1 lady in orange back there? Were you wanting to
2 speak, ma'am?

3 MS. FEDDERSEN: I was. My name is Denise
4 Feddersen. It's D-E-N-I-S-E. Last name is
5 Feddersen. It's F-E-D-D-E-R-S-E-N. And I'm a
6 parent here in Las Cruces with two children, ages
7 eight and 12 in the public schools. And I've had
8 the opportunity and experience of having my older
9 child attend a magnet program here in Las Cruces and
10 have an education directed at her interests and at
11 her different ability levels.

12 Both of them are in the gifted program
13 here as well, the AES program. And I have found it
14 unbelievably advantageous for my child to have taken
15 part in the magnet program here in Las Cruces. The
16 difference that it made in her education, going from
17 elementary to middle school, went from struggling
18 with homework, struggling with her being interested
19 in school, struggling with her finding the time to
20 study properly, even though she was in the gifted
21 program, to having a straight-A student with no
22 problems with school, no academic hesitations.

23 She's excited about school. She's happy
24 to be there. The difference it's made has been
25 unreal. And so for -- to have something like that

1 available to my elementary-aged child would be ideal
2 for me as a parent.

3 Also, again, reiterating the physical
4 education portion of it and addressing people with
5 chronic health problems. I myself have chronic
6 health problems that I deal with on a daily basis,
7 and it makes a big struggle for me as an individual
8 to deal with that. And I couldn't imagine children
9 dealing with that. One of mine has diabetes. And
10 I've had other children who come to my house and are
11 only allowed to come to my house because their
12 child's diabetic, and they can't send their child to
13 anybody's house because of the special issues that
14 that raises.

15 I think that the ability of this school to
16 try to meet some of those needs of the children is
17 of particular interest for me. And so I am a strong
18 supporter of the OMCCS school.

19 THE CHAIR: Thank you.

20 MS. FEDDERSEN: Thank you.

21 THE CHAIR: Yes.

22 MS. HAPPE: Hi. My name is Linne Happe.

23 L-I-N-N-E, H-A-P-P-E. I am a parent of a
24 fourth-grader in the local school district. I am
25 also a school volunteer. And I am technical support

1 for OMCCS. I am volunteering for Bea Jenkins and
2 the rest of the governance council, and Mary
3 Loveland as well.

4 As a parent volunteer, I've been in the
5 local schools. And when I go into the local
6 schools, and I walk into my child's classroom and I
7 see the computers. And I'm doing this -- I have
8 20 years of computer experience. And I go into the
9 local schools, and I see the computers in the
10 classroom not working. Rarely do they last the
11 entire year. Not only do they not work, but they're
12 slow. They're outdated, literally, as soon as they
13 come out of the box.

14 I am actually the one that came up with
15 the networking for the new school using the LINUX
16 operating system because it's free. Okay? As the
17 school district pointed out, it's very expensive to
18 start up a new school and have the technology you
19 need. And what we've come up with is a way to lower
20 that expense and still meet the needs of our
21 students with what they need in the classroom.

22 The LINUX operating system is free. The
23 software that comes with it is free. It's a very
24 large community of programmers out there that
25 support software and write the software that we need

1 for the LINUX operating system in education.
2 There's specifically an education version of LINUX
3 called Edubuntu, which we will be using. The idea
4 is we will put five work stations in each classroom,
5 and these work stations will cost approximately a
6 third of the cost of a regular Windows desktop.

7 They have no software on them. They get
8 everything from the server. As long as you know to
9 get the correct size server, that's not an issue.
10 When they break down, unlike in the public schools,
11 where they have Windows, and they have to reload
12 Windows and all the software on this program, I take
13 one of these work stations out and I replace it
14 rather quickly with a new work station and it's up
15 and running. Okay?

16 We're also looking at using mobile
17 computer lab, using small network laptops that are
18 starting to come out, perfect size for elementary
19 school-age students, keyboard is the perfect size.
20 My nine-year-old loves it because the keyboard is
21 not all wide, and she can easily hit all the keys.
22 The idea is we have these mobile laptop carts that
23 can go from classroom to classroom. So we know our
24 building we get will not be large enough to have a
25 computer lab.

1 This will allow the students to go up to
2 the mobile cart, grab their little netbook, bring it
3 to their desk and work on their computer skills
4 right at the desk. Okay? No wires. It'll be
5 wireless. The batteries won't be long enough to
6 support during the -- during the daytime. And at
7 night, we just plug them all back in. Okay? The
8 work stations that are in the room, now that's just
9 for the computer skills. The work stations in the
10 room they'll be able to use during the regular day
11 to do Internet projects, research on the Internet,
12 typing up anything they need to do.

13 LINUX comes with a fully functional
14 Windows Microsoft Office lookalike called Open
15 Office, which has a presentation program, a word
16 processor, a math program, and a spreadsheet; okay?
17 So it's -- but it's free. And, again, that's going
18 to save us money.

19 They'll also be able to use educational
20 programs; okay? Again, there's many programs out
21 there in the world of LINUX. It's a wonderful
22 community. I actually work for a company that works
23 with the LINUX community and does the Open -- or not
24 the Open Office -- but open source software. So,
25 hopefully, anything we need, we'll be able to find

1 out there in the community.

2 I, myself, I know when I have questions, I
3 ask questions to the LINUX community. And they -- I
4 get answers back within a day with how I need to do
5 things. So that's my talk, and I am hoping that
6 this school -- my daughter's excited to go to it
7 because of the opportunities that she'll have.

8 THE CHAIR: Thank you.

9 MS. HAPPE: Thank you. Is there anybody
10 else? Yes, ma'am.

11 MS. CREASON: My name is Monica Creason,
12 M-O-N-I-C-A. "Creason" is C-R-E-A-S-O-N. And I am
13 also a parent that has a child in Las Cruces Public
14 Schools. Ms. Jenkins is my mother. She was my
15 kindergarten teacher, my 23-year-old daughter's
16 kindergarten teacher, and my son's kindergarten
17 teacher. I am, of course, extremely excited as a
18 parent, as well as being supportive of the ideas
19 behind her dream of opening the charter school.

20 When we grew up, learning in a school that
21 had a lot of opportunity in it and going to school
22 where there were dance programs and music programs
23 and things that are sometimes not offered in schools
24 because of the challenges that the public schools
25 have as far as funding an education, which is

1 incredibly difficult and becoming more difficult as
2 time goes on, they've proven that students that, you
3 know, have music in the schools do better in math
4 and science. And technology is changing. They need
5 upgraded forms of that.

6 The charter school idea is so welcoming as
7 a parent because you want your children to have the
8 best of everything. You want your children to love
9 where they go to school, and you want them to find
10 school interesting. And it is hard, because I do
11 have a gifted child. He does go to school. And I
12 hear a lot of comments about, I don't want to go,
13 it's very boring, there's not a lot of interesting
14 things. And, granted, school doesn't need to be
15 just complete fun and games all day. But an
16 interesting education is just first and foremost.

17 And growing up, the mother of -- a person
18 who makes life interesting, I volunteer in the
19 classroom, and I host geology classes. I host
20 technology classes. I'm cooking mom. And I just
21 know that when you involve kids in their education,
22 when you get them to touch and feel and think and
23 really involve them in all of the activities of a
24 classroom, it makes school more interesting.

25 It makes it more creative when you give

1 children the opportunities, you know, to bring
2 technologies in and things that they get to do
3 hands-on and involve them in all the activities that
4 the charter school is going to allow them to be
5 involved in.

6 I look forward to having an education for
7 my son where he is excited, where he comes home and
8 says, "Mom, let me tell you what we did today." And
9 I just cannot tell you how excited I am to have --
10 or to be a part of that as well.

11 THE CHAIR: Thank you. Is there anyone
12 else? Yes, ma'am.

13 DR. OLIVER-LEWIS: Irene Oliver-Lewis.
14 O-L-I-V-E-R, dash, L-E-W-I-S. I'm here speaking on
15 two things. First of all, as a board member for the
16 New Mexico Coalition of Charter Schools. And then
17 the second thing is as a founder of one of the
18 charter schools here in Las Cruces. So I'm really
19 glad to see everybody here in Las Cruces.

20 I just -- as a board member for the
21 Coalition, the Coalition has been working many
22 years, especially the last two years, in looking at
23 the quality of charter schools in the state. And we
24 are very interested in looking and helping all
25 charter schools to be the very best in innovative

1 and creative learning.

2 And so what I encourage the Commission to
3 keep that in mind when adding any new charter
4 schools to our network, that we keep that in mind.
5 We, as a coalition, will be looking at different
6 things to bring and working with the PED and with
7 the Charter Schools Division in how to have quality
8 charter schools. That's just a general statement,
9 that I applaud you and thank you for being in depth,
10 and that I want to echo it from the board of the
11 Coalition of Charter Schools.

12 On this particular school in what it would
13 do for Las Cruces, indeed if it is accepted as a
14 charter school, it would feed to Alma de Arte,
15 because, of course, Alma de Arte is an arts and
16 arts-based creative learning school. And it's for
17 the high school. So you would have K through 12 who
18 would be learning both wellness, through an artistic
19 and -- I'm being selfish here, because it could
20 serve as a feeder school for Alma de Arte.

21 So in that continuum of looking at a total
22 picture of charter schools in a city, something like
23 this particular school, like Organ Mountain, would
24 be leading towards the other -- to that continuum.
25 So that the charter schools, themselves, become

1 feeders for each other.

2 I will not be able to stay because of
3 other comments, and so will not hear in depth on
4 Dennis Chavez. They also are going to be bringing
5 something that is different for our community and in
6 the charter schools. But I just wanted to, again,
7 echo the quality that you're thinking when you are
8 approving all charter schools, that we -- that we
9 allow charter schools who start that are coming in
10 with a strength and -- because it is very difficult,
11 as you know, to start a new charter school in
12 building and creating your curriculum, et cetera,
13 et cetera, et cetera. So I thank you very much for
14 allowing me to speak.

15 THE CHAIR: Thank you. I see some people
16 back there looking at each other wondering if who's
17 is going to be forced to come forward. No one? All
18 right. Dr. Duran, you see somebody?

19 DR. DURAN: No. I was going to ask the
20 applicants to come back.

21 THE CHAIR: Okay. So we're to the place,
22 we finished the community input.

23 MR. BERGMAN: Madam Chairwoman, are we not
24 going to be asking the public speakers any
25 questions?

1 THE CHAIR: Just one moment, please, sir.

2 MR. BERGMAN: I'm sorry to interrupt.

3 THE CHAIR: I'm not certain, Mr. Bergman,
4 what you're asking me, then.

5 MR. BERGMAN: Are we going to ask some
6 questions. I would like to ask Dr. Oliver, the
7 public speaker --

8 THE CHAIR: Of the applicants? Not of the
9 people who have come forward and question of them.
10 No, sir.

11 DR. DURAN: Not of the public speakers.

12 THE CHAIR: No, sir. That's not our
13 prerogative to ask anybody about their statements.

14 MR. BERGMAN: Okay. That's fine.

15 THE CHAIR: Yes. And I do apologize. And
16 thank you. I do apologize that I should have said
17 this sooner. Mr. Bergman did come in during the
18 presentation, and I do want to reflect that it's --

19 MR. BERGMAN: It's my apology, because I
20 was late. I did not anticipate there were no
21 parking spaces.

22 THE CHAIR: Well, I tell you what. We did
23 acknowledge that you were here. We also told the
24 public that the law had been changed and that we
25 could start with three people. And that's what we

1 did, Mr. Bergman, and we do thank you for being
2 here. Mr. Bergman got up early and drove from the
3 eastern part of the state this morning. And so
4 we're very appreciative of that.

5 As you know, the ten districts of the
6 Public Education Commission come -- encompass the
7 whole state. And so people come from all over the
8 state. And if you've ever traveled in New Mexico,
9 you can't get there from here. So we have -- we
10 have that problem.

11 Okay. We have had --

12 MS. SHEARMAN: Madam Chair, may I
13 interrupt you just for a moment? We have a guest in
14 the audience that I think we would like to introduce
15 Senator Garcia.

16 THE CHAIR: If you would. Yes, ma'am.

17 REPRESENTATIVE GARCIA: It's
18 Representative Mary Helen Garcia.

19 MS. SHEARMAN: I'm sorry. Representative.

20 THE CHAIR: My dear friend, Mary Helen, I
21 did not see you back there. Mary Helen Garcia --

22 REPRESENTATIVE GARCIA: Long-time
23 educator.

24 THE CHAIR: -- and I go back 50 years.

25 I'm sorry, Mary Helen. I appreciate that very much.

1 I did not see you, and thank you for coming. I
2 appreciate that very much. We appreciate that very
3 much. Thank you.

4 So we're to the place on the agenda. This
5 is Item 9 in the agenda. At this time, the Public
6 Education Commission reserves time to address any
7 questions that the Commissioners may have of the
8 Applicant. The Chair would like to ask the
9 Applicant for some additional information, or would
10 the Applicant please step up to the microphone and
11 thank you. And so on. These are some ideas of what
12 might happen.

13 Please keep your responses as brief as
14 possible to allow for questioning from our
15 Commissioner members.

16 And so at this time, the Chair will
17 recognize any Commissioners that would like to ask
18 questions or make comments.

19 MR. BERGMAN: Well, then, I will use a
20 backdoor avenue to get my question in, then.

21 THE CHAIR: Are you wanting to ask a
22 question?

23 MR. BERGMAN: Yeah. I'll ask the
24 Applicants.

25 THE CHAIR: Okay.

1 MR. BERGMAN: Since you state in your
2 application that you don't have a partnership with
3 the dance department -- or the music department at
4 NMSU, and a speaker is here, has spoken, and you
5 will establish a relationship -- is that firm? Are
6 you guys absolutely certain that's going to happen?
7 Is the commitment there from NMSU, the music
8 department?

9 MS. JENKINS: I will tell you we have a
10 firm commitment from the music department. And then
11 we were looking for PE partners also. And when I
12 ran into Kim, she said, "Oh. We would love to do
13 it." So have we got it into a formal thing yet?
14 No. But are we working on it? Yes.

15 DR. OLIVER: And we're very interested.

16 MR. BERGMAN: Thank you.

17 THE CHAIR: I'm sorry. I thought I heard
18 somebody.

19 DR. OLIVER: I just said, "We're very
20 interested."

21 THE CHAIR: Were you able to get that?

22 THE REPORTER: (Indicates.)

23 THE CHAIR: All right. Mr. Bergman,
24 continue, if you have --

25 MR. BERGMAN: I just wanted to get some

1 clarification.

2 THE CHAIR: Anybody else? Anything you
3 want to ask or say? Yes. Ms. Krivitzky.

4 MS. KRIVITZKY: One of the concerns of the
5 District was, in your application, you talk about
6 grouping by ability and -- versus tracking. And
7 that seemed to be one of their concerns. Could you
8 talk to us a little bit about how you are going to
9 make sure that that doesn't become a negative of
10 tracking, but that more that -- how you could
11 support your own ideas.

12 MS. JENKINS: Yes. In our application, we
13 said that the time of the language arts block and
14 the math block, there would be a lot of moving
15 around. And what we anticipate doing is taking all
16 the children, K through 2 and put them where they
17 need to be to address the needs they have for
18 language arts, and, again, for math.

19 And they can move up, you know, move to a
20 higher level, or if they're not making it, they need
21 more help, they can go to a lower level. These will
22 be small groups, where everybody will -- like your
23 morning block for language arts. And there will be
24 just a lot of movement.

25 Then our kids, Grades 3 through 5, would

1 be another group of movement. And we just want to
2 be able to -- okay. If we take a child -- say that
3 we get a child straight from Mexico that is nine
4 years old, but yet they've never gone to school.
5 Well, they can't function in a fourth-grade
6 classroom. But if we have this movement within our
7 group, they can go to -- we envision a multiage
8 group at each -- several multiage groups at each
9 level, to where it won't be a stigma to go to it.

10 But it's definitely not tracking. It's
11 sending them where they would need to be to get the
12 tutoring, the assistance they need to be successful.

13 MS. HOOLEY: And not be ostracized in the
14 process.

15 MS. JENKINS: Exactly.

16 MS. KRIVITZKY: Thank you. Sort of a
17 follow-up. What are you going to use for your short
18 cycle assessment tool?

19 MS. JENKINS: Okay. We have DIBELS. Do
20 you-all know what DIBELS is? It's a -- we have -- I
21 gave it a million times. But it's back here in our
22 appendices. But it's a reading assessment that the
23 District uses. And it simply tracks where -- yes --
24 tracks where the children are in their reading
25 abilities.

1 And it goes all the way from simple letter
2 recognition, repeating dual sounds in words and
3 things like that in kindergarten all the way up to
4 reading passages and being evaluated on those
5 passages. And it's done usually three times a year
6 for your -- for your children that are benchmarked.

7 You do it in the beginning of the school,
8 January, and in May. If the children are more at
9 risk, you do it like once a month. If they're very
10 at-risk, it can even be done every two weeks. And
11 because you simply watch to see if there's progress.

12 Then there's the DRA, which is a reading
13 assessment that goes along with all the reading
14 curriculums. And there's pre- and post-test from
15 Scott Foresman in reading, in math, in spelling.
16 Everything that they have, there's pre- and
17 post-test.

18 Then, lastly, we put in teacher-made
19 tests. And those teacher-made tests, we decided
20 would be made up at the grade level by the -- by the
21 teachers of those grade levels, or, like, maybe
22 fifth and fourth could test together, this kind of
23 thing. But -- and then approved by our head
24 administrator. So we'll have all of that kind of
25 testing.

1 HEARING OFFICER: Thank you. Ms.
2 Shearman.

3 MS. SHEARMAN: I'm going to jump back and
4 forth between your application and the review that
5 you all have seen as well, have you not?

6 MS. JENKINS: Yes. We have.

7 MS. SHEARMAN: I'm looking at your
8 application on Page 23. And it says the total
9 number of instructional hours during the school year
10 will be 995.5. Does that meet code?

11 MS. JENKINS: Yes, it does. We looked at
12 code for everything. We actually have more hours
13 than -- unless we figured it wrong. But, yes, it
14 did meet code.

15 MS. SHEARMAN: I thought it was 1,080.

16 MS. KRIVITZKY: I believe that's for upper
17 level.

18 MS. SHEARMAN: So what is it?

19 MS. KRIVITZKY: It's 1,080 for --

20 MS. JENKINS: Middle school.

21 MS. KRIVITZKY: Middle school through high
22 school. And 990 for kindergart -- I think it's
23 pre-kindergarten up through --

24 MS. JENKINS: Five.

25 MS. KRIVITZKY: -- fifth grade.

1 MS. SHEARMAN: Over to the preliminary
2 analysis, where they're talking about achievement of
3 mission and goals.

4 MS. JENKINS: Yes. What page is -- okay.
5 I've got the goals here.

6 MS. SHEARMAN: I'm not sure these pages
7 are numbered. Page 2. Page 2. And their analysis,
8 as well as what I have marked in your application,
9 is we don't have any time lines. Except, I believe,
10 for the first, we lack measurable standards. How
11 are you going to know when you meet your mission?
12 By what standard? What -- and when?

13 MS. JENKINS: Well, by all State
14 standards, because we will take all the same tests
15 that the children throughout the State take.

16 MS. SHEARMAN: Let me -- pardon me. Let
17 me interrupt. In five years, when your charter,
18 should it be granted, comes up for renewal. And
19 this Commission, whoever happens to be on it at that
20 time, wants to know whether or not you met your
21 mission, how are we going to know? How are we going
22 to know that "X" number of your students were -- I
23 mean, it does not say.

24 MS. JENKINS: Oh. I see what you're
25 saying.

1 MS. SHEARMAN: It does not tell me how
2 you're going to evaluate yourself.

3 MS. JENKINS: We didn't put in there how
4 we're going to keep these records. But we will have
5 a very specific set of records that show. Because
6 we even want it for our own purposes, because we
7 want to know that we're making the grade.

8 MS. SHEARMAN: What is your goal for
9 growth? From one year to the next, what is this
10 group of children --

11 MS. JENKINS: A very minimum of one year
12 gain, but, hopefully, more than that.

13 MS. SHEARMAN: As based on?

14 MS. JENKINS: As based on -- like, DIBELS.
15 DIBELS will -- usually, DIBELS will show more than a
16 year growth in kindergarten, done again in first
17 grade, again in second grade, clear through third
18 grade. The DRA is done again and again. And the
19 New Mexico tests are done again and again.

20 MS. SHEARMAN: I think that's what I'm
21 looking for here, very specific, measurable growth,
22 time lines, by when, what's going to happen.

23 MS. JENKINS: Yes.

24 MS. SHEARMAN: That's what I'm looking
25 for. And I think that same thing comes up in your

1 student expectations as well.

2 MS. JENKINS: Yes.

3 MS. SHEARMAN: That was mission. Student
4 expectations would be the same. I think they're --

5 MS. JENKINS: I think, in Goal No. 1, we
6 stated that at the end of the first year there would
7 be 80 percent of the students that would demonstrate
8 a gain of one year's academic growth or more. And
9 these will -- we're going to give entry level and
10 exit --

11 MS. SHEARMAN: But that was one goal that
12 showed that, and for one year.

13 MS. JENKINS: Yes. Well -- and then we
14 added in there that this goal is for each successive
15 year also. It will be done every year.

16 MS. SHEARMAN: I don't think the ones that
17 follow that are that specific.

18 MS. JENKINS: No. This is when we
19 answered ours. Because we answered these and sent
20 them in to the State. These are our answers to
21 their concerns.

22 MS. SHEARMAN: That's what I'm looking
23 for. Okay? Let me get -- because I've got a couple
24 of things marked here that I didn't want to miss.
25 So let me get to them. I think you've already

1 answered that one. Grade levels, class size, and
2 projected enrollments on the preliminary analysis on
3 Page 7. Grade level, class size. It does --

4 MS. JENKINS: Okay. I have it. Uh-huh.

5 MS. SHEARMAN: The preliminary review says
6 you do not include class sizes.

7 MS. JENKINS: We did. We put here that
8 our class size would be no more than 20 students,
9 and that if budget requirements will let us, we
10 would like to have from 13 to 17. But we based our
11 budget on 20 students per class size. And then once
12 we got to middle school -- we added. That was
13 something we added in here, too, was -- let me see
14 if I can find it to give it to you. Yes. Right
15 here. And you actually can have this copy, because
16 I can make another. Whoops. I'm sorry.

17 MS. SHEARMAN: I think -- it should go to
18 Dr. Duran.

19 MS. JENKINS: He probably has a copy of it
20 because we sent it.

21 DR. DURAN: We need to make copies for
22 everyone. I think she's referring to the response
23 the Applicant made. She's referring to the response
24 that the Applicant made to our preliminary analysis
25 is what she's referring to, Ms. Shearman.

1 MS. SHEARMAN: You're not going to do any
2 online classes?

3 MS. JENKINS: No.

4 MS. SHEARMAN: Could we go to the budget?

5 MS. JENKINS: Yes.

6 MS. SHEARMAN: Now, I'm new at this. So
7 if I ask a question that's obviously not right,
8 you'll help me?

9 MS. KRIVITZKY: That's okay.

10 MS. SHEARMAN: I'm looking at revenues,
11 and the first year \$1.133 million. Okay. Then I go
12 to expenditures. First year, \$1.281 million. Don't
13 budgets have to balance?

14 MS. JENKINS: We had it -- I did not do --
15 do the budget. Another person did. But we had it
16 balanced. I don't know what -- we had it balanced
17 to the penny, actually. You know, I would like for
18 you to maybe direct those to Barbara Head, because
19 she is with the CPA firm here in town that is going
20 to help us with our budgeting and our whole --

21 MS. HEAD: I would like to -- I would
22 rather prefer to answer that question in writing at
23 a later time. Is that possible?

24 THE CHAIR: I believe so.

25 DR. DURAN: Yes. That is possible.

1 MS. HEAD: Because, I mean, when we --

2 DR. DURAN: By September 1st at

3 5:00 p.m.

4 THE CHAIR: What we want is as accurate an
5 answer as we can have. So if you can't do it now,
6 we certainly would appreciate your doing it. There
7 is a certain time line in which you have to respond.
8 So --

9 MS. HEAD: Okay.

10 MS. JENKINS: We redid the budget about
11 ten times. But -- but we thought it balanced.
12 Okay?

13 MS. SHEARMAN: Okay. Can I just ask
14 you --

15 THE CHAIR: Ask. And then they can
16 respond now or in writing, Ms. Shearman.

17 MS. SHEARMAN: And I think Dr. Duran said
18 that would be fine. The question I'm asking now is
19 do my figures match what you have? Do I have the
20 right budget?

21 MS. HEAD: You know what? Yeah. Yeah.
22 The one I have here doesn't --

23 MS. JENKINS: It doesn't balance?

24 MS. SHEARMAN: The other question I have
25 on expenditures on land, rental of land, the amount

1 ends after the second year. What happens then?

2 MS. JENKINS: Probably a glitch, because
3 we --

4 MS. SHEARMAN: It's under Purchased
5 Property Services, 11000, 2600, 54610.

6 MS. HEAD: Do you have a page number?

7 THE CHAIR: I have to tell you, a number
8 of these applications, some of them are very
9 beautifully done with page numbers, and some are
10 not. And it gets to be very difficult at times with
11 page numbers for us to tell you what page.

12 MS. JENKINS: It should be along the
13 margin, because the pages are turned differently.

14 THE CHAIR: They are. We -- I --

15 MS. SHEARMAN: It's line 382, if that's
16 any help.

17 MS. JENKINS: Line 382. That might help.
18 No.

19 MS. KRIVITZKY: She's looking at
20 Fund 11000, Function 2600.

21 MS. JENKINS: Okay. Here we go. There's
22 2100, 2200.

23 MS. HEAD: Oh, okay. It's on Page 108,
24 Bea.

25 MS. JENKINS: Okay. 108. Gotcha. And

1 this one is --

2 THE CHAIR: Are you aware of her question?

3 Ma'am, are you aware --

4 MS. HEAD: Yes. Uh-huh.

5 THE CHAIR: And are you able to answer it
6 today, or will you need time to answer it?

7 MS. HEAD: I think I'm going to need time
8 to answer that one. I'm pretty sure it's been
9 addressed in here. I -- I --

10 THE CHAIR: I'm just not wanting to delay
11 the issue. If you want to wait and answer it in
12 writing is what I'm trying to determine.

13 MS. HEAD: Yes. I think I would.

14 THE CHAIR: All right. Thank you.

15 MS. HEAD: Yes.

16 THE CHAIR: Ms. Shearman?

17 MS. SHEARMAN: Let me see if that's
18 everything. Well, your liability insurance is only
19 for two years as well. So that would be --

20 MS. HOOLEY: That was -- I'm sorry?

21 MS. SHEARMAN: Liability insurance.
22 Property liability insurances is only for years one
23 and two.

24 MS. JENKINS: I called the person --
25 because I found that one after we had already sent

1 it in. And I called her and asked her, and she said
2 that it just must have been a computer glitch. I
3 said, "Do we not have it?"

4 She said, "Yes" -- come to think about it,
5 she might have said that it was moved to another
6 area in year three, because we would be in our own
7 building.

8 MS. HOOLEY: That was what I was going to
9 say. A lot of this issue is because we're initially
10 going to rent the space with plan to purchase. So
11 things might change at the end of the second year.
12 So, unfortunately, our budget expert is not here.
13 So we'll have to clarify those specifics. Because I
14 think that's what's the problem is we anticipated to
15 rent or lease.

16 MS. LOVELAND: An anticipated move after
17 the second year to another building.

18 MS. JENKINS: I'm pretty sure that's what
19 happened. Because I did call and ask her about it.
20 Because when Barbara and I were reviewing it, we
21 found that.

22 MS. SHEARMAN: Another concern I found on
23 the budget is there's no FTE initial.

24 MS. JENKINS: We gave that to the State,
25 too, though. Isn't that -- FTE --

1 MR. BERGMAN: Is that what you're talking
2 about, this big block here? This came from their
3 response that --

4 DR. DURAN: Yes.

5 MR. BERGMAN: That you sent out just in an
6 e-mail just a couple of days ago.

7 MS. SHEARMAN: Perhaps I didn't get that.
8 So that's been addressed? Okay. I -- I believe
9 that's it. Thank you.

10 THE CHAIR: Thank you.

11 MS. JENKINS: Thank you.

12 THE CHAIR: I have a few questions to ask.
13 I -- first of all, I'm going to -- I'm going to look
14 at the -- at the Staff analysis. Are you -- you did
15 receive the Staff analysis, and did you review that?
16 My question I guess, should be did you receive the
17 Staff analysis.

18 MS. JENKINS: The job descriptions?

19 MS. SHEARMAN: Preliminary review.

20 MS. LOVELAND: You mean the preliminary
21 review?

22 THE CHAIR: Uh-huh. Uh-huh.

23 MS. JENKINS: Staff analysis.

24 DR. DURAN: She's referring to the
25 preliminary analysis.

1 MS. JENKINS: Yes. I have it right here.

2 THE CHAIR: Okay. Okay.

3 MS. JENKINS: Oh. You mean, you're -- I
4 was thinking what staff? This staff? (Indicates.)

5 THE CHAIR: The PED staff, the Charter
6 Schools Division staff, however you want to look at
7 it.

8 MS. JENKINS: Now I know what you're
9 telling me.

10 THE CHAIR: I'm sorry.

11 MS. JENKINS: That's okay.

12 THE CHAIR: I'm looking at Page 19 of
13 their analysis. And I think this has been partially
14 answered. My questions that I think Mr. Bergman
15 asked and I think Ms. Shearman may have asked or
16 Ms. Krivitzky, one of them. And it had to do with
17 the partnership agreements. And I'll be very clear
18 with you as far as I think this Commission is
19 concerned, that we very definitely want anybody who
20 has an application in for a charter school and says,
21 "Somebody else is going to help me," we want that
22 somebody else to be saying, "Yes. I understand that
23 I'm going to help." It might not be finalized or
24 anything, but it certainly should be something
25 that -- that --

1 MS. JENKINS: We can get that for you.

2 THE CHAIR: As in the past, we've gone,
3 then, to a university or something and said, to
4 whomever, "Well, are you going to help So-and-So?"
5 And they are completely nonknowledgeable of -- of
6 that request. And so we've been very cognizant of
7 it, as a Commission, that if you're going to have a
8 partnership with somebody, for goodness' sakes, at
9 least talk with them about it and get some kind of
10 an assurance that they really do think it's
11 something that's feasible, rather than being
12 something that -- that, out of the clear, blue sky,
13 they say, What do you mean? We can't even do that
14 legally."

15 So we, all of us, to a person sitting
16 today, are very, very concerned that when you start
17 talking about partnerships, that you see that
18 partnerships really truly are that and not your
19 desire to have a partnership and the other fellow
20 doesn't know it.

21 MS. JENKINS: Okay. Dr. Van Winkle was
22 supposed to be here today. He had to teach a class
23 and would be out of there at 1:20.

24 MS. HOOLEY: So the two professionals we
25 have talked to and have entered into verbal

1 agreements with were supposed to be here. So the
2 written is coming.

3 MS. LOVELAND: We will provide written
4 assurances.

5 MS. JENKINS: Yes.

6 THE CHAIR: This one, on the Staff
7 analysis, I see I can't find a page number for. And
8 I'm sorry that I didn't go back and try to find
9 that. Down at the bottom of the page, it says,
10 "Educational Program, Length of Schoolday and School
11 Year." When I had a question that I read through
12 analyses, I just pulled the page and wrote some
13 notes up at the top and says this is where I am.
14 And I beg your pardon about it. I'd almost -- I
15 won't make a guess where it is. I just don't know.

16 But I -- my comment to myself is -- as I
17 was reading this. And it was -- it was in the terms
18 of talking about the -- what the parent is supposed
19 to do, what the community is supposed to do and
20 things of that nature. And I -- as I -- as I read
21 this material, I thought to myself, All right. We
22 have embraced, in the public school system, a type
23 of classroom that we call a family school.

24 MS. JENKINS: Yes.

25 THE CHAIR: And so, your being a teacher,

1 I feel relatively certain that you know about that.

2 MS. JENKINS: Yes.

3 THE CHAIR: And so I'd like to have you
4 tell me, how does this -- your idea of the
5 involvement of parents in this, how does that change
6 from a family school involvement?

7 MS. JENKINS: Okay. What we -- what we
8 envision here is helping families. And we feel like
9 we can't help the family if we don't help the
10 parents also. Because the child cannot make changes
11 alone. And Mary's -- Mary's presentation, had she
12 not gotten cut short, would have told some about
13 that.

14 But what we intend to do is let our
15 parents help where they can help. Because with
16 their working and everything else, we think we can't
17 make a blanket statement. But we feel like every
18 parent can be involved in some way. So we're going
19 to try and make -- well, Mary's already got it made
20 a lot -- is a list of things parents can do. And
21 they can choose in which way they will be able to
22 help. Do you want to --

23 MS. LOVELAND: I get to talk a little.

24 Okay.

25 THE CHAIR: You probably need to identify

1 yourself for the record --

2 MS. LOVELAND: I'm sorry. I'm Mary
3 Loveland.

4 THE CHAIR: -- as answering this.

5 MS. LOVELAND: I am both a founder and a
6 member of the governance council board here. Okay.
7 We are going to ask our parents to sign a
8 participation pledge. And because we realize that
9 parents have time constraints, it will be up to them
10 as to how much time and what level of participation
11 they can provide.

12 But we are committed that all parents will
13 work with us, to some degree, according to their
14 time constraints, their interest, their talents. We
15 feel that the community, as well as parents, is
16 underutilized in helping with education, with their
17 experiential background, with serving as mentors to
18 some of our students who perhaps are AES and have
19 separate interests that could be covered in the
20 afternoon.

21 For those parents who -- well, if I could
22 just read -- on campus, parents may choose to serve
23 as tutors and mentors to share specific skills and
24 knowledge as guest lecturers, demonstrators, and
25 project facilitators. They may serve as an extra

1 pair of hands, assisting teachers and students in
2 various projects. They may perform necessary
3 nonteaching tasks.

4 They may -- if they prefer to belong to
5 Friends of OMCCS, whose goal is to provide,
6 primarily, financial aid through fundraisers, as
7 well as performing other activities that address the
8 school needs. Parents may choose to serve on the
9 governance council itself as the elected parent
10 representative or an elected council member, or as
11 an appointed member of a governance council
12 committee. Parents may choose to serve on the OMCCS
13 parent Advisory board, working directly with the
14 head administrator and staff to further OMCCS goals.

15 They may assist in publishing a newsletter
16 detailing current and future projects, list of
17 school wants and needs, and celebrating school
18 achievements. Parents may choose to be sponsors on
19 field trips, aiding in community involvement
20 projects, construct learning materials, obtain
21 pertinent charts, brochures, magazines, and gather
22 materials for use in class projects.

23 So we hope -- these are just a few
24 examples of the many ways --

25 THE CHAIR: So you're not expecting the

1 parent to come in and teach, as in a family school
2 or home schooling?

3 MS. LOVELAND: No.

4 THE CHAIR: That's what I wanted to get
5 clear in my mind.

6 MS. LOVELAND: Just a variety of tasks
7 according to their time, interests and experiences.

8 MS. JENKINS: We just found that if we
9 involve the parents in the child's education, it
10 makes the child's education more valid and more
11 important. When mom and dad show up to do anything,
12 they're saying to their child, "What you're doing is
13 so important that I gave up part of my day to be
14 here with you." It speaks loudly to the child about
15 the importance of their education.

16 MS. HOOLEY: Upon enrollment, our
17 expectation will be verbalized to the parent. So if
18 they choose to continue to enroll their student,
19 that's an agreement that they're going to choose to
20 accept our --

21 THE CHAIR: Thank you. I have -- I have a
22 concern in here about transportation. And when I
23 first started reading the -- well, the actual -- the
24 actual application, when I first started, I thought
25 you were going to be out here on Organ Mountain,

1 because that's become quite a community in my
2 lifetime. And I thought, well, maybe this is where
3 you were going to have a charter school was actually
4 out in that community. I don't know whether
5 Las Cruces has any schools out there or not, or even
6 whether that community is part of the Las Cruces
7 School District. Is it, Mr. Rounds?

8 MR. ROUNDS: It is a part of the district,
9 and, no, we don't have any schools there.

10 THE CHAIR: Alamogordo comes down in here
11 in some peculiar ways. So I didn't know whether it
12 was or not. But I will tell you, I had a concern
13 about transportation, in that this is a very urban
14 setting. And sometimes in rural New Mexico, we
15 think about transportation being to -- as where I've
16 lived most of my life, getting a child in the Gila
17 Forest into Silver City or into Bayard to school,
18 and he travels 50 to 75 miles one way.

19 But that isn't the true picture of
20 transportation anymore. The true picture of
21 transportation, I believe, is urban and suburban
22 transportation, simply because of not so much
23 distance, sometimes, even though we have those
24 limits of a mile, a mile and a half and all that
25 stuff. But it has to do with a safety factor.

1 And I would hope that you would look very,
2 very clearly at a safety factor when you're looking
3 at transportation. Because it seems to me that it
4 is a consideration that cannot be overlooked. And
5 that's just a caution that I would say to you.

6 And, finally, I have one other question
7 here. And, again, I'm back into the analysis here.
8 And I'm sorry it doesn't have a page number on it.
9 And when I started doing yours, I wasn't smart
10 enough to number the pages. And so I finally got
11 smart enough to number the pages, but I wasn't that
12 smart when I was doing this one.

13 And it says -- down here, it talks about
14 the boilerplate. And I put, quote, "The boilerplate
15 from the PED Web site." And that statement bothers
16 me. And let me see if I can find it down in here,
17 that they are saying that it's -- that it's
18 boilerplate. How much of the rest of the
19 application is borrowed from some sources unknown to
20 the reader of the analysis. And I don't know,
21 Kitty. Help me here. Maybe you see it here, too.

22 MS. JENKINS: I think you're probably
23 talking about part of our governance statements, how
24 our governance board would be set up. And we did
25 use other people's materials to help put that

1 together, but put our own twist in on it. But we
2 did have permission from them to do so.

3 THE CHAIR: Okay. Okay. That's real
4 fine.

5 MS. KRIVITZKY: It's not student services.

6 THE CHAIR: Right here. Here it is. "The
7 RTL process is boilerplate from the PED Web site."

8 MS. JENKINS: The Tier 1, 2, and 3? Is
9 that what you're talking about? Yes. I did. I
10 took that directly from the Web site as the model
11 that we would use. Because it is -- well, it
12 spelled it out in very much detail for us to
13 follow -- I'm pretty sure that's what the topic
14 was --

15 THE CHAIR: I highlighted it just now.

16 MS. JENKINS: Yes. Okay. That's what it
17 is. And I did take it directly from the Web site.

18 THE CHAIR: I'm not certain why it was a
19 concern to the person who was making the analysis.

20 MS. HAPPE: We thought the same thing.
21 We're following the State statutes. We cited the
22 source. So we weren't trying to hide that we took
23 it from the State. We weren't sure what the concern
24 was. We're basically saying we're going to do what
25 the State tells us to do.

1 THE CHAIR: I started with this many pages
2 in the analysis, and in your application, I had all
3 of these. And my colleagues asked all of my
4 questions.

5 MS. JENKINS: Well, good.

6 THE CHAIR: So thank you very much.

7 MS. SHEARMAN: May I ask another couple of
8 questions?

9 THE CHAIR: You certainly may.

10 MR. BERGMAN: And when she's done, I have
11 some more, too. Yes, I have some more, too.

12 MS. SHEARMAN: On the application,
13 Page 29, First Year Projected Student Number?

14 MS. JENKINS: Yes.

15 MS. SHEARMAN: The last sentence of the
16 first paragraph. "We plan to be the first
17 elementary charter school in the geographic area
18 served by the LCPS," which I assume is Las Cruces
19 Public Schools.

20 MS. JENKINS: Yes.

21 MS. SHEARMAN: What does that mean?

22 MS. JENKINS: That in this school
23 district, there are no other elementary charter
24 schools. We would be the first elementary. There
25 are middle schools and there are high schools.

1 There are no elementaries.

2 MS. SHEARMAN: Okay.

3 MR. BERGMAN: That's correct? Is that
4 correct?

5 MS. SHEARMAN: Next page. Special Needs
6 Students. That first paragraph, I think Dr. Sanchez
7 alluded to it in his comments. But it bothers me.
8 "While we studied the District's special education
9 average, we believe that OMCCS is likely to have
10 fewer special needs students. We believe that
11 children in schools with very involved IEPs, such as
12 those in low incidence classrooms, are less likely
13 to transfer to a new school, as the school they
14 currently attend has addressed their particular
15 needs."

16 And I put a question there. Is this the
17 future of public schools, where the public schools
18 are -- are left with the extremely expensive
19 children to educate?

20 MS. JENKINS: No. The person who helped
21 us write this wrote -- and if you'll -- I'll refer
22 back in a minute to another part -- felt like
23 that -- she's a school personnel here in Las Cruces
24 and felt like that special education children, if
25 their parents are happy, they tend not to move them

1 as much. Because I asked her about this. I said,
2 "Why do you think they wouldn't do this?"

3 She said, "Because if they're low
4 incidence and they're happy where they are, they
5 tend not to want to move them."

6 However, when I wrote about the other
7 student services in the back, I wrote it as though
8 we will meet the needs of all students who come,
9 because we don't know. But -- and I, personally,
10 think we will get more. But --

11 MS. HOOLEY: And just to clarify again.
12 This is from my perspective as a health care
13 provider, as a coordinator of health care and as
14 having partook in the process for the advanced
15 education system. You -- it's not an easy process
16 in the public schools. I doubt in any schools, it's
17 not an easy process. And you have to find
18 compatible people to work with and to help meet your
19 needs and to be able to verbalize your needs with.

20 Students who have progressed beyond first
21 or second grade, even, and have found those people,
22 it's a family. This is not just being left with
23 high -- you know, students being left there. They
24 have found a place that they're happy, because, more
25 often than not, they have had to find that place.

1 It's not just their school district. It's not just
2 who they were told or who was available. They've
3 had to go above and beyond what's readily available
4 to find where they're happy, where their child's
5 needs are best met.

6 And so it's not an unbelievable concept to
7 think that they won't be jumping ship just because
8 we're so innovative, new, and fantastic. Because
9 there's an established relationship that's there,
10 and that's difficult to break when you have an
11 either end of the spectrum child.

12 MS. SHEARMAN: Thank you for that
13 clarification. One other question, if I might --
14 and here, again, I'm not sure. The next paragraph
15 talks about hiring two full-time special ed
16 teachers. Then it says, "The large number of
17 educational assistants, while not identified as
18 special education EAs, will assist in the
19 inclusion."

20 Do special education EAs need any special
21 training, or is an educational assistant, across the
22 board, acceptable?

23 MS. JENKINS: It's across -- well, in my
24 school, I saw people moved in and out of special ed.
25 And when I worked in special ed, I had to go back

1 and take extra courses, because I went in on a
2 waiver. Okay? But the assistants that I had, one
3 of them had been in special ed all of her life. One
4 of them had never been there before.

5 So I don't think that there's any
6 differentiation. I saw -- I saw the assistants
7 being moved around from regular to SpEd and from
8 SpEd to regular on a regular basis.

9 MS. SHEARMAN: I know in the last few
10 years, there have been a lot of additional
11 requirements for EAs. Might we ask Mr. Rounds?
12 Has -- are there any special regulations now for
13 special education EAs?

14 MR. ROUNDS: Madam Chair, Ms. Shearman,
15 yes, there are. And we would suspect that a charter
16 school would have the same kind of regulatory
17 requirements, depending on the group that they
18 served. It certainly depends on what the students'
19 needs are. That's a changing threshold as we go
20 through time. As was mentioned, there are a number
21 of expenses that are attached to that. And so --
22 but there are certainly evolving -- we could get
23 into particulars, if you're interested.

24 MS. SHEARMAN: Thank you for that
25 clarification.

1 MS. JENKINS: Thank you very much.

2 THE CHAIR: Mr. Bergman, did you have
3 another question?

4 MR. BERGMAN: Yes. I want to backtrack a
5 little. You were talking about the family
6 involvement. And under this Evaluating Student
7 Performance, the Charter Schools analysis, you
8 responded to the area called "Corrective Action."
9 And you stated, "The corrective actions will include
10 tutoring by staff, parents, and community mentors.
11 Community mentors will include, but be not limited
12 to, the Delta Kappa Gamma Society for key women, the
13 Omega chapter."

14 Since they weren't listed as a
15 partnership, either, how are they going to help you
16 mentor the kids? And is this a fairly firm
17 relationship also?

18 MS. JENKINS: I'd like to direct that
19 to --

20 MS. HAPPE: My partner is actually a
21 member of that society. And this is something that
22 came up recently, because she just became a member a
23 couple of months -- after we sent in the
24 application, she became a member of the society.

25 MR. BERGMAN: And that was going be my

1 next question.

2 MS. HAPPE: My partner is a member. Yeah.

3 MS. JENKINS: She said she brought it to
4 their attention, and they said, "Yes. We would love
5 to help." So it's --

6 MR. BERGMAN: So is it still in flux or
7 something?

8 MS. JENKINS: Yes.

9 MR. BERGMAN: And are these current
10 teachers? Are they just college students?

11 MS. HAPPE: Retired and current teachers.
12 Yes.

13 MR. BERGMAN: Some of them, probably
14 teaching in local schools, then?

15 MS. HAPPE: Yes.

16 THE CHAIR: Did you want to respond to
17 that also?

18 MS. LOVELAND: On tutoring?

19 MR. BERGMAN: I think --

20 THE CHAIR: It's all right. I didn't want
21 to exclude you if you wanted to respond to it.

22 MS. LOVELAND: No. That's fine.

23 MR. BERGMAN: My theory is any help a
24 school has, the better off they are.

25 MS. LOVELAND: We would expect to have a

1 pool of retired teachers. So, therefore, they have
2 been certified. They do have the background, and we
3 would expect them. I have several friends
4 already -- I'm a retired teacher. I have several
5 friends already who have expressed interest in
6 either the afternoon tutoring or after-school
7 programs.

8 MR. BERGMAN: So, at some point, you will
9 be asking for volunteers and getting it organized,
10 and probably have a coordinator?

11 MS. LOVELAND: Yes.

12 MR. BERGMAN: Okay.

13 MS. JENKINS: That's really Mary's
14 specialty.

15 THE CHAIR: That's nice to know that's her
16 specialty. She didn't say so. See? Anybody else?
17 Carolyn?

18 MS. SHEARMAN: I'm done. Kitty? Vince?

19 MR. BERGMAN: I'm done. Thank you.

20 THE CHAIR: Catherine? No.

21 Thank you very much. Thank you very much
22 for your presentation. We appreciate it. And,
23 Dr. Duran, do you have -- I have some more to read
24 down here.

25 (A discussion was held off the record.)

1 THE CHAIR: We will have a break as soon
2 as this is over. You know, it's been past
3 lunchtime, and we need a comfort break, and I know
4 that. But at this time, then, I need to say, the
5 Commission encourages continued public input in
6 writing until September 1, 2009, at 5:00 p.m.
7 Written comments should be sent to Public Education
8 Commission, in care of Beverly Friedman,
9 300 Don Gaspar Avenue, Santa Fe, New Mexico, 87501,
10 or e-mail comments to Beverly Friedman at
11 "bev.friedman@state.nm.us."

12 And I think that that concludes this
13 portion of our public hearing. And when we come
14 back in a few minutes -- and I hope we can come back
15 as quickly as possible -- we will be doing the
16 Dennis Chavez Charter School application. Thank
17 you, ladies, very much.

18 MS. JENKINS: Thank you, very much.

19 (Proceedings in recess at 2:30 p.m.)
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1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

3
4 IN THE MATTER OF:

5 ORGAN MOUNTAIN COMMUNITY CHARTER SCHOOL

6
7
8 REPORTER'S CERTIFICATE

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

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

18
19
20
21 _____
22 Cynthia C. Chapman, RMR, CCR #219
23 201 Third Street, NW, Suite 1630
24 Albuquerque, New Mexico 87102

25 Job No.: 3838D

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