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BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

IN THE MATTER OF:
NEW MEXICO INTERNATIONAL SCHOOL

TRANSCRIPT OF PROCEEDINGS
CHARTER SCHOOL PUBLIC INPUT HEARINGS
August 17, 2010
8:04 a.m.
CNM Work Force Training Center
5600 Eagle Rock, Room 101
Albuquerque, New Mexico

REPORTED BY: Sally Peters, RPR, New Mexico CCR 57
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A P P E A R A N C E S

COMMISSIONERS :

MR. ANDREW GARRISON, Chair
MS. CAROLINE SHEARMAN, Vice Chair
MR. EUGENE GANT, Secretary
MS. KATHRYN KRIVITZKY
MR. VINCE BERGMAN
MS. MILLIE POGNA

STAFF :

DR. DON DURAN
MR. SAM OBENSHAIN
MR. MICHAEL C DE BACA
MR. RUDOLPH ARNOLD, Attorney for PED
MS. MARJORIE GILLESPIE
MS. CORINA CHAVEZ
MS. KAREN EHLERT

1 CHAIR GARRISON: I want to call this
2 meeting to order, the Public Education Commission
3 charter school public input hearing, August 17,
4 2010. We will begin with roll call.

5 MR. GANT: Commissioner Pogna.

6 MS. POGNA: Here.

7 MR. GANT: Commissioner Krivitzky.

8 MS. KRIVITZKY: Here.

9 MR. GANT: Commissioner Gant is here.
10 Commissioner Bergman.

11 MR. BERGMAN: Here.

12 MR. GANT: Commissioner Shearman.

13 MS. SHEARMAN: Yes, here.

14 MR. GANT: Commissioner Garrison.

15 CHAIR GARRISON: I am here.

16 MR. GANT: The following commissioners are
17 missing: Commissioners Lopez, Price, Smith, and
18 Carr.

19 CHAIR GARRISON: Thank you, Commissioner
20 Gant.

21 Let's all stand for the Pledge of
22 Allegiance and the salute to the New Mexico flag.

23 (Pledge of Allegiance and Salute to the
24 New Mexico Flag.)

25 CHAIR GARRISON: Good morning, everybody.

1 The purpose of this hearing is to submit both
2 written and oral input on the proposed charters. In
3 accordance with the Charter Schools Act, the
4 commission shall receive applications for initial
5 chartering and renewals of charters for charter
6 schools that want to be chartered by the state and
7 approve or disapprove those charter applications.

8 In addition the Charter Schools Act states
9 that the chartering authority shall hold at least
10 one public hearing in the school district in which
11 the charter school is proposed to be located to
12 obtain information and community input to assist in
13 its decision whether to grant a charter school
14 application. Community input may include written or
15 oral comments in favor of, or in opposition to, the
16 application from the applicant, the local community,
17 and for state chartered schools, the local school
18 board and school district in whose geographic
19 boundaries the charter school is proposed to be
20 located.

21 The applicant at this time will be the New
22 Mexico International School. At this time we would
23 like to hear from the applicant. If I could have
24 the International School come up to the front table
25 here and add chairs if necessary.

1 And for the record, I would like, please
2 state the name of the school, the names of the
3 founders of the school, the proposed grade levels to
4 be served, and membership projection of the school.
5 And when you give names, if it's a unique spelling,
6 please spell it out for the record, and then also
7 sign your names on that piece of paper at the end
8 there, at your convenience. And if you need me to
9 repeat anything, please ask.

10 MR. PAGÁN: Good morning. My name is
11 Carlos Pagán. I am the lead organizer for the New
12 Mexico International School. I am also an assistant
13 professor at UNM in the department of educational
14 leadership and organizational learning.

15 With me today I have two other members of
16 the planning group that's put this charter together,
17 and I would like to ask them to introduce
18 themselves.

19 MS. BUCHANAN: Good morning. I am Louella
20 Buchanan, and I am a retired teacher and I am
21 working with the board with the International
22 School.

23 MR. VIGIL: Good morning, my name is
24 Michael Vigil. I am the chief financial officer for
25 the New Mexico Coalition for Charter Schools. I am

1 also the former superintendent for business, the
2 chief financial officer for the Albuquerque Public
3 School District.

4 MR. PAGÁN: There are three other members
5 of our planning group that could not be here this
6 morning. I don't see them. Dr. Chad Redwing, the
7 former executive director of Cottonwood Classical
8 Preparatory School. Dr. Nicole Montague, she is a
9 first grade teacher and a former assistant professor
10 at Texas A & M University, and Mr. Eduardo Chavez,
11 Corrales real estate agent and member of the
12 community.

13 The proposed school, the New Mexico
14 International School, is a K-5 elementary school,
15 with a projected total enrollment of 240 students.

16 CHAIR GARRISON: Thank you. We will now
17 request that you state for the record a brief
18 description of the school, the reasons you believe
19 the school will benefit the children and citizens of
20 this community, and any other information you would
21 like the commission to know about your application.
22 You have 15 minutes, so please be as precise as you
23 can during this time. You may now begin.

24 MR. PAGÁN: Thank you. Well, good morning
25 again. We would like to share a little bit of a

1 brief summary of our application to establish the
2 New Mexico International School. The brief
3 presentation will focus on three major components of
4 the proposed school. No. 1 is the academy
5 component, No. 2, the language component of the
6 school, and No. 3 is the extracurricular extended
7 day component. And all these, I hope you have had
8 the opportunity to see, are all based on research
9 that we have conducted.

10 The academic component will be based on
11 the New Mexico standards and the international
12 baccalaureate program. The IB program has three
13 levels: The primary years program, the middle
14 school years program, and the diploma program. We
15 are proposing to seek certification for the primary
16 years program which is primarily a K-5 program.

17 A little bit about the IB program. The IB
18 program is organized around six transdisciplinary
19 themes. These are the themes that give to the
20 foundation, to the school. The first theme is who
21 are we, and it addresses an inquiry into the nature
22 of self, our beliefs and values, and a more extended
23 or more details are included in the application on
24 this statement.

25 No. 2 is where are we in place and time,

1 and this deals an inquiry into orientation in place
2 and time in our personal histories. No. 3, how we
3 express ourselves, which is an inquiry into the ways
4 in which we discover and express ideas. No. 4, how
5 the world works, and this is an inquiry into the
6 natural world and its laws.

7 No. 5 is how we organize ourselves, an
8 inquiry into the interconnectedness of human made
9 systems and communities. And the last
10 transdisciplinary theme is sharing the planet, or an
11 inquiry into the rights and responsibilities and the
12 struggle to share finite resources with other people
13 and living things.

14 These six themes and the New Mexico
15 content standards provide the basis for the
16 development of the school curriculum. They also
17 promote inquiry based learning, international
18 mindedness, and critical skills, thinking skills.

19 The second component is the language
20 component. This is to address the linguistic needs
21 that we see in the state in terms of students being
22 able to speak a second language and even a third
23 language. The research in this area shows that the
24 best way to learn a second language is at a young
25 age in an emergent environment, a language emergent

1 environment. This is again based on research that
2 was conducted in the late sixties, early 1970s in a
3 very famous study called the St. Lambert [phonetic]
4 study that came out of McGill University which
5 showed that an emergent environment is the best way
6 to learn a foreign language.

7 So students at the proposed school, the
8 New Mexico International School, will participate in
9 a 90-10 Spanish language immersion program. We are
10 beginning in kindergarten. 90 percent of
11 instruction will be in Spanish and 10 percent will
12 be in English, and we do that because Spanish is the
13 target language. It is the language that we are
14 trying to have students acquire bilingual literacy
15 in, and also the school is the only place that they
16 are really going to hear formal instruction in that
17 language.

18 We will add more English from grade level
19 to grade level to a 50/50 split between when English
20 and Spanish is achieved. And then in fourth grade,
21 we would like to give the opportunity to students to
22 explore and to engage in the study of a third
23 language, and our proposed third language is Arabic
24 which will be introduced in grades four and five,
25 and that will be for a minimum of approximately 45

1 minutes during the day.

2 The expectations for the Arabic language
3 is that students will acquire conversational skills
4 and an interest in studying the language further.
5 We know that two years of elementary study in the
6 language will not be sufficient to be proficient in
7 it.

8 The third and final component that really
9 gives the school its predominant sort of mission is
10 the extracurricular extended day. So if approved,
11 NMIS, or New Mexico International School, will be
12 the first public school to offer students the
13 opportunity to participate as part of their physical
14 education program in such nontraditional sports as
15 lacrosse, fencing, and martial arts.

16 NMIS will also have the opportunity to be
17 part of an extended day program from 3:30 to 4:30.
18 During this time, students will have the opportunity
19 to engage in an extended athletic program, but also
20 in a visual, performing arts, music program where
21 they will actually study how to play an instrument
22 and also engage in plays and other performing arts
23 activities.

24 So very briefly, those are the three main
25 components of the school. In terms of giving

1 someone a summary, when we are asked what the school
2 is about, this is really the essence of the school.
3 But there are other sort of important components of
4 the school that I would like to just briefly share
5 with you. One of them is that there will be a
6 strict no homework policy at the K-5 level. There
7 is plenty of research that shows that homework at
8 the elementary level does very little for students
9 in terms of their performance and is actually
10 something that is detrimental to them.

11 And I can say that as a parent, I really
12 experienced that in terms of the relationships with
13 parents and having homework done and the way that we
14 have administered homework in the past. And there
15 is research by Alfie Kohn. That has been someone
16 that I have really been reading and trying to learn
17 from. So no homework policy at a K-5 school.

18 Mandatory dress code, this is something
19 also that research has shown is a beneficial
20 component of an elementary school and also of a
21 secondary school. The other, I think, component
22 that is really important for us to consider, and we
23 have included it in the charter, is that we like to
24 see students participate in outdoor or field trips
25 that are outside of the school, so that they can

1 have an extension of some other learnings that are
2 going on outside the classrooms. So the school will
3 be sponsoring and providing students the opportunity
4 to attend at least four field trips per year in each
5 of the grade levels.

6 So this is basic information about the
7 school, and we would like to thank you for the
8 opportunity to give you a summary. We hope that,
9 you know, the school, if approved, will expand the
10 educational opportunities and choices for families
11 here in the state of New Mexico.

12 And before we conclude, I also would like
13 to acknowledge the analysis that was completed by
14 the New Mexico PED on our application. We are
15 currently working on the response to the questions
16 and comments made in the preliminary analysis and
17 will submit it to this body by the August 20th
18 deadline. Thank you and we welcome your comments
19 and questions.

20 CHAIR GARRISON: Thank you very much.

21 At this time we would like to hear from
22 the local school board and/or district
23 representatives, so we will switch places here as
24 far as the table goes.

25 MR. GALLEGOS: Good morning, Mr. Chairman

1 and members of the commission.

2 CHAIR GARRISON: Good morning.

3 MR. GALLEGOS: Mr. Chairman and members of
4 the commission, I am Diego Gallegos. I am assistant
5 superintendent for school and community support in
6 the Albuquerque Public Schools, and I am here today
7 to read a letter into the record. But before I
8 start that, I would like to say, No. 1, that you, as
9 an authorizer, we realize that you, just like us,
10 are bound by certain statutory requirements in terms
11 of how you address this issue, and so we appreciate
12 the difficulty of the work that you do, just like we
13 understand it when folks come to us to be
14 authorized.

15 I also want to say to the folks who are
16 here presenting their case for their school, that we
17 understand the incredible amount of work and
18 commitment and the time that it takes to put
19 together an application. We know how much time they
20 put in it, we know how difficult it is, and again we
21 are not here speaking against any one of them.

22 And I also want to commend your staff. We
23 know how difficult it is to go through this process
24 and have to make recommendations, so we know how
25 much time they spend also and how difficult it is.

1 So we appreciate their work. So we are not here, as
2 we may have been in the past, just to say no, no,
3 no. We are here with what I believe is a very
4 strong message. I think I gave you my copy of the
5 letter. We are here with a message that we think is
6 important to the future of charter schools.

7 CHAIR GARRISON: Mr. Gallegos, I need to
8 read something into the record that I skipped, just
9 because I am so comfortable with this group.

10 We will now request that you state your
11 reasons this charter school application should be
12 approved by the commission and/or reasons why this
13 charter school application should be denied. You
14 have ten minutes, so please be as precise as you can
15 during your time. You may now begin.

16 MR. GALLEGOS: And our reason for
17 suggesting and recommending that this and the others
18 be denied is because I believe we are at a point now
19 where all of us have got to figure out how we are
20 going to address all the various issues that charter
21 schools face, and I will speak more to that in my
22 letter. So again, we are not here to just say no.
23 We are here to say, it's time for all of us as
24 authorizers, and for those of us who staff the
25 authorizing bodies, and for our legislators to come

1 together and address these issues that have faced us
2 since day one around charter schools. The more
3 charter schools we add, the more difficult the
4 challenges become for all of us in addressing these
5 issues.

6 Let me go ahead and read you the letter
7 that we have prepared, and this letter comes to you
8 from the Superintendent of Albuquerque Public
9 Schools, Mr. Winston Brooks, and from the president
10 of the Albuquerque Board of Education, Mr. Marty
11 Esquivel.

12 "Dear Chairman Garrison:

13 "The Albuquerque Public Schools cannot
14 support the authorization of any new public charter
15 schools within the Albuquerque Public Schools
16 district. While APS commends the New Mexico Public
17 Education Department's Charter School Departments
18 for its diligent work in evaluating the charter
19 applications of each of the prospective schools, we
20 believe that the evaluation process is incomplete.

21 "New Mexico Administrative Code 6.80.4.12
22 states that a charter application may be denied if
23 the application is contrary to the best interests of
24 the school district in whose geographical boundaries
25 the applicant seeks to operate.

1 "At this time there is no formal process,
2 other than these hearings, to discuss with the local
3 district what may be in the best interest of the
4 district and its students. The Legislative Finance
5 Committee's report on charter schools recommends a
6 market analysis of the communities where these
7 schools hope to reside. APS numbers show that while
8 the number of charter schools in the district has
9 increased, the average number of students in those
10 schools has decreased. That means the charter
11 schools are increasingly pulling students from each
12 other, not from the district. Studying what is best
13 for the local district includes what is best for
14 existing charter schools, and most importantly the
15 students in the community.

16 "Adding more charter schools at this time
17 would mean that limited resources are being used to
18 support more schools, specifically more
19 administrative and support services, thus
20 compounding both our fiscal challenges and the
21 capital challenges that APS and New Mexico face.
22 APS is working on determining what support we should
23 and could provide for our currently authorized
24 schools. We believe that the PED will also be faced
25 with the same challenges of determining not only

1 what services to provide, but the extent of those
2 services.

3 "At this time the APD Board of Education
4 has put into place a strong Charter School Policy
5 and Procedural Directive that outlines the
6 responsibility of the charter school and the
7 authorizer. We continue to be concerned at this
8 lack of clarity in the support provided by
9 authorizers will ultimately impact our ability to
10 provide sufficient support to the current charter
11 schools and to the other schools in our district.

12 "No viable solution to the problem of
13 putting charter schools in public facilities has
14 been found. Many existing charters have to
15 supplement lease payments with SEG money, money that
16 is taken away from students. The application
17 process does not require that this be addressed
18 before a school is authorized. APS has moved
19 decisively to include charter schools in our Capital
20 Master Plan. However, the addition of more schools
21 puts added burden on the taxpayers of Albuquerque to
22 adequately fund our current needs, including
23 significant needs of older school and the many new
24 charter schools in our community.

25 "The Legislative Finance Committee's

1 report on charter schools states that one of the
2 biggest problems for charter schools is financial
3 mismanagement. This problem is compounded by a lack
4 of licensed business managers available to the
5 charter schools. No solution to this problem has
6 ever been proposed. APS has moved aggressively to
7 address the issues created by these problems, but we
8 have also had to reduce administrative staff in our
9 district, and our oversight role becomes more
10 difficult with less staff on our part, more charter
11 schools, and more charter schools unable to find
12 licensed and experienced business managers.

13 "With all of the recommendations by the
14 LFC study and the economic crisis facing education
15 in New Mexico, we believe that it would be
16 irresponsible to compound the problems of charter
17 schools and districts by adding new ones before the
18 legislature has had a chance to democratically
19 address the situation. Solving these issues will
20 lead to a more robust and accountable charter school
21 system as a viable option for families and as a true
22 system to foster innovation, not as another
23 challenge that school districts like APS must
24 address.

25 "We want to make it clear that we support

1 the desire of the students, families, and staff in
2 charter schools to make this important decision to
3 be part of a charter school. We also want to make
4 it clear that we support charter schools that are
5 accountable, characterized by high student
6 achievement and family engagement, exhibit watchful
7 financial stewardship, and have responsible
8 governance.

9 "However, we want to reiterate that until
10 current charter school law is clarified or amended
11 and the unresolved issues created by having multiple
12 authorizers in New Mexico are resolved, the
13 Albuquerque Public Schools cannot support the
14 acceptance of any new charter schools within its
15 district boundaries.

16 "Marty Esquivel, President, Albuquerque
17 Board of Education; and Winston Brooks,
18 Superintendent, Albuquerque Public Schools."

19 And we have copied our letter to our board
20 of education, to all of you, to the leadership team
21 of Albuquerque Public Schools, to Dr. Susanna
22 Murphy, and to Dr. Don Duran. We also intend to
23 submit a copy or send a copy to our legislators in
24 Bernalillo County.

25 So with that, I will take any questions

1 that you might have.

2 CHAIR GARRISON: Thank you.

3 We are to a point of community input.
4 Public comments and observations regarding the
5 application will be heard at this time. There will
6 be a four minute time limit per presenter. Persons
7 from the same group and having similar viewpoints
8 are asked to select a spokesperson to speak on their
9 behalf. Multiple and repetitious presentations of
10 the same view will be discouraged.

11 Is there anyone who would like to speak?

12 Seeing no public comment, at this time the
13 Public Education Commission reserves time to address
14 any questions that the commissioners may have of the
15 applicant, if the applicant will come back to the
16 front table.

17 Please keep your responses as brief as
18 possible to allow for questioning from other
19 commission members.

20 Commissioner Gant.

21 MR. GANT: I have one question. The
22 sentence states, "The study of a second and third
23 language will be a required component of the
24 school's educational program." You are going to
25 require a student to take a second and/or third

1 language?

2 MR. PAGÁN: Yes, we are, right.

3 MR. GANT: What happens if a student that
4 applies doesn't want to take a second language?

5 MR. PAGÁN: Well, the whole mission of the
6 school is Spanish immersion. So the second language
7 is Spanish, English and Spanish, and the third
8 language will be Arabic. So when the parents and
9 the families apply through the lottery process, we
10 will be providing them an orientation so that they
11 are aware of what the components of the school are
12 and what the required components of the school are.

13 MR. GANT: So if they don't want to take
14 the course, they don't apply.

15 MR. PAGÁN: I think they will make this
16 determination before they apply.

17 MR. GANT: What happens if the student
18 and/or parent in the second or third year of
19 enrollment says, no more -- no more languages.

20 MR. PAGÁN: Well, again it's part of the
21 choice that the parents have, and so I would think
22 that at that point they would seek another placement
23 for the student. But the mission of the school is,
24 in terms of contract, if this is approved, we really
25 can't change it. So we would have to continue to

1 provide that opportunity, and we have said in our
2 charter application that we will offer three
3 languages.

4 MR. GANT: So therefore, you would ask
5 them to disenroll?

6 MR. PAGÁN: I would not ask them that. I
7 would hope they would come to that determination
8 themselves, that conclusion.

9 CHAIR GARRISON: Commissioner Shearman.

10 MS. SHEARMAN: Thank you. A couple of
11 questions on your budget. First in your narrative,
12 you say a contract with businesses for custodial,
13 technological software, ancillary, and all those
14 kinds of things, but you don't define what that
15 amount of money is that you are, I assume, setting
16 aside.

17 Mr. Vigil, are you one of the founders?

18 MR. VIGIL: Madam Commissioner, I was
19 working with Mr. Pagán, and we have worked together
20 about three or four years. So before he got the
21 idea, he came to me and asked me if I would
22 participate with him in developing the plan. So I'm
23 not sure if I was a founder or just a friend of Mr.
24 Pagán from way back. So I don't know if that
25 answers your question. I have been working with Mr.

1 Pagán prior to him --

2 DR. DURAN: Excuse me. Mr. Chairman and
3 Members of the Commission, applicants can bring
4 anyone who they wish to address issues of their
5 application. They don't have to be the founders.
6 They can be people who have supported the
7 application throughout the process. So there is
8 nothing that prevents them to bring other resources.

9 CHAIR GARRISON: Dr. Duran, thank you for
10 that clarification.

11 MS. SHEARMAN: Please go on.

12 MR. VIGIL: As we developed a budget, we
13 discussed how services could be rendered. Since
14 this is a budget that was put together for
15 basically, you know, a five year bullet, depending
16 on if and when the school is ever approved, many of
17 the charter schools today are contracting out their
18 technology services and different various services.
19 There aren't enough people -- just as there aren't
20 enough business managers to go around, there aren't
21 enough technology people to go around. So many of
22 the schools are contracting with the services, so we
23 did place money into contracted services, and that
24 is the way the school had planned to pay for these
25 services initially in developing this budget.

1 If the school is approved, we would go
2 through the PED process of developing a budget based
3 on actual real unit values and actual projections
4 for that first year, and so our assumptions would
5 change based on what is actually going to occur at
6 that time. But this budget was based on the
7 assumption that, like many other schools, including
8 the small districts, we would contract out those
9 services, and that was budgeted in in the budget.

10 MS. SHEARMAN: Is that line 41 of the
11 contract services? Is that where you put it?

12 MR. VIGIL: The accountant would probably
13 be 11,634.14, and then application number 000. That
14 would be the charter of the calendar used by state
15 PED. But under this format, it does not actually
16 follow the state PED contract. This budget is not a
17 state PED approved budget. Most school districts or
18 existing charter schools would use this budget
19 format, as this would not be allowed -- it does not
20 contain enough detail, but we did collapse those
21 numbers so other contract services is probably --

22 MS. SHEARMAN: Yes. My next question, the
23 average teacher salary you say is 45. You already
24 know that, a math statement there. The next thing,
25 preliminary salary figures for head administrator

1 have been established as 20,000 and 80,000 for a
2 school director. Is that two people?

3 MR. PAGÁN: Yes.

4 MS. SHEARMAN: So one person is what,
5 going to work part-time?

6 MR. PAGÁN: That would be, yes, a .25 head
7 administrator and then a full-time school director.

8 MS. SHEARMAN: That's a little unusual.
9 You are going to contract out your financial
10 services. On the amount listed for the land and
11 building, estimated at \$10,000 a month. You say
12 this amount does not include the state subsidy
13 currently at \$700 a month. On page four, you said
14 you will be sharing facilities with Cottonwood
15 Classic; is that right?

16 MR. PAGÁN: Right.

17 MS. SHEARMAN: So does that mean your
18 share of the monthly rental or lease is \$10,000 a
19 month?

20 MR. PAGÁN: Right.

21 MS. SHEARMAN: So at \$700 a student, at
22 some point it gets to the position where that \$700
23 per student would totally cover what you are
24 projecting the lease to be, and I think it was
25 98,000, was it not, in the budget?

1 MR. VIGIL: Board members, what we were
2 trying to do, Mr. Pagán, working with Mr. Redwing,
3 who was at Cottonwood Classical, have asked maybe
4 they could co-locate. They have a facility that if
5 they could expand into using both schools, they
6 would not share the space but rather co-locate
7 people in the same building. And through that, they
8 would be able to share some of the expenses, share
9 some of the costs and also provide a more secure
10 environment to both schools. And so using the
11 analysis, we would be able to pay for, based on the
12 current square footage they are paying for, rent per
13 square footage, they would be able to cover the
14 rents using this model.

15 MS. SHEARMAN: My point is, at some point
16 that \$700 per student covers the entire amount that
17 was listed as your responsibility on the lease, yet
18 you still continue to include \$40,000 from
19 operational fund in that same line item for land and
20 the lease of the building.

21 MR. VIGIL: As the school would increase
22 in size, what we faced in the number of children
23 that were attending per year, and so they would also
24 have increased square footage needs, and so that
25 additional square footage need would increase the

1 cost of the total lease. Therefore, I don't think
2 in the very end you would have a total coverage.
3 Also as the economy improves -- well, we hope it
4 improves -- we assume that there would be increases
5 in the land cost and rents and that sort of stuff.
6 So we don't anticipate it covering a hundred percent
7 of the lease.

8 MS. SHEARMAN: Professional services
9 include an annual fee to the International
10 Baccalaureate Organization and a contracted adjunct
11 Arabic instructor, but I don't see that amount
12 identified as such in the budget. Would you tell me
13 where that is?

14 MR. VIGIL: If you look on page 62, I
15 believe it's under other professional services, we
16 do have fees in there of 50,000, escalating to
17 60,000.

18 MS. SHEARMAN: I'm sorry, where?

19 MR. VIGIL: On line No. 29.

20 MS. SHEARMAN: Line 29, professional
21 services, 60,000?

22 MR. VIGIL: Yes. It starts at 50 and goes
23 to 60.

24 MS. SHEARMAN: I was asking about the fee
25 for International Baccalaureate and the adjunct

1 Arabic instructor, and your response was? I'm
2 sorry. I didn't hear it.

3 MR. VIGIL: Yes. Line 29 has a
4 professional services budget for the first year of
5 50,000 and increasing to 60,000, so we would have
6 covered those.

7 MS. SHEARMAN: Would you break that down
8 for me, please?

9 MR. PAGÁN: The International
10 Baccalaureate fees for the primary series program is
11 currently \$10,000 per year. In addition to that,
12 there is quite a bit of professional development
13 that we need to complete. There's a tier process
14 for teachers to be certified in the primary series
15 program. So approximately per participant per year
16 is about \$2,500 for training.

17 And then I believe you also mentioned the
18 adjunct faculty, which is, you know, probably about
19 an hour per day, five hours per week per person. So
20 we probably estimate about \$40 to \$50 per hour for
21 that individual. And that's how we came up with
22 these figures.

23 I do want to sort of emphasize that it's
24 very difficult to put a budget in place when there
25 are so many variables that we really have no control

1 over in terms of what we are going to find when we
2 go out to recruit, and the IB program has also
3 increased their fees over the past two years. We
4 don't know if that's going to happen again. And
5 also the training, it could also be more than what
6 we are actually projecting. So this is a very, very
7 rough draft of a five year budget. We did the best
8 we could to put the figures together, but do we have
9 to the cents, to the dollars, probably not.

10 MS. SHEARMAN: Are you anticipating being
11 able to find a licensed teacher, highly qualified,
12 in the state of New Mexico to teach Arabic?

13 MR. PAGÁN: My goal is to first of all
14 seek the support and the help of the colleagues that
15 I know at UNM in that department. They recently, if
16 you are aware, they had an institute this summer for
17 the teaching of Arabic and some other languages that
18 are in a critical shortage area. So I will take
19 that step to seek and to advertise for that
20 individual. But until we do so, you know, I didn't
21 get a list of available certified teachers that also
22 speak Arabic, but I know that there are at least 200
23 families in the Albuquerque area who speak Arabic.

24 MS. SHEARMAN: But I don't think speaking
25 the language is going to qualify them to teach the

1 language.

2 MR. PAGÁN: Well, what I am hoping is that
3 a teacher will be certified who is also an Arabic
4 speaker, and I will be advertising for that.

5 MS. SHEARMAN: Let me just throw out, what
6 happens if you don't find that certified person to
7 teach Arabic?

8 MR. PAGÁN: Well, we will probably seek
9 alternative licensure, if it's required, but I hope
10 that there will be ways to offer that one hour a day
11 for students, and if there is a possibility to offer
12 that without a licensed teacher or, you know, I
13 guess, seek some kind of guidance from the PED about
14 what can we do about alternative licensure.

15 MS. SHEARMAN: Another thought that has
16 occurred to me as I read your application, this
17 almost seems to me -- well, no, not almost -- this
18 seems to me that it would be a wonderful fit as an
19 extension or expansion of the Cottonwood Classic
20 school. It's already there. You are going to be
21 sharing facilities, the same program, international
22 baccalaureate. Why would it not make sense to
23 expand the grades for Cottonwood Classic to include
24 the grades that you all are anticipating? Certainly
25 economy of scale would come into play, sharing

1 administrators. There's a lot of money to be saved
2 with expanding an existing program.

3 MR. PAGÁN: I can't speak for, you know,
4 Cottonwood Classic. I don't know if they are
5 interested in expanding to the elementary level, but
6 one of the reasons why we were so excited about
7 sharing the facility is that we will be able to take
8 advantage of those economies of scale. We hope that
9 we would have the same custodial technology services
10 as well that would share those services on the same
11 facility.

12 So in terms of administrative staff, I
13 mean, I hope that also can be worked out. I mean,
14 special education, bilingual services, that we could
15 maybe have the same administration, but we haven't
16 really sat down and discussed that. I think we are
17 waiting to see if this application is approved when
18 we get to that next phase, that next stage.

19 DR. DURAN: If I may, Mr. Chairman and
20 Members of the Commission, on the question at hand,
21 if Cottonwood Classic were a state school, you would
22 be entertaining an amendment, so would that be
23 something you would like to do? I think with state
24 schools, I am not sure how the PEC would react to
25 that kind of expansion, but they would have to come

1 in with an amendment request, and then you would
2 have to approve it or deny it. So I just --

3 MS. SHEARMAN: Just as a point of fact, my
4 personal opinion, I think it would be a dandy idea.
5 That's my personal opinion.

6 MR. PAGÁN: Thank you.

7 MS. SHEARMAN: Thank you very much.

8 CHAIR GARRISON: Commissioner Krivitzky.

9 MS. KRIVITZKY: Good morning. I just
10 wanted a little more clarification on your extended
11 day. I think it's a wonderful idea, and I know kids
12 need that extra time at the end of the day. You
13 talked about physical education, lacrosse, martial
14 arts, music, and art.

15 MS. POGNA: Uh-huh.

16 MS. KRIVITZKY: Is this going to be taught
17 by licensed certified teachers, or can you explain a
18 little bit more how that would look? If I had, say,
19 a third grader who gets to school at 8:00 and
20 attends the regular lessons, they have a 90-10
21 language immersion, and then what happens at the end
22 of the day?

23 MR. PAGÁN: So from 3:30 to 4:30,
24 approximately every quarter, parents and students
25 will have the opportunity to select from the list of

1 offerings that we would be putting together from
2 3:30 to 4:30. They will include activities in those
3 areas that you mentioned -- performing arts, visual
4 arts, sports. There will be other courses. These
5 courses from 3:30 to 4:30 are not going to be
6 necessarily taught by certified teachers. They
7 could be professionals in the field that we will,
8 you know, hire to teach during that time.

9 What we hope will happen is the IB program
10 requires students during their normal day, that they
11 be engaged in art and music. What we hope will
12 happen, that since we don't have enough time to do
13 everything we would like to do during the day, is
14 that they will take then that opportunity from 3:30
15 to 4:30 to expand on what they have been doing
16 during the day. So if they had an art project that
17 they couldn't quite finish during the day, then they
18 will have the opportunity to do it with the art
19 teacher in the afternoon.

20 The same with music. The IB program is
21 really more of an exploration of music, music
22 appreciation, music theory. We would like to see
23 students actually practice and become proficient in
24 playing an instrument. So that will also happen
25 from 3:30 to 4:30. So every quarter there will be

1 another list of activities that will go home where
2 parents can then select, with the input of their
3 children, what they would like to do during that
4 time. And it will be completely funded by the
5 school.

6 MS. KRIVITZKY: So this isn't a graded
7 thing; this is just an extension of their --

8 MR. PAGÁN: No. Right, of their learning
9 during the day. It's not graded. We will also
10 have, by the way, since we have a no homework
11 policy, we will have time from 3:30 to 4:30 for
12 teachers to tutor students in areas that they have
13 identified as being something they need help with.
14 So staff will be aware that from 3:30 to 4:30,
15 students might drop in and seek some additional
16 support in areas that they are struggling in.

17 MS. KRIVITZKY: Just in the physical, the
18 PE, lacrosse, do you have fields there, or do they
19 have to travel somewhere for that?

20 MR. PAGÁN: Very limited fields. I have
21 not explored, there across the street, the school
22 is, as you know, in Los Ranchos, so there is an open
23 space that I need to sort of explore more. But my
24 understanding is that Cottonwood Classical is also
25 looking at that, so they wouldn't have to go very

1 far to do that, to practice that.

2 MS. KRIVITZKY: Thank you.

3 MR. PAGÁN: You're welcome.

4 CHAIR GARRISON: Mr. Bergman.

5 MR. BERGMAN: Thank you, Mr. Chairman.

6 After reading your application and looking
7 at the preliminary analysis, I know you are going to
8 respond to the preliminary in the next few days, but
9 a thought did occur to me. Since you are going to
10 be teaching kindergarten kids 90 percent in Spanish,
11 how are the ones at this point who only speak
12 English, how are they going to be able to function
13 in that kind of environment?

14 MR. PAGÁN: Actually, the 90-10 model is
15 intended for English dominant students. So we do
16 have -- I would suspect that 100 percent of the
17 kindergartens that rate for the school are raised to
18 be English dominant. So it is called a one way
19 immersion program. It has years and years and years
20 of research backing that shows that English dominant
21 students placed in an immersion environment, do
22 extremely well not only in their target language but
23 in their home language.

24 I would like to point out that we
25 currently have three schools that are using the same

1 sort of model, and all of them met AYP over the past
2 two years.

3 MR. BERGMAN: Thank you. Now, on the
4 Arabic part after they have their instruction in the
5 fourth and fifth grade and then they are going to
6 move on somewhere else, either back into APS or into
7 another charter school, are they not going to lose
8 what they have learned? I assume it's not a
9 language that's being taught widely.

10 MR. PAGÁN: We are also working -- we
11 would be working with Cottonwood Classical.
12 Obviously it would be two lotteries, but we would
13 like to work with Cottonwood Classical to offer the
14 language at that school, because we suspect that a
15 lot of the parents and families from New Mexico
16 International School will apply to Cottonwood
17 Classical.

18 And the only other school that I know of
19 that's publicly funded that offers Arabic as a
20 language option is Ames, and that would be at the
21 high school level. So we immediately will try to
22 come up with ways to, you know, provide students the
23 opportunity to continue the language by exploring
24 other schools that might offer the same opportunity
25 at the middle school level.

1 MR. BERGMAN: Thank you. And this is more
2 for my own satisfaction and my curiosity. Since you
3 are going to be sharing space with Cottonwood
4 Classical, are your students going to be
5 commingling? Are you going to be in a separate
6 area? Are you going to be wandering the halls
7 together and it's hard to tell whose students belong
8 to where?

9 MR. PAGÁN: No. We will be in separate
10 facilities. When I spoke -- and by the way, this is
11 at this point a verbal, just verbal conversation,
12 just conversations we have had about locating the
13 school there, but I made sure that the space would
14 be separate from middle and high school students.

15 MR. BERGMAN: Thank you. I know part of
16 it is the same playgrounds and things like that, I
17 don't see it as a problem, but I was curious about
18 how they are going to wander around during the day.

19 MR. PAGÁN: Right. The Cottonwood
20 Classical, the plan is more and more to move to the
21 east campus and vacate the area where the Challenger
22 Space Center is right now -- Simulation Center --
23 I'm not sure. But anyways, so that as our students
24 grow in terms of the phased in program, they will
25 also be slowly moving to the east campus.

1 MR. BERGMAN: And while you are waiting
2 for your IB certification, do they allow you to use
3 their curriculum or do you have to develop another
4 curriculum?

5 MR. PAGÁN: No. We immediately enter into
6 what's called the candidate stage, and as soon as we
7 make the application, part A, which we will do
8 immediately, we have access to all their services,
9 online curriculum, professional development, and
10 it's from day one we start using the curriculum.

11 MR. BERGMAN: You used the word online.
12 How much of your instruction is going to be online?

13 MR. PAGÁN: None.

14 MR. BERGMAN: None.

15 MR. PAGÁN: For students. The teachers
16 have access to the online curriculum.

17 MR. BERGMAN: I think that's got me.
18 Thank you. I appreciate it.

19 MR. GANT: I have one more. I should have
20 done this earlier. It's one of my -- one of the
21 things that pushes my button. In looking at your
22 9108, I see that you have gifted children and it
23 grows in numbers over time to 12. But you don't
24 list any DD?

25 MR. PAGÁN: I'm sorry. Could you repeat

1 your question?

2 MR. GANT: On the 9108 form.

3 MR. PAGÁN: The budget?

4 MR. GANT: The SEG.

5 MR. VIGIL: The 910-B-5?

6 MR. GANT: Right. Now, you have under
7 special ed, you have gifted children and the numbers
8 grow over time, but you list no DD. Do you have any
9 idea how many DDs you are going to have in your
10 school at all?

11 MR. VIGIL: In the budget that we
12 submitted -- every year has a different budget, of
13 course -- we would have C and C gifted and D and D
14 gifted listed in the numbers up above. The D and D
15 gifted are carried down below to the special ed
16 number, so I guess I am not understanding your
17 question. There are some C and D level students
18 estimated in the 9-10-B-5s, so we have, you know,
19 just short of, projected for budget purposes, an
20 amount in there.

21 MR. GANT: I see gifted.

22 MR. VIGIL: If you look at, for example,
23 on page 58, it's the first budget I pulled up.

24 MR. GANT: I am looking at 58 -- or 55.
25 Go ahead.

1 MR. VIGIL: Correct. The way this
2 9-10-B-5 works, if you look at the very top, you
3 will see where it starts off with kindergarten
4 program and then basic program. You see C and C
5 gifted. That includes both regular C and C gifted.
6 Then you have D and D gifted. So that includes both
7 the D level special and the D gifted. So it does
8 have, you know, of those 12 kids that are in there,
9 six could be D with --

10 MR. GANT: Special needs.

11 MR. VIGIL: Special needs.

12 MR. GANT: So you figure 12 students out
13 of the total population?

14 MR. VIGIL: This was for --

15 MR. GANT: Looking at other schools in the
16 percentages of their special needs students, you
17 figure this is the number based upon other schools
18 of the same size or --

19 MR. VIGIL: Right. Based on my review of
20 other charter schools in the district and stuff, you
21 know, my understanding is the national average,
22 statewide average for special ed is 14 percent. The
23 statewide average is 17 percent. And so we
24 discussed the numbers that were at the state and
25 national percentage averages. So what we did is we

1 then discussed between Carlos and myself what would
2 be the appropriate number for this school, and this
3 is what we felt would be appropriate based on
4 projections.

5 MR. GANT: Okay.

6 MR. VIGIL: We realize it may change based
7 on actual enrollments, but this is for budget
8 planning purposes only.

9 CHAIR GARRISON: Are there any other
10 questions from the commissioners?

11 The commission encourages continued public
12 input in writing until Friday, August 20th at 5:00
13 p.m. Written comments should be sent to Public
14 Education Commission, Ms. Beverly Friedman, 300 Don
15 Gaspar Avenue, Santa Fe, New Mexico 87501, or e-mail
16 comments to Beverly Friedman to
17 bev.friedman@state.nm.us.

18 We request the applicant adhere to the
19 deadline and submit their written responses to both
20 the preliminary analysis and our questions by e-mail
21 to Ms. Friedman to ensure that they are received on
22 time for consideration at our decision-making
23 meeting on September 9, 2010. Thank you.

24 MR. PAGÁN: Thank you.

25 CHAIR GARRISON: The next application will

1 be Kids' College Academy, Charter K-8 School.

2 THE REPORTER: I have to start a new file.

3 CHAIR GARRISON: All right. We will take
4 a five minute break.

5 (The hearing concluded at 8:54 a.m.)

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1 STATE OF NEW MEXICO)
2 COUNTY OF BERNALILLO)

3

4 REPORTER'S CERTIFICATE

5 I, Sally Peters, RPR, CCR #57, Certified
6 Court Reporter in the State of New Mexico, do hereby
7 certify that the foregoing pages constitute a true
8 transcript of proceedings had before the Public
9 Education Commission, held in the District of New
10 Mexico, in the matter therein stated.

11 In testimony whereof, I have hereunto set
12 my hand on August 17, 2010.

13

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