

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
OPEN PUBLIC MEETING

June 15, 2018

9:00 a.m.

Jerry Apodaca Building - Mabry Hall
300 Don Gaspar
Santa Fe, New Mexico

REPORTED BY: Cynthia C. Chapman, RMR-CRR, NM CCR #219

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1	APPEARANCES
2	COMMISSIONERS:
3	MS. PATRICIA GIPSON, Chair
4	MR. GILBERT PERALTA, Vice Chair
5	MS. KARYL ANN ARMBRUSTER, Secretary
6	MR. R. CARLOS CABALLERO, Member
7	MR. JAMES CONYERS, Member
8	MR. TIM CRONE, Member
9	MS. DANIELLE JOHNSTON, Member
10	MR. DAVID ROBBINS, Member
11	MS. TRISH RUIZ, Member
12	MS. CARMIE TOULOUSE, Member
13	NMPED and Charter School Division Staff:
14	MS. KATIE POULOS, Director
15	Options for Parents and Families
16	DR. ICELA PELAYO, Deputy Director
17	Options for Parents and Families
18	MS. BEVERLY FRIEDMAN, Custodian of Records
19	Liaison to the PEC
20	Counsel to the NMPEC: MS. AMI JAEGER
21	Attorney at Law
22	MR. MARK CHAIKEN
23	Attorney at Law
24	
25	

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1 THE CHAIR: I'm now going to call to order
2 this meeting of the Public Education Commission. It
3 is Friday, June 15th, 2018, and it is 9:09 a.m.
4 And, Commissioner Armbruster, will you do
5 roll call, please?
6 COMMISSIONER ARMBRUSTER: Yes.
7 Commissioner Robbins?
8 COMMISSIONER ROBBINS: Present.
9 COMMISSIONER ARMBRUSTER: Commissioner
10 Toulouse?
11 COMMISSIONER TOULOUSE: Present.
12 COMMISSIONER ARMBRUSTER: Commissioner
13 Armbruster is here.
14 Commissioner Conyers?
15 COMMISSIONER CONYERS: Present.
16 COMMISSIONER ARMBRUSTER: Commissioner
17 Peralta?
18 COMMISSIONER PERALTA: Here.
19 COMMISSIONER ARMBRUSTER: Commissioner
20 Gipson?
21 THE CHAIR: Here.
22 COMMISSIONER ARMBRUSTER: Commissioner
23 Johnston is just not in the room right now.
24 THE CHAIR: She's here, just not present.
25 COMMISSIONER ARMBRUSTER: Okay.

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<p>1 Commissioner Crone is not here yet. 2 Commissioner Ruiz? 3 COMMISSIONER RUIZ: Present. 4 THE CHAIR: Commissioner Caballero? 5 COMMISSIONER CABALLERO: Here. 6 COMMISSIONER ARMBRUSTER: And we have 7 either nine or eight. 8 THE CHAIR: There are ten Commissioners in 9 the building. 10 COMMISSIONER ARMBRUSTER: Somewhere. 11 THE CHAIR: No, there are nine 12 Commissioners in the building. Commissioner Crone 13 is not here. 14 And I will ask Commissioner Robbins to 15 lead us in the Pledge, and I guess I'll do the 16 New Mexico Salute. 17 (Pledge of Allegiance and Salute to the 18 New Mexico Flag conducted.) 19 (Commissioner Crone enters meeting.) 20 THE CHAIR: And let the record reflect 21 that Commissioner Crone is now either present or 22 here. 23 COMMISSIONER CRONE: And I have not left 24 the room. 25 THE CHAIR: We're now on to Item No. 2,</p>	<p>1 So we're on to the Consent Agenda. Does 2 anyone -- 3 COMMISSIONER ROBBINS: Madam Chair, on the 4 Work Session for Thursday, May 10th, 5 Commissioner Caballero is listed as both present and 6 absent. 7 COMMISSIONER CRONE: Good job. 8 COMMISSIONER CABALLERO: Thank you. 9 MS. FRIEDMAN: I'll make that correction. 10 THE CHAIR: Okay. So we do have that 11 correction. Thank you. That's often many of us. 12 So do -- are there any Commissioners that 13 wish to have something pulled off the Consent 14 Agenda? If not, I'll entertain a motion to approve 15 the Consent Agenda. 16 COMMISSIONER ROBBINS: So move. 17 COMMISSIONER TOULOUSE: (Indicates.) 18 THE CHAIR: And there's a motion by 19 Commissioner Robbins, a second by Commissioner 20 Toulouse. 21 All in favor? 22 (Commissioners so indicate.) 23 THE CHAIR: Opposed? 24 (No response.) 25 THE CHAIR: Hearing no opposition, the</p>
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<p>1 which is the approval of the agenda. And I do have 2 one change, and that is we're removing Item No. 18, 3 the training for the PEC, and we're going to do that 4 at our next work session. 5 So are there any other changes to the 6 agenda? 7 (No response.) 8 THE CHAIR: If not, I'll entertain a 9 motion for -- for approval of the agenda. 10 COMMISSIONER CABALLERO: So move. 11 COMMISSIONER RUIZ: Second. 12 THE CHAIR: There's a motion by 13 Commissioner Caballero; there's a second by 14 Commissioner Ruiz. 15 All in favor? 16 (Commissioners so indicate.) 17 THE CHAIR: Opposed? 18 (No response.) 19 THE CHAIR: Hearing no opposition, the 20 motion passes. 21 We are now on to Item No. 4, which is the 22 Consent Agenda. So do any of the Commissioners -- 23 oh, I'm sorry. Well, yes, because no one signed up 24 for Open Forum. Sorry. So I moved on to Item 25 No. 4, because there is no one for Public Comment.</p>	<p>1 motion passes. 2 COMMISSIONER RUIZ: Madam Chair, I'll 3 abstain from all of those, because I wasn't present 4 for those meetings. 5 THE CHAIR: Oh, that's a -- just so the 6 Commissioner is aware, that also includes a 7 notification, which is B. 8 We are on to Item No. 5, the 9 end-of-the-year report for New Mexico School for the 10 Arts, which is in our notebooks, and we have had the 11 opportunity to take a look at. 12 MS. POULOS: Madam Chairwoman, 13 Commissioners, there's no one here from the school, 14 and that was because we did inform them there was no 15 need to be here. 16 THE CHAIR: Right. Just so that 17 Commissioners are reminded that generally, they just 18 simply send us the written report, and we don't 19 require them to come to do any kind of public 20 presentation. 21 So -- and that's not something that we 22 need to adopt; it's just a report that people need 23 to be made aware of. That's in the statute. 24 Item No. 6, Discussion and Possible Action 25 on Charter School Amendments. And the first one up</p>

1 is Explore Academy.

2 MS. POULOS: Madam Chairwoman, Justin, the
3 school leader from Explore, is stuck in traffic.
4 Apparently, it is standstill. I'm imagining the
5 freeway might have gotten shut down. So he is on
6 his way here and trying to get there.

7 THE CHAIR: Okay. So I'll ask the
8 Commissioners, would you prefer that we at least
9 move on to B, Roots & Wings, to see if he can get
10 here on time?

11 So that's fine. So we'll now hear Roots &
12 Wings.

13 FROM THE FLOOR: Good morning.

14 THE CHAIR: Good morning.

15 MR. RANDY GREEN: I'm sorry I missed last
16 month's meeting. I know you are used to me being
17 here every month.

18 But, anyway, I didn't deliberately make up
19 an excuse to come here. We do have some serious
20 discussions that need to go on about Roots & Wings
21 and their expeditionary days.

22 The Charter School Division looks at it as
23 a -- an increase in the instructional hours. I'd
24 like to point out that we are well beyond what's
25 required by law; but it does certainly change the

1 Division and PEC. Thank you for taking the time to
2 listen to public comments concerning instructional
3 hours. I am writing in response to this concern
4 expressed by the CSD.

5 "The CSD has -- is concerned about the
6 potential negative impact that less instructional
7 time may have on student performance, especially
8 reducing the total expeditionary days that serve as
9 the essence of the school's educational practice.

10 "I have taught at RWCS for the last four
11 years. I wanted to clarify that our school is an
12 Expeditionary Learning school every day of
13 instruction. Each semester, teachers drive rigorous
14 academic standards through a learning expedition.

15 "A learning expedition is a semester-long,
16 thematic, standards-based adventure of the mind that
17 culminates in a final product and other performance
18 assessments.

19 "Last semester, our expedition was 'Water
20 is Life.' K-2 students created a keyhole garden to
21 catch rain and grow local plants. Grades 3 through
22 5 students sampled local bodies of water around the
23 800-acre land preserve surrounding our campus.

24 "The sixth-through-eighth-grade cohort
25 tested water quality at home. Primary students

1 instructional hours in the contract.

2 I would like to read a few brief
3 statements from one of our board members and one of
4 our teachers and myself, and then go on from there.

5 This is a statement from Dr. Stephanie
6 Owens. I believe she is -- was instrumental in
7 writing the contract for the school. And she does a
8 lot of work with the EL model with other schools
9 throughout New Mexico and, I believe, the
10 United States.

11 Anyway, this is what she wrote back to me.
12 She says:

13 "I think there is some semantic confusion.
14 An expedition is a learning expedition, the
15 semester-long, thematic, standards-based adventure
16 of the mind that culminates in a final product and
17 other performance assessments.

18 "An outdoor adventure includes backpacks,
19 river trips, passage, et cetera, that are integral
20 aspects of learning expeditions, but occur only one
21 or two times a semester. They are also crucial for
22 building a positive school culture."

23 And this is a statement from Annalise
24 Zosel. She's our primary teacher. She says:

25 "Greetings, New Mexico Charter School

1 mastered reading, writing, science, and social
2 science standards, writing a creative story about
3 the journey of the water molecules' trip around the
4 world and turned their writing into an original play
5 about water.

6 "In addition to thematic design, each
7 grade cohort supports their expedition with
8 fieldwork days, with sampling various bodies of
9 water around our campus to taking a whole-school
10 trip to Taos Pueblo. We are dedicated to providing
11 real-life fieldwork for our students each semester.

12 "In addition, nearly 60 percent of our
13 students participated in Ski Club last semester. It
14 is important to note that the reduction in
15 expeditionary days is referencing our wilderness
16 overnights with students. It may clarify matters if
17 we consider renaming the expedition days to
18 expedition overnights.

19 "The rationale states why the school is
20 reducing the number of expedition overnights each
21 year. Taking students on overnights is powerful
22 instruction; yet it takes a lot of resources and
23 professional development.

24 "To the best of my knowledge, we are the
25 only K-through-8 school in Northern New Mexico

<p style="text-align: right;">Page 14</p> <p>1 taking all of our students on overnight wilderness 2 trips. And they're a vital part of our 3 transformation instruction. 4 "The staff consciously choose to reduce 5 the number of overnight days so we can focus our 6 excellence on quality of overnight wilderness trips. 7 Although there has been a reduction in these 8 'expedition overnights,' the essence of our mission 9 is delivered each day of instruction through 10 learning expeditions." 11 And, finally, a little something I wrote: 12 "While it appears on paper that it would 13 be less instructional hours, it would really be more 14 instruction in the classroom. It would be nine more 15 days for middle school and two more for K through 5. 16 "Expeditionary trips, like field trips, 17 are important, but they are not what the EL model is 18 all about. There is instruction in the field, but 19 much of it is about the effective domain. 20 "While not trained specifically in the EL 21 model, I taught adventure recreation and ran a 22 climbing wall and challenge course for ten years. 23 These activities create competence, build community, 24 develop leadership, build teams, help students to 25 trust and bond with each other and the instructors.</p>	<p style="text-align: right;">Page 16</p> <p>1 we've addressed our financial problems in a positive 2 manner. 3 "It's time for the PEC to respond to the 4 cliché, 'Autonomy for accountability,' and give 5 Roots & Wings the autonomy to determine the balance 6 they need instead of the Charter School Division 7 making that decision." 8 THE CHAIR: Thank you. 9 MR. RANDY GREEN: Thank you. 10 THE CHAIR: And as far as I like seeing 11 you here, everyone knows how much I hate these 12 conversations about hours. We're just -- we're just 13 done with them. And it's unfortunate that the 14 schools with the pre-2018 contract -- we're having 15 to deal with it. 16 So I have no problem with accepting the 17 amendment. I think it's a conversation that we just 18 don't want to -- it's not going to be part of the 19 site visit any longer. So -- and I -- 20 DR. PELAYO: Chairwoman -- I'm sorry. 21 THE CHAIR: Is there a problem? 22 So I have -- you know, I -- I highly 23 recommend accepting the amendment. 24 Commissioner Toulouse? 25 COMMISSIONER TOULOUSE: Madam Chair, I</p>
<p style="text-align: right;">Page 15</p> <p>1 "Yes, they're important to develop the 2 whole child and help them become responsible and 3 competent adults. But there is not, to my 4 knowledge, a magic number of expeditions that 5 creates this. It is not like we are only an 6 EL-inspired school when we're on expeditions. 7 "Reducing the amount of expeditions does 8 not stop us from going to the nearby ranches or to 9 do less farming activities. The number of 10 expeditions we propose is what the staff thought is 11 reasonable and is more in line with what the school 12 has been doing in recent history. 13 "Roots & Wings is an established EL school 14 that has earned the respect of the EL community. 15 This year we had most of the faculty from the school 16 in Springer visit for a day. They came to learn 17 about our school and how we have been able to become 18 an EL school with such a strong reputation. 19 "The experts are not on the Charter School 20 Division. The experts are the teachers and the 21 staff of the EL school. 22 "It certainly looks better on paper for 23 the Charter School Division to not allow this 24 change. But Roots & Wings has proven this year it 25 can be accountable and earned an 'A' last year, and</p>	<p style="text-align: right;">Page 17</p> <p>1 think they've done everything we've asked them to do 2 and given us all the information we need. 3 And I agree with you. I think it's time 4 to let them have this amendment, and they move on 5 and us move on to things that are important to what 6 we're doing right now. 7 Thank you. 8 DR. PELAYO: Madam Chairwoman, 9 Commissioners, while this request is worded as an 10 instructional hours request, we are concerned, 11 though, about the school meeting its mission in its 12 contract. And it does talk about being an 13 Expeditionary Learning school and that those 14 expeditions are core to meeting their mission. 15 And so if they're reducing the number of 16 days that they're doing those expeditions, I wanted 17 to talk about the quality of those expeditions. 18 We're just concerned that part of the reason those 19 days are being reduced is having to do with their 20 financial concerns. 21 THE CHAIR: And I understand that part of 22 the reason why they're being reduced is their 23 financial concern. And that's the responsibility of 24 the school to address those financial concerns. 25 With speaking to any number of folks from</p>

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1 that school, I personally have no doubt that this
2 school still embraces the concepts of Expeditionary
3 Learning. And it's -- it's not just numbers that
4 makes it prove that they're an Expeditionary
5 Learning school; it's the quality of those, and it
6 is, as well, the instruction that goes on on-site as
7 well.

8 So I truly don't -- I don't have any of
9 concern or doubt that they're not -- that they're
10 moving away from their Expeditionary Learning
11 mission.

12 MS. POULOS: Madam Chairwoman, the one
13 issue that I would like particularly for the school
14 to consider is that the mission specifically speaks
15 about the wilderness, and how does that part still
16 get embraced or borne out, or is there a mission
17 change that needs to happen to address the
18 wilderness, because that's a specific word that
19 we're concerned about that's not being present in
20 the program that's in the mission.

21 THE CHAIR: Thanks. Commissioners, any
22 other questions? Concerns?

23 Commissioner Crone?

24 COMMISSIONER CRONE: Could you clarify --
25 are the overnights in the wilderness? And, again,

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1 way to fix the problem. I mean, it was my
2 suggestion of a way to fix the problem of us being
3 out of compliance with the contract calendar.

4 COMMISSIONER CRONE: I'll just note that
5 Lama did burn.

6 MR. RANDY GREEN: I'm sorry?

7 COMMISSIONER CRONE: There was a big fire
8 in that area about 15 years ago.

9 MR. RANDY GREEN: About 15 years ago,
10 yeah, I understand. People in Questa were watching
11 the fire go up the ridge.

12 COMMISSIONER CRONE: Thank you.

13 THE CHAIR: Commissioner Toulouse?

14 COMMISSIONER TOULOUSE: Madam Chair, if
15 people look on Page 27 of their report, they are
16 listing here their backpack trips for their next
17 school year. And I think it's very clear that they
18 do the wilderness piece. It breaks it out from
19 Grades K-2, 3 to 5, and 6, 7, and 8. And I don't
20 know why you'd backpack if you weren't going out in
21 the wilderness, basically.

22 MR. RANDY GREEN: Well, you know -- and
23 there -- the thing that we took out for the middle
24 school primarily was the winter trip, which is a
25 concern. I mean, it can get 20-below, and, you

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1 how many?

2 MR. RANDY GREEN: It varies by grade
3 level. For the middle school, they are actually in
4 the wilderness, and they will backpack into what
5 they call the "Back Country." And it's typically a
6 six- or seven-day overnight backpacking trip.

7 For the primary kids, it's pretty much
8 they sleep in cabins at a local ranch, okay? And
9 they -- during Passage, they can sleep in their own
10 little tent, if they're willing to, you know, if
11 they've reached that point of confidence yet.

12 We're in a wilderness setting. I don't
13 know if any of you have been to the school. But
14 we're in Lama. We're in the mountain off a dirt
15 road. There's -- within a mile, there's a farm and
16 ranch community that they often visit.

17 We have our own greenhouse and little
18 gardening thing going on behind the school. It's
19 pretty -- I mean, we're concerned about fires there,
20 you know, forest fires. We're that much of a
21 wilderness rural school.

22 And, you know, we're certainly not going
23 to change the model. And, you know, I'm glad that
24 Annalise put in that they -- you know, it came from
25 the teachers. This is not my doing. But it was my

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1 know, I certainly wouldn't want a bunch of our kids
2 in the Back Country when it's 20-below.

3 THE CHAIR: Commissioners, any other
4 questions?

5 I move to approve the amendment request
6 presented by the Roots & Wings Community School to
7 change its material terms with respect to the
8 operational structure, length of school year, to
9 include K-2, 1,051-and-a-half hours, 147 days, plus
10 6 expedition days; Grades 3-5, 1,070-and-a-half
11 hours, 149 days, plus 8 expedition days; Grades 6-8,
12 1,108.5 hours, with 145 days, plus 12 expedition
13 days.

14 COMMISSIONER TOULOUSE: Madam Chair, I
15 second the motion.

16 THE CHAIR: There's a second by
17 Commissioner Toulouse.

18 Any discussion?

19 (No response.)

20 THE CHAIR: Commissioner Armbruster?

21 COMMISSIONER ARMBRUSTER: Please note that
22 we are all here in the room.

23 Commissioner Caballero?

24 COMMISSIONER CABALLERO: Approve.

25 COMMISSIONER ARMBRUSTER: Commissioner

<p style="text-align: right;">Page 22</p> <p>1 Toulouse? 2 COMMISSIONER TOULOUSE: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Ruiz? 5 COMMISSIONER RUIZ: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Robbins? 8 COMMISSIONER ROBBINS: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Crone? 11 COMMISSIONER CRONE: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Conyers? 14 COMMISSIONER CONYERS: Yes. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Armbruster votes "Yes." 17 Commissioner Johnston? 18 COMMISSIONER JOHNSTON: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Peralta? 21 COMMISSIONER PERALTA: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Gipson? 24 THE CHAIR: Yes. 25 COMMISSIONER ARMBRUSTER: That's a</p>	<p style="text-align: right;">Page 24</p> <p>1 So the school is requesting to remove this 2 academic indicator, because the -- the assessment 3 underwent significant test restructuring and no 4 longer measures the school's academic indicator or 5 provides result reports that can adequately capture 6 the progress that they're intending to capture with 7 that assessment. 8 The school has earned an "A" on its School 9 Grade Report for the past two academic years. 10 Explore Academy has demonstrated consistent growth, 11 improving its school grade from a "D" in 2015 to an 12 "A" in 2016 and '17. 13 The school has also demonstrated positive 14 overall school improvement growth among both highest 15 performing and lower performing students. Though 16 Explore Academy has demonstrated positive strides in 17 most of its indicators, including the School Grade 18 Report, the analysis we did here shows that the 19 school does have some significant achievement gaps 20 amongst the two largest student subgroups in 21 reading. 22 In 2017, the achievement gap among those 23 two students groups was 29 percent for reading 24 proficiency. And additionally, the school's EL 25 population reported at 2.7 percent, which is much</p>
<p style="text-align: right;">Page 23</p> <p>1 ten-zero vote. 2 THE CHAIR: Motion passes ten-zero. Thank 3 you very much. 4 THE WITNESS: Thank you very much. 5 THE CHAIR: Is this the end of your term 6 now? 7 MR. RANDY GREEN: Yeah. In fact, I'm on 8 my way down to Albuquerque to start my move. 9 THE CHAIR: Well, good luck. Thank you 10 very much. 11 MR. RANDY GREEN: Thank you. 12 THE CHAIR: Okay. So now we can move back 13 to Explore Academy. 14 DR. PELAYO: Madam Chairwoman, 15 Commissioners, this is Explore Academy. This is 16 Item 6A, a request for amendment. 17 The school presents an amendment change 18 request for consideration of amending the school's 19 Academic Performance Indicator 2B, which states that 20 based on the school's chosen short-cycle assessment, 21 Riverside Interim Assessment. 22 And it has 75 percent of the students will 23 either measure proficiency or above in the area of 24 reading or demonstrate one year's growth in the area 25 of reading.</p>	<p style="text-align: right;">Page 25</p> <p>1 lower than the local school district, which is at 2 16.7 percent. 3 Just a note, that the school's charter 4 contract -- that they are up for renewal in this 5 next cycle, and there -- and at the bottom of our 6 analysis here, we do recommend that their amendment 7 request be approved since the school has made 8 acceptable academic progress, and because the 9 request is actually in line with the new performance 10 framework. 11 THE CHAIR: Good morning. 12 MR. JUSTIN BAIARDO: Good morning. 13 THE CHAIR: Thanks for making it. 14 MR. JUSTIN BAIARDO: Thank you for 15 waiting. 16 THE CHAIR: And if you could just identify 17 yourself for the record? 18 MR. JUSTIN BAIARDO: My name is Justin 19 Baiardo. 20 MS. ELISHA VARELA: I'm Elisha Varela. I 21 was the testing coordinator for this school year. 22 THE CHAIR: If there is anything you want 23 to add, that's fine. 24 MR. JUSTIN BAIARDO: I would add one point 25 to their analysis, and that is that we feel our</p>

<p style="text-align: right;">Page 26</p> <p>1 students -- just within the structure of our 2 charter, our students undergo end-of-course 3 assessments every 22 days at the end of our shorter 4 academic term. So we do feel like removing an extra 5 short-cycle assessment, even though -- with our 6 students going through, really, a short-cycle 7 assessment every month, will help alleviate, we 8 feel, like, some over-testing in students in 9 general.</p> <p>10 THE CHAIR: So I applaud everything you do 11 with your school. And I appreciate the effort and 12 the time, and, obviously, it's showing results.</p> <p>13 But I have some concerns with this 14 amendment request.</p> <p>15 And one is the fact that, A, you are up 16 for renewal; so that it appears to me that what 17 you're attempting to do is to get rid of this, 18 because you haven't been doing it, so that it's not 19 going to fall back on you with your renewal 20 application. And I have a significant concern about 21 that.</p> <p>22 Secondly, you haven't been following what 23 you had agreed to in the contract with those 24 short-cycle assessments, so that it's, "Well, we 25 haven't done it, so we're asking for forgiveness and</p>	<p style="text-align: right;">Page 28</p> <p>1 indicator."</p> <p>2 So it was never communicated to schools 3 that we don't want to see whole-scale math and 4 reading assessments. We have schools that want to 5 use it because it is appropriate for them and they 6 feel it would help them; so that I completely 7 disagree with that recommendation, because we don't 8 want to see it. If it works for your school, that's 9 where you have the opportunity to show us, if you 10 choose to do.</p> <p>11 So I -- I cannot support this amendment, 12 and I don't know why -- honestly, it is the 13 beginning of the school year, you're up for renewal 14 this year -- why we're even having this conversation 15 now, because your contract is almost over; so that 16 if this was something that you were looking to do, 17 why weren't you here three years ago when it wasn't 18 working?</p> <p>19 So I'm -- you know, I can't support this 20 at all, because I think we're setting a dangerous 21 precedent for other schools. "Oh, we haven't done 22 this? Let's just ask them to get rid of it."</p> <p>23 So I -- honestly, I can't support it.</p> <p>24 COMMISSIONER CABALLERO: Madam Chair, 25 the -- as the Commission has talked about in the</p>
<p style="text-align: right;">Page 27</p> <p>1 we're asking for it to go away so it's not going to 2 come back on us at the renewal time."</p> <p>3 So that, I think, is inappropriate.</p> <p>4 I have a concern with if we do this, what 5 happens to other schools when they are up for 6 renewal and they haven't been following their 7 contractual obligations. And we've got a school 8 that we apparently forgave for not doing it.</p> <p>9 So that -- that is worrisome to me that we 10 are doing this. I've got no problem, if you are 11 coming here and saying, "We want to" -- and we've 12 had schools that have come and said, "Look-it. This 13 assessment isn't working for us any longer. We want 14 to switch it out."</p> <p>15 If you had said, "We do this every 16 22 days, this is what we can show you, let's switch 17 this out," I've got no concern about that.</p> <p>18 And, yes, you will be on the new 19 performance framework when you do -- when you are up 20 for renewal, and, hopefully, successfully get 21 renewed. And, yes, we did say to schools during the 22 contractual negotiations, "We don't want to just 23 fall into an automatic, 'Oh, let's do a math and 24 reading.' But if it fulfills the mission of the 25 school, that is an appropriate mission-specific</p>	<p style="text-align: right;">Page 29</p> <p>1 past, whether we should allow schools to change 2 the -- those methods of testing and what's not 3 working and what's in the contract, and we have 4 talked about the absurdity of things in the contract 5 that are not relevant anymore.</p> <p>6 And so knowing that, I think that the 7 Commission needs to look at this objectively and see 8 it -- it is -- is this a legitimate concern of the 9 school, even though they're going to face a renewal 10 in a year, and they are concerned that this is not 11 giving a correct indicator, they should not wait 12 until the end of their contract and say, "Well, this 13 was not working for us. We -- we -- it was giving 14 us the wrong indicators. It was giving us the wrong 15 information."</p> <p>16 I think schools should have the option at 17 any term in their life of the contract to come in 18 and request a change that we know has been absurd 19 for a lot of schools.</p> <p>20 And so to now say this is your ultimate 21 reason for sometime in the future, I think it's 22 wrong for the Commission to look at that as a way to 23 allow or disallow the request. I think we need to 24 be more objective and say, "Is this something that, 25 as a Commission, should allow to change, because</p>

<p style="text-align: right;">Page 30</p> <p>1 it's absurd already, it's not working, whether 2 they're going to be up for renewal or not?" 3 The other thing is, is that we also should 4 have known at some point in those three years that 5 this thing was not working for the schools. We 6 probably do, or we probably did. And now, we're -- 7 we're throwing it back at them. 8 We have to be more objective and look at 9 that and see is this reasonable, or is this not? 10 And if it's not reasonable, and it is okay for the 11 school to look more -- be able to show correct data 12 if this test is not correct at the end of the year, 13 so that they can -- they can be able to argue, "This 14 is what was happening," and we also have the data 15 they've had for three years, we can bring it up at 16 that point. 17 If there is no improvement, we can say, 18 "Well, you moved for a change, and this was not 19 happening, and it's still not happening." 20 So I don't think we can, at this point, 21 look at what might happen or what their ulterior 22 motive we feel they have and deny based on that, 23 Madam Chair. 24 THE CHAIR: Okay. And I'm -- I'm sorry if 25 I wasn't clear. I have no problem with the school</p>	<p style="text-align: right;">Page 32</p> <p>1 record of compliance or noncompliance is there. We 2 can bring it up. It doesn't go away. 3 THE CHAIR: Well -- Commissioner Toulouse? 4 COMMISSIONER TOULOUSE: Madam Chair? 5 Mr. Baiardo, I want to ask you, what's 6 your reason for bringing this? I'm not being 7 negative. I want to give you a chance to speak, 8 because you have been in front of us numerous times 9 to extend the number of classes -- or the number of 10 grades that you have and whatever. 11 I want to give you a chance to explain why 12 this is now and wasn't when you were bringing up 13 those other changes. Please. 14 MR. JUSTIN BAIARDO: Sure. Yeah. And I 15 think this might address a misunderstanding. We did 16 use Riverside the moment that we -- it was 17 negotiated as part of our framework. When Riverside 18 moved away from their alignment with PARCC, which is 19 what the current state of affairs is now, we feel 20 like we can no longer use it. 21 The goal specifically states that our 22 students will show one year's academic growth or 23 proficiency in English based on Riverside, with 24 PARCC being the final benchmark. So Riverside were 25 two tests throughout the year, with PARCC being the</p>
<p style="text-align: right;">Page 31</p> <p>1 coming and saying, "This hasn't been working, we 2 want to change this, we've done this." 3 This school has not fulfilled its 4 mission-specific goals over a period of at least 5 three years. So they knew that they weren't -- that 6 they weren't carrying out these assessments. And I 7 have no -- and we've done it for schools. We have 8 changed their assessments when they've asked us to. 9 I have no problem with that. 10 This school did not come to us until the 11 end of their contract to do so. And now they're 12 asking for it to be taken out so it will not be part 13 of that report. That's what I have a problem with. 14 If they came and said, "We want to replace 15 it" -- they're not asking to replace it. They're 16 asking for it to just simply be gone. 17 COMMISSIONER CABALLERO: Madam Chair, they 18 have a three-year record. That three-year -- 19 THE CHAIR: Of not doing it. 20 COMMISSIONER CABALLERO: That three-year 21 record does not erase. It's not gone because 22 there's a change. 23 THE CHAIR: It's removed from their 24 contract. 25 COMMISSIONER CABALLERO: Yes. But the</p>	<p style="text-align: right;">Page 33</p> <p>1 final test in the spring so we were aligned. 2 It no longer aligns. We can still use 3 PARCC to measure proficiency in English or one 4 year's academic growth in the area of English as 5 well. So that still aligns with our goal. 6 Riverside doesn't give us adequate 7 stepping-stone metrics to see how the students -- or 8 give the students multiple opportunities to show 9 proficiency or one year's growth. We were relying 10 just simply on PARCC. 11 So it used to align with PARCC, and it no 12 longer does. The Riverside has shifted to align 13 with, I think the Iowa State test. That's the shift 14 of where it is focused. 15 So the PARCC alignment is gone. That 16 being said, we did use Riverside -- it wasn't in 17 place the first year, because we didn't have the 18 goal in place for our first year of operation. But 19 we did use Riverside after this point, just not this 20 last year, this last year. So the three-year 21 delinquency is not actual. 22 THE CHAIR: But the materials that we 23 received said that you have not provided data to 24 show. So we've got no indication that you have met 25 standard with your performance framework. That's</p>

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1 the -- that's the information that we have in our
 2 packet. So that's what I'm -- that's the only thing
 3 I can go by.
 4 MR. JUSTIN BAIARDO: I understand.
 5 THE CHAIR: So that's -- you know.
 6 MS. POULOS: And Madam Chairwoman, when
 7 the team says that -- and they do, and it's
 8 legitimate that they're saying that -- I do want the
 9 Commission to understand, it's not only this school.
 10 We have -- and we have communicated that with the
 11 Commission before, that we have struggled with all
 12 of our schools to get data in a format where we can
 13 analyze it ourselves and verify their reporting.
 14 So I do believe that's what's being
 15 communicated there, and I apologize if it's unclear.
 16 THE CHAIR: What's communicated is that
 17 there's no data -- there's no evidence of the data
 18 being submitted. That's what it says. So to me, if
 19 that's what it says, then the school is not -- is
 20 showing us that they're not doing it when we get
 21 communicated in that format.
 22 MS. POULOS: Sure. Madam Chair -- and
 23 I -- and, again, I think the school did say the last
 24 year they did not administer the assessment. So
 25 that data did not come in. But also when our team

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1 says about the data they do get that they did not
 2 get sufficient data to analyze the goal, what
 3 they're saying is they didn't get it in a format
 4 where we could look at it, pull it apart ourselves.
 5 THE CHAIR: But that's not what is
 6 communicated here. It's not we couldn't analyze it;
 7 we didn't get sufficient data. We get
 8 specifically -- we did not receive their -- so
 9 that's what I have. That's -- if that's what's
 10 being told to us --
 11 MR. JUSTIN BAIARDO: I see.
 12 THE CHAIR: -- that's unfortunate. But
 13 that's what's being communicated to us.
 14 MR. JUSTIN BAIARDO: The goal itself
 15 specifies that it takes into account students who
 16 were with us for the entire academic year. So if we
 17 just provide the raw data, that's for all the
 18 students who tested any one of the benchmarks,
 19 including the last benchmark. We, as a school, have
 20 to take that and align it with the students who were
 21 with us for the full academic year, because that's
 22 really what our goal is measuring, the students who
 23 are with us for that year, how are they doing, not
 24 the students that comes in in March. So we actually
 25 have to filter it to some degree so we can provide

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1 the raw form of the data to the CSD in that sense.
 2 THE CHAIR: Right. But that's
 3 virtually -- every school that we've negotiated
 4 goals with, I would say 99.9 percent of them, it's
 5 for full-academic-year students. So they all deal
 6 with that same concern.
 7 MR. JUSTIN BAIARDO: Sure. So we have to
 8 filter the data before it gets to you guys.
 9 THE CHAIR: So do all of our schools,
 10 because it's written as full-academic-year students.
 11 Commissioners, any other -- Commissioner
 12 Armbruster?
 13 COMMISSIONER ARMBRUSTER: I hear what
 14 you're saying, Madam Chair, and understand that
 15 also. And I just see what you're looking at,
 16 Mr. Baiardo, is pretty much relying on your PARCC
 17 scores.
 18 MR. JUSTIN BAIARDO: Right.
 19 COMMISSIONER ARMBRUSTER: To me, because
 20 I'm always the one that gripes about the lowest
 21 quartile, that you are doing quite well with the
 22 lowest quartile, and they are growing, obviously,
 23 with the "B" grade, that I would be in favor of the
 24 amendment; because in the annual performance
 25 framework, you get to choose what you're going to do

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1 anyway.
 2 And you're coming up -- possibly, you may
 3 want to do it in September instead of December. I
 4 thought I'd throw that plug in.
 5 So with that, the new performance
 6 framework is much smoother for you, and everyone
 7 else. That's why we worked on it for a year.
 8 THE CHAIR: Sorry. Commissioner Robbins?
 9 COMMISSIONER ROBBINS: Well, I will tend
 10 to agree with you, Madam Chair, that coming at the
 11 end of the school year, when they haven't done the
 12 assessment for the full year, is probably not the
 13 appropriate time to ask for this to be removed.
 14 I do believe the PARCC testing does show
 15 improvement; but I am concerned if we set a
 16 precedent that if someone doesn't do something for
 17 an entire year, that they can then come and remove
 18 it, so that when they come up for renewal, that is
 19 no longer a benchmark.
 20 I don't -- if this motion is denied by the
 21 Commission, I would hope that this single benchmark
 22 of not being met would not be the decision that this
 23 Commission would use for a denial of a renewal, but
 24 that it would be a consideration, and emphasis would
 25 be placed that such communication be improved in the

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1 future, that these type things would be brought to
 2 the Commission early on, rather than at the end of a
 3 school year.
 4 THE CHAIR: Thank you.
 5 Commissioner Johnston?
 6 COMMISSIONER JOHNSTON: Thank you,
 7 Madam Chair.
 8 When did the change in the Riverside
 9 Assessment take place? Was it over a period of
 10 time? Was it something you were informed about at
 11 one point?
 12 MS. ELISHA VARELA: They were actually not
 13 very informative. So when we order from year to
 14 year, and you start getting your POs ready and
 15 stuff, we thought everything was identical to the
 16 year before.
 17 And then the ordering process was
 18 different. And when I tried to find the
 19 alignment -- because it was hard to align that test
 20 in the first place. It was the one that fit best,
 21 but it still had its issues. And they were kind of
 22 merging towards Common Core, which was the idea that
 23 we wanted something completely Common Core-aligned.
 24 So when we tried to do it for this past
 25 school year, it was completely different. They

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1 wanted you to order in whole packages with the Iowa
 2 testing. They see it as this K-12 all the way
 3 through -- kindergarten through their graduation
 4 assessments.
 5 So they didn't even allow -- the first
 6 year, they let us look at the alignment documents
 7 for which testing items aligned with the Common Core
 8 and how. And then by this time, it was all aligned
 9 with Iowa.
 10 So they wanted -- and that alignment made
 11 it very difficult. And then their pricing structure
 12 changed accordingly. Because schools are buying big
 13 packages.
 14 So to buy just the Interim Assessment no
 15 longer made sense. It didn't make it clear whether
 16 they were going to allow us to do that without
 17 buying the whole battery, which we didn't need.
 18 And for our students -- I know that coming
 19 at the end of the year -- and I understand what the
 20 Commissioners are saying about feeling like it's
 21 just, "Please forgive us," but it definitely was not
 22 an ulterior motive, and it wasn't our intention. We
 23 tried to make it work, and then fitting that in,
 24 plus exit exams that are standards-based, plus the
 25 PARCC testing, which we were also a field test

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1 school this year, so we had extra units, it was just
 2 a very hard school year to try to maneuver and not
 3 impact the students negatively because of more
 4 testing.
 5 So it was not an easy decision. It wasn't
 6 something that we intended to just float and hope
 7 you guys didn't notice when we came for renewal,
 8 which is probably why we're here, because it seems a
 9 little late. We felt the sooner we got here to
 10 discuss this and get it fixed, the better, instead
 11 of waiting until December.
 12 COMMISSIONER JOHNSTON: Now, I need for
 13 you to repeat to clarify, so I understand. Last
 14 year, you began to notice that there was a change;
 15 there was not a great deal of information. But it
 16 was last year.
 17 MS. ELISHA VARELA: After the first
 18 administration year of Riverside, everything after
 19 that has gone down with that company. We've
 20 struggled. They changed their platform; they
 21 changed their reporting site. It was hard.
 22 COMMISSIONER JOHNSTON: But you had
 23 administered it. You had worked through that up
 24 until this year, when a decision was made.
 25 When do you administer that test? End of

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1 the year?
 2 MS. ELISHA VARELA: We did in it in the
 3 late fall and then again in the early spring. And
 4 then PARCC was in April.
 5 COMMISSIONER JOHNSTON: When -- when, this
 6 year, did you determine not to administer the test
 7 at all?
 8 MS. ELISHA VARELA: When we couldn't even
 9 have the test ordered properly by the start of the
 10 school year, and then the school year started, and
 11 it just became something where we just couldn't make
 12 it work.
 13 COMMISSIONER JOHNSTON: Did you contact
 14 Charter School Division at that time? Did you let
 15 them know?
 16 MR. JUSTIN BALARDO: We did not.
 17 COMMISSIONER JOHNSTON: Okay. That's
 18 fine. I'm just trying to clarify; because I see a
 19 lot of thought that's gone into this. I see a depth
 20 of understanding of this assessment. I see an
 21 ongoing process over the last three years of trying
 22 to make this work as you move toward Common Core. I
 23 see an intent that's exhibited in assessing the
 24 learning of students. I see very positives.
 25 And I think I just heard you say you're

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1 here now because you know you're coming up for
 2 charter renewal, and you didn't want to gloss over
 3 anything. It's almost like you're self-reporting by
 4 requesting this change, that this has happened, so
 5 that when you're up for the renewal process, you
 6 wanted to have everything on the table. You didn't
 7 want to have any appearance of not reporting
 8 something, which I perceive to be well-intentioned.
 9 I applaud you for coming forward. And I
 10 don't see any intent -- I don't have any concerns
 11 for myself in supporting your request. Thank you
 12 very much.
 13 THE CHAIR: Commissioner Peralta?
 14 COMMISSIONER PERALTA: Thank you,
 15 Madam Chair. I just want to say that I do concur
 16 with your reasons for the denial of this amendment.
 17 I do caution on the side that we, as a Commission,
 18 do not want to establish precedence on situations of
 19 schools that have a similar -- that are under a
 20 similar situation as this school is in.
 21 So I would just ask that the school just
 22 continue with this next year, this next school year
 23 with what you've been doing. Do the best you can.
 24 And when you come up for renewal, you'll come before
 25 the Commission, and the data we have is what we'll

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1 go by in looking at the renewal of this school.
 2 Thank you.
 3 THE CHAIR: Thank you.
 4 Commissioners, do I have a motion?
 5 COMMISSIONER PERALTA: I'll make a motion.
 6 I move to deny the amendment request presented by
 7 Explore Academy to remove the mission-specific
 8 indicator for the Riverside Interim Assessment goal,
 9 as currently required in the school's performance
 10 framework and school-specific terms, because the
 11 school has not met its mission-specific goals.
 12 THE CHAIR: I'll second.
 13 Excuse me? I don't know. Is there any
 14 discussion?
 15 (No response.)
 16 COMMISSIONER ARMBRUSTER: Okay.
 17 Commissioner Toulouse?
 18 COMMISSIONER TOULOUSE: No.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Conyers?
 21 COMMISSIONER CONYERS: No.
 22 COMMISSIONER ARMBRUSTER: Commissioner
 23 Peralta?
 24 COMMISSIONER PERALTA: Yes.
 25 COMMISSIONER ARMBRUSTER: Commissioner

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1 Caballero?
 2 COMMISSIONER CABALLERO: No.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Crone?
 5 COMMISSIONER CRONE: No.
 6 COMMISSIONER ARMBRUSTER: Pardon me? I'm
 7 sorry. Commissioner Crone said "No."
 8 COMMISSIONER CRONE: Yes. I said, "No."
 9 COMMISSIONER ARMBRUSTER: Thank you for
 10 saying that.
 11 Okay. Commissioner Gipson?
 12 THE CHAIR: Yes.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Johnston?
 15 COMMISSIONER JOHNSTON: No.
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Ruiz?
 18 COMMISSIONER RUIZ: No.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Armbruster votes "No." The motion does not pass.
 21 COMMISSIONER ROBBINS: You --
 22 COMMISSIONER ARMBRUSTER: I forgot
 23 Commissioner Robbins. All right.
 24 COMMISSIONER ROBBINS: No.
 25 COMMISSIONER ARMBRUSTER: Sorry,

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1 Commissioner.
 2 COMMISSIONER CABALLERO: Madam Chair,
 3 motion for "Do pass."
 4 THE CHAIR: Yeah. I think you -- for the
 5 record, I think you need to communicate the motion
 6 so that Commissioners are clear on what it is.
 7 COMMISSIONER CABALLERO: Right. I
 8 couldn't find it.
 9 THE CHAIR: Okay.
 10 COMMISSIONER CABALLERO: Okay. I have it.
 11 I move to approve the amendment request by Explore
 12 Academy to remove the mission-specific indicator for
 13 the Riverside Interim Assessment goal as currently
 14 required in the school's performance framework and
 15 school-specific terms.
 16 COMMISSIONER TOULOUSE: Second.
 17 THE CHAIR: There's a motion by
 18 Commissioner Caballero and a second by Commissioner
 19 Toulouse.
 20 Is there any discussion?
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Robbins?
 23 COMMISSIONER ROBBINS: Yes.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Caballero?

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1 COMMISSIONER CABALLERO: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Toulouse?
 4 COMMISSIONER TOULOUSE: Yes.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Ruiz?
 7 COMMISSIONER RUIZ: Yes.
 8 COMMISSIONER ARMBRUSTER: Commissioner
 9 Armbruster votes "Yes."
 10 Commissioner Crone?
 11 COMMISSIONER CRONE: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Peralta?
 14 COMMISSIONER PERALTA: No.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Conyers?
 17 COMMISSIONER CONYERS: Yes.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Gipson?
 20 THE CHAIR: No.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Johnston?
 23 COMMISSIONER JOHNSTON: Yes.
 24 COMMISSIONER ARMBRUSTER: The vote is an
 25 eight-to-two. It passes.

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1 THE CHAIR: Thank you.
 2 MR. JUSTIN BAIARDO: Thank you.
 3 THE CHAIR: Can we take a short break?
 4 Ten minutes at -- if we can?
 5 COMMISSIONER CABALLERO: Yes.
 6 (Recess taken, 9:56 a.m. to 10:13 a.m.)
 7 THE CHAIR: We are on to Item No. 7,
 8 Discussion and Possible Action on Report from
 9 Options for Parents.
 10 DR. PELAYO: Madam Chairwoman and
 11 Commissioners, Item 7 is the report from the CSD.
 12 And in it -- in your materials, you just have a few
 13 updates.
 14 The school governance changes that we
 15 normally provide to you, they're in the first part
 16 of it, followed by the monthly financial reporting
 17 from the schools that you placed on financial action
 18 plans.
 19 And you do see that SABE and DEAP did
 20 submit their monthly reporting, and that Roots &
 21 Wings provided an update. However, DEAP did not
 22 submit monthly financial reporting.
 23 You also have in your -- in your packets
 24 information and update on the charter school
 25 conference, which is next week on Thursday and

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1 Friday, June 21st and 22nd. Per your direction, we
 2 did include session spots for you all, so that those
 3 who are interested can come and speak with you. We
 4 created a repeat session. So if you're on the
 5 conference schedule for --
 6 THE CHAIR: I think it's Thursday
 7 afternoon and Friday morning.
 8 DR. PELAYO: Correct. Thursday at 2:00
 9 and Friday at 8:30 a.m. And we will make sure you
 10 have your room set up and folks can come and chat
 11 with you.
 12 THE CHAIR: Thanks.
 13 DR. PELAYO: We do have over 300 people
 14 currently registered. And the second day, we do
 15 have an introductory training for new governing
 16 board members. It is the last chance for the new
 17 fiscal year, and it is filling up quickly. So we're
 18 excited about that.
 19 One of our own charter school leaders will
 20 be presenting as the keynote speaker on the second
 21 day; so we're very excited about that as well.
 22 And on the -- the last part of the update
 23 is related to we just wanted to give you an update
 24 on the new charter school applications. And that is
 25 in the back part, the last couple of pages, with

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1 proposed dates for community input hearings.
 2 However, at yesterday's work session, you
 3 did give indication of a different schedule. So we
 4 are working to secure the dates, per your direction.
 5 So we did have, as you had mentioned,
 6 hopeful for the Solare school in Albuquerque on
 7 Wednesday morning, followed by Endless Sky in
 8 Bernalillo on the afternoon on the 18th, Thursday,
 9 leaving that for the meeting and work session, with
 10 Friday being the third community input hearing for
 11 Raices del Saber in Las Cruces on Friday afternoon.
 12 So we will work to secure those venues for
 13 those dates and report back to you on that.
 14 THE CHAIR: Okay. Thanks.
 15 DR. PELAYO: You also would have noticed
 16 that ongoing actions and trackers have been updated
 17 and was provided to you as an insert.
 18 THE CHAIR: Right.
 19 DR. PELAYO: We also have -- he's not down
 20 here. But we did add a new staff person. Our
 21 education administrator for financial analysis is
 22 now on the team. He started last week. So we're
 23 very excited about him being on the team to help us
 24 with that. Oh, he is here. Great. Dirk Mathis.
 25 THE CHAIR: Welcome.

<p style="text-align: right;">Page 50</p> <p>1 MR. DIRK MATHIS: Thank you. 2 DR. PELAYO: That's it for our update. 3 THE CHAIR: I just have one quick 4 question. When it says "unknown" whether the new 5 governance person voted, is that because you 6 don't -- how do they notify that that did or didn't 7 happen? So how -- so how do we know that it's 8 unknown? 9 MS. POULOS: Madam Chair and 10 Commissioners, it would be that we have not looked. 11 So we don't go looking. If there's something that a 12 school submits with governing board minutes that we 13 do have a reason to be reviewing, an amendment 14 request or a new -- another change to a governing 15 board member, if we're looking at those and we see 16 that, then we will identify "yes" or "no." 17 But if we haven't looked, we haven't had a 18 reason to evaluate that, we don't -- it's not 19 something that we actively go and look for. 20 THE CHAIR: Okay. Thanks. 21 Has there actually been 42,000 days that 22 has transpired for the one school? Just out of 23 curiosity. 24 MS. POULOS: It's a -- an issue with how 25 we've got the formulas in there.</p>	<p style="text-align: right;">Page 52</p> <p>1 not just giving you the long story of everything 2 that's been non-compliant, but bringing to you what 3 is currently non-compliant. And so we do have 4 indications that Dream Diné has been cleared. 5 Everything we needed from them, we have; correct? 6 MS. LAUREL PIERCE: (Indicates.) 7 DR. PELAYO: And for New America School of 8 New Mexico, the concern that we had with them, they 9 have now registered for training at the conference 10 and, therefore, are on the way to complying with the 11 non-compliance. 12 THE CHAIR: Can I have a qualification on 13 that? Is that the Albuquerque or the Las Cruces? 14 DR. PELAYO: The Albuquerque school. 15 And on the third school listed there, 16 New Mexico Connections Academy, we are only now 17 needing -- we have just draft minutes. So they're 18 moving towards compliance. 19 MS. LAUREL PIERCE: Either approved 20 minutes or the certification of the vote has been 21 requested from the school; but it has not been 22 received, which is, according to the new policy, the 23 surrounding governing board changes. 24 DR. PELAYO: The next school that's on 25 this list is Roots & Wings. And, unfortunately,</p>
<p style="text-align: right;">Page 51</p> <p>1 THE CHAIR: That's a lot of days. 2 MS. LAUREL PIERCE: My fault. I 3 apologize. 4 THE CHAIR: So I go, "Wow, 42,000 days, 5 they've been out of compliance." You know, it's, 6 like, wow, I think that precedes the PEC. 7 Okay. Thanks. All right. 8 We are now on to item No. 8, which is the 9 Governance Changes and Reporting Policy 10 Non-Compliance for 42,000 days. 11 COMMISSIONER TOULOUSE: That's only 12 115 years. 13 DR. PELAYO: Madam Chairwoman and 14 Commissioners, this tracker is actually in here as 15 well. I accidentally created that. 16 We have here a few schools that are 17 non-compliant, a variety of issues. And we did 18 insert draft letters indicating what those 19 non-compliance issues were. 20 This morning, I did talk with Laurel, and 21 we wanted to make sure that we have everything up to 22 date. 23 One of the schools -- and per the 24 conversations that we've had about making sure that 25 we are talking about non-proactive, non-compliant,</p>	<p style="text-align: right;">Page 53</p> <p>1 they've already left. Everything that's in that 2 draft letter is still non-compliant and outstanding. 3 So that's a concern. 4 And for Student Athlete Headquarters 5 Academy, we have a couple of concerns listed there. 6 We have some folks that are registered governing 7 board members who are registered for training; 8 however, are not -- have not complied. 9 MS. LAUREL PIERCE: And one that has not 10 registered. 11 DR. PELAYO: Okay. So we have a couple of 12 board members there. 13 There's also -- the last school that was 14 in this list with the draft letter is the Turquoise 15 Trail. Everything there is -- appears to be 16 non-compliant; so that is current. 17 THE CHAIR: Okay. And do you have these 18 letters ready to go for me to sign? 19 MS. LAUREL PIERCE: We did draft letters, 20 pending the decision of the PEC whether -- 21 THE CHAIR: We don't have to vote on 22 these. 23 MS. LAUREL PIERCE: Okay. I will get them 24 prepared. 25 THE CHAIR: So, thanks. We're bustling</p>

<p style="text-align: right;">Page 54</p> <p>1 along. That's because Commissioner Conyers stalked 2 me in the hotel this morning to see how long it was 3 going to be. 4 COMMISSIONER CRONE: Thanks, Jim. 5 COMMISSIONER CONYERS: (Indicates.) 6 THE CHAIR: Okay. We are now on to Item 7 No. 9, Discussion and Possible Action on the 8 Commencement of Operations for three schools. 9 And the first one up is Hózhó. 10 MR. PATRICK MASON: Thank you, 11 Madam Chair. 12 THE CHAIR: Good morning. 13 MR. PATRICK MASON: Good morning. 14 THE CHAIR: Okay. 15 DR. PELAYO: This is Hózhó Academy, Item 16 9A. 17 This school -- you have, in your materials 18 here, their completed checklist. If you look on 19 the -- starting on Page 8 and 9 of this packet, you 20 will see that all of the boxes are checked as 21 conditions that have been met, with the exception of 22 one box related to the E-Occupancy certificate. 23 THE CHAIR: Right. Yeah. 24 DR. PELAYO: However, the school did 25 attend all the trainings, did submit all the</p>	<p style="text-align: right;">Page 56</p> <p>1 brief. 2 But I do want to just thank the Commission 3 and the Charter School Division for all the guidance 4 you've provided us over this time. We've taken 5 everything that you've told us to heart. 6 For the Commissioners that I haven't been 7 in front of before, we are a classical charter 8 school is our core mission, and in a very -- in the 9 very general sense of providing an education to the 10 whole person, to the entire -- to every aspect of 11 the student, teaching of the true, the good, and the 12 beautiful, through a rigorous academic frame, 13 consisting primarily of core knowledge, Singapore 14 Math and Riggs Phonics. 15 We've learned a lot in our trainings and 16 everything over the years. And to address -- I know 17 at least one of the concerns that the Commissioners 18 had was regarding, for example, new teachers and how 19 many years of experience, I got a report from my 20 principal yesterday. 21 All of our teachers -- we only have one 22 teacher who's a first-year teacher. All of our 23 other teachers generally are between the range of 24 six to 11 years of experience. And we're very 25 excited; the quality of the teachers that we have</p>
<p style="text-align: right;">Page 55</p> <p>1 documentations, did make all the corrections for 2 resubmissions. And as a result, we did find they 3 exhibited capacity to move forward. 4 So the CSD does recommend that the PEC 5 grant the school the standard conditional 6 Commencement of Operations. 7 THE CHAIR: Thank you. Good morning, once 8 again. And if you could please identify yourself 9 for the record? 10 MR. PATRICK MASON: Yeah. Thank you, 11 Madam Chair. And thank you, Commissioners, for 12 having us this morning. 13 My name is Patrick Mason. I am one of the 14 founders and board member of Hózhó Academy. My 15 wife, Rachel Mason, wanted to be here, one of my 16 cofounders. But Baby Theresa is a month -- a month 17 old tomorrow, and she's really cute, and we were 18 worried that she'd be a distraction. So we decided 19 that I would be the one attending today. 20 And I do see that I have an optional 21 10-minute presentation. I was going to be very 22 brief, Madam Chair. 23 THE CHAIR: Fine. We're grateful. 24 MR. PATRICK MASON: You know, I don't ever 25 trust a lawyer that says he's going to be very</p>	<p style="text-align: right;">Page 57</p> <p>1 attracted has been very exciting for us. 2 You know, Gallup, New Mexico, is sometimes 3 in the news more often than we would like, and not 4 always for good things. But it's great to -- and we 5 didn't really know how this was all going to play 6 out, even in the community, as we were going, and 7 what the reception would be. 8 Even though I was born and raised in 9 Gallup and I was both a public school student and a 10 Catholic school student, I had seen all aspects of 11 education in Gallup. And we really wanted to bring 12 a new option to Gallup that had never been there 13 before, namely classical education. And we weren't 14 sure how that would be received. 15 But we're really excited to see that, you 16 know, when something good is coming about, the 17 community really pulls together, especially in a 18 small town like Gallup. And we've had overwhelming 19 support from the community and from the parents and 20 from the students. 21 And I'm very pleased to say, as of 22 Monday -- so our goal for enrollment for our first 23 year, what we were hoping to achieve was 24 110 students. And as of Monday, we had 190 students 25 involved. And we had a uniform fitting last week.</p>

<p style="text-align: right;">Page 58</p> <p>1 And seeing all these young kids and these young 2 parents and -- coming in there, I've really, in my 3 37-or-so years of being in Gallup, I've never seen 4 this kind of response for something. 5 I think it shows what great work the 6 Commission and the Charter School Division and 7 everybody is doing in providing options to parents, 8 because this is something I think that parents 9 really wanted in Gallup is another educational 10 option, a rigorous academic educational option for 11 their students. 12 So we are very excited to be moving 13 forward. And if there's any questions the 14 Commissioners have, I'd be happy to answer them. 15 Thank you, Madam Chair. 16 THE CHAIR: Thank you. I want to thank 17 you for the work that you've put in, because I know 18 it was disappointing when you were given that extra 19 planning year. But I think you've embraced it well, 20 and I hope that it did help to lay a better 21 foundation -- 22 MR. PATRICK MASON: It helped a lot. 23 THE CHAIR: -- for the school. And always 24 excited to see a community also embrace the school, 25 and, hopefully we'll move on and wish you well.</p>	<p style="text-align: right;">Page 60</p> <p>1 COMMISSIONER TOULOUSE: Good luck with the 2 little baby, with all the other ones you have, too. 3 MR. PATRICK MASON: Thank you. 4 THE CHAIR: Commissioners, any other 5 questions? Comments? 6 So -- oh, I see it. I'm sorry. 7 (Chair consults with counsel.) 8 COMMISSIONER PERALTA: Madam Chair, I move 9 that the Public Education Commission approve a 10 conditional commencement of operations for Hózhó 11 Academy, with the condition that all items on the 12 Planning Year Checklist be completed no later than 13 two weeks prior to the scheduled first day of 14 school, as verified by the CSD site visit; also, 15 with the additional condition that the school 16 provide the CSD and the Commission with a copy of 17 the E-Occupancy when that is obtained. 18 COMMISSIONER RUIZ: Second. 19 THE CHAIR: There's a motion by 20 Commissioner Peralta, a second by Commissioner Ruiz. 21 Any discussion? 22 (No response.) 23 THE CHAIR: Commissioner Armbruster? 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Conyers?</p>
<p style="text-align: right;">Page 59</p> <p>1 MR. PATRICK MASON: Thank you, 2 Madam Chair. 3 THE CHAIR: Thank you. 4 Commissioner Toulouse? 5 COMMISSIONER TOULOUSE: Madam Chair, I 6 also want to wish you well, but also I have some 7 concerns, as I think I've discussed with you, that 8 starting with K-through-5 is ambitious. And I just 9 want to make sure, over time, that that doesn't 10 overwhelm your new principal, your new teachers, 11 because I know even public schools start with a 12 couple of grades at a time when they build a new 13 school. 14 So I just want to make sure that if any 15 problems do occur with that, you bring it to the 16 Commission, simply so we're aware and don't have a 17 big crisis, or that you can get help in dealing with 18 those. Because you never know. The thing you don't 19 expect is what's going to hit you. It's not what 20 you plan for. It's what you haven't planned for. 21 So I just want you to know the Commission 22 would be here to help with that, because it's 23 awfully ambitious. 24 MR. PATRICK MASON: Thank you. We take 25 that to heart.</p>	<p style="text-align: right;">Page 61</p> <p>1 COMMISSIONER CONYERS: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Crone? 4 COMMISSIONER CRONE: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Robbins? 7 COMMISSIONER ROBBINS: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Toulouse? 10 COMMISSIONER TOULOUSE: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Ruiz? 13 COMMISSIONER RUIZ: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Caballero? 16 COMMISSIONER CABALLERO: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Johnston? 19 COMMISSIONER JOHNSTON: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Peralta? 22 COMMISSIONER PERALTA: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Gipson? 25 THE CHAIR: Yes.</p>

<p style="text-align: right;">Page 62</p> <p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Armbruster votes "Yes." The motion passes. 3 THE CHAIR: The motion passes ten-zero. 4 Congratulations. 5 MR. PATRICK MASON: Thank you, 6 Commissioners. We're excited. We hope to have good 7 results to show you. 8 THE CHAIR: Thank you. 9 Next is Albuquerque Collegiate. 10 DR. PELAYO: And Albuquerque Collegiate 11 Charter School is item 9B in your materials. 12 If you flip to Page 54 of 131, you will 13 see where we have the preliminary implementation 14 year checklist to look at the conditions. What you 15 will notice is that there are two places where the 16 conditions have not been met; but most of them have. 17 The one area where the school -- again, 18 the E-Occupancy grade is one -- the E-Occupancy 19 Certificate. And the other is related to the head 20 administrator licensure. 21 But I do want to provide an update. This 22 morning, I did confirm with our Professional 23 Licensure Bureau. And, of course, the school leader 24 can add more detail to that, but has received 25 everything that they need to go ahead and move</p>	<p style="text-align: right;">Page 64</p> <p>1 MS. JADE RIVERA: Thank you, Madam Chair. 2 Again, to just reiterate, addressing those concerns, 3 we are on track for the E-Occupancy, to have that. 4 In addition, for the license, we have 5 worked really diligently and closely with the 6 Licensure Bureau to ensure that this is lined up. 7 We have some documentation from Rebecca Reyes 8 confirming that this will be issued, the license 9 will be issued, next week. 10 They were, again, just backed up, and she 11 wants to make sure that that comes from her, the 12 director, immediately -- or directly. Apologies. 13 We're really excited for -- for the 14 opportunity and year ahead. We are -- have our 15 staff ready to go. Our families are eager. We are 16 canvassing every day in our community to make sure 17 that we hit our enrollment targets. Very, very 18 excited to get going with Albuquerque Collegiate and 19 really create this school of opportunity and rigor 20 in the neighborhood where I grew up and an area that 21 I think is very, very high-need in Albuquerque. 22 THE CHAIR: Thank you. And what's -- 23 what's your current enrollment? 24 MS. JADE RIVERA: So currently, we are 25 at -- as of last night, we were at 50 students. Our</p>
<p style="text-align: right;">Page 63</p> <p>1 forward with a provisional license. However, 2 they're really backed up this week, and they said 3 that they would be able to do that next week. 4 So I did want to give you that update as 5 we go forward. However, the school, unlike the 6 previous school [verbatim], did attend all the 7 meetings, submitted all of the documentation that we 8 needed, made the necessary revisions. And so with 9 this school, we also recommend that you move forward 10 with the Commencement of Operations. 11 THE CHAIR: Thank you. Good morning. 12 MS. JADE RIVERA: Good morning, 13 Madam Chair and Commissioners. 14 THE CHAIR: If you could just identify 15 yourselves for the record. 16 MS. JADE RIVERA: Yes, I am Jade Rivera, 17 the founder and director for the school. 18 MR. DANIEL IVEY-SOTO: Good morning, 19 Madam Chair, members of the Commission. Daniel 20 Ivey-Soto, legal counsel for the school. 21 MR. SCOTT HOUSE: Scott House, chair of 22 the governing board. 23 THE CHAIR: So if there is anything that 24 you want to add or communicate to us, you've got a 25 short time frame.</p>	<p style="text-align: right;">Page 65</p> <p>1 target is 90. So we have some areas to -- to grow. 2 But as I mentioned, our team -- and, 3 actually, some of them are not here with us this 4 morning because they are out canvassing. Then 5 another group of us will be going this afternoon, 6 and have plans -- really, when I say "every day," I 7 mean it. Every single day, we have mapped out to 8 the start of school for canvassing in our community, 9 hitting different community events. 10 MR. IVEY-SOTO: In our first year, we're 11 looking at two kindergarten classes and one first 12 grade. 13 THE CHAIR: Right. Well, we appreciate 14 the work. And a number of us understand the word 15 "canvassing" in this room; so... 16 MS. JADE RIVERA: Not for the faint of 17 heart. 18 THE CHAIR: So... 19 MS. JADE RIVERA: Especially in the 20 summer. 21 THE CHAIR: Especially in the heat. 22 MR. IVEY-SOTO: And, Madam Chair, you're 23 absolutely right. Our biggest problem is we knock 24 on the door, and people say, "Who do you want us to 25 vote for?"</p>

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1 "No, no. We're actually here about your
 2 kids."
 3 THE CHAIR: I know. I've learned puppies
 4 help a lot when you knock on a door.
 5 Commissioner Toulouse?
 6 COMMISSIONER TOULOUSE: Madam Chair, since
 7 you're in my district, I'm just -- I'm nosy. Where
 8 is -- where are you going to be located?
 9 MS. JADE RIVERA: Yes. So the school
 10 location is at 1720 Bridge. It's about -- it's at
 11 the intersection of Bridge and Goff.
 12 THE CHAIR: And if I remember correctly,
 13 from negotiations, there is room in the facility to
 14 grow, so that you wouldn't have to move when you
 15 grow. So that's -- that's a nice piece. And you've
 16 got playground space as well, don't you?
 17 MS. JADE RIVERA: Uh-huh. Yes.
 18 THE CHAIR: Which is really a plus,
 19 because so many schools that are in a strip area --
 20 and that didn't come out right -- but they don't
 21 have playgrounds.
 22 MS. JAEGER: Retail.
 23 THE CHAIR: Retail. Thank you.
 24 Obviously don't have an area for outside
 25 activities, especially for young ones. So that's

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1 really nice that you've got that opportunity as
 2 well.
 3 COMMISSIONER TOULOUSE: Well, now that
 4 you're on the other side of the river, then you're
 5 not in my district. But you were planning to be.
 6 You live in my district, right -- a house down from
 7 where my dad was born and raised.
 8 So -- but I want to wish you well. And
 9 I'm trying to picture. Is it, though, where all
 10 those stores were?
 11 MS. JADE RIVERA: Madam Chair,
 12 Commissioner Toulouse, yes, we are next to a mercado
 13 carniceria on the one side and a Family Dollar on
 14 the other.
 15 COMMISSIONER TOULOUSE: I know for years
 16 there was a welfare office there and there are other
 17 offices there. I know that building there. I know
 18 there's plenty of space in it. I'm not sure how
 19 well it's been maintained. I hope you guys can
 20 bring it up to code; but, okay. So then I know
 21 exactly where you are. Thank you.
 22 THE CHAIR: Commissioners, any other
 23 questions?
 24 Have you moved into
 25 Commissioner Caballero's district, then?

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1 MS. JADE RIVERA: Yes.
 2 COMMISSIONER CABALLERO: I thought they
 3 were.
 4 COMMISSIONER TOULOUSE: Their original
 5 location was Downtown Albuquerque, which was mine.
 6 I go to the river. The other side of the river,
 7 except a little bit over on the northwest side, is
 8 somebody else's.
 9 COMMISSIONER CABALLERO: I know my area
 10 really needs some high-quality schools. So thank
 11 you. Thank you for your work.
 12 THE CHAIR: Okay. Do I have a motion? Or
 13 do you want me to do it?
 14 (No response.)
 15 THE CHAIR: Here we go. I move that the
 16 Public Education Commission approve a conditional
 17 Commencement of Operations for Albuquerque
 18 Collegiate Charter School, with the conditions that
 19 the head administrator school license is
 20 appropriately filed, and E-Occupancy is submitted to
 21 the Charter School Division.
 22 COMMISSIONER ROBBINS: Second.
 23 THE CHAIR: There's a second by
 24 Commissioner Robbins.
 25 Any discussion?

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1 (No response.)
 2 THE CHAIR: Commissioner Armbruster?
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Peralta?
 5 COMMISSIONER PERALTA: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Robbins?
 8 COMMISSIONER ROBBINS: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Caballero?
 11 COMMISSIONER CABALLERO: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Toulouse?
 14 COMMISSIONER TOULOUSE: Yes.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Conyers?
 17 COMMISSIONER CONYERS: Yes.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Gipson?
 20 THE CHAIR: Yes.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Armbruster votes "Yes."
 23 Commissioner Johnston?
 24 COMMISSIONER JOHNSTON: Yes.
 25 COMMISSIONER ARMBRUSTER: Commissioner

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1 Ruiz?
 2 COMMISSIONER RUIZ: Yes.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Crone?
 5 COMMISSIONER CRONE: Yes.
 6 COMMISSIONER ARMBRUSTER: Passes,
 7 ten-zero.
 8 THE CHAIR: Motion passes ten-zero.
 9 Congratulations. Good luck. And good luck on
 10 filling these seats as well.
 11 MR. IVEY-SOTO: Thank you, Madam Chair,
 12 members of the committee. If you all would like to
 13 swing by the panateria and see the school, you're
 14 certainly welcome.
 15 THE CHAIR: Thank you. And, finally, we
 16 have Altura Preparatory.
 17 Good morning.
 18 MS. LISSA HINES: Good morning.
 19 THE CHAIR: Okay.
 20 DR. PELAYO: Madam Chairwoman and
 21 Commissioners, Altura Preparatory School is Item 9C.
 22 And if you turn to your materials in this
 23 Section 98 of 131, it covers the same area. As you
 24 can see, all of the conditions have been met across
 25 the board with the one E-Occupancy certificate.

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1 The school attended all the trainings,
 2 provided all the materials, resubmitted timely.
 3 The school has demonstrated capacity to
 4 open the school and to be successful and, therefore,
 5 we recommend to you that you approve Commencement of
 6 Operations.
 7 THE CHAIR: Good morning.
 8 MS. MEAGHAN STERN: Good morning. Thank
 9 you so much.
 10 THE CHAIR: And if you could identify
 11 yourself for the record?
 12 MS. MEAGHAN STERN: My name is Meaghan
 13 Stern. I am one of the cofounders and will be the
 14 Director of Academics.
 15 THE CHAIR: Is the green light on?
 16 MS. MEAGHAN STERN: It is. I just don't
 17 speak very loudly; so Meaghan Stern. I'm one of the
 18 cofounders and Director of Academics at Altura Prep.
 19 MS. LISSA HINES: Good morning, Madam
 20 Chair and Commissioners. My name is Lissa Hines,
 21 and I am one of the cofounders and the Director of
 22 Operations.
 23 THE CHAIR: Thank you. So if there is
 24 anything else you wish to add, let us know. This is
 25 your final opportunity.

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1 MS. LISSA HINES: We'll keep it short.
 2 We're just excited to be here and excited to embark
 3 on this journey. It's been a long time planning,
 4 and we're ready to get going this fall.
 5 MS. MEAGHAN STERN: And I would just add
 6 thank you so much to the Commission and the Charter
 7 School Division for your ongoing support and
 8 technical assistance over our planning year. We
 9 really appreciate it. Thank you.
 10 THE CHAIR: Thanks. Commissioners, any
 11 questions? Comments?
 12 Commissioner Robbins.
 13 COMMISSIONER ROBBINS: Can you just give
 14 us the location of where the school will be located?
 15 MS. LISSA HINES: It's 955 San Pedro
 16 Southeast. So we're right by Wilson Park and near
 17 Holy Ghost Catholic Church.
 18 THE CHAIR: I just want to -- it's always
 19 nice to see people that are excited. And this is a
 20 new adventure; so it's -- this is always a good time
 21 for us. So I appreciate this.
 22 If there are no other questions or
 23 comments?
 24 COMMISSIONER JOHNSTON: Madam Chair?
 25 THE CHAIR: Sure. Commissioner Johnston?

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1 COMMISSIONER JOHNSTON: And I may --
 2 everybody else may know this, and I don't.
 3 How many students do you have currently?
 4 MS. LISSA HINES: We have 71 enrolled
 5 right now, with wanting to get to 110.
 6 COMMISSIONER JOHNSTON: Thank you.
 7 THE CHAIR: Commissioner Toulouse?
 8 COMMISSIONER TOULOUSE: Madam Chair, may I
 9 make the motion?
 10 THE CHAIR: Sure.
 11 COMMISSIONER TOULOUSE: Okay. I move that
 12 the Public Education Commission approve a
 13 conditional Commencement of Operations for Altura
 14 Preparatory School, with the condition that the
 15 E-Occupancy is received and reported to us prior to
 16 the opening, and no later than two weeks prior to
 17 the scheduled first day of school, as verified by
 18 the CSD.
 19 COMMISSIONER ROBBINS: I'll second.
 20 THE CHAIR: There is a motion by
 21 Commissioner Toulouse, a second by Commissioner
 22 Robbins.
 23 Any discussion?
 24 (No response.)
 25 THE CHAIR: Commissioner Armbruster?

<p>Page 74</p> <p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Gipson? 3 THE CHAIR: Yes. 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Robbins? 6 COMMISSIONER ROBBINS: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Caballero? 9 COMMISSIONER CABALLERO: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Crone? 12 COMMISSIONER CRONE: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Toulouse? 15 COMMISSIONER TOULOUSE: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Peralta? 18 COMMISSIONER PERALTA: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Armbruster votes "Yes." 21 Commissioner Ruiz? 22 COMMISSIONER RUIZ: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Johnston? 25 COMMISSIONER JOHNSTON: Yes.</p>	<p>Page 76</p> <p>1 THE CHAIR: Thank you. Congratulations. 2 MS. MEAGHAN STERN: Thank you. 3 MS. LISSA HINES: Thank you. 4 THE CHAIR: Good luck. 5 This may take a little bit. So if 6 Commissioners want a break, we'll do it now; 7 otherwise, we'll move on. So I'll go by the wishes 8 of the Commission. 9 COMMISSIONER CABALLERO: Move on. 10 THE CHAIR: Move on? Okay. All right. 11 We are on to Item No. 10, which is 12 Discussion and Possible Action on the Report from 13 La Promesa Charter. 14 MS. POULOS: Madam Chairwoman? 15 THE CHAIR: Good morning. 16 MS. POULOS: Madam Chairwoman, you have 17 materials provided by the school in your -- in your 18 book today. I did want to give you a report on 19 CSD's analysis of the data. 20 When we analyzed the data from the school, 21 we found that 80 students should be excluded from 22 the data analysis. That's because they were either 23 not full-academic-year students, or they were 24 students with IEPs. 25 In Grades 1 through 8, that was</p>
<p>Page 75</p> <p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Conyers? 3 COMMISSIONER CONYERS: Yes. 4 COMMISSIONER ARMBRUSTER: The motion 5 passes, ten-zero. 6 THE CHAIR: Ten-zero. Thank you very 7 much. 8 COMMISSIONER TOULOUSE: Madam Chair, I 9 still want to point out to them something we've 10 discussed. And it is the problem with the park. I 11 know it's been reported several times to the police, 12 again, there are large gatherings of people there 13 who are drinking and shooting up. And there's not a 14 lot of police presence in that area; so I'm hoping 15 you will do what I suggested, become very proactive 16 with the police force now that there will be a 17 school there. 18 I know they look at the other end, because 19 they all get pizzas at Giovanni's. But they don't 20 necessarily go to the park. You know, again, that's 21 a ways from me, but it's still my neighborhood. And 22 I'm concerned about that. And the neighborhood has 23 wanted it cleaned up for quite a while. Maybe the 24 school will help get that done. 25 Thank you.</p>	<p>Page 77</p> <p>1 71 students. 2 The data was being analyzed for Grades 1 3 through 8, as is in alignment with the school's 4 goals and how they're written. 5 The 71 students, just to give you those -- 6 sorry -- of the 80 students excluded, 33 were 7 excluded because they were special education 8 students, 16 were excluded because they did not have 9 a fall score, 1 was excluded because they didn't 10 have a fall or a winter score, 18 were excluded 11 because they did not have a spring score, 1 was 12 excluded because they did not have a winter score, 13 and 2 were excluded because they didn't have winter 14 and spring scores. 15 Our data analysis found that without 16 kindergarten students, 185 of 239 students met the 17 benchmark of either scoring at the 41st percentile 18 either on winter or spring, or met one-and-a-half 19 years' worth of growth. That works out to 20 77 percent of the students. The school's target for 21 its academic goals is 75 percent; so because they 22 had 75 percent of the students meet that goal, they 23 met on the math side. 24 For the reading, when we looked, without 25 kindergarten, again, 176 of 239 students met that</p>

<p style="text-align: right;">Page 78</p> <p>1 goal. That puts them at 73.6 percent, which does 2 fall in the Does Not Meet category of their goal. 3 When we included kindergarten, it was 214 4 out of 280 students in math, which is 76 percent, 5 and 206 out of 280 -- 280 students, which translates 6 to 73.5 percent of the students. So in both cases, 7 excluding or including, they met on math, but they 8 did not meet the goal on reading. 9 There is the additional goal with regards 10 to WIDA. And I do not have the data analysis on 11 that. That was data, I think we've had for some 12 time. I do believe my understanding is that the 13 school's performance on the WIDA was very good and 14 exceeded the District's or the State average. 15 THE CHAIR: Okay. Good morning. 16 COMMISSIONER JONES: Good morning, Madam 17 Chair, members of the Commission. My name is Chris 18 Jones. I'm the Executive Director of La Promesa 19 Early Learning Center. 20 MR. MIKE VIGIL II: Madam Chair, members 21 of the Commission, my name is Mike Vigil. I'm the 22 school's contracted business manager. 23 MR. CHRIS JONES: So, today -- and thank 24 you for giving us the opportunity to present -- I 25 wanted to begin by saying and really expressing my</p>	<p style="text-align: right;">Page 80</p> <p>1 for questions regarding the Corrective Action Plan, 2 if you have them. However, I just wanted to give 3 you guys a brief overview of our data and where we 4 ended up. 5 According to our analysis -- the school's 6 analysis, that is -- in mathematics, we ended up at 7 77 percent. So when it comes to Grades 1 through 8 8 -- so that excludes special education and 9 kindergarten -- we ended up at 77 percent of our 10 students who were either at the 41st percentile or 11 who had made 1.5 years' growth. 12 In reading, our calculation -- and of 13 course, this is a manual calculation; we did it 14 manually; we also used the spreadsheet -- we're a 15 little higher than what was shared. We actually 16 felt we made it, and we were at 84 percent. 17 So, again, there is human error when it 18 comes to statistics and running data. It really 19 does take a lot of experience and great 20 qualifications to really get to the bottom of what's 21 going on with your data. 22 We also have provided you, in your packet, 23 an Insights Report. That was provided by NWEA who 24 is the vendor that we go through for our assessment. 25 What the report, the Insights Report, reveals to you</p>
<p style="text-align: right;">Page 79</p> <p>1 gratitude to the Commission members who were a part 2 of the negotiation process, those of you who were 3 recently seated and those of you who were part of 4 that subcommittee. It's been a long journey for us, 5 and it started April 2017, even before that time. 6 So I really want to thank the Commission 7 just for taking the time and giving us an 8 opportunity. For us, this was a huge learning 9 experience, and I think it was a teachable moment 10 for us, as well, when it comes to our students, 11 which is, you know, never concede, never give up, no 12 matter what, always give your best effort, 13 persevere. And I think we've demonstrated our 14 ability to do that. 15 This was a difficult goal for us to meet. 16 In our calculation, our own analysis is a little 17 different than what Director Poulos has presented. 18 However, I will say that even based on Director 19 Poulos' account, we've made huge strides. We're a 20 school that underperformed, especially prior to my 21 arrival. And our staff has done nothing but worked 22 hard and put students first. 23 So I have a very brief presentation that 24 has to do with only academics. We have covered the 25 rest of the Corrective Action Plan, and I do stand</p>	<p style="text-align: right;">Page 81</p> <p>1 is that we've also made really good growth when it 2 comes to our students. 3 Our students, especially those that are in 4 the bottom quartile, have made tremendous gains. 5 And, as you know, as a school that has struggled, we 6 have many students who are bottom-quartile students. 7 So the majority of our kids kind of fall into that 8 range family. And we've worked really hard as a 9 staff to provide interventions and do what's best 10 for them. 11 So when you look at the Insights Report, 12 it'll tell you that achievement-wise, we're at about 13 the 31st percentile. The achievement -- or excuse 14 me -- the Insights Report compares our school and 15 our students to other students in schools across the 16 nation. So it isn't only a comparison of La Promesa 17 to the state, but it's really comparing our students 18 to those across the entire nation. 19 31st percentile when it comes to 20 achievement. However, when it comes to growth, our 21 students fell in the 61st percentile, 50th 22 percentile being average. So our students are 23 slightly above average when it comes to growth on 24 this very rigorous assessment, which was new for us 25 this year. It was our first year implementing.</p>

<p style="text-align: right;">Page 82</p> <p>1 In addition to these reports, I want to 2 let you know some of the other developments. We 3 have successfully recovered the money that was lost 4 due to embezzlement. We did receive a check for 5 \$650,000. When it comes to our finances, we have 6 done tremendous work, with the help of the Vigil 7 group, with our governance council, and our staff, 8 to really put ourselves in a better position for the 9 future. So we have recovered all of the funds that 10 we've lost.</p> <p>11 We've already invested in a core reading 12 program for math and Spanish -- excuse me -- for 13 English and Spanish. We're looking at math 14 materials, continuing with Origo Stepping Stones. 15 But we have made an investment, a large investment, 16 in providing for our students a really quality core 17 curriculum, which the school had not acquired 18 since -- 2009 was the last time we purchased 19 instructional materials.</p> <p>20 So given what we were given, we -- I feel, 21 as the school leader -- have made tremendous gains 22 and we've accomplished a lot with very little.</p> <p>23 So with that in mind, guys, I really don't 24 have a whole lot else, with the exception of -- 25 (Mr. Jones consults with counsel.)</p>	<p style="text-align: right;">Page 84</p> <p>1 long time ago is -- in a training, as a matter of 2 fact, we can't hide behind the comments and feelings 3 of parents. We have to have data to support what 4 we're doing.</p> <p>5 And we're getting to the point to where we 6 are now changing the culture of our school where 7 high student achievement is the norm. And so we 8 want our parents to be satisfied, but at the same 9 time, we want to be accountable to our parents. We 10 want their students to grow, and we want to 11 demonstrate high levels of proficiency. And we're 12 making huge gains and strides to get there.</p> <p>13 So I feel we've done that. And I would 14 ask for you to really work with us in reconsidering 15 any discussion regarding revocation. We want to 16 continue through the end of our charter. We want to 17 get to the end of this term, and we want to have 18 some stability for our families and for our staff so 19 we can, again, rebuild this positive culture, but 20 continue to make gains when it comes to achievement.</p> <p>21 So I would ask that you guys strongly 22 consider that request on my school's behalf.</p> <p>23 THE CHAIR: So I'll just remind 24 Commissioners, we're not voting today on this, 25 because the School Report Card is still the -- then</p>
<p style="text-align: right;">Page 83</p> <p>1 MR. CHRIS JONES: -- yeah, yeah -- with 2 the exception of standing for questions regarding 3 our finances, regarding our academics, and also to 4 let you know very quickly, that in terms of 5 enrollment, we're at about 370 students who have 6 already enrolled. They've already registered and 7 filled out the paperwork.</p> <p>8 We ended up with about 335 students, 9 roughly, 80-120 our average. So we've already 10 increased the number of students. And now that we 11 are not on the news every single week for something 12 negative, my staff, 100 percent, have committed to 13 coming back and have signed contracts. So that 14 retention is really strong.</p> <p>15 And we have students who are wanting to 16 come. We even have students who are coming back to 17 us who had left prior and who are now coming back, 18 they're returning, because they recognize the work 19 that we're doing, and they're very satisfied with 20 what they're seeing. So we're happy about that.</p> <p>21 The last thing that I would like to say is 22 along this journey -- of course, we've worked 23 extremely hard for the sake of our students and our 24 community -- our students do deserve our school. 25 One thing that Director Poulos mentioned a</p>	<p style="text-align: right;">Page 85</p> <p>1 maybe I'm wrong. Because my understanding was the 2 School Report card was a second option. Am I 3 incorrect in that? I thought that was the 4 agreement, that it was either/or.</p> <p>5 MS. POULOS: Madam Chairwoman, yes, the 6 agreement is written that they meet the goals of the 7 performance framework.</p> <p>8 THE CHAIR: Or.</p> <p>9 MS. POULOS: Or they meet the School 10 Report Card.</p> <p>11 THE CHAIR: So we're not -- so we're not 12 taking any action today because the School Report 13 Card has not been released yet.</p> <p>14 MS. MATTHEWS: Madam Chair, I don't 15 believe that's the deal. I believe the Corrective 16 Action agreement was that they meet their student 17 performance standards that were set in the charter, 18 that they had met their academic performance.</p> <p>19 THE CHAIR: Correct. But there is, at 20 this point in time, a discrepancy with what CSD -- 21 so...</p> <p>22 MS. MATTHEWS: So you're going to hold 23 them to the 1.4 percent differential in the reading? 24 I guess that's where we're going.</p> <p>25 THE CHAIR: That would be the agreement.</p>

1 So that's what I -- that was the agreement. The
2 agreement was they meet that, and/or -- not "and" --
3 or the School Report Card, with the qualifier that
4 if the discrepancy exists, there would be a third
5 party that would come in to analyze that data.
6 That's what the agreement is.

7 So at this moment in time, we're not
8 taking action, because we can either get the -- you
9 can either wait for the report card to see if it's
10 okay, or the third party comes in. That's --
11 that's -- that's the way -- that was the Corrective
12 Action Plan as it was written.

13 So this was an update for us at this
14 moment in time, and not -- because there -- as the
15 Corrective Action Plan is written, there would be no
16 vote for the revocation. The agreement was if we do
17 not meet this goal, we go to the revocation hearing.
18 That was the Corrective Action Plan, as written.

19 So we do not vote.

20 COMMISSIONER CABALLERO: Madam Chair, yes,
21 I think that we're at a point of being a legal
22 interpretation. We are talking about what, in
23 essence, was the agreement. If anything is couched
24 in this or that, and we are in this, then the
25 Commission can take action. It's not that we

1 that was asked to make 1.5 percent growth. That's a
2 huge growth. And I believe Mr. Jones has provided
3 you information about what that means, what NWEA
4 even thinks it means.

5 So -- and then if you -- and the Charter
6 Schools Division even acknowledges that if you
7 include kindergarten, which I believe it was tossed
8 out to help the school, thinking that that would
9 make it easier for them to hit the mark, when, in
10 actual fact, it actually promotes their overall
11 grade, they're at 77 percent, and they've met the
12 goal.

13 So I think what the ask-for is can we --
14 can we think in a bigger box and say at this point
15 in time, this school has really done extremely well
16 and so that we can get them out from under the cloud
17 of saying, "You're still under Corrective Action
18 Plan"?

19 There's still a possibility you're going
20 to be revoked, and -- that's what I think the
21 ask-for is, Madam Chair. It's not -- and you're
22 right, that the deal was what -- you're exactly
23 right. That's what it says. And I misspoke, and I
24 apologize.

25 But what I'm asking -- I think what the

1 cannot. But the Commission could, in fact, take
2 action. Or the Commission could wait until this
3 other condition.

4 So I would ask that we get an
5 interpretation from -- from counsel as to -- am I
6 reading the "or" properly, or is the condition that
7 we cannot take action, and this is just a report?

8 And I would -- I would hate to dismiss
9 the -- the -- any of it right now as we cannot take
10 action, when we actually could. So I would -- I'm
11 asking for a legal advice.

12 THE CHAIR: Okay. But I want to remind
13 you that the action would be a revocation hearing.
14 If we're not -- if we're taking the data as it is
15 presented and accepting it from CSD, then the action
16 would be a revocation hearing.

17 I'm trying to forestall that and say that
18 the School Report Card hasn't been released yet, so
19 the school still has that opportunity to meet their
20 Corrective Action Plan by waiting for the school
21 report card.

22 MS. MATTHEWS: Madam Chair, I misspoke.
23 And I think you are correct as far as bright-line
24 determinations. I think what the school is asking
25 the Commission to consider is that this is a school

1 school is asking -- and Mr. Jones said it more
2 politely -- that we're asking you to consider that.
3 And that's -- and I do think it's on the agenda as
4 an action item. That's what we're asking. It's
5 not -- it's not can we say they met it absolutely?
6 No, we're 1.4 percent off. You got it.

7 MS. POULOS: Madam Chair, I just want to
8 be clear, because something was misstated. When we
9 include kindergarten in math, they're at 77 percent;
10 in reading, they're still at 73. Sorry. When we
11 include kindergarten in math, they're at 76 percent;
12 in reading, they're actually lower, at 73.5 percent.

13 MS. MATTHEWS: Thank you, Ms. Poulos.
14 1.5. I got it wrong. I heard it differently.

15 And there is difference between that the
16 school -- I get there's statistical issues, and we
17 can, according to the agreement, say, "All right, we
18 disagree," or, "There's such a small margin of
19 difference here, we want to get a third party in to
20 look at it."

21 And that is the next step. But, one, if
22 the Commission were to reconsider, based on how
23 close they are, the fact they've met it in math,
24 very close in reading, then we can all avoid this
25 and go on. Or we can play by the precise rules, and

1 we'll call the third party --

2 THE CHAIR: Okay. I have a couple of
3 financial questions before --

4 MS. MATTHEWS: All right. Then I will go
5 away.

6 THE CHAIR: Thanks.

7 So a couple of things were brought to my
8 attention that I'd just like a little clarification
9 of.

10 It's my understanding that the financial
11 statements from both '16 and '17 show that the
12 school was running in a deficit; is that correct?

13 MR. MIKE VIGIL II: Madam Chair, members
14 of the Commission, for Fiscal Year '16, that is
15 incorrect. What you see in Fiscal Year '16 is a
16 disclaimed opinion. In a disclaimed opinion, what
17 you have is the auditors not having the availability
18 of enough information or backup documentation to
19 form an opinion. So in their opinion, there was
20 nothing they could come to a determination about.

21 Fiscal Year '17, based on what was
22 available from '16 -- so your beginning balances
23 from '16 determine how you start -- I'm sorry -- the
24 ending balances from Fiscal Year '16 roll into the
25 beginning balances of Fiscal Year '17. So you have

1 So the school is absolutely solvent, and
2 that's fund by fund. We've cleaned it up
3 100 percent. Even with new auditors, I'm 100
4 percent certain that we'll roll over our fund
5 balance. Everything will be positive.

6 We'll clean up -- I could say 90 percent
7 of findings, if not 100 percent. And if we look at
8 Fiscal Year '18, it will be an unmodified opinion,
9 and it will be zero deficits across the 20 funds
10 that they have.

11 THE CHAIR: And just one more item. I
12 know the foundation is a separate entity. But the
13 foundation has a significant balloon payment due of
14 \$7 and-a-half million, which ultimately could affect
15 the school, because if they can't make it, the
16 school doesn't have -- so do you have any
17 information about that?

18 MS. MATTHEWS: Madam Chair, members of the
19 Commission, you're correct. The -- the nonprofit
20 owns the building. And the promissory note and
21 mortgage indicates a balloon payment at the end of
22 2019. It is roughly \$7.5 million. But that is not
23 an obligation of the school.

24 THE CHAIR: I understand that. My concern
25 is --

1 a confusion about what those really are.

2 But if they make an assumption based on
3 Fiscal Year '16, '17 did end in a deficit. And
4 there was a material weakness finding acknowledging
5 that. Also acknowledged was the fact, in those
6 findings, in every single finding, as a matter of
7 fact, was that the auditor said the school has made
8 great progress in addressing these deficit issues,
9 amongst a bunch of other compliance issues.

10 In addition to that, the school
11 director -- or, I'm sorry -- the Director for School
12 Budget and Finance here at PED required that we set
13 aside \$229,000, a number we've been going back to --
14 it's 8 percent of the budget -- to address the
15 deficit. The school was on target to meet that
16 goal. And we would have easily met it at the end of
17 the year even without additional funding.

18 We got \$650,000 additional on top of that.
19 So between those two, Fiscal Year '18, the school is
20 not only solvent; next year, we're going to
21 establish a cash reserve, probably anywhere from 5
22 to 10 percent, so much to -- not as, you know, to
23 affect instruction, to say that we're saving this
24 year's money for next year's kids, but to say that
25 "rainy day" funds is there.

1 MS. MATTHEWS: What do we do?

2 THE CHAIR: Yeah. It does ultimately
3 affect the school, because if the foundation can't
4 make that payment, the school doesn't have a home
5 any longer. That's the -- you know, that's the
6 concern.

7 MS. MATTHEWS: Absolutely. And as you
8 know, the fires have been focusing on academics and
9 getting their financial books in order. We will --
10 and, in fact, the governing body has developed a
11 facilities committee. And General -- Garcia, is
12 it? -- Griego -- sorry -- Judy -- I'll just call her
13 "The General" -- is head of the facilities
14 committee.

15 So we're on it. We've been talking to
16 brokers, and we understand that, certainly, the next
17 step is for us to talk to the -- the holder of the
18 note for the nonprofit, talk to them about perhaps
19 renegotiating; not the school, but getting that
20 renegotiating. And then perhaps now that we can
21 get -- we've got our feedback on the ground
22 financially, start looking at the possibility of
23 how -- whether or not we could acquire the building
24 through some other -- and the nonprofit could
25 acquire the building through some other funding

<p style="text-align: right;">Page 94</p> <p>1 source, which was the original idea. 2 So we've just pivoted our focus to let's 3 survive this year, and then now, we will look at 4 that. You are correct. That's exactly where it is. 5 But it's not a direct obligation of the school. But 6 they'd have to move. You're right. 7 THE CHAIR: That's what I understood. Is 8 there a plan in place? 9 MS. MATTHEWS: Absolutely. They're 10 looking at it. We have a plan in place to be 11 exploring all options. 12 THE CHAIR: All right. Thanks. 13 Commissioners? Thoughts? Discussion? 14 We have basically two options here. We 15 can vote to accept -- it wouldn't be voting to 16 accept the Corrective Action Plan, because the 17 Corrective Action Plan, as written, has not 18 technically been satisfied, so that we would have to 19 accept the data as provided as fulfilling the -- the 20 Corrective Action Plan. We can do that. 21 We can wait till July for the report card 22 to be released and see if the school fulfills the 23 Corrective Action Plan, as written, through that, 24 and then we're clear and clean. 25 If they do not, then we can bring the</p>	<p style="text-align: right;">Page 96</p> <p>1 grades are sufficient, we can accept that and move 2 on, rather than taking an action now or retrenching 3 and changing our standards. I think we should stay 4 with the standards and delay a vote. That's my 5 thought. 6 THE CHAIR: Thank you. 7 Commissioner Caballero? 8 COMMISSIONER CABALLERO: Is -- so the 9 language on the approval is accepting the report as 10 Working to Meet standard, some kind of language that 11 doesn't indicate that they're not meeting at all, 12 but falling short? Or how would that be? 13 THE CHAIR: We're not -- at this point in 14 time, we're simply viewing this. If we want to wait 15 till July, this is purely an update, and we're not 16 taking any action; so that there is no motion. 17 We're just thanking them very much for the 18 update, and we'll schedule further talks, if 19 necessary, once the report cards come out. 20 COMMISSIONER JONES: Madam Chair, members 21 of the Commission, if it's okay, I just wanted to 22 highlight the report that was given to you by 23 Dr. Cronin from NWEA. Now, the 1.5-year growth goal 24 is definitely something that's -- it's a stretch. 25 3 percent of schools across the United States have</p>
<p style="text-align: right;">Page 95</p> <p>1 school up, and we can have a further discussion on 2 what we want to do. 3 So looking at the will of the Commission 4 to see if you want to wait until July -- at this 5 point in time, we do have -- we will have a short 6 meeting scheduled during our input hearings so that 7 we will be here in July. Don't know if the report 8 card will be out by that time. So it might be 9 August before we're having this discussion. 10 So I'll ask for your input at this point 11 in time. 12 COMMISSIONER ROBBINS: (Indicates.) 13 COMMISSIONER CABALLERO: Madam Chair? 14 THE CHAIR: Could you hold on? 15 Commissioner Robbins had -- 16 COMMISSIONER ROBBINS: My sense is we 17 should probably wait until we have all the other 18 information, because if we vote now, technically, if 19 we want to amend the requirements in the CAP, that's 20 one thing we could do. But I think we set a CAP, 21 and we agreed to certain CAP measurements in the 22 reading and math scores. 23 And there may be a discrepancy, but I 24 think one of the other options is to wait until the 25 grades come in. That is something -- if those</p>	<p style="text-align: right;">Page 97</p> <p>1 accomplished that 1.5-year growth goal. 2 THE CHAIR: Okay. I'm going to -- I'm 3 going to stop at this point in time, because as part 4 of the group that negotiated the CAP, we had 5 exhaustive discussions about the year and a half. 6 So I don't think we're going to entertain -- that 7 was what the Commission was comfortable with and 8 agreed to -- 9 MR. CHRIS JONES: Madam Chair? 10 THE CHAIR: -- at this point in time. 11 MR. CHRIS JONES: And I'm not trying to 12 argue the 1.5-year growth goal. But I am trying to 13 highlight -- 14 THE CHAIR: I'm sorry. But your time 15 has -- you've been given the time to explain what 16 you wanted to. We're not in a discussion at this 17 moment in time on -- I'm in a discussion with the 18 Commission to see what the will of the Commission 19 is. 20 I'm going to say I'm more comfortable 21 waiting until the report card comes out. 22 Commissioner Johnston? 23 COMMISSIONER JOHNSTON: Thank you, 24 Madam Chair. 25 The -- our emphasis in this entire journey</p>

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1 has been on -- has been focused on the good of the
2 students. And I appreciate that. There's been a
3 great deal of work done to ensure that the education
4 to which these -- that these folks have signed up
5 for has been presented. And I think there's -- the
6 hard work there has shown.

7 But if we're looking at the possibility of
8 having to look for a new building next year, I don't
9 see any way that I could be in support of not
10 waiting until the report card comes in so that I
11 know that this part of the -- of the Corrective
12 Action Plan has been met; so that -- I see a look on
13 your face.

14 So what I'm trying to determine is I have
15 to -- I will have to wait until July to see that
16 part of it completed, because then I'm looking at --
17 I heard you say the lease is up 2019? Or that the
18 payment is due at the end of 2019? Is that correct?
19 So we're looking at one school year ahead? Is that
20 where we are? And then grappling with --

21 MS. MATTHEWS: Madam Chair, members of the
22 Commission, the date of the balloon payment has
23 nothing to do with their lease time. And I think
24 that it's possible -- I can't imagine these folks
25 wouldn't extend the lease. So I'm not looking at

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1 THE CHAIR: I'm sorry. But we're having a
2 discussion at this moment in time on what the
3 Commission wishes to do.

4 MS. MATTHEWS: I understand, Madam Chair.

5 THE CHAIR: Commissioner Toulouse?

6 COMMISSIONER TOULOUSE: Madam Chair, I
7 think, even if we get the -- the third option, we
8 still can't take any action until July or August.
9 I -- my feeling is I think you've made tremendous
10 strides. I wasn't convinced at all you could even
11 get near this. I really thought we'd be getting
12 ready to close you.

13 And I don't want to do that, because I
14 think you have turned the school around. I'm amazed
15 at what's happened there. And I want to give it a
16 chance to continue. But under what we agreed to,
17 the only thing we can do is either wait for the
18 grades or go ahead and ask for the third party.

19 But either way, we can't take action
20 today. But I don't want to discuss the building
21 because that's completely separate from this. I'm
22 not sure we needed to have brought it in, because
23 it -- it's extraneous.

24 THE CHAIR: Well, yes and no; but we'll
25 agree to disagree on that.

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1 the school being booted from their premises next
2 year.

3 COMMISSIONER JOHNSTON: But, see,
4 that's -- I appreciate that. And I'm to the point
5 where I have to have some concreteness. That's why
6 I would have to wait until July and see the report
7 card.

8 Thank you.

9 THE CHAIR: Okay. I was just a little
10 confused for a second.

11 COMMISSIONER JOHNSTON: I was way out of
12 my depth with the lease and all of that.

13 THE CHAIR: Commissioner Peralta?

14 COMMISSIONER PERALTA: Thank you,
15 Madam Chair. I want to -- just quick, very brief.
16 And I concur with the same idea that we wait until
17 July and echo what Commissioner Robbins said. So
18 that's where I stand. Thank you.

19 MS. MATTHEWS: Madam Chair, I would just
20 like to remind the Commission that under the
21 Corrective Action Plan --

22 THE CHAIR: This is a discussion that's
23 occurring between us at this moment in time.

24 MS. MATTHEWS: It's a different option.
25 We have an option to pull a third-party, neutral --

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1 COMMISSIONER TOULOUSE: It is extraneous
2 to the issue in front of us right now.

3 MS. MATTHEWS: May I confer with your
4 counsel about the CAP? Because I think there's some
5 misunderstanding about the CAP.

6 THE CHAIR: I'm sorry. I didn't --
7 (Chair confers with counsel.)

8 THE CHAIR: She said after the meeting.

9 COMMISSIONER TOULOUSE: I just --

10 THE CHAIR: I'm sorry?

11 COMMISSIONER TOULOUSE: I just think we
12 can't take any action today is what my feeling is,
13 as much as I know the school would like us to. I
14 think we either need the grade, or we need somebody
15 else looking at the statistics.

16 And I think we can -- I don't know that we
17 take an action to ask for the third party, or simply
18 just have the third party do it without us having to
19 vote as that being an option here.

20 But I just think our own decision on this
21 has to be down the road.

22 THE CHAIR: Right. And I don't think we
23 have to vote, because it's part of the Corrective
24 Action Plan for that third party. So I don't think
25 there would have to be a vote by the Commission; so

1 that that action could take place with -- outside of
2 a meeting.
3 Because it's -- we don't have to vote on
4 it. So we wouldn't have to wait until the next
5 meeting for that.
6 Commissioner Conyers?
7 MS. MATTHEWS: Madam Chair?
8 COMMISSIONER CONYERS: I was just going to
9 say I agree with the other Commissioners that
10 waiting would be prudent at this time.
11 MS. MATTHEWS: Madam Chair, the
12 third-party person was supposed to be agreed upon.
13 That's -- that's what -- I'm just trying to get the
14 word in edgewise. So it says in the agreement that
15 the third-party neutral would be agreed upon by the
16 Commission and the charter school.
17 THE CHAIR: Right. I've read it.
18 MS. MATTHEWS: So when would we like to do
19 that?
20 THE CHAIR: I think the Commission is
21 saying after the -- after the report card, that's --
22 right now, we want to wait until the report card.
23 That's -- I've heard that from just about every
24 Commissioner at this point in time.
25 MS. MATTHEWS: Well, we -- I respectfully

1 disagree. That's not what it says. But I guess --
2 maybe --
3 THE CHAIR: And I appreciate your opinion.
4 But I'm listening to the Commission. And the
5 Commission has expressed that they're comfortable
6 waiting till July for the report card. So I think
7 at this point in time, we're going to say thank you
8 for the update.
9 MS. MATTHEWS: So may I ask for
10 clarification? So if, after the report card comes
11 out, and it is not a "C," and we go back to a
12 third-party neutral --
13 THE CHAIR: Correct.
14 MS. MATTHEWS: -- on the letter -- on the
15 academic performance.
16 THE CHAIR: On the short-cycle
17 assessments. Yes, that's what the -- yeah. Yeah.
18 Yeah.
19 MS. MATTHEWS: Okay. So we get to --
20 under the agreement, we would appeal the letter
21 grade as far as we go. And after the letter grade
22 comes out, we're going to postpone the third-party
23 neutral on the student performance goals at that
24 time.
25 Is that what you're saying? I just want

1 to make sure, because it's a little bit different.
2 But --
3 THE CHAIR: I'm sorry. I'm not sure what
4 you just said.
5 MS. MATTHEWS: I want to make sure our
6 record is clear so that when we --
7 THE CHAIR: Let me see if -- we wait for
8 July and the report card. And we agreed with the
9 Corrective Action Plan that there -- that you had
10 the -- certainly, the right to appeal that, so that
11 that could protract the fulfillment of the
12 Corrective Action Plan. That was always understood.
13 You were never asked to --
14 MS. MATTHEWS: The letter grade.
15 THE CHAIR: -- to -- the letter grade,
16 yes.
17 MS. MATTHEWS: Okay.
18 THE CHAIR: You were never asked to give
19 up that right.
20 MS. MATTHEWS: Right.
21 THE CHAIR: So that could protract it. If
22 the letter grade isn't sufficient to fulfill, then
23 we could look at the third party to --
24 MS. MATTHEWS: For the student performance
25 standards.

1 THE CHAIR: Correct. Correct. Okay?
2 MS. MATTHEWS: And we'll pull that after
3 the appeal of the letter grade.
4 THE CHAIR: I don't know.
5 MS. MATTHEWS: All right.
6 THE CHAIR: I would still maintain hope
7 for the letter grade, if I was you. We'll leave it
8 at that.
9 COMMISSIONER ARMBRUSTER: I just wanted to
10 check with Mr. Jones. What's the probability that
11 you will be at the school next year?
12 THE CHAIR: You know what? I don't think
13 that's any part of this conversation at this moment
14 in time. It has nothing to do with our decision for
15 the July -- so that's not part of this -- we
16 shouldn't entertain that. No, we shouldn't.
17 MR. CHRIS JONES: Thank you, Madam Chair.
18 THE CHAIR: I'm sorry. I apologize.
19 MR. CHRIS JONES: I appreciate it.
20 THE CHAIR: I apologize. Thank you.
21 So let's -- 'cause Matt Pahl is on next.
22 And he said he wasn't going to be able to get here
23 until 11:30. So it's close. He's -- he's at an
24 event for supporting charter leaders for the -- I
25 think the Principals Pursuing Excellence; they're

1 having some event this morning.
2 So he did -- he contacted me yesterday and
3 asked if he would -- the likelihood that he would be
4 on before 11:30. And I said, "There's, like, no
5 chance." So, obviously, I was wrong, and happily
6 so.

7 So do you want to take a short lunch
8 break? And that way, you know, we're moving along
9 quickly. If you want to take a short lunch break,
10 then we can get through these -- the rest fairly
11 quickly. And I think we should easily be done still
12 by 2:00, easily. Okay? Is that --

13 COMMISSIONER PERALTA: Yeah, I agree.

14 THE CHAIR: Okay. So do we want to, say,
15 be back in 20 minutes?

16 COMMISSIONER CRONE: I chew very slow. So
17 let's make it 30 minutes.

18 THE CHAIR: So we're saying 12:00. That
19 gives you 35.

20 (A recess was taken at 11:22 a.m., and
21 reconvened at 12:14 p.m., as follows:)

22 THE CHAIR: So thank you, all. Short
23 break. And let the record reflect that
24 Commissioner Caballero has left for the day and
25 Commissioner Crone is back in the room. So, thank

1 just want to continue that onward. So thank you.

2 I will just read this into the record with
3 some additional commentary. So you have it in front
4 of you. And the second page is the memo that was
5 distributed to charter schools. So I'll just begin.

6 On April 6, charter schools attending the
7 spring Budget Workshop session -- a spring Budget
8 Workshop session -- were notified that lease
9 assistance grants for the '18-'19 school year
10 declined by up to 20 percent. The decisions on
11 awards, the memo stated, would occur on the July or
12 September Public School Capital Outlay Council
13 Meeting.

14 We know now that July, there will not be a
15 meeting, and that it's anticipated that August will
16 be when the final decision will be made.

17 The memo was only distributed to charter
18 schools who attended that session and was not
19 presented on official letterhead, though I was able
20 to follow up with PSFA, and they did note that the
21 memo had -- came from them.

22 Since then, charter schools have received
23 little information on their lease assistance awards.
24 Applications for lease assistance were submitted
25 earlier this month, and they included no specific

1 you.

2 COMMISSIONER CRONE: I have not left the
3 building.

4 THE CHAIR: You have not left the
5 building. You're present, but not here.

6 Okay. So we are on to item No. 11, which
7 is Discussion and Possible Action on Lease
8 Reimbursements. And Matt is here, and he did give
9 us something, which I guess you're going to go over,
10 because I haven't had a chance to read it; so --
11 okay, thanks.

12 MR. MATT PAHL: Thank you, Madam Chair,
13 members of the Commission.

14 First off, I'd just like to thank you and
15 thank you for pausing the meeting. Well -- I talked
16 to the Chairwoman yesterday, and we agreed that noon
17 would be a good time. So I wasn't late, based off
18 of that. I think you did blaze a trail through the
19 initial part of your agenda today. So thank you.

20 And I'll just note that the fact that you
21 did pause really does show us, as charter schools,
22 that you do want to hear our voice. So I appreciate
23 that. And I feel like we've -- through the most
24 recent processes that we've gone through, we've --
25 we have been heard. So thank you for that. And

1 information on the proposed cuts, other than the
2 language that they can expect cuts up to 20 percent
3 on their lease assistance.

4 A decision to cut lease assistance by up
5 to 20 percent, or as charters must assume,
6 20 percent, for their planning purposes, would
7 alter, potentially, in significant ways school
8 staffing and programming.

9 And in this case, now that that means they
10 moved to at least August, maybe September, this will
11 be during the school year, at which this cut will
12 take place. The cuts, as I see them, just going
13 20 percent across the board, are between \$20,000 and
14 \$60,000 for most schools. For many schools, that's
15 an FTE; that's a teacher. 45K for a beginning
16 teacher is about what it takes.

17 We do have some schools that the hit would
18 be closer to six figures, \$100,000 or more. So the
19 timing of this decision just exacerbates the problem
20 of trying to absorb that kind of cut, particularly
21 in a world when the legislative appropriation for
22 staff salary increases is seen -- is viewed as
23 inadequate by both districts and charter school
24 leaders alike.

25 So we -- if this cut happened, I think we

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1 could unequivocally say that schools financially
2 would be worse off this year than they were last
3 year, despite the increase in revenue and despite an
4 increase in an allocation for the SEG.

5 Charter schools have not been informed of
6 the rationale for this decision, which is
7 perplexing, because oil and gas revenue, where the
8 money comes from to make these allocations, are at
9 all-time highs in New Mexico. And lease assistance
10 demand from charter schools is decreasing on its
11 own.

12 And the reason for that is because
13 authorizing practices have improved. While we don't
14 advocate for the closure of any charter schools, we
15 do recognize that the larger system has a
16 give-and-take. We have schools that are exiting the
17 system and schools that are entering. And I think
18 that the last few years have shown that we haven't
19 just seen that upward trend of just the growth of
20 charters. We've seen the give-and-take.

21 Last night I was going through reports
22 from the LFC. There was a 2010 report that
23 recommended, from the LFC staff, that lease
24 assistance awards should not be given until
25 authorizing practices improve. This includes

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1 during the previously scheduled July 24th or 27th
2 meeting, that would be less than 30 days before the
3 beginning of the school year. So without any
4 rationale and making this a midyear cut when it
5 didn't need to be a midyear cut, charter schools are
6 perplexed. They're also unsure on the process by
7 which this will happen.

8 Of the rates, the 700 and, I think, 33
9 dollars right now, that's in statute. So we're
10 unsure how the formula will be manipulated to create
11 these cuts. There's some reports from out in the
12 field that they'll kind of -- that they're trying to
13 reduce the amount of reimbursable square footage.

14 But this is all guessing games from
15 charters right now. And when we're talking about
16 enough that could alter programming, something just
17 doesn't seem quite right. And know that from my
18 perspective, I'll be trying to engage with members
19 of the PSCOC to get some insight and why there's a
20 drive right now. So I will just recognize that
21 there's been a lack of outreach on our part, but
22 I'll also note that there's a similar lack of
23 outreach on the other side.

24 I know many members, including
25 Commissioner Peralta -- and I'm happy to sit down

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1 closing charters. That 2010 recommendation has been
2 put into place.

3 And so we're not quite sure why this is
4 happening, when the base for the money that this is
5 distributed from is increasing, or slated to
6 increase. We know they work on a three-year average
7 on these funds; so, certainly, a trough two years
8 ago, that will still be reflected in the amount of
9 money that's available.

10 But we would anticipate, given that we'll
11 have a net negative number of charter schools in
12 this next academic year, that we will have fewer
13 demands for lease assistance, again, from charter
14 schools. So we're just not quite sure what -- what
15 the rationale is here, or what the problem is here
16 for PSCOC.

17 And that's where I'd like you, if you
18 haven't looked already, to take a look at that memo.
19 That memo doesn't provide much information to
20 schools. And now that the meeting has changed from
21 either the July or the September meeting, I'd hope
22 we'd get a formal communication from PSCOC or PSFA
23 on what the next steps are here.

24 Again, this is a mid-school-year cut. You
25 know, even if it was -- even if it was to happen

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1 with them and reach out with them. So just want to
2 note that on both sides, that there's been a lack of
3 clarity there. But we'll be reaching out in the
4 next few weeks to see if we can find out more.

5 The other thing that I want to note is
6 that this 20 percent cut, this whole potential
7 problem that's being solved, is to recoup
8 \$3 million. That's not a lot of money.

9 THE CHAIR: From?

10 MR. MATT PAHL: From the amount that
11 they're currently distributing for lease assistance.
12 So \$15 million is distributed right now. A
13 20 percent cut, which would have significant impact
14 on our charter schools, would only recoup \$3 million
15 for the PSCOC.

16 THE CHAIR: Oh, I get it. Okay.

17 MR. MATT PAHL: So, again, we're just not
18 quite sure what the financial issues are on that
19 end. And that's literal. We don't know what they
20 are. But they haven't been communicated to us,
21 either.

22 So this decision that would cut lease
23 reimbursement, like, 20 percent or less would
24 exacerbate these large inequities in facility
25 funding that already exist.

1 Charter schools only have lease assistance
2 to go to pay for their facility. District
3 capital projects are also funded, and they're funded
4 at about, this last year, \$24 million, compared to
5 charter schools, \$15 million. It's pretty
6 comparable. That's pretty comparable.

7 But if we look at local property tax
8 dollars, which is where a lot of facility funding
9 comes from, half a billion dollars for school
10 districts, that same property tax funding only
11 generated \$11 million. So \$500 million versus
12 \$11 million, that shows us that school districts
13 have a large amount of funds to dip into to be able
14 to pay for their facilities, where charter schools
15 have very little.

16 And so they rely on lease assistance far
17 more than any other entity, public school entity, in
18 the state.

19 So lease assistance is very important.
20 And any cut to lease assistance is essentially a cut
21 to school programming budget, because that's the
22 only place they can go to to get those funds to be
23 able to pay their lease and to be able to continue
24 on with their school year.

25 So there's a lot we don't know. There's

1 very little that has been communicated to charter
2 schools on this issue. And without any rationale
3 from PSFA or of the Council themselves, we find that
4 it's irrational to make such a cut right now. And
5 from the way we see it, we are requesting that the
6 Public Education Commission makes a decision today
7 that rejects any decrease in charter lease funding
8 and that it asks its representative on the PSCOC to
9 reject any -- to vote "No" and reject any votes to
10 decrease funding in lease assistance.

11 Thank you, Madam Chair.

12 THE CHAIR: Okay. Thanks. I guess I have
13 a lot of concerns. And one of it can't be fixed
14 now. But I'm looking at how do we -- how do we fix
15 it that we're not always in the school year already
16 started, and this is -- this is happening? I mean,
17 if we're here to support schools, why are we always
18 in a position where we're making significant
19 financial decisions about a school after they've
20 already been able to set their budget, start the
21 school, and now you're saying, "Oh, sorry," and
22 someone has to have that unfortunate conversation
23 with the staff member to say, "You know, we can't --
24 we can't continue your service," let alone the
25 effect that that has on the classroom.

1 So I guess that's my first question. And
2 is that a legislative fix? Or how do we fix it?

3 MR. MATT PAHL: Madam Chair?

4 THE CHAIR: Or can we fix it?

5 MR. MATT PAHL: Yeah, Madam Chair, members
6 of the Commission, I think it's steeped in a -- kind
7 of a historical process. That's my take on it. I
8 think PSFA may have some different information. But
9 the lease assistance has -- for a long time, the
10 application goes in at the beginning of June. We
11 find out in July or September.

12 Until recently, with these threats to
13 cuts, it's been pretty pro forma. You know what
14 you're going to get as you go through that
15 application process.

16 I think it's -- it just seems -- it seems
17 to be reflected, in the timeline of this decision,
18 that they feel like they need to make the decision
19 within the application process. And so if the
20 application process timeline doesn't move, then
21 we're stuck making the decision here.

22 So the decision could be made outside of
23 the application process, or the application process
24 could be bumped up.

25 THE CHAIR: So it's purely -- so it's

1 purely in the realm of PSCOC to establish that time
2 frame. There's no guidance that's being directed
3 via the statute that this has to be done after, you
4 know, July 1, or anything like that. This is just
5 that entity's standard operating procedures at this
6 point in time.

7 And you're right. Until it becomes a
8 problem, we don't see it as a potential problem. So
9 we often become lax about things, because, oh, it's
10 okay. So it's all right.

11 But now it's a problem. And we're -- you
12 know, we were in this position last year.

13 MR. MATT PAHL: Yeah.

14 THE CHAIR: And it's -- you know, it's --
15 I've certainly heard from a lot of schools, because
16 they've got -- you know -- and when you're looking
17 at -- it certainly affects small schools more; not
18 maybe dollar-wise. But when you're looking at a
19 small school having to get rid of a staff member,
20 that can less -- that can be less absorbed than a
21 larger school, which may have multiple -- several
22 people who have multiple licensures, so that they
23 can figure their schedules out after the fact.

24 But in some of our small schools, I
25 don't -- you know, they have to do it. But I don't

<p style="text-align: right;">Page 118</p> <p>1 know -- except that you have to hire an aide or 2 whatever. But it becomes -- or pack a classroom. 3 And that's where it becomes unfortunate. 4 And it's -- it's a shame when all the 5 headlines are, "We're in good shape," "Everything's 6 looking good." 7 And I understand the roller-coaster of oil 8 and gas, because we've all lived through the depths, 9 you know, and the downside. And that's a bigger 10 issue, you know. And that's a conversation that 11 needs to take place with -- with other folks. 12 But at this moment in time, I don't know 13 what the -- the gloom-and-doom for a potential cut 14 is, because it just doesn't appear that there's -- 15 that there's that need. And it does seem to be, you 16 know, certainly, at the costs of students. 17 That's -- that's what I want to drive 18 home. This isn't just a cost to a school. This is 19 a cost to students in each and every one of our 20 communities. And that's what a shame -- that's 21 what's a shame. 22 And just to remind Commissioners that some 23 of us do and some of us don't sit on subcommittees 24 that have a vote. But as a result of that, you're 25 voicing the opinion of the PEC, not an individual</p>	<p style="text-align: right;">Page 120</p> <p>1 a few months back when the Council was addressing 2 the cut -- I believe there was some language changed 3 in the idea that the Council would entertain the 4 idea that it would be an average of 20 percent, so 5 that we take into account the large-school versus 6 small-school funding so that it doesn't impact those 7 small schools as much. 8 So I'm trying to get confirmation on that 9 to make sure I give you the facts that the Council 10 did change the language on that. So I can tell you, 11 I'm almost certain that it's an average of 12 20 percent, and not 20 percent across the board for 13 all schools, okay? But I want to wait on making 14 sure that I get confirmation on that before I -- you 15 know, hold me to my statement. 16 But, you know, on the communication side, 17 I do know Matt was there for a Council meeting, and 18 I've seen Patty there once or twice. But I don't 19 ever, ever see other charter school leadership or 20 representation at -- at these Council meetings. And 21 this subject matter has been up before the Council 22 for at least the last six months, longer. 23 And as a Coalition leader, you know, on 24 your part, I would ask that you extend those; 25 because, sure, Abbey always allows for open forum</p>
<p style="text-align: right;">Page 119</p> <p>1 Commissioner. So just as when I go before the LESC, 2 if it's something that we haven't discussed, I don't 3 speak, because I don't know what the sense of the 4 Commission is. 5 When it's something that I -- we've had a 6 discussion of and/or we've voted on, I certainly 7 speak to the LESC, because I can -- I'm confident 8 that I am, in fact, speaking for the -- the PEC. So 9 that when we do sit and speak in those committees 10 and/or vote, you are voting for the -- as the PEC, 11 not as an individual Commissioner. 12 Same thing with legislation. I did not 13 speak for legislation when the Commission did not 14 support that legislation. I sat at the committees 15 and did not speak, because I was directed by the 16 Commission that you were not in support of it. So 17 that's -- you know, we're not islands in and of 18 ourselves in these meetings. 19 So -- and that's why we're here now, to 20 give our representative some guidance for -- for 21 this. And if he wants to offer any additional 22 information, I'm done. 23 COMMISSIONER PERALTA: Yeah. So on the 24 topic of the 20 percent -- and I'm trying to get -- 25 my recollection, at least two meetings ago, possibly</p>	<p style="text-align: right;">Page 121</p> <p>1 and comments at the very beginning of the meeting. 2 And he's always entertaining for schools to stand up 3 and speak whatever it is that's on their mind that's 4 going to impact their school districts and what have 5 you. 6 So they're always welcome to come. I 7 think that's -- I'd be more than happy to extend an 8 invitation. I know yesterday, we were hoping to get 9 the Deputy Director here and Madam Counsel here to 10 talk about lease. But they were so inundated with 11 applications that the Council got really busy. 12 But, you know, I understand when you got, 13 you know, the Community Input hearings coming up 14 next month, and people finding out more and more 15 that our needs are starting to get larger and 16 larger. But I'd be more than happy to invite the 17 Director and the Deputy Director to come in and 18 share maybe the reasons why or answer some questions 19 as to what the reason is for this large cut in 20 schools. So -- 21 THE CHAIR: So -- well, I -- I have a 22 question. So when we're talking about an average 23 cut, would it be a uniform cut depending on the size 24 of the school? So -- because my concern is -- or is 25 it just a randomness?</p>

<p style="text-align: right;">Page 122</p> <p>1 How would -- I guess I'm slightly confused 2 as to when we look at an average cut, some -- 3 outside of size, is there -- is there the 4 possibility that there could be random cuts? That's 5 what I'm concerned about. 6 COMMISSIONER PERALTA: Yeah. And I don't 7 know. I can't give you information on that. But I 8 will -- I've got a text in to the proper person to 9 find out more. 10 THE CHAIR: Okay. 11 MR. MATT PAHL: And, Madam Chair, if I 12 could just -- 13 THE CHAIR: Commissioner Robbins wants to 14 say something. 15 COMMISSIONER ROBBINS: Again, I think this 16 is probably getting more information and sharing it 17 with the Commission would be very important, because 18 the letter says, "up to 20 percent." It doesn't say 19 an average 20 percent, or a total cut of 20 percent. 20 It says, "up to 20 percent." 21 So some schools may have a 20 percent; 22 some schools may have none. By reading -- my 23 reading of this is some schools may have none. But 24 if it's the average, if they're going for a 25 \$3 million cut out of \$15 million, that seems fairly</p>	<p style="text-align: right;">Page 124</p> <p>1 can fund the program 100 percent with no State 2 funding. Having been on the Board for four years 3 and having chaired the Capital Committee for two 4 years, I know that as a fact. All they have to do 5 is cut the elaborate schools that sometimes they 6 build by a little bit, and they would probably save 7 themselves \$5 million to \$20 million, probably 8 somewhere between \$5 to \$20 million a year in 9 spending. And they can do that very easily. 10 But they have to have the will to do that. 11 So I think the Legislature needs to maybe exert that 12 will back on the larger school districts such as 13 APS. 14 THE CHAIR: Right. Thank you. 15 And, Matt, I know there had been a 16 conversation, probably well over a year ago, I 17 thought there was, in fact, a study group that was 18 digging into these financial issues and trying to 19 come up with some report. Did that ever go 20 anywhere? 21 MR. MATT PAHL: Madam Chair, members of 22 the Commission, I don't know that a report was 23 envisioned. But what came out of that, the 24 conversations there were really regarding that -- 25 what you had alluded to, which is that larger</p>
<p style="text-align: right;">Page 123</p> <p>1 significant, and, I think, you know, the rationale 2 and the reasoning behind that. 3 And I think, you know, this is a thing for 4 the Legislature would also look at. Because when 5 you look at, you know, your traditional public 6 school districts is they raise anywhere from \$1,000 7 to \$2,500 per student in taxes that are capital per 8 year. And looking at these numbers for the charter 9 schools, what they're getting in assistance is a lot 10 less, understanding small charter sizes and 11 everything. And their operating costs should help 12 cover some of those lease costs, because you have 13 incorporated in the lease costs, usually, are your 14 utility bills and things like that. 15 But I think there -- the LFC possibly 16 could do a study to make sure that there's equity 17 when you take into account utility costs and the 18 renovation and new building that some of the school 19 districts have done, and that it is the capital 20 funding for schools around the state equitably 21 distributed, especially when you have the larger 22 school districts still get some PSCOC funds, but 23 they have a large tax base that they can pretty much 24 fund their capital programs 100 percent. 25 And, you know, I'm from Albuquerque. APS</p>	<p style="text-align: right;">Page 125</p> <p>1 conversation about a long-term solution for facility 2 funding for charter schools. 3 That -- those conversations, really, the 4 result of those, was Senate Bill 226 this year -- 5 sorry, 227. Senator Pete Ortiz y Pino's bill 6 focused on trying to provide a source of funds for 7 charter schools to build their own facilities so 8 they wouldn't have to rely on lease reimbursement. 9 And those facilities, Cottonwood Prep, a 10 school you all know, recently bought their facility 11 to serve 700 students at the price of \$10 million. 12 That's a value compared to what we're building our 13 district schools at. 14 And I don't think our charter schools 15 envision \$50 million buildings. You know, 16 \$10 million, \$13 million actually cuts it for them. 17 So we think there's actually a good value 18 proposition there between building a permanent 19 facility that's right for a school that's been 20 around for 15 years already in that community, and 21 declining -- or creating a decline in the request 22 for lease reimbursement as well. 23 THE CHAIR: Okay. Thank. 24 You. Commissioners, anything else? 25 Commissioner Crone?</p>

1 COMMISSIONER CRONE: I'm -- I'm not clear
2 whether -- I know indirectly that this is our
3 business. But what impact will -- if we do vote to
4 send a message to the PSCOC or whatever.

5 THE CHAIR: Well, it's a vote on that --
6 on that body for or against the cut. Because
7 Commissioner Peralta holds a vote on the Awards
8 Committee.

9 COMMISSIONER CRONE: So we're voting to
10 direct Gilbert to recommend, from the Commission.

11 THE CHAIR: Correct. Yeah. Yeah.

12 COMMISSIONER CRONE: Thank you.

13 THE CHAIR: I know. And that's -- that's
14 why we're having this discussion, because it's --
15 it's -- the scales of justice are somewhat unequal
16 on that committee right now. So there are some
17 heavyweights that do not want to see the charter
18 schools get the money.

19 And they don't want to see the picture of
20 what -- I mean, these are existing schools. So --
21 you know. And there are students that are sitting
22 in those seats at that moment in time that they're
23 taking the money away.

24 They're not taking money away from future
25 unknown students. They are literally taking the

1 Lord, if their own body won't support the funding
2 for them, why should I?"

3 So I think it does send that message. I
4 can't tell you, because I don't -- I speak with
5 some. I get phone calls from some, and say, "We
6 need help with a vote," you know.

7 But Matt certainly has greater contact
8 with -- with the folks on that committee. So -- but
9 it does. It -- you know, how -- what we're saying
10 does -- does matter. And I think ultimately, even
11 if it -- even if it turned out unsuccessful with the
12 Council, which I certainly don't want it to, I think
13 it speaks volumes to every one of our charter
14 schools that we're at least sitting here and
15 supporting you and -- and not trying to undercut
16 you.

17 And I think that's our obligation. As I
18 see sitting on this Commission, my obligation here
19 is to support charter schools, because that's what
20 this Commission does; so that if we're not
21 supporting the proper funding for those buildings,
22 then I think that's a message that's -- that goes
23 far and wide to the -- to our charter schools.

24 COMMISSIONER TOULOUSE: Madam Chair?

25 THE CHAIR: Commissioner Toulouse?

1 money away from students who are occupying class
2 seats right now, and dismissing faculty members,
3 which, you know, is unfortunate. But I think we
4 need to focus on the -- the ultimate effect on
5 students, as opposed to staff, that this -- that
6 this affects.

7 COMMISSIONER CRONE: Well, the second part
8 of that question was will our vote mean anything to
9 that committee?

10 THE CHAIR: Well, yes, because we have an
11 actual vote.

12 COMMISSIONER CRONE: How many members of
13 the committee?

14 COMMISSIONER PERALTA: Ten. On the
15 council? Ten.

16 COMMISSIONER CRONE: Okay.

17 THE CHAIR: And this is my perspective.
18 And Commissioner Peralta can disagree with me. But
19 this is my perspective. If our representative votes
20 for the cut, what does that say about -- why should
21 anyone else on that council support charter schools,
22 if the charter school commission is saying, "Hey,
23 it's okay to cut it"?

24 So, to me, it does speak heavily as to how
25 important this is, because it's like, "Well, good

1 COMMISSIONER TOULOUSE: I'd like to add to
2 that in that I think a vote of this Commission,
3 especially a unanimous vote, is something that
4 Gilbert can take into a meeting to say that he is
5 voting at the instruction of a unanimous vote or
6 however -- or a vote of the Commission who he
7 represents on this board and who represent charter
8 schools, that that's why he's giving the vote.

9 So I think there's more to it than just
10 instructing him on one vote. We're giving him the
11 backing of people from all over the state. I mean,
12 we represent every section of this state. And if
13 that's clear, then I think that makes a point, at
14 least, with his vote.

15 Again, whether it can carry a vote or not,
16 it makes a point to everybody there and to our
17 schools that this group knows what we're doing when
18 we put somebody on a committee.

19 Thank you.

20 THE CHAIR: Commissioner Robbins?

21 COMMISSIONER ROBBINS: I understand.

22 And --

23 THE CHAIR: Oh, I'm sorry.

24 COMMISSIONER PERALTA: That's okay.

25 COMMISSIONER ROBBINS: If I could just add

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1 this last thing. If you look at a -- let's say a
2 middle school that costs \$40 million to construct,
3 that's about what APS spends on a middle school.
4 And they have 1,000 students. That's \$40,000 per
5 student. Cottonwood's cost less than \$15,000. This
6 is the comparison that you're looking at.

7 When you go to a high school that they
8 spend \$140 million to \$160 million for, and they
9 have between 2,000 and 2,500 students, you're
10 talking about somewhere in the range of about
11 \$40,000 to \$60,000 per student, versus less than
12 14 -- or less than 15. That's the comparison and
13 that's the disparity I think this Commission needs
14 to realize exists.

15 Thank you.

16 THE CHAIR: Thank you. Commissioner
17 Peralta?

18 COMMISSIONER PERALTA: And I just wanted
19 to share with you -- and, again, as your
20 representative on the Council, I'd be more than
21 happy to take the Commission's wish on how we stand
22 on these lease assistance cuts.

23 But, again, listening back to Matt and not
24 really understanding the reasons why -- and I can't
25 give you all the reasons -- I mean, you've got LESC,

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1 So I'm -- you know, I'm comfortable with
2 July.

3 Commissioner Johnston?

4 COMMISSIONER JOHNSTON: Thank you,
5 Madam Chair. And thank you Commissioner Peralta,
6 because I was going to have to abstain from today's
7 vote, because I don't have enough information to
8 vote one way or the other.

9 And -- and I'm here because I believe in
10 education for all students, and I want it to be
11 equitable across every -- every school in the State
12 of New Mexico. And so giving a month and having
13 somebody inform me -- I would be unable to vote
14 today. So thank you.

15 MR. MATT PAHL: Madam Chair, if I can just
16 make a request on the Coalition's behalf? You know,
17 having the PSFA staff up here makes sense to be able
18 to share their side of the story. What I would
19 request is that we receive equal time or shared time
20 during that time.

21 THE CHAIR: It will be at a Work Session.

22 MR. MATT PAHL: Okay. Great.

23 THE CHAIR: So the conversation is
24 certainly more open then; so absolutely.

25 MR. MATT PAHL: Okay. Thank you.

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1 PSFA, a variety of agencies on that Council that
2 sit, and there's a bunch of reasons, from their
3 perspective, as to why.

4 So I would suggest that give -- give me
5 the opportunity to bring you the right people to the
6 next -- next month to answer any questions you might
7 have about this and why, give you reasons why before
8 you make a decision on how you want me to represent
9 the Commission in this regard at the next -- well,
10 yeah -- the next Council meeting, I believe, which
11 is going to be in August.

12 THE CHAIR: And I think because the vote's
13 not going to take place until we meet -- until after
14 we meet again, and in light of the fact that we
15 thought we could get some answers yesterday, and
16 unfortunately, they weren't able to come, I think --
17 I mean, if we want to, we can hold this to the July
18 Work Session, which is just getting bigger.

19 But that's -- that's fine. This is an
20 important issue. So if we have to push off
21 something else -- we have a limited time in July,
22 because it's -- we're squeezing it in. But I
23 certainly would like everyone to have as much
24 information as necessary so that we can have a good
25 conversation about this.

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1 THE CHAIR: And we're having the work
2 session and the meeting on the same day. So it's --
3 it's condensed.

4 MR. MATT PAHL: Okay. Thank you.

5 THE CHAIR: And it'll be the 9th of
6 Jul- --

7 DR. PELAYO: 19th. Is that Thursday?

8 THE CHAIR: 19th?

9 MS. FRIEDMAN: 18th. 18th.

10 THE CHAIR: The 18th.

11 MS. FRIEDMAN: Wednesday, the 18th.

12 THE CHAIR: Wednesday, the 18th of July.

13 No. But the meeting is on Thursday. Our meeting is
14 on Thursday.

15 DR. PELAYO: It's on the --

16 THE CHAIR: The 19th. Yes. Yeah. Is
17 there a problem?

18 MS. FRIEDMAN: Madam Chair, what I
19 understood this morning when you read the schedule
20 was that the LS- -- the meeting would be on
21 Wednesday, the 18th, and then on Thursday, the two
22 input meetings in Albuquerque and Bernalillo, and
23 then on Friday, the 20th in Las Cruces.

24 THE CHAIR: No.

25 DR. PELAYO: The meeting is with the --

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1 THE CHAIR: The meetings were in
2 Albuquerque, Bernalillo on the 18th; here in
3 Santa Fe on the 19th; and Las Cruces on the 20th.
4 MS. FRIEDMAN: Okay. Sorry.
5 COMMISSIONER JOHNSTON: Because I had it
6 the other way, also. So it's what, then? You'd
7 better --
8 THE CHAIR: Sorry you got caught up in
9 this.
10 MS. FRIEDMAN: Sorry.
11 THE CHAIR: It is -- because that's what
12 we discussed yesterday, and that's what was
13 communicated this morning, was that we are in
14 Albuquerque and then Bernalillo on the 18th, which
15 is Wednesday. We're here in Santa Fe on Thursday
16 for work session/regular meeting. And then we are
17 in Las Cruces on Friday.
18 COMMISSIONER JOHNSTON: And are we in
19 Albuquerque -- are we in Bernalillo in the morning
20 on the 18th and Albuquerque in the afternoon?
21 DR. PELAYO: No, Albuquerque in the
22 morning, Bernalillo in the afternoon. And then on
23 Friday, Las Cruces is --
24 THE CHAIR: We're kind of working our way
25 up.

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1 DR. PELAYO: And then on Friday,
2 Las Cruces is in the afternoon.
3 THE CHAIR: In the afternoon. So people
4 can travel Friday morning. Or you can travel down
5 Thursday night and enjoy beautiful Downtown
6 Las Cruces Friday morning.
7 COMMISSIONER ROBBINS: It should be about
8 110 degrees at that time.
9 THE CHAIR: Let me tell you something. It
10 was as hot in Albuquerque as it was in Las Cruces.
11 So, you know, don't be talking about how hot
12 Las Cruces is. Okay? So you are certainly welcome
13 at the table for the Work Session as part of that
14 discussion.
15 MR. MATT PAHL: Great. Thank you very
16 much, Madam Chair.
17 THE CHAIR: And you know what? And I'm
18 just going to ask, and I -- and this may be very
19 difficult to do. But if we could just get some -- I
20 think for the Commissioners to really be able to
21 see -- I don't know if there's any way you can get,
22 like, a school by school or a good sampling to show
23 how that really does impact; a couple of big
24 schools, a couple of little schools, you know. And
25 anything that certainly schools wish to communicate

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1 to us in terms of the impact to them, they can
2 communicate that through you, if they choose, at
3 that meeting.
4 MR. MATT PAHL: Great. Yeah.
5 THE CHAIR: But I would encourage you, and
6 I will say that it probably is difficult during the
7 school year for school leaders to get up to PSCOC;
8 although, if public comment is at the beginning, it
9 does -- they don't have to sit through the whole
10 meeting.
11 But if they're not in session, if they --
12 if they can even get governance council folks to be
13 able to come up to the PSCOC meeting, I do really do
14 think that's a critical piece.
15 MS. FRIEDMAN: Madam Chair? Can I -- can
16 I ask if Matt can send that to me before the
17 meeting, and I can send it out to the Commissioners?
18 MR. MATT PAHL: Yes, I can do that. Thank
19 you.
20 THE CHAIR: Okay. Thanks. No, it's the
21 19th. Stop it. I'll show up on the 20th.
22 COMMISSIONER TOULOUSE: Just send us all
23 an e-mail.
24 THE CHAIR: Okay. We are -- oh. We
25 probably should have taken this off the -- yes.

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1 Okay. We are -- and that -- I apologize. I forgot
2 about this, because we did not work on this
3 yesterday at the work session. So we're going to
4 take off item No. 12. And I just missed that when
5 we were looking at the agenda this morning. So
6 we're skipping over 12.
7 So the next item on the agenda will be
8 Item No. 13, now, the Implementation Year Checklist,
9 which we did work on yesterday.
10 MR. CHAIKEN: Madam Chair, direction on
11 the site visit protocols.
12 THE CHAIR: Oh, I'm sorry. I'm sorry. I
13 skipped another one. I'm ahead of myself. I'm
14 skipping down.
15 We're actually on Item No. 13, which is
16 Discussion and Possible Action on the Site Visit
17 Protocols. No, because we -- I see -- I renumber
18 them, and I know you don't have to. But in my mind,
19 I have to renumber them.
20 DR. PELAYO: Okay, this is Item 12 or 13,
21 the site visit protocols.
22 I came by while you were at lunch and put
23 in new versions, based on the Work Session that we
24 did yesterday. So the -- the ones that were -- you
25 should have them in your -- near your desk. They

<p style="text-align: right;">Page 138</p> <p>1 are not numbered. That's how you can tell the 2 difference, because the ones that were in your 3 binder that were put in there previously were 4 numbered at the bottom. So the new ones that have 5 been revised don't have numbers at the bottom. 6 So does everybody have their materials? 7 THE CHAIR: Uh-huh. 8 DR. PELAYO: So based on the Work Session 9 from yesterday, we did additional input and some 10 changes. 11 What you have in front of you here is two 12 site visit protocols with agendas. One, we have 13 named Pre-2008 Performance Framework, and the other 14 would be the 2018 Performance Framework. This site 15 visit protocol is a document that we will be 16 providing to schools as we begin the new school year 17 and schedule their annual site visits. And so this 18 document really is guidance for the school about how 19 those site visits will be conducted. 20 What you will notice on the second page, 21 based on the Work Session recommendations, we did 22 change this language here around classroom site 23 visits, discussing with the Commission members who 24 were present, really asking the school to direct 25 that part of the visit and to let us know what --</p>	<p style="text-align: right;">Page 140</p> <p>1 that we did talk about. 2 DR. PELAYO: Okay. And then on the 2018 3 performance framework, you'll notice a difference in 4 the layout of this document, because the new 5 performance framework, the one from 2018 that was 6 recently passed in April, made some changes about 7 what things would count for evaluation during the 8 site visit. 9 And this document lines up with the 2018 10 performance framework and is organized in two 11 different ways. Here at the beginning on this first 12 page, what you'll notice is that there is a chunk 13 for evaluative feedback and then a section here 14 labeled "Formative Technical Assistance." So those 15 items on the 2018 performance framework that were 16 listed as a "yes," they are part of the site visit. 17 That will continue to be something that we provide 18 evaluative feedback on. 19 The items on the performance framework 20 that are now listed as "no" will fall under 21 formative technical assistance or won't be addressed 22 unless there is some kind of complaint on the 23 record. 24 So if you turn the page, what you'll see 25 is -- again, the guidance is very similar. We did</p>
<p style="text-align: right;">Page 139</p> <p>1 what things we should be looking at in order to get 2 a better idea of how well they're implementing their 3 mission and material terms. 4 So that was one -- one change. 5 The other changes that we propose is 6 really to clarify this document. We have gotten the 7 feedback from schools that it's not very clear, and 8 so we just wanted to make it more clear for schools 9 to understand that the information that we're 10 looking to observe, or filings we're looking to 11 review, are connected directly to the performance 12 framework, the pre-2018 version. 13 And if you continue moving, in the page 14 right behind it would be the corresponding agenda. 15 Again, we -- I wanted to make sure that it was clear 16 here. It's for the schools operating on that 17 pre-2018 framework. And, again, given the feedback 18 from the Work Session yesterday, making some changes 19 to the component around classroom observations and 20 making that more clear, that what we're really doing 21 is evaluating the implementation of a school's 22 mission and material terms. 23 Are there any questions about the -- 24 THE CHAIR: No. I -- it looks to me like 25 it's -- all is there. All the changes are there</p>	<p style="text-align: right;">Page 141</p> <p>1 update, there, the guidance, adding in the Tier 3, 2 Tier 4, to be consistent with the approved 3 accountability system, with that performance 4 framework. 5 And on that third page, I didn't -- I 6 forgot to remove one paragraph. Three paragraphs in 7 was the old paragraph about site visits. Now it's 8 consistent with what the body discussed yesterday. 9 So I can remove that third paragraph, since it's 10 old. 11 And then what follows is, again, this list 12 of what the school needs to do in order to prepare 13 effectively. And it continues on and matches the 14 performance framework that was approved in 2018, 15 using the language directly from that performance 16 framework. 17 And if you continue to turn the page to 18 the very last sheet would be, then, how this is 19 operationalized during a site visit. And the 20 agenda, again, matches this site visit protocol. 21 And you'll notice that in the box, again, 22 not classroom observations, but evaluation of 23 implementation of the school's mission and material 24 terms, which could include class visits, if that's 25 directed by the school.</p>

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<p>1 So these are the two site visit protocols. 2 Are there any questions? 3 THE CHAIR: I don't think so. It seems to 4 go along with everything that we talked about 5 yesterday. 6 So do we have any questions or comments? 7 Okay. So I move to approve the site visit 8 protocols. 9 And we're changing the language to that; 10 correct? So I move to approve the site visit 11 protocols for the pre-2018-2019 performance 12 framework and the 20- -- and the post-20- -- no. 13 MS. JAEGER: It's just the pre-2018 and 14 the 2018. 15 THE CHAIR: Okay. So I move to approve 16 the site visit protocols for both the pre-2018-'19 17 performance framework and the 2018 performance 18 framework. 19 COMMISSIONER PERALTA: Second. 20 THE CHAIR: There's a second by 21 Commissioner Peralta. 22 Any discussion? 23 (No response.) 24 THE CHAIR: Commissioner Armbruster? 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>1 Caballero -- whoops. I'm sorry. Not here. Sorry. 2 That's a nine-to-zero vote. 3 THE CHAIR: Thank you. Motion passes. 4 And we are now on to the Implementation Year 5 Checklist. 6 DR. PELAYO: Madame Chairwoman and 7 Commissioners. 8 So this, too, was also worked on yesterday 9 at the Work Session. And I did include the feedback 10 during that conversation. And the checklist changes 11 are really to ensure that we, on our end, are doing 12 our due diligence, but also for the school to better 13 direct them in getting all their -- the different 14 pieces and components done. 15 And so the changes are really reflecting 16 what the conversation was yesterday -- in 17 yesterday's Work Session around that. 18 So what you'll -- one of the first changes 19 you'll notice is with -- on Page 5 of this document, 20 we wanted to provide some clarification there in 21 terms of these pieces being needed regarding the 22 school's condition that were imposed at the approval 23 of the application, and then changing that date and 24 just making this clear. 25 We, also, if you'll recall from earlier</p>
<p>Page 143</p> <p>1 Robbins? 2 COMMISSIONER ROBBINS: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Toulouse? 5 COMMISSIONER TOULOUSE: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Armbruster votes "Yes." 8 Commissioner Conyers? 9 COMMISSIONER CONYERS: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Peralta? 12 COMMISSIONER PERALTA: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Gipson? 15 THE CHAIR: Yes. 16 COMMISSIONER ARMBRUSTER: Commissioner 17 Johnston? 18 COMMISSIONER JOHNSTON: Yes. 19 COMMISSIONER ARMBRUSTER: Commissioner 20 Crone? 21 COMMISSIONER CRONE: Yes. 22 COMMISSIONER ARMBRUSTER: Commissioner 23 Ruiz? 24 COMMISSIONER RUIZ: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>	<p>Page 145</p> <p>1 this morning, during the conversations, that most of 2 the schools are unable to receive their E-Occupancy 3 certification. So we did go ahead and make the 4 change on this document, moving it from this part of 5 the implementation checklist to the end, where it 6 would be the two weeks prior to opening to give the 7 school the opportunity to get it back. 8 So we did delete it out of here and move 9 it to a later section. 10 And then on Page 6, there on the bottom 11 piece, providing -- providing some clarifying 12 language, removing these items, but leaving the one 13 on the lease and adding the additional language 14 there. And you can read that. 15 We did add another one here. We moved it 16 from the May submission to the beginning -- well, to 17 the beginning of this document, C8. And that is the 18 evidence that the -- the head administrator is in 19 compliance with nepotism rules. And so instead of 20 assurances, this was changed to the actual 21 evidence -- or, actually, it was -- but I did add 22 the examples, as we've discussed. So that's in here 23 now at the top of the checklist. 24 If you continue, you'll notice that we did 25 want to update the checklist for the new charter</p>

<p style="text-align: right;">Page 146</p> <p>1 contract that was approved. And so what you'll 2 start to see as we move through is the references to 3 the old charter contract are struck through, and the 4 new references, according to the new template, are 5 listed there.</p> <p>6 Okay. On Page 11, we had also discussed 7 yesterday moving some of the -- setting up the 8 school as an entity much earlier in the 9 implementation year process, moving these items from 10 May all the way to the November submission, where it 11 is now.</p> <p>12 I also want to call attention to the fact 13 that I made a mistake here and accidentally deleted 14 a piece here on the written special populations. I 15 didn't intend to have that deleted. And there's a 16 duplicate here on the W-9. So I can clean this up.</p> <p>17 THE CHAIR: Okay.</p> <p>18 DR. PELAYO: Other small minor changes. 19 But the next big change is on Page 14. We did 20 delete out the piece on the budget plan and move 21 that to the later part of the implementation 22 checklist. What we did bring to this -- this part 23 of the checklist -- this is -- we're in March now -- 24 is this item here around identifying the governing 25 body members and approving the budget. So I brought</p>	<p style="text-align: right;">Page 148</p> <p>1 that moved the very earlier section. So that's just 2 that for you.</p> <p>3 We did remove here a revised budget plan, 4 because it's no longer revised. It's underneath. 5 There was confusion about this point, where the 6 school is submitting. So we have clarified it by 7 removing one. And underneath there, the charter 8 school operating budget would be submitted directly 9 to the CSD, and not, at this time, to the School 10 Budget Bureau.</p> <p>11 Let's see. The next place where there is 12 an addition on Page -- starts at the very bottom of 13 Page 25 and continues on to Page 26, was a plan of 14 implementation for the required emergency drills. 15 This is actually not a piece that's part of the Safe 16 Schools Plan. We went ahead and confirmed that, 17 and, therefore, wanted to make sure that the school 18 has this ready to go before they open.</p> <p>19 We know that they may not have the plan 20 just yet, but being thoughtful about scheduling out 21 the required emergency drills. And we thought that 22 was appropriate to add here, before they open.</p> <p>23 And the rest are a few minor details. The 24 next place where there is substantive change, again, 25 was on Page 31. We -- from the very earlier part of</p>
<p style="text-align: right;">Page 147</p> <p>1 this in earlier.</p> <p>2 On Page 15, this, too, was a conversation 3 yesterday as well, clarifying this language around 4 the status report of what we expect the school to be 5 able to do and provide an update on the progress, 6 and if they had not identified an appropriate 7 facility, to be able to really provide a more 8 detailed action plan. So I have included that 9 language in there as well.</p> <p>10 On Page 19 is the next place where we have 11 additional comments from the Work Session, to really 12 ensure that the school is doing its part, not only 13 through the implementation training that the Charter 14 Division can provide, but also have the school be 15 active to pursue the consultation with the various 16 bureaus here for working with English Learners or 17 special education or Indian education. I did add 18 that language throughout, as clarified yesterday.</p> <p>19 And then on Page 21, for the -- there was 20 the question around the administrator; so wanting to 21 make sure that the administrator did not have a copy 22 of the license in hand at this point -- this is 23 May now -- that they had a plan for obtaining that 24 within 90 days, according to -- the next page, 25 you'll notice the strike-through. That is the piece</p>	<p style="text-align: right;">Page 149</p> <p>1 the implementation checklist, instead of requiring 2 the schools to have this, we are now -- moved into 3 the two weeks prior to the opening date, rather than 4 asking them for the E-Occupancy certificate in May, 5 asking for it two weeks prior to opening.</p> <p>6 And I apologize. I want to back up a 7 page. If you go to the bottom of Page 29, this was 8 language that the group wanted inserted here. And 9 at the very bottom in the black, with the white 10 letters, wanted to make this really clear, that if 11 the items are not -- that the conditions are not 12 met, or these items are not appropriately addressed, 13 that the PEC can still take action on the school. 14 So making that really clear.</p> <p>15 And then on Page 32, changing this 16 language a little bit to talk about the copy of 17 approved lease purchase agreement, again, given the 18 body's -- right underneath, you'll notice inserted 19 language again, asking for a plan -- if the 20 licensure for administrator staff is not there, at 21 least a plan for how they're going to address that 22 in a timely way.</p> <p>23 And then at the very -- if you go to 34, 24 we did insert an additional box here to include 25 these -- any of the conditions that were placed or</p>

<p style="text-align: right;">Page 150</p> <p>1 imposed on the school. At the time of approval of 2 the application, we would go ahead and populate this 3 for the school. And, again, reiterating the note at 4 the very bottom here that all of these conditions 5 need to be met or the PEC still reserves the right 6 to take action. 7 THE CHAIR: Okay. Commissioners, any 8 question? Comments? 9 (No response.) 10 THE CHAIR: No? 11 I move to approve the Implementation Year 12 Checklist, which requires CSD to begin use in the 13 2018-2019 school year. 14 COMMISSIONER RUIZ: Second. 15 THE CHAIR: There's a second by 16 Commissioner Ruiz. 17 Any discussion? 18 (No response.) 19 THE CHAIR: Commissioner Armbruster? 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Ruiz? 22 COMMISSIONER RUIZ: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Crone? 25 COMMISSIONER CRONE: Yes.</p>	<p style="text-align: right;">Page 152</p> <p>1 thoroughly confused. I would like somebody to send 2 me an e-mail as to when they actually are. 3 THE CHAIR: We will, because the locations 4 are still being developed. Las Cruces, we know for 5 sure is the Farm & Ranch; correct? 6 MS. FRIEDMAN: Correct. 7 COMMISSIONER TOULOUSE: Which is lovely. 8 THE CHAIR: But the other two places are 9 still in flux, I believe. So everyone will get an 10 e-mail and a request for a reply as to who's coming 11 when and where, so that we can get that schedule all 12 set up. 13 I'm also going to add -- I'm sorry. 14 DR. PELAYO: We do have an update on the 15 locations. The Friday is confirmed at the 16 New Mexico Farm & Ranch Heritage Museum. 17 The Wednesday afternoon meeting in 18 Bernalillo is confirmed for the Town of Bernalillo 19 Public Library. 20 And we are still working on the venue. We 21 tentatively have a venue for Albuquerque in the 22 morning; but we will -- when that's confirmed, we 23 can send that all out. 24 THE CHAIR: Okay. Thanks. I'll take this 25 time to thank everyone for the time put in for the</p>
<p style="text-align: right;">Page 151</p> <p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Johnston? 3 COMMISSIONER JOHNSTON: Yes. 4 COMMISSIONER ARMBRUSTER: Commissioner 5 Gipson? 6 THE CHAIR: Yes. 7 COMMISSIONER ARMBRUSTER: Commissioner 8 Peralta? 9 COMMISSIONER PERALTA: Yes. 10 COMMISSIONER ARMBRUSTER: Commissioner 11 Conyers? 12 COMMISSIONER CONYERS: Yes. 13 COMMISSIONER ARMBRUSTER: Commissioner 14 Armbruster votes "Yes." 15 Commissioner Toulouse? 16 COMMISSIONER TOULOUSE: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Robbins? 19 COMMISSIONER ROBBINS: Yes. 20 THE CHAIR: So the motion passes 21 nine-zero. Thank you. 22 Okay. So we are finally on to my report. 23 So I think we've got the July Community 24 Input schedule dates straight now. 25 COMMISSIONER TOULOUSE: I don't know. I'm</p>	<p style="text-align: right;">Page 153</p> <p>1 contract negotiations. It was a lot of work. It 2 was a lot of late nights for some of the CSD staff. 3 So we appreciate the population of all those forms, 4 getting everything ready, getting the location 5 ready, and having us all prepared. 6 And it was -- it was brutal at times. I 7 have to -- I'll own that, that it was a long week. 8 But at the end of the week, I think it went really 9 well. There were a couple of bumps in the road, but 10 that's to be anticipated. So I want to thank 11 everyone for the time that they put in during that 12 week. 13 That being said, during those 14 negotiations, we did speak to the schools about 15 their desire, if they wished, to add a 16 mission-specific goal to their contract which would 17 be negotiated at a later date so that we could get 18 the contract populated for them for their lease 19 reimbursement application. 20 To be able to have them have everything in 21 place as best as they can for the start of the 22 school year, those negotiations have to take place 23 in July. So I have asked that an e-mail go out to 24 the 15 schools that we sat down with to have them 25 confirm that, yes, they still -- not all 15</p>

<p style="text-align: right;">Page 154</p> <p>1 expressed interest in having mission-specific goals. 2 A fair number did. 3 So I asked for an e-mail to go out to all 4 15 so that they will indicate whether this is 5 something that they are still interested in so that 6 we can take a look at dates. I don't anticipate 7 that this will take near as long as the conversation 8 with the schools did, so that we should be able to 9 get this done. 10 And I'm -- I'm just figuring that we 11 probably won't have any more than seven, you know, 12 based on what the schools indicated and so on. So I 13 think -- but we will have some. And that's fine. 14 We gave them that option. 15 So we need to do this. So that -- that's 16 pending sometime in July. So I just wanted to let 17 everyone -- thank everyone and let everyone know 18 that that is also in the works. 19 I think we discussed the NACSA conference 20 in October. And I'll be honest; I'm still in flux 21 on it, simply because I'm not sure what that October 22 schedule looks like, if we have schools that are 23 going to be asking for -- let's back up. 24 Those of you that weren't at the Work 25 Session yesterday, we had a brief discussion</p>	<p style="text-align: right;">Page 156</p> <p>1 a decision when they have to do the plane -- yeah. 2 yeah. So -- okay. 3 I attended the LESC in Las Cruces, which 4 was a little bit of a treat to have it close to 5 home. There was a representative there from NACSA 6 that -- and, actually, the director was there, as 7 well, to talk a little bit about virtual schools. 8 So that's on the -- high on the list of 9 LESC. And it's an ongoing discussion. So that was 10 interesting. It was -- I'll tell you, it was 11 enlightening to listen to Deming School District and 12 the program that they have, which integrates -- not 13 technology -- trades into the -- into their school 14 district. 15 They have a trades program where, for six 16 years, they built a house and sold the house and 17 self-funded that program. Unfortunately, the 18 housing market in Deming has dropped, so that their 19 last house they built, they were unable to sell. 20 But they do rent it, so that they get a monthly 21 income for that -- for that program. 22 But they've had to do some other things 23 with those trades as opposed to just focusing on 24 building a house, because it's -- it's not 25 successful.</p>
<p style="text-align: right;">Page 155</p> <p>1 about -- we put out the offer to schools that are up 2 for renewal, if they wanted to renew early instead 3 of waiting to December, that we would give them that 4 opportunity, so that we didn't have a full week of 5 renewals, that we could space it out. 6 And October would be one of those 7 possibilities. So we did talk about an e-mail going 8 out to schools reminding them. We'll see a good 9 number of them next week, as well, so that we have 10 an idea of if we -- if we do, in fact, have any 11 schools in October. 12 So I don't know if anyone else is -- I 13 know Commissioner Armbruster and Commissioner 14 Johnston have already indicated that they're not 15 going to the NACSA conference. I don't know if 16 anyone else is planning on going or not. But as a 17 reminder, you should have made your hotel 18 reservation already. And Beverly needs to know, and 19 I'll decide real soon. 20 COMMISSIONER ROBBINS: Yeah. I've made a 21 reservation. I haven't firmly committed. Over the 22 next month or so, I'll decide. 23 THE CHAIR: Because fortunately, the hotel 24 reservation can be canceled. Yeah. That's probably 25 what I'll do. And then, obviously, you have to make</p>	<p style="text-align: right;">Page 157</p> <p>1 They have a culinary program, so that how 2 they're serving those students there through that 3 program was phenomenal to listen to the students 4 that came and the staff that came for that. So that 5 was quite interesting. 6 And I also attended, with a number of 7 other Commissioners last week, the New Mexico School 8 Boards Association, the Law Conference. So I 9 appreciate their extending us the opportunity to be 10 able to be there. It was solely focused on school 11 safety this year, so that it's less of what we dig 12 into the roots of. 13 However -- and I guess I'm not exactly 14 sure. But I'm assuming that through PSFA, our 15 charter schools, there's a grant of about 16 \$64 million for safety measures to be implemented in 17 the schools as simple as a new entrance, as simple 18 as a card key, to very -- you know, to far more 19 elaborate systems to be in place. 20 This year, they're guaranteeing at least 21 \$10 million; they're targeting up to, I think, 22 \$14 million for awards for that. And I'm assuming 23 charter schools can take advantage of that; correct? 24 Yeah. 25 So -- and that application deadline is, I</p>

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1 believe, July 24th. So it's -- it's coming up soon,
2 so that I hope schools that need some assistance
3 with that, certainly take a look at that. And,
4 Matt, maybe you can send that out. And I do believe
5 there's a link on the PSFA website for that
6 application. And I think whatever schools can do to
7 make their schools safer and more secure, and if
8 that money is available, hopefully, they'll take
9 that opportunity to be able to do that.

10 COMMISSIONER CRONE: Chairman?

11 Excuse me. Trish and I were at NMPSIA
12 yesterday. And the insurance carriers are very
13 interested in reducing the number of IDEA lawsuits
14 and prevention of school shootings.

15 And so they've come up -- they're piloting
16 the program -- is it Sandy Hook? And it's free,
17 where there's a call center -- is that what it
18 was --

19 COMMISSIONER RUIZ: Uh-huh.

20 COMMISSIONER CRONE: -- where if a student
21 is thinking that somebody's behavior has changed, if
22 they're getting weird, if they're making threats,
23 they can report that. And so there can be an
24 intervention. Had this been in place in Aztec, that
25 shooting might not have occurred.

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1 services. And the Sandy Hook is actually already
2 100 percent funded through endowments and donations
3 across the nation. So it will be at zero cost to
4 the schools.

5 So we are seeing that there's probably
6 going to be a bigger move to that, because once the
7 STOPit three-year pilot ended, it was going to be in
8 excess of \$100,000 to run it.

9 THE CHAIR: And this is -- this plan to
10 begin for this current school year?

11 COMMISSIONER RUIZ: Yes.

12 THE CHAIR: Okay. Thank you. I will say
13 that what was expressed by a number of people at the
14 law conference was -- and I think it was because
15 there were lawyers there and a number of architects
16 and folks like that -- that the focus, to them,
17 seemed to be more on the physical prevention.

18 COMMISSIONER CRONE: Uh-huh.

19 THE CHAIR: And they were coming to us and
20 saying, "What can we do? Behavioral health,
21 something like a call center," to prevent it. Not,
22 "We're waiting until someone is at the door, and now
23 we've got the stop for it." "Why aren't we looking
24 at the root cause of the issue?"

25 But I think maybe because the conference

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1 THE CHAIR: Okay. So I'm sorry. Is that
2 something they're getting ready to set up? Or --

3 COMMISSIONER CRONE: They're going to
4 pilot it in the northeast, around Farmington, that
5 area.

6 THE CHAIR: So would it be for individual
7 school districts that would set it up? It's not
8 like a regional kind of call center, so that you
9 just have someone --

10 COMMISSIONER CRONE: I'm not sure about
11 the system itself. But, yeah, individual schools
12 can access that. And it's -- go ahead.

13 COMMISSIONER RUIZ: We had been -- they
14 had implemented the STOPit program. And they had
15 hoped that there was going to be a bigger buy-in
16 from the community. And it was up to the
17 superintendent of the school boards. And so a lot
18 of the schools that we had on that initial list when
19 we implemented that didn't choose to participate.

20 And there's a -- well, it was only free
21 for one year, and then after that, there's a cost.
22 So because we didn't get the response on STOPit that
23 we had hoped, then we looked into this Sandy Hook.

24 So the schools can actually, via their
25 superintendent and school board, put in for those

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1 was set up by a lawyer, you know, it was the -- the
2 intent was different. But I think that's -- you
3 know, schools want to certainly access whatever they
4 can to try to help the student, the student first,
5 and, obviously, then, the whole student population,
6 and not have it escalate to a point where there's
7 nothing that they can do.

8 So I appreciate that, and I hope everyone
9 goes back and talks to folks about that.

10 Commissioner Peralta?

11 COMMISSIONER PERALTA: Thank you. So
12 since potentially, or hopefully, I'll be able to get
13 the director or whoever from PSFA on the 19th of
14 July, with the topic of lease cuts to the schools,
15 maybe I can also have him spend a little time on
16 their -- on the PSFA's school safety project
17 initiative that they've started and that we're
18 starting to share out.

19 THE CHAIR: Yeah, that would be great,
20 because as much as we can get out to schools about
21 what they can access, especially if it's free, you
22 know, that they can make use of those services. So
23 thank you.

24 Matt, is there anything you want to update
25 from the Coalition?

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1 MR. MATT PAHL: I think I've taken enough
2 of your time today. Thanks.

3 THE CHAIR: Okay. All right. And I guess
4 there's no one from the School Boards Association
5 here?

6 So we're on to -- oh, I'm sorry.

7 Commissioner Armbruster, is there anything
8 else you want to add in regards to the law
9 conference?

10 COMMISSIONER ARMBRUSTER: In fact, yes. I
11 did go to three different sessions. And, you know,
12 this was put on by Cuddy, so, of course, it's about
13 the law.

14 And, honestly, I haven't been teaching,
15 you know, for nine years. And I don't even know
16 that I thought about some of the things that they
17 brought up. But I think it's extremely relevant,
18 Matt, to charter schools as well.

19 One I went on -- one was threats, which
20 is, in essence, an easier takeaway from charter
21 schools, which is that much of what you were just
22 saying, Commissioner Crone, is that if you can get a
23 very close relationship between a student and an
24 adult, or more than one, as the case may be, that's
25 their biggest push for that.

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1 But it's an extraordinary activity that,
2 when it occurs enough, becomes pervasively ordinary
3 as those who engage in it grow desensitized to its
4 inhumanity.

5 So I was saying afterwards to Laura
6 Cuddy -- Laura -- not "Cuddy"; "Castille" -- that I
7 probably never thought about this. Maybe I'm making
8 this up. But I think Commissioner Gipson said it,
9 so we've had that -- like, all the boys who made the
10 football team -- because it's generally boys -- had
11 to wear a pink bow in their hair the next day to
12 school. I'm making that up.

13 But she said -- I said, "Would that be
14 hazing?" Because I didn't perceive it as hazing.
15 I'll just admit my ignorance.

16 And she said, "Yes, it would, because
17 anything that's designed to embarrass or could
18 embarrass someone is considered hazing."

19 So I thought -- I am just going to say
20 that I just didn't think about it that way. But now
21 I will.

22 And I think the important thing -- Matt,
23 this would go with our charters, too -- is that
24 people are getting -- there are big-time lawsuits,
25 big lawsuits, on hazing. And it's going to

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1 It was under the threats, of how to work
2 about threats. And there was a huge PowerPoint,
3 which I think is online, and I'll give you that
4 address in a second. But they were saying that,
5 "You know what? Kids know everything."

6 They do. They already know all of this.
7 And so the matter of trust would be that this child,
8 who may be not your most popular child, or could be
9 the most popular child, would trust an adult to say,
10 "Hey, I'm very concerned about X's behavior. It's
11 changed, and I think we need to be aware of it."
12 And then these things might not happen.

13 So that was one of the big things.
14 There's more, but that was the biggest one.

15 The other one, I will say how absolutely
16 stupid I feel. It was on hazing. So, you know, I
17 think I got bullying. I kind of get that. But if
18 someone said to me something about hazing, I
19 probably would immediately go, "College
20 fraternities." I mean, that's just where my life
21 would go to.

22 But I wrote down their definition of this,
23 because what they were trying to do was to change
24 the culture. I'm sure we've heard those two words a
25 number of times.

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1 individual coaches or teachers. If you're not
2 aware, for example, if you're going on a field trip,
3 like the Expeditionary Learning type of things, and
4 everyone is sitting at the front of the bus, and
5 you're not sitting in the back, or someone at the
6 front, someone in the middle or in the back, that
7 you are liable.

8 Or in the evenings, which is pretty scary,
9 because if you're talking about high-school-age
10 kids, you can hardly gather them up, something could
11 happen, and you need to be aware. There's all kinds
12 of implications for every school employee, whether
13 they're the -- even if they're just a parent, if you
14 didn't do all this. I'm sure you understand, my
15 attorneys over here. But I just think that's an
16 important thing to think about.

17 And the -- I do want to tell you that if
18 you go to the NMSBA.org law website, you can kind of
19 get on these -- I couldn't find the one on threats.
20 But I found the one on hazing. So you can download
21 them.

22 They didn't give packets this year. You
23 can just download them. I had a little difficulty
24 finding it; but that would be probably the user and
25 not the site.

<p style="text-align: right;">Page 166</p> <p>1 THE CHAIR: It might just be a timing 2 thing as well. Maybe they're not getting them all 3 on -- 4 COMMISSIONER ARMBRUSTER: And that may be. 5 But I think it was worth looking at. I don't think 6 you need to go in-depth. But it was certainly 7 something good. You can share that with the 8 charters in terms of that information. 9 And I think I have one more. 10 Oh, and then they did have one -- and I 11 kind of got to this one late, so I can't do a lot. 12 And this, of course, applies to us. 13 They were talking about the Native 14 Americans and the need for the cultural language and 15 the Istation, which I will say I've never seen, is 16 ineffective for students of non-white, middle-class 17 families. And the expected outcomes are not 18 supportive of Native students. They -- they talked 19 about the heritage language and the importance of 20 that. And we've kind of gone through that, but I 21 think that, again, applies to charters as well as 22 everyone else, because I think, in the end, we care 23 about children, wherever they happen to go to 24 school, and not just one or the other. 25 So I think that's -- and then the other,</p>	<p style="text-align: right;">Page 168</p> <p>1 comments. 2 Commissioner Conyers? 3 COMMISSIONER CONYERS: I just want to 4 thank the Commissioners and staff for their support 5 I've had in the last few weeks. I -- for a while, I 6 was physically in a very bad place. But I'm coming 7 back now. I'm getting my strength back. 8 Fortunately, I got my good looks back. 9 So I just want to thank you all for that. 10 COMMISSIONER RUIZ: You never lost that. 11 COMMISSIONER CRONE: I never had it. 12 THE CHAIR: Commissioner Toulouse? 13 COMMISSIONER TOULOUSE: Madam Chair, I'm 14 going to the LESC meeting in Aztec Monday and 15 Tuesday. I won't be able to stay for Wednesday. 16 And it's mostly on school security, especially with 17 an emphasis on what happened at Aztec. 18 I also want to point out, I've been 19 waiting for over a year to say that there is 20 something that I really have thought this Commission 21 needed to be educated on. And so much other stuff's 22 been going on that it's never come up. 23 And since I'm getting to the end of my 24 term, I don't think we'll do it during my term. But 25 I think beginning in the next term, this group needs</p>
<p style="text-align: right;">Page 167</p> <p>1 thing which has nothing to do with this. But 2 there's an article from Think New Mexico that was 3 talking about the advantages of smaller schools, and 4 that they are the ones -- small schools are not 5 being targeted as much as large schools. 6 So as we build larger and larger schools, 7 I just thought I would mention that. 8 THE CHAIR: I coached high school sports, 9 so I understand hazing from the -- and 10 unfortunately, I've sat at the exit conferences with 11 staff, so that that's -- you know, you don't want to 12 get to that point. And ultimately, you don't want 13 the students to have to be treated as they are. 14 But, you know -- Commissioner Crone? 15 COMMISSIONER CRONE: Yeah. I wanted to 16 add that the focus of that program is not just 17 active shooters. It's also suicide ideation, 18 suicidal ideation, molestation, inappropriate 19 touching. It runs the gamut of a safe school. So 20 there's confidentiality factor built in. 21 So I think there's a lot of promise to 22 that program. And you can contact Sandy Quintana or 23 anybody at NMPSIA. Ernestine Chavez would be a good 24 person for more information. 25 THE CHAIR: So we're on to Commissioner's</p>	<p style="text-align: right;">Page 169</p> <p>1 to look at things like the Indian Education Act, 2 which we have not taken into account, but it's very, 3 very important with some of our schools. And I 4 think some of the things we've tried to do have 5 actually been in violation of that, but I haven't 6 brought it up because the schools haven't brought it 7 up. 8 And I keep thinking, because we've been so 9 busy with all these forms and the work sessions I'm 10 no longer able to drive myself physically up here 11 for, that I just thought that was time for people to 12 be thinking about that. This Commission needs to be 13 educated on the Indian Education Act. 14 Thanks. 15 THE CHAIR: Commissioner Peralta? 16 COMMISSIONER PERALTA: Pass. 17 THE CHAIR: I think I've said all I need 18 to say. 19 Commissioner Armbruster? 20 COMMISSIONER ARMBRUSTER: I would just 21 like to put out a thank-you to Katie and to you, 22 Commissioner Gipson, and the CSD for doing all of 23 that work. I mean, I thought I was brain-dead, and 24 I was only there two-and-a-half days. And they were 25 there for four.</p>

<p style="text-align: right;">Page 170</p> <p>1 So I think we should all be appreciative 2 of the amount of work that they put in. 3 THE CHAIR: Commissioner Johnston? 4 COMMISSIONER JOHNSTON: Thank you, 5 Madam Chair. I just -- I just did want to thank 6 everyone for all of the work. There's a tremendous 7 amount of progress that's been made since I joined 8 the Commission. And it's been the result of long 9 hours and hard work. And I'm very respectful of the 10 work that everyone's doing. 11 THE CHAIR: Thanks. 12 Commissioner Ruiz. 13 COMMISSIONER RUIZ: I wanted to thank the 14 Commissioners that were here and put all that work 15 into the documents that we were able to review. 16 Thank you, all. 17 Tim and I were at NMPSIA. So I appreciate 18 that, and, of course, Icela and everybody here. 19 Thank you, all. 20 THE CHAIR: Commissioner Crone? 21 COMMISSIONER CRONE: Yeah. I echo what 22 she said, and also the fact that I can trust the 23 work. I was supposed to be in three places at once 24 yesterday. So we're having negotiations at the 25 College. So I appreciate the work you did and that</p>	<p style="text-align: right;">Page 172</p> <p>1 I think a nice training would be -- would be in 2 place. I think there's a lot of interesting issues 3 with it. But I think it's important for the mission 4 of the Commission to also be cognizant of it, think 5 about it as we address the populations here and the 6 students here in New Mexico. 7 COMMISSIONER CRONE: At Northern, we had a 8 learning experience. All of the pueblos in the area 9 speak either -- I believe Tiwa and Tewa. And we did 10 have some students who came up from Picuris Pueblo, 11 also. And those languages are considered sacred 12 languages. And so we were going to offer Tewa. And 13 the Governor said, "No, you're not. It's restricted 14 solely to indigenous people," unless someone like my 15 wife's uncle actually learned the language. He was 16 the postmaster at Ohkay Owinge. 17 And he learned Tewa just through 18 interaction. And other than that, I have nothing 19 more to say. 20 THE CHAIR: We, actually -- it came up in 21 part of the conversation with Walatowa, because they 22 struggle because of -- a number of students come 23 from different pueblos. So that language issue is, 24 yes, very much sacred to them, and it's sometimes a 25 difficult line to walk. So it's -- and it is</p>
<p style="text-align: right;">Page 171</p> <p>1 I trust you. 2 As far as the Indian Ed, I wanted to ask, 3 that was part of your summary or your resume that 4 you sent when you applied for this. So do you have 5 any suggestions about how we can do the -- 6 THE CHAIR: Sure. 7 MS. JAEGER: Yeah. When I was General 8 Counsel at Santa Fe Public Schools, we had some 9 different issues that came up with the Indian 10 Education Act, including some special programming 11 for Native American students that were part of the 12 student population in the district, and also, in 13 thinking through different kinds of dual language 14 programs, because it's not just Spanish and English. 15 And we also added, when I was there, a 16 graduation certificate for Native American Languages 17 and to figure out sort of how you would do that 18 working with tribal elders and helping the student 19 really become proficient in their language. And the 20 valedictorian at Capital High received a dual 21 language diploma -- I said "certificate"; I meant 22 diploma -- and gave part of his speech in his Native 23 language, which was really rewarding. 24 So in the back of my mind, when I've been 25 thinking about things, I do keep that up front. But</p>	<p style="text-align: right;">Page 173</p> <p>1 important that we get a better understanding of what 2 that is. 3 Commissioner Robbins? 4 COMMISSIONER ROBBINS: Well, I want to 5 thank the Commissioners that worked on the work 6 group yesterday. I wasn't able to attend. And 7 that's all I have to say. 8 THE CHAIR: Thank you. Do I have a motion 9 to adjourn? 10 COMMISSIONER TOULOUSE: So move. 11 COMMISSIONER RUIZ: Second. 12 THE CHAIR: Motion to adjourn and a 13 second. We are done. 14 (Proceedings concluded at 1:40 p.m.) 15 16 17 18 19 20 21 22 23 24 25</p>

BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

I, Cynthia C. Chapman, RMR, CCR #219, Certified Court Reporter in the State of New Mexico, do hereby certify that the foregoing pages constitute a true transcript of proceedings had before the said NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the State of New Mexico, County of Santa Fe, in the matter therein stated.

In testimony whereof, I have hereunto set my hand on June 29, 2018.

Cynthia C. Chapman, RMR-CRR, NM CCR #219
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Job No.: 580N (CC)

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