

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

August 23, 2018

1:12 p.m.

Jerry Apodaca Education 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 A P P E A R A N C E S

2 COMMISSIONERS:

- 3 MS. PATRICIA GIPSON, Chair
- 4 MS. KARYL ANN ARMBRUSTER, Secretary
- 5 MR. R. CARLOS CABALLERO, Member - Telephonically
- 6 MR. JAMES CONYERS, Member
- 7 MR. TIM CRONE, Member
- 8 MS. DANIELLE JOHNSTON, Member
- 9 MR. DAVID ROBBINS, Member
- 10 MS. CARMIE TOULOUSE, Member

11 PED STAFF:

- 12 MS. KATIE POULOS, Assistant Secretary of Education
- 13 MS. KAREN WOERNER, Charter Schools Authorizing Practices Administrator
- 14 MS. BEVERLY FRIEDMAN, PED Custodian of Record and Liaison to the PEC

15 PEC COUNSEL:

- 16 MS. AMI JAEGER, Counsel to the PEC
- 17 MR. MARK CHAIKEN, Counsel to the PEC

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10 ATTACHMENTS:

- 11 1. Open Forum Sign-In Sheet
- 12 2. Public Comments re Applicant Sign-In Sheet
- 13 3. Visitors Sign-In Sheets

1 THE CHAIR: I'm going to bring to order  
 2 this meeting of the Public Education Commission. It  
 3 is Thursday, August 23rd, 2018, and it is 1:12 p.m.

4 And I'm going to ask Commissioner  
 5 Armbruster to do roll call, please.

6 COMMISSIONER ARMBRUSTER: Commissioner  
 7 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 is not here.

18 Commissioner Gipson. She's here.

19 Commissioner Johnston?

20 COMMISSIONER JOHNSTON: Present.

21 COMMISSIONER ARMBRUSTER: Commissioner  
 22 Crone?

23 COMMISSIONER CRONE: Here.

24 COMMISSIONER ARMBRUSTER: Commissioner  
 25 Ruiz is not present.

1 Commissioner Caballero?  
 2 COMMISSIONER CABALLERO: Via telephone,  
 3 present.

4 THE CHAIR: Thank you.  
 5 We have eight here. The quorum will be  
 6 eight.

7 COMMISSIONER TOULOUSE: And, Madam Chair,  
 8 I will, again, exercise my right not to stand for  
 9 the Pledge of Allegiance; but I will stand for the  
 10 Salute to the New Mexico Flag.

11 THE CHAIR: Thank you.

12 So Commissioner Crone is going to lead us  
 13 with the Pledge, and Commissioner Robbins with the  
 14 Salute to the New Mexico Flag.  
 15 (Pledge of Allegiance and Salute  
 16 conducted.)

17 THE CHAIR: So before we move on, when we  
 18 were looking at the individuals that signed up for  
 19 Open Forum and the input and comments for the  
 20 school, there were two people that signed up on the  
 21 Public Forum that are identified speaking for the  
 22 school. One of them also -- and it is -- I believe  
 23 it's A-N-A-I, is it? Or is it A-N-A-L?

24 FROM THE FLOOR: A-N-A-I.

25 THE CHAIR: You've also put yourself down

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1 for the input for the school, so that that's where  
 2 you'll have the opportunity to speak. So we are  
 3 taking you off of the Public Forum part.  
 4 But there was an Edward Tabet. We're also  
 5 going to move you on to the school's input time,  
 6 just so that we're clear on that, okay?  
 7 FROM THE FLOOR: Okay. Thank you.  
 8 THE CHAIR: Okay. So we are on to Item  
 9 No. 2, which is the Approval of the Agenda.  
 10 Do we have any --  
 11 COMMISSIONER ROBBINS: I move for  
 12 approval.  
 13 THE CHAIR: Okay. Thank you.  
 14 COMMISSIONER CRONE: I second.  
 15 THE CHAIR: There's a motion by  
 16 Commissioner Robbins; there's a second by  
 17 Commissioner Crone.  
 18 All in favor?  
 19 (Commissioners so indicate.)  
 20 THE CHAIR: Opposed?  
 21 (No response.)  
 22 THE CHAIR: Hearing no opposition, the  
 23 motion passes.  
 24 We are on to Item No. 3, which is the Open  
 25 Forum. And there are two people that did sign up

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1 for the open forum. And the first one is Baylor.  
 2 FROM THE FLOOR: Good afternoon,  
 3 Madam Chairwoman and members of the Commission. My  
 4 name is Baylor del Rosario, and I am a Staff member  
 5 in the Charter Schools Division.  
 6 On behalf of the Charter School staff, CSD  
 7 staff, and the Department, we just wanted to  
 8 acknowledge in a public forum and say thank you to  
 9 Assistant Secretary Katie Poulos for her -- her  
 10 leadership and her work with the charter school  
 11 sector on behalf of students and families of  
 12 New Mexico.  
 13 As you know, she'll be departing shortly  
 14 the Department, and the next couple of days will be  
 15 her last days working with you-all and with the PED.  
 16 And so we just wanted to thank you, wish her well in  
 17 her next endeavor.  
 18 So thank you and best of luck. You'll  
 19 certainly be missed, at least by the CSD Staff.  
 20 There's still a couple of days, so we'll see how  
 21 that plays out. So, again, thank you.  
 22 (Applause.)  
 23 THE CHAIR: And lastly, Abigail Stiles.  
 24 FROM THE FLOOR: I think I signed up on  
 25 the wrong sheet. I was just trying to sign in for

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1 the meeting. So I don't have any public --  
 2 THE CHAIR: You were signing up just as an  
 3 attendee?  
 4 Okay. Thanks.  
 5 FROM THE FLOOR: Yeah.  
 6 THE CHAIR: The next item on the list is  
 7 the Consent Agenda. So if everyone's had an  
 8 opportunity to look at it, if there are no changes  
 9 to this, I will entertain a motion.  
 10 COMMISSIONER TOULOUSE: Madam Chair, I  
 11 move approval of the Consent Agenda.  
 12 THE CHAIR: There's a motion by  
 13 Commissioner Toulouse.  
 14 COMMISSIONER ARMBRUSTER: (Indicates.)  
 15 THE CHAIR: There's a second by  
 16 Commissioner Armbruster.  
 17 All in favor?  
 18 (Commissioners so indicate.)  
 19 THE CHAIR: Opposed?  
 20 (No response.)  
 21 THE CHAIR: Hearing no opposition, the  
 22 motion passes.  
 23 The next item on the agenda is No. 5,  
 24 Approval or Denial of New Charter School  
 25 Applications. We do have one school today. We will

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1 recess this afternoon, and we will reconvene  
 2 tomorrow to have the opportunity to take a look at  
 3 the second school.  
 4 So up on our agenda today is Raíces. And  
 5 first on the agenda is public input. And I just  
 6 have to -- 15 minutes.  
 7 So we have seven people that have signed  
 8 up for comment; so you have approximately two  
 9 minutes apiece to speak. So you don't necessarily  
 10 have to use the two minutes. You'll be surprised at  
 11 what two minutes feels like when you have that  
 12 opportunity to speak. But you've got two minutes.  
 13 Ms. Friedman is doing the timing for us,  
 14 so that she's got her trusty little signs with her.  
 15 And the first person on the list is Glenna  
 16 Voigt. And I will remind everyone, as Glenna comes  
 17 up, that if you would please identify yourself and  
 18 spell your last name for the record. And there's --  
 19 if the green light is on on the mic, that indicates  
 20 that the mic is on.  
 21 FROM THE FLOOR: Okay. Good afternoon,  
 22 Madam Chair, members of the Commission.  
 23 My name is Glenna Voigt. Last name is V  
 24 like "Victor," -O-I-G-T. John Voigt is my cousin.  
 25 Just kidding.

|   |  |
|---|--|
| <p style="text-align: right;">Page 10</p> <p>1 But sometimes that helps for<br/>2 clarification.</p> <p>3 I am just-over-one-year retired as the<br/>4 founding principal of the Media Arts Collaborative<br/>5 Charter School. MACCS, as it's well-known, was the<br/>6 first PEC-authorized school in New Mexico. And I am<br/>7 here today to speak in support of Raíces del Saber<br/>8 Xinachtli Community School. Given the sheer number<br/>9 of charter schools in New Mexico today, there are<br/>10 very few which are bringing forward innovation,<br/>11 culturally relevant curriculum, and truly unique<br/>12 options for students and families in New Mexico.</p> <p>13 I know that Raíces has the perfect idea<br/>14 for an innovative school, a school that will serve a<br/>15 unique community that is New Mexico.</p> <p>16 Why are charter schools being authorized<br/>17 that are doing more of what's already being done? I<br/>18 do not know of another school in New Mexico that is<br/>19 teaching culturally responsive identity formation<br/>20 emphasizing regional heritage to ensure that their<br/>21 curriculum is culturally responsive.</p> <p>22 This is real-world learning that is<br/>23 authentically created.</p> <p>24 So using my former school as a unique<br/>25 example, MACCS opened with a great idea and a very</p>   | <p style="text-align: right;">Page 12</p> <p>1 couldn't hear you?<br/>2 FROM THE FLOOR: Yes.<br/>3 THE CHAIR: So is it just "Anna"?<br/>4 FROM THE FLOOR: Anai.<br/>5 THE CHAIR: And is it Pulido?<br/>6 FROM THE FLOOR: Yes. Good afternoon,<br/>7 Madam Chair, and members of the Commission. My name<br/>8 is Anai Pulido. And it is spelled P-U-L-I-D-O. And<br/>9 I have been fortunate enough to do my service for<br/>10 Americorps with Raíces del Saber as a community<br/>11 engagement coordinator. I am a product of charter<br/>12 schools. Attending a charter school not only<br/>13 challenged me and prepared me for college success,<br/>14 but also filled in the gaps of everything that I was<br/>15 missing.</p> <p>16 I became a first high school graduate from<br/>17 my intermediate [verbatim] family, a first college<br/>18 graduate from both sides of my family, and recently<br/>19 earned my Master's degree. I am a firm believer<br/>20 that my success was a product of my exposure to<br/>21 charter schools. My only regret is that I wish I<br/>22 was exposed to this in elementary.</p> <p>23 Luckily, Raíces del Saber is offering this<br/>24 opportunity in an elementary setting. With my<br/>25 engagement with the Las Cruces community, I have</p> |
| <p style="text-align: right;">Page 11</p> <p>1 strong mission. Unbeknownst to us at the time that<br/>2 the Charter School Division would undergo six<br/>3 different directors within nine years; but we were<br/>4 flexible, and we had a deep knowledge and<br/>5 determination of our mission. We were able to take<br/>6 that perfect idea of starting an innovative media<br/>7 arts school and create a resilient, sustainable,<br/>8 functional, and thriving learning community.</p> <p>9 Raíces may not have the perfect charter<br/>10 school application; but they do have the perfect<br/>11 idea for an innovative community school which will<br/>12 serve the indigenous kids of New Mexico. They have<br/>13 superior community support in Southern New Mexico.<br/>14 So please let them open so that they can hire a<br/>15 principal that will make their school's mission come<br/>16 alive.</p> <p>17 Haven't we already learned from previous<br/>18 mistakes that we need to start supporting our<br/>19 indigenous kids' education, not denying them<br/>20 creative, forward-thinking learning opportunities?<br/>21 Thanks so much for hearing me.</p> <p>22 THE CHAIR: Thank you.</p> <p>23 MS. FRIEDMAN: We have 12 minutes left.</p> <p>24 THE CHAIR: The next on the list is -- and<br/>25 I apologize again -- is it A-N-A-I, because I</p> | <p style="text-align: right;">Page 13</p> <p>1 learned that Las Cruces wants, needs, and is ready<br/>2 for Raíces. Raíces is rigorous and vested and cares<br/>3 for the well-being of these children. Raíces<br/>4 embodies important issues for Las Cruces<br/>5 populations, such as parent involvement,<br/>6 bilingualism, and identity formation, traditional<br/>7 teaching.</p> <p>8 We have lost and continued to lose<br/>9 tradition, and I believe Raíces can preserve this,<br/>10 while providing a firm platform for future academic<br/>11 success. Therefore, I hope you consider the<br/>12 approval of the school to develop young, successful<br/>13 students as myself. I appreciate your time, and<br/>14 thank you.</p> <p>15 THE CHAIR: Thank you.<br/>16 Can I just ask you? Did you go to a<br/>17 charter school in New Mexico?<br/>18 FROM THE FLOOR: Yes I did.<br/>19 THE CHAIR: In Las Cruces?<br/>20 FROM THE FLOOR: No, in Albuquerque.<br/>21 THE CHAIR: Okay. Thank you.<br/>22 Next on the list is Alan Brauer.<br/>23 FROM THE FLOOR: Madam Chair, members of<br/>24 the Commission, thank you for this time. I'm Alan<br/>25 Brauer, last name, B-R-A-U-E-R, and I'm the</p>  |

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1 fellowship director and education lead with NACA  
 2 Inspired Schools Network.  
 3 I've had the privilege and honor to work  
 4 with Lucia Carmona and her team over the last two  
 5 years as they move forward through our community-led  
 6 approach to schooling design work.  
 7 I'm so impressed and really inspired by  
 8 not only what they've created, but also what they've  
 9 taught us and our other schools within our network,  
 10 and I'm really hopeful that they will be recommended  
 11 for approval today.  
 12 Upon approval, the Raíces governing  
 13 council will have the opportunity to vote on whether  
 14 or not they would like to be a member of our  
 15 affiliated network. There is two different phases:  
 16 There's the fellowship part, and then there's the  
 17 process of becoming a part of our network of  
 18 schools. In doing that, they'll have the  
 19 opportunity to receive support from us throughout  
 20 the existence of the school.  
 21 I will also like to share that our  
 22 organization is not perfect; but one of the greatest  
 23 assets that we have is that we are problem-solvers.  
 24 And so I just wanted to point out two areas that we  
 25 are focusing in on right now, not only for our

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1 network, but for all charter schools across the  
 2 state.  
 3 The first one is our expert in design and  
 4 evaluation, Corinna Chavez, is going through the  
 5 credentialing process to be a certified governing  
 6 board trainer. And I think that's something that's  
 7 going to be helpful for our schools as well as other  
 8 schools across the state.  
 9 The second thing that I wanted to share --  
 10 and I think I may have mentioned this or whispered  
 11 this to a few of you down in Las Cruces -- is that I  
 12 just finished up my MBA at UNM. And my practicum  
 13 was to devise a plan to support the development of  
 14 expert financial officers for schools across the  
 15 state. I've been working in conjunction with David  
 16 Craig from the PED, NMASBO, as well as CNM, to  
 17 create a certification process and a plan to create  
 18 highly qualified people for business official work  
 19 in our schools.  
 20 And so that's one of the best assets that  
 21 our team has to offer is that we see problems and we  
 22 solve them. And when Raíces -- if they decide to  
 23 join us, I think they will bring in their expertise  
 24 and problem-solvers as well.  
 25 And so I hope you all approve the school

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1 today. I think they've done a lot of work and I  
 2 think their -- I wanted to recognize their  
 3 community-based model of their charter application.  
 4 Thank you.  
 5 THE CHAIR: Thank you.  
 6 Next is Edward Cubero.  
 7 FROM THE FLOOR: Good afternoon,  
 8 Madam Chair, members of the Commission. Thank you  
 9 for taking the time to hear the public's support for  
 10 Raíces del Saber today.  
 11 My name is Edward Tabet-Cubero, T-A-B-E-T  
 12 hyphen C-U-B-E-R-O. I'm a Lebanese Chicano of  
 13 New Mexico here. So both identities represented in  
 14 my last names.  
 15 I am a member of the New Mexico Coalition  
 16 for the Majority, which advocates for the 76 percent  
 17 of our state's students who are linguistically and  
 18 culturally diverse. I'm also the former executive  
 19 director of the New Mexico Center on Law and Poverty  
 20 who represented the Yazzie plaintiffs in the recent  
 21 school sufficiency case. And I spent my entire  
 22 teaching career early on in Southern New Mexico, in  
 23 southern Doña Ana County, actually, which is the  
 24 community intended to be served by this school.  
 25 And I just wanted to point out a couple of

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1 things that were pointed out in -- by Judge  
 2 Singleton in this recent school sufficiency trial,  
 3 that the word "sufficiency" in our State  
 4 constitution has already been described by our  
 5 Legislature in legislation we have on the books. It  
 6 can be found in our state's Bilingual Multicultural  
 7 Education Act, in our state's Indian Education Act,  
 8 in our state's Hispanic Education Act, all of which  
 9 call for a multicultural and multilingual education  
 10 in order to best serve and meet the distinct needs  
 11 of our culturally diverse students.  
 12 And I have to say that the charter  
 13 application from Raíces del Saber is a perfect  
 14 vision, a perfect image of what was intended by  
 15 those three pieces of legislation. Out of about  
 16 900 public schools in New Mexico, only about 120 are  
 17 actually implementing a dual language program. And  
 18 I can say as an expert in the field of dual language  
 19 education, maybe three dozen of them are doing it to  
 20 great effect.  
 21 And so that's why I have a whole lot of  
 22 hope in the amount of expertise, study, and  
 23 potential that Raíces del Saber possesses in being  
 24 able to offer our students exactly what they need,  
 25 which is a multilingual and multicultural

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1 educational opportunity.  
 2 And with that, I thank you.  
 3 THE CHAIR: Thank you. Next is Mike  
 4 Vigil. We haven't seen Mike in a while, which is  
 5 kind of a good thing.  
 6 FROM THE FLOOR: I was saying, probably a  
 7 good thing.  
 8 Madam Chair, members of the Commission,  
 9 good afternoon. My name is Mike Vigil. Last name  
 10 is V-I-G-I-L. I'm with the Vigil Group, and I just  
 11 wanted to inform you that we have been in talks with  
 12 Raíces in providing business management services.  
 13 And when that time comes, we do have the capacity  
 14 built into our group to be able to do so.  
 15 That's all I came here to say.  
 16 THE CHAIR: Okay. Thank you.  
 17 And, finally, Jenny Dumas.  
 18 FROM THE FLOOR: Good morning, everyone.  
 19 Again, I'm Jenny Dumas, D-U-M-A-S. I've been a  
 20 board member at NACA since we opened many, many  
 21 years ago. I've seen our students grow and thrive  
 22 and do amazing things that I really haven't seen in  
 23 other schools. The level of confidence that our  
 24 children have is really incredible, and I encourage  
 25 you all to, you know, attend some of our graduation

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1 ceremonies and see it for yourself. It's really  
 2 quite inspiring.  
 3 And with that said, I was surprised and a  
 4 bit disturbed at the inclusion in the assessment  
 5 recommendations for Raíces of a lot of negative  
 6 comments about NACA, the NACA Inspired Schools  
 7 Network and other schools that have gotten  
 8 assistance from NISN. I encourage the Commission  
 9 to, you know, look at these schools on their own  
 10 merits.  
 11 And, specifically, at the very conclusion  
 12 of the recommendation, there was a prediction that  
 13 one -- one element that makes a charter school more  
 14 likely to fail is serving special populations. And  
 15 that was especially surprising to me, because the  
 16 serving of special populations is one of the  
 17 strengths of these schools. And serving  
 18 traditionally underserved children and helping them  
 19 to succeed is what a lot of these schools are about.  
 20 And from what I've seen, that's what  
 21 Raíces intended to do. That's what other NACA  
 22 Inspired Schools Network schools intend to do, and  
 23 that's what NACA has done. And that's all I have to  
 24 say.  
 25 THE CHAIR: Thank you so much.

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1 FROM THE FLOOR: Thank you.  
 2 THE CHAIR: And that concludes --  
 3 MS. FRIEDMAN: Yeah.  
 4 THE CHAIR: Okay. So we are now on to the  
 5 CSD Recommendations. And CSD has 15 minutes to say  
 6 whatever.  
 7 MS. WOERNER: Chairman Gipson -- ooh,  
 8 sorry, not having done this before -- Commissioners,  
 9 good afternoon. I want to thank you for the  
 10 opportunity to present to you today. I'm a little  
 11 bit nervous, I'll admit.  
 12 My name is Karen Woerner, W-O-E-R-N-E-R.  
 13 And I'm a member of the Charter Schools Division  
 14 team that owned and led this new charter school  
 15 application process this year, and, I've been told,  
 16 will be doing so going forward. So I'm happy to be  
 17 here.  
 18 In this process, both the application and  
 19 the capacity interview are evaluated and scored by a  
 20 four-member team of highly skilled education  
 21 professionals. Each team includes a highly  
 22 effective licensed teacher, a licensed school  
 23 administrator who has served as a charter school  
 24 administrator or a superintendent, a licensed school  
 25 business official who has worked with charter

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1 schools, and a team lead who has professional  
 2 experience in chartering authority or education  
 3 policy.  
 4 And it's important to note that all the  
 5 licensed staff on our teams are licensed in the  
 6 State of New Mexico.  
 7 The applications and interviews are first  
 8 individually scored by each member of the team, and  
 9 then the team members discuss their individual  
 10 evaluations -- I guess I need to talk softer; I'm  
 11 sorry, I'm used to presenting without a microphone,  
 12 so pardon me.  
 13 They're individually scored. The team  
 14 members then discuss their individual evaluations  
 15 and come to a final consensus on the scoring.  
 16 The team lead's primary role is to  
 17 facilitate the discussions to ensure each member's  
 18 voice is heard and that the team actually comes to a  
 19 consensus. The team lead also takes responsibility  
 20 for ensuring that the team's consensus is  
 21 well-written and fully justified in writing back to  
 22 the CSD.  
 23 To clarify, neither I or any of the CSD  
 24 staff actually participate in the review and  
 25 scoring.

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|--|--|
| <p style="text-align: right;">Page 22</p> <p>1 A member of the CSD staff did sit in on<br/> 2 the interviews and all the consensus calls, strictly<br/> 3 to observe to assure that all team members' voices<br/> 4 were heard and to answer any questions related to<br/> 5 statutes, regulations, and policies, if they should<br/> 6 arise. During my observations of any calls and<br/> 7 interviews, I will tell you that there were very<br/> 8 few, if any, questions, which I think speaks to the<br/> 9 expertise and knowledge on the team.<br/> 10 And I think this would be a good time to<br/> 11 thank you all for the work that this Commission has<br/> 12 done to develop such a robust application process<br/> 13 with very solid, clear, well-enumerated criteria.<br/> 14 Your work provided clear guidance to the reviewer<br/> 15 teams. And, in fact, we had a survey to get<br/> 16 feedback from the team members. It was a very<br/> 17 positive response and included a comment that I want<br/> 18 to read.<br/> 19 Quote, "The application submission<br/> 20 documents and guidance within them are very high<br/> 21 quality and a rigorous process that ensures a high<br/> 22 quality and innovative plan for a charter school. I<br/> 23 commend the Commission for developing such an<br/> 24 accountable and transparent process, for applying<br/> 25 and receiving authorization for starting a charter</p> | <p style="text-align: right;">Page 24</p> <p>1 To address the needs of all students,<br/> 2 including those determined to be at risk;<br/> 3 To create new professional opportunities<br/> 4 for teachers;<br/> 5 To improve student achievement;<br/> 6 To provide parents and students with an<br/> 7 education -- educational alternative;<br/> 8 To create new, innovative, and more<br/> 9 flexible ways of educating children within the<br/> 10 public school system;<br/> 11 To encourage parental and community<br/> 12 involvement in the public school system;<br/> 13 To develop a new site-based budgeting;<br/> 14 And to be held accountable for meeting the<br/> 15 Department's educational standards and fiscal<br/> 16 requirements.<br/> 17 As you know, your application prompts the<br/> 18 criteria and the rubrics, incorporates each of those<br/> 19 purposes, and provides the information and tools<br/> 20 needed by applicants to complete the application and<br/> 21 sort of a review team to evaluate whether an<br/> 22 application meets the purpose of the Act.<br/> 23 The second section I wanted to highlight<br/> 24 is 22-8B-6, subsection L, which states the five<br/> 25 potential reasons for the denial of an application.</p>   |
| <p style="text-align: right;">Page 23</p> <p>1 school."<br/> 2 So it's a compliment to your work.<br/> 3 THE CHAIR: Now, I think you need to be a<br/> 4 little closer.<br/> 5 MS. WOERNER: Sorry. Thank you. As you<br/> 6 know, our work is based in statutes, regulation, and<br/> 7 PEC policies. And I want to highlight two sections<br/> 8 of the Charter Schools Act, which is Article 22 of<br/> 9 the NMSA 1978, which drives the decisions that will<br/> 10 be made today and tomorrow.<br/> 11 The first is 22-8B-3, which outlines the<br/> 12 purpose of the Charter Schools Act. And, basically,<br/> 13 it is -- was enacted to allow individual schools to<br/> 14 do 11 things. Those 11 purposes are -- and, again,<br/> 15 pardon me for reading:<br/> 16 To enable individual schools to structure<br/> 17 their educational curriculum;<br/> 18 To encourage the use of different and<br/> 19 innovative teaching methods that are based on<br/> 20 reliable research and effective practices, or those<br/> 21 that have been replicated successfully in schools<br/> 22 with diverse characteristics;<br/> 23 To allow the development of different and<br/> 24 innovative forms of measuring student learning and<br/> 25 achievement;</p>   | <p style="text-align: right;">Page 25</p> <p>1 Your application minimal scoring criteria clearly<br/> 2 define one of those elements, which is whether the<br/> 3 application is inadequate.<br/> 4 Using your rubrics and scoring criteria,<br/> 5 we have focused our recommendations on the first two<br/> 6 elements of the statutes; that is, whether the<br/> 7 applications should be denied because they are<br/> 8 incomplete or inadequate, or whether the<br/> 9 applications should be denied because they do not,<br/> 10 quote, "propose to offer an educational program that<br/> 11 is consistent with the requirements of the Act."<br/> 12 We've also included in our recommendations any<br/> 13 information that is relevant to the other three<br/> 14 reasons for denial of an application.<br/> 15 The obvious purpose and goal of the<br/> 16 application process is to ensure approvals are<br/> 17 granted only to those applicant teams who<br/> 18 demonstrate the capacity and preparedness to open a<br/> 19 high-quality charter school that will effectively<br/> 20 educate our students. Approval by this Commission<br/> 21 must mean that the applicant has been able to<br/> 22 demonstrate that he will be ready to open a school<br/> 23 and start effectively protecting and educating<br/> 24 children and safeguarding public assets in less than<br/> 25 a short year from now.</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 Over more than 15 years in New Mexico, we<br/> 2 have certainly learned that teams who are solid in<br/> 3 all areas, including organizational and financial,<br/> 4 prior to their implementation year, are the ones<br/> 5 able to succeed. Teams that do not demonstrate<br/> 6 strength in all areas will not be able to meet the<br/> 7 high expectations and standards for educating and<br/> 8 protecting our students or for safeguarding those<br/> 9 state resources. And our students don't have a year<br/> 10 or two for the students to become strong enough in<br/> 11 the schools to operate effectively.<br/> 12 Please know that it's never easy to<br/> 13 recommend denial; however, in this case, the<br/> 14 applicant team for Raíces del Saber Xinachtli<br/> 15 Community School has not met the clear transparent<br/> 16 and rigorous criteria established by this<br/> 17 Commission.<br/> 18 Part C of your application clearly<br/> 19 outlines the minimum scoring expectation. And there<br/> 20 are three requirements:<br/> 21 One is no response is evaluated as Falls<br/> 22 Far Below the Criteria. And this application did<br/> 23 have one Falls Far Below. It was in the financial<br/> 24 section, as well as three interview responses that<br/> 25 were scored as Falls Far Below.</p>                             | <p style="text-align: right;">Page 28</p> <p>1 met.<br/> 2 The applicant team did provide a lengthy,<br/> 3 detailed response that attempted to respond to<br/> 4 nearly every score that was not a Meets Criteria.<br/> 5 And those responses, as you know, have not been<br/> 6 scored.<br/> 7 The second set that we just got this past<br/> 8 Friday, the responses themselves were not scored.<br/> 9 However, they are concerning to CSD, as many of them<br/> 10 demonstrate the applicant team doesn't understand<br/> 11 the shortcomings in their application, nor the<br/> 12 criteria from the rubrics that were missing.<br/> 13 Having said that, I do want to recognize,<br/> 14 as Ms. Voigt mentioned earlier, it was evident<br/> 15 throughout the process that the applicant team has a<br/> 16 strong commitment to innovating the methods of<br/> 17 Xinachtli. It's also clear that some members of the<br/> 18 community are very eager for a new charter school<br/> 19 option in that area of the state.<br/> 20 However, those two factors are not enough<br/> 21 to suggest that the school will be successful and<br/> 22 that they're ready to serve the best interests of<br/> 23 the students at this time.<br/> 24 In fact, the data indicates otherwise.<br/> 25 And for the last commenter's point, what was in the</p>   |
| <p style="text-align: right;">Page 27</p> <p>1 No. 2, no more than three responses may be<br/> 2 evaluated as Approaches the Criteria in any one<br/> 3 section. This application was rated as Approaches<br/> 4 the Criteria in 10 of 13 in the Academic section, 13<br/> 5 of 22 in the Organizational section, and 3 of 8 in<br/> 6 the Financial section, with one of the eight scored<br/> 7 Falls Far Below, which means 50 percent of the<br/> 8 Financial section met the criteria.<br/> 9 Third requirement is that the applicant<br/> 10 must earn 95 percent of the available points or<br/> 11 more. As you know, this application scored just<br/> 12 under 66 percent.<br/> 13 Remember, the scoring was done by<br/> 14 education professionals that know what it takes to<br/> 15 write a charter school. And the statistics on that<br/> 16 team collectively include 24 years of experience in<br/> 17 traditional public schools, 51 years of experience<br/> 18 in public charter schools, 42 years of classroom<br/> 19 teaching experience, 35 years in administrator<br/> 20 experience, and -- yes, I'm reading these, because I<br/> 21 don't remember -- 24 years of business management<br/> 22 experience, and nearly 70 combined years of<br/> 23 education in New Mexico.<br/> 24 In this case, the minimum scoring<br/> 25 expectation set by this Commission have not been</p> | <p style="text-align: right;">Page 29</p> <p>1 recommendation is not about that serving special<br/> 2 populations is not important; it's critically<br/> 3 important. But there were inadequacies in those<br/> 4 areas on the application that have led to failure in<br/> 5 other schools, inadequacies in the Finance section,<br/> 6 in the Serving Special Populations section, in the<br/> 7 Assessment and Governance sections. It was not that<br/> 8 we were saying that the -- that the Serving Special<br/> 9 Populations is not important; it most definitely is.<br/> 10 In closing, the applicant team has not<br/> 11 demonstrated the capacity to open an effective<br/> 12 high-quality charter school and, therefore, PED<br/> 13 recommends denial of this application.<br/> 14 Going a step further, in light of the<br/> 15 team's enthusiasm and belief in the proposed<br/> 16 Xinachtli method and the hard work the team has<br/> 17 invested thus far, it is further recommended that<br/> 18 the school take the feedback provided via this<br/> 19 evaluation process, work on those inadequacies, and<br/> 20 resubmit a stronger application in the future. The<br/> 21 PED and, I'm certain, this Commission would like to<br/> 22 establish that this group is set up to be<br/> 23 successful.<br/> 24 And with that, I stand for questions, if<br/> 25 there are any.</p> |



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| <p style="text-align: right;">Page 30</p> <p>1 Thank you.<br/> 2 THE CHAIR: At this point in time, it's<br/> 3 not open for questions.<br/> 4 MS. WOERNER: I'm sorry. Thank you.<br/> 5 THE CHAIR: So, now, there's 15 minutes<br/> 6 for the applicant team to come up.<br/> 7 And I'll just remind you all once again to<br/> 8 please introduce yourself and spell your last name<br/> 9 for the record.<br/> 10 Thank you.<br/> 11 FROM THE FLOOR: Good afternoon,<br/> 12 Madam Chair, members of the Commission. My name is<br/> 13 Natasha Cuylear. I'm an attorney with the Dumas Law<br/> 14 Office. I'm here in support of the school today.<br/> 15 MR. CARLOS ACEVES: Carlos Aceves,<br/> 16 founding member of Raíces, bilingually certified<br/> 17 schoolteacher in Texas. Aceves, A-C-E-V-E-S.<br/> 18 MS. ROCIO BENEDICTO: My name is Rocio<br/> 19 Benedicto, B-E-N-E-D-I-C-T-O, and I am a board<br/> 20 member of Raíces del Saber Xinachtli Community<br/> 21 School.<br/> 22 DR. JANE ASCHE: Good afternoon,<br/> 23 Madam Chair and Commissioners. My name is Jane<br/> 24 Asche, a board member of Raíces. My last name is<br/> 25 spelled A-S-C-H-E.</p>   | <p style="text-align: right;">Page 32</p> <p>1 NACA Inspired Schools Network and criticizes the<br/> 2 support that they offer to other charter schools.<br/> 3 This request was also -- has already been<br/> 4 made as written responses, which was submitted<br/> 5 directly to the Commission on August 17th. We<br/> 6 believe that the inclusion of that information is<br/> 7 both insignificant and irrelevant, and we ask that<br/> 8 the Commission not consider it when rendering their<br/> 9 decision for the following reasons:<br/> 10 First, it is unclear why that information<br/> 11 is even in the recommendation. It says nothing<br/> 12 about Raíces' application, or the hard work they<br/> 13 have dedicated to the charter school application<br/> 14 process. We see the inclusion of that information<br/> 15 as a personal attack on NISN. But this attack is<br/> 16 misguided, because NISN don't hire staff for Raíces<br/> 17 and they do not make decisions regarding the<br/> 18 school's management, governance, or policy.<br/> 19 Lastly, it is completely irrelevant that<br/> 20 other NISN-affiliated charter schools have<br/> 21 experienced -- have allegedly experienced --<br/> 22 challenges with financial management and leadership,<br/> 23 and it is unfair to assume that Raíces will<br/> 24 experience those same challenges.<br/> 25 Now I'd like to turn it over to the school</p> |
| <p style="text-align: right;">Page 31</p> <p>1 FROM THE FLOOR: Good afternoon, members.<br/> 2 My name is Lucía Carmona, C-A-R-M-O-N-A. I'm a<br/> 3 cofounder and project coordinator of this -- Raíces.<br/> 4 MS. NATASHA CUYLEAR: Good afternoon,<br/> 5 Commissioners, Madam Chair. Contrary to what the<br/> 6 Department has reported today, Raíces has submitted<br/> 7 a complete and adequate application, and they have<br/> 8 proven that they have the experience, knowledge, and<br/> 9 competence to successfully open and operate a<br/> 10 charter school.<br/> 11 The response the school submitted on<br/> 12 August 17th was simply -- was simply showing the<br/> 13 Commission that we know what's in our application<br/> 14 and emphasizing those parts of the application that<br/> 15 we believe CSD or the review team may have<br/> 16 overlooked in their evaluation.<br/> 17 Before you hear from the school, I'd also<br/> 18 like to briefly address the Commission to make a<br/> 19 formal request for the record. On behalf of Raíces,<br/> 20 I would like to request that the Additional<br/> 21 Information section of the CSD's recommendation not<br/> 22 be considered by the Commission when rendering their<br/> 23 decision today.<br/> 24 That -- the Additional Information<br/> 25 section, which begins on Page 18, talks about the</p> | <p style="text-align: right;">Page 33</p> <p>1 so you can hear about the great work that they've<br/> 2 done.<br/> 3 DR. JANE ASCHE: Good afternoon, once<br/> 4 again. I'm Jane Asche, a board member. And I want<br/> 5 to share with you today that we are very committed<br/> 6 to moving forward with our planning for Raíces. And<br/> 7 here's what we have been working on since the<br/> 8 July 20 public hearing in Las Cruces.<br/> 9 No. 1, with regard to a business manager,<br/> 10 we have contacted the Vigil Group, and they are<br/> 11 ready, willing, and able to act -- to contract with<br/> 12 Raíces for business management services, once the<br/> 13 charter is approved.<br/> 14 Michael Vigil, whom you met earlier in the<br/> 15 public comments, from this firm is here today,<br/> 16 should you have any questions of him.<br/> 17 No. 2, we have engaged in additional<br/> 18 conversations with the staff at Dual Language<br/> 19 Education of New Mexico to reconsider whether the<br/> 20 growth rates and metrics we propose to measure our<br/> 21 mission-related goal of developing bilingualism are<br/> 22 both rigorous and attainable, using the 90/10 Dual<br/> 23 Language Immersion model. We confirmed that, in<br/> 24 fact, they are rigorous and attainable; although we<br/> 25 look forward to a chance to negotiate the growth</p>   |

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| <p style="text-align: right;">Page 34</p> <p>1 targets on assessments during our contract<br/>2 negotiations.</p> <p>3 Thirdly, we are refining the work plan for<br/>4 the Director of Operations and Community Engagement<br/>5 to align with the planning year requirements and<br/>6 communication plan. This position will be critical<br/>7 in the development and implementation of a<br/>8 communication framework between the governance body,<br/>9 the principal, faculty, parents, and community<br/>10 members. We are designing it to serve as a conduit<br/>11 for gathering input for planning, developing<br/>12 community resources, and tracking data to monitor<br/>13 school and student success.</p> <p>14 Fourth, we are working on developing<br/>15 budget requests for grants, which include such<br/>16 things as the costs involved in converting an<br/>17 E-Occupancy-approved facility at 208 East Lohman<br/>18 into an environment for K-5 students. And then once<br/>19 the application is approved, New Mexico State<br/>20 University will begin working on the permanent site<br/>21 with the Raza Development Funds that will be made<br/>22 available.</p> <p>23 We are tracking the upcoming opportunities<br/>24 to schedule board member training to meet the<br/>25 10 hours required by the PED.</p>                                       | <p style="text-align: right;">Page 36</p> <p>1 achievement of the school's missions and academic<br/>2 goal, the careful monitoring of financial<br/>3 management, and meeting State legal requirements for<br/>4 both board and school performance.</p> <p>5 In summary, we are taking the immense<br/>6 responsibilities of our board role very seriously<br/>7 and moving forward to prepare for opening the school<br/>8 in 2019.</p> <p>9 Thank you.</p> <p>10 MR. CARLOS ACEVES: Madam Chairman,<br/>11 Commissioners, good afternoon. Buenos tardes.<br/>12 (Spoken Native language.)</p> <p>13 I had the privilege in 1990 to be part of<br/>14 a team, small team, that met in Scottsdale, Arizona,<br/>15 to develop the Xinachtli idea. And we developed the<br/>16 concept and a preliminary program, preliminary<br/>17 curriculum, for it.</p> <p>18 In 1992, I quit my job as a media producer<br/>19 to go into the public schools and try out this idea<br/>20 and this -- this project. For three years, the<br/>21 activities were confined to my classroom, and the<br/>22 children taught me a lot about what I was trying to<br/>23 teach them.</p> <p>24 In 1996, I was -- I changed school<br/>25 districts. I went back to the same school district</p>   |
| <p style="text-align: right;">Page 35</p> <p>1 One team member is now registered for the<br/>2 New Mexico Association for Bilingual Education<br/>3 Institute to be held in Las Cruces on<br/>4 September 29th. The Institute will focus on<br/>5 language transfer, navigating two languages while<br/>6 conquering standards, and the power of<br/>7 meta-linguistic strategies, as students become<br/>8 bilingual, biliterate, and bicultural.</p> <p>9 Additionally, we have been in<br/>10 conversations with New Mexico School Boards<br/>11 Association consultant -- a consultant from them,<br/>12 who will provide training and assistance with<br/>13 development of a template to guide the board's<br/>14 self-evaluation process, including developing<br/>15 corrective actions for continuous improvement in the<br/>16 key functions of our board responsibilities.</p> <p>17 Next, we have -- we are expanding and<br/>18 clarifying our plan to meet the needs of special<br/>19 education students with as much inclusion as<br/>20 possible, but also with specialized pullout<br/>21 instruction, when needed, by any given student.</p> <p>22 And, finally, I would like to say our<br/>23 board members are reaffirming our commitment to vote<br/>24 the -- devote the time necessary to effectively<br/>25 monitor the performance of the principal, the</p> | <p style="text-align: right;">Page 37</p> <p>1 where I graduated from all the way from kindergarten<br/>2 through high school. I went to Canutillo<br/>3 Independent School District. And there, the<br/>4 principal was very welcoming to the ideas and the<br/>5 curriculum, and it became an adjunct program for the<br/>6 bilingual program that we had in place there in<br/>7 Canutillo Elementary, which, by the way, was the<br/>8 first -- our school, Canutillo Elementary, was the<br/>9 first to implement a two-way dual language practice.</p> <p>10 And, you know, as things went on, we had<br/>11 success. But in 2012 -- well, actually, it had been<br/>12 in 2008 -- we got a new superintendent, and then<br/>13 eventually a new principal. And both of them feared<br/>14 that Xinachtli was not going -- was going to<br/>15 interfere with the curriculum they wanted, geared to<br/>16 passing the -- in Texas, they call it the STAAR<br/>17 test. Yours is the PARCC. And so the program was<br/>18 terminated in 2012 by my principal.</p> <p>19 What I want to -- would like for you to<br/>20 remember about Xinachtli is basically four words:<br/>21 relevant, universal, responsive, and enriching.</p> <p>22 It is relevant because it's based on a<br/>23 historical experience that most of the students that<br/>24 we are targeting in Southern New Mexico can relate<br/>25 to. It's indigenous Mexican culture. And so they</p> |

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| <p style="text-align: right;">Page 38</p> <p>1 will find it relevant. In fact, my experience is<br/> 2 that Mexican-American students do find it relevant,<br/> 3 and especially the parents when their kids go home<br/> 4 and teach them how to read the Aztec calendar.<br/> 5 But it's also universal, because it isn't<br/> 6 just applicable to the Mexican-American population<br/> 7 or indigenous populations. You know, what child<br/> 8 doesn't enjoy a math system that is based on the<br/> 9 natural fact that we have 10 fingers and 10 toes?<br/> 10 What child doesn't enjoy geometry that is based on<br/> 11 the proportions of the human body, and they learn<br/> 12 that through their body, they can create circles and<br/> 13 squares and find out the proportionality between<br/> 14 them.<br/> 15 You know, what child doesn't like a<br/> 16 science that is integrated with nature and where<br/> 17 numbers are -- are integrated with myths and<br/> 18 stories? What child doesn't like literature that is<br/> 19 based on a mythology is that rich in symbols and<br/> 20 moral lessons?<br/> 21 And this is what makes Xinachtli not only<br/> 22 relevant, but universally applicable.<br/> 23 It is culturally responsive because we've<br/> 24 designed -- all throughout Xinachtli, we also<br/> 25 include the child's personal and community</p>                                     | <p style="text-align: right;">Page 40</p> <p>1 this will be the second year that we are<br/> 2 implementing Xinachtli as an enrichment program<br/> 3 there at our school.<br/> 4 And this time, all children get exposed<br/> 5 to -- have gotten exposed to the program. Last<br/> 6 year, it's K through 5. And this year, we're going<br/> 7 to do it again, unless, of course, you approve the<br/> 8 school and I have to dedicate all my time to this,<br/> 9 which I gladly will.<br/> 10 Thank you so much.<br/> 11 THE CHAIR: There's one minute left?<br/> 12 MS. FRIEDMAN: One minute.<br/> 13 DR. JANE ASCHE: One minute, total.<br/> 14 MS. ROCIO BENEDICTO: One minute. So it's<br/> 15 going to cut everything I have to say down to --<br/> 16 there are two points that I'd like to make.<br/> 17 Good afternoon, Chair and Commissioners.<br/> 18 There are two points I'd like to make. And one<br/> 19 point is that there is great support for this<br/> 20 culturally responsive, innovative school throughout<br/> 21 Las Cruces. I am a Director of Outreach Projects in<br/> 22 the College of Education at New Mexico State<br/> 23 University, and I know that the college and<br/> 24 university are committed to supporting Raíces, once<br/> 25 the charter is approved.</p> |
| <p style="text-align: right;">Page 39</p> <p>1 experience. So they bring their own experiences,<br/> 2 their own knowledge into this historical experience,<br/> 3 and, thus, it fosters a positive identity.<br/> 4 We're not -- Xinachtli doesn't impose an<br/> 5 outside identity that everybody has to be an Aztec<br/> 6 or everybody has to be indigenous; but rather it<br/> 7 combines it, integrates each child's experience in<br/> 8 their family, in their community, to create<br/> 9 knowledge that develops their own personality, their<br/> 10 own identity.<br/> 11 Finally, it's enriching, because it -- the<br/> 12 Xinachtli concept and curriculum lends itself to<br/> 13 being integrated in all subject areas; so that a<br/> 14 math teacher can integrate aspects of Xinachtli as<br/> 15 well as -- as a reading teacher or a writing<br/> 16 teacher, a science teacher, social science teacher.<br/> 17 It doesn't -- it's not just an adjunct program. It<br/> 18 can be a program that's integrated into the rest of<br/> 19 the curriculum.<br/> 20 I -- I retired in 2015 to seek other areas<br/> 21 for Xinachtli. I do presentations. I've written<br/> 22 articles. But my most comforting event has been<br/> 23 that this would be my second year where I've<br/> 24 returned to my school district, Canutillo ISD, at a<br/> 25 different school, Bill Childress Elementary, and</p> | <p style="text-align: right;">Page 41</p> <p>1 At a minimum, the space for the school is<br/> 2 being considered in future planning.<br/> 3 The College of Education is viewing this<br/> 4 as an opportunity to extend its concept of a<br/> 5 laboratory school. Currently, we have Myrna's<br/> 6 Children's Village, which is serving as a laboratory<br/> 7 school for early childhood education majors.<br/> 8 We need a K-5 school for our teacher<br/> 9 preparation program. We need a school that will<br/> 10 provide our teacher candidates with the experiences<br/> 11 that they need to be classroom-ready on their first<br/> 12 day as public school teachers.<br/> 13 Raíces stands ready to serve as a learning<br/> 14 laboratory for any administrator, teacher, or<br/> 15 teacher education programs that would like to learn<br/> 16 with us.<br/> 17 My point has to do with equity.<br/> 18 MS. FRIEDMAN: Your time is up.<br/> 19 MS. ROCIO BENEDICTO: Okay. Thank you.<br/> 20 THE CHAIR: Thank you. Appreciate that.<br/> 21 So we're up for questions from the<br/> 22 Commissioners.<br/> 23 And if I could just get just a little<br/> 24 clarification; because, Jane, you were trying to get<br/> 25 everything in so quickly, I missed most of the</p>                   |

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| <p style="text-align: right;">Page 42</p> <p>1 information on what you're going to use to track<br/>2 your data, because I was still writing "keeping<br/>3 track" on notes.<br/>4 So what is that? Is it a group that<br/>5 you've partnered with to help you track data? I<br/>6 think it was the second point.<br/>7 DR. JANE ASCHE: Yeah. What I was<br/>8 speaking about that I think you're refer- -- that<br/>9 you're referring to is the role of the Director of<br/>10 Operations and Community Engagement. This person is<br/>11 going to have a major role in setting up the<br/>12 communication systems.<br/>13 We did describe in the application a<br/>14 number of things that we would do with regard to<br/>15 tracking data, and that we will have an electronic<br/>16 data dashboard. But getting this communicated to<br/>17 all the people who need to understand that data to<br/>18 make good judgments about where to make improvements<br/>19 and then course corrections will fall on that<br/>20 person's -- that -- who's in that position of the --<br/>21 THE CHAIR: Right. But didn't you -- and<br/>22 maybe I just was just hearing incorrectly. Didn't<br/>23 you identify, or did you identify, that there is a<br/>24 group that you've already contacted for help with<br/>25 that? Or no?</p> | <p style="text-align: right;">Page 44</p> <p>1 MR. CARLOS ACEVES: No, it's not optional.<br/>2 It's during school. Kids go -- they work on<br/>3 segments of six weeks. And then each class goes on<br/>4 Fridays to my classroom, and I do a 45-minute lesson<br/>5 in K through 5. And then the following six weeks,<br/>6 another section goes. So all kids are exposed to<br/>7 Xinachtli through the year, K through 5.<br/>8 THE CHAIR: Okay. Thank you.<br/>9 Commissioners? I mean, there were a<br/>10 number of us that were down in Cruces, so I think we<br/>11 had most of our -- I can speak for myself. Most of<br/>12 my questions were answered through the community<br/>13 input time.<br/>14 Commissioner Toulouse?<br/>15 COMMISSIONER TOULOUSE: Madam Chair, I do<br/>16 want to say I think my questions and concerns were<br/>17 answered then. But I do want to state two things.<br/>18 Number one, Ms. Woerner, while you did a<br/>19 good presentation, I don't need to be told how we do<br/>20 this. This is my sixth year of doing it. I wanted<br/>21 much more details summarized for me on what the<br/>22 reviewers found in a way that you can explain<br/>23 better.<br/>24 For instance, you know, I look here, and<br/>25 it says, "Capacity overall score, 50 points out of</p>                                  |
| <p style="text-align: right;">Page 43</p> <p>1 DR. JANE ASCHE: That was on the<br/>2 self-evaluation of the board.<br/>3 THE CHAIR: Oh, yeah. That, I -- I was<br/>4 probably just processing two things at one time.<br/>5 DR. JANE ASCHE: Okay.<br/>6 THE CHAIR: Thanks. And if I could just<br/>7 get a little clarification. When it was mentioned<br/>8 that Canutillo School District stopped using the<br/>9 program because they felt it wouldn't -- it could<br/>10 somewhat hinder their opportunity to succeed well on<br/>11 the STAAR test, can you identify anything in<br/>12 particular that the school district felt was not<br/>13 necessarily appropriate to help them achieve on the<br/>14 STAAR's? Or was that not -- maybe it wasn't<br/>15 identified.<br/>16 MR. CARLOS ACEVES: My principal just told<br/>17 me, "You will not teach this anymore. This does not<br/>18 go with our curriculum, and it's going to stop."<br/>19 And I just said, "Yes, ma'am."<br/>20 THE CHAIR: Okay. But it's now --<br/>21 MR. CARLOS ACEVES: At Bill Childress<br/>22 Elementary, it is part of the enrichment program.<br/>23 THE CHAIR: Okay. So it's -- is it done<br/>24 through an after-school or before-school program?<br/>25 Or is it an optional program?</p>  | <p style="text-align: right;">Page 45</p> <p>1 92." And yet I look at this that I see it, at least<br/>2 on the capacity interview, they met every single one<br/>3 here on this page here. They're all green on the<br/>4 capacity interview.<br/>5 MS. WOERNER: I'm sorry, Commissioner.<br/>6 The capacity interview for this school is actually<br/>7 this section here. I think you may be looking at<br/>8 the other school's.<br/>9 COMMISSIONER TOULOUSE: Oh, okay. But,<br/>10 again, I want you to summarize for me; because I<br/>11 compared the two applications. And, again, this is<br/>12 my sixth year of doing this. While I did see more<br/>13 detail in some areas in the one we'll hear tomorrow<br/>14 than this one, I did not find nearly this large a<br/>15 discrepancy as these things show.<br/>16 I also know that one of the reviewers on<br/>17 this, whether she may have a lot of experience or<br/>18 not, is just opening her own school this year. I'm<br/>19 not sure that she was an appropriate reviewer to<br/>20 have when she's busy with getting her own school<br/>21 ready to go.<br/>22 I just -- I am also very concerned about<br/>23 the anti-NACA information in here, because that<br/>24 should not be here at all. And I agree with their<br/>25 request. They help them do it, just like other</p> |

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| <p style="text-align: right;">Page 46</p> <p>1 people help people do it. So I'm concerned about<br/>2 this. But I just -- I'm more comfortable with being<br/>3 given a better summary of the application rather<br/>4 than of the process.<br/>5 I know some people here are new. But I<br/>6 found my way through the process. But I do have,<br/>7 still, grave concerns about one of them is<br/>8 101 points, and the other is 65, where I have found<br/>9 them much closer to each other. I'm not sure<br/>10 Solare, in the way they used to do them, would have<br/>11 been 100; I would have put it in around 90.<br/>12 This one, I would put around 70, 75, you<br/>13 know. So -- and this is, again, after having seen a<br/>14 large number of applications over time.<br/>15 So those are my concerns and why I would<br/>16 like to have had more information. Because I've<br/>17 read this, and I've read the others. And I just --<br/>18 I do see -- we have had trouble, what I have seen --<br/>19 and this is my background as both a native New<br/>20 Mexican and a trained anthropologist, and having<br/>21 been with Human Services Department for many years<br/>22 and all, that people have a hard time being able,<br/>23 when we look at any of these, to look at a school<br/>24 that isn't -- doesn't fit the limits of the school,<br/>25 what we expect a regular school to look like.</p> | <p style="text-align: right;">Page 48</p> <p>1 thing is going to come when I won't be on the<br/>2 Commission anymore, but there will be a good group<br/>3 of people who will be able to say in June whether<br/>4 they're ready to start or not. And I think that's<br/>5 what that year is for.<br/>6 So I am concerned that this one is a "Do<br/>7 not approve" when it is so innovative. And I really<br/>8 don't see the difference, based on my experience.<br/>9 So I'd just like to put that on the record.<br/>10 So thank you very much, Madam Chair.<br/>11 THE CHAIR: And I guess I should disclose,<br/>12 at this point in time, when the -- when it was<br/>13 indicated in the community input hearing that the<br/>14 school has been in conversation with a certain<br/>15 business manager, I did have a conversation with<br/>16 Jane Asche, because I have a closer relationship<br/>17 with Jane than any of the others on the founding.<br/>18 And I do believe the response was<br/>19 immediate and appropriate. They absolutely<br/>20 positively had no idea that there was any concerns<br/>21 with that business administrator; nor did I until<br/>22 two days prior to that community input hearing. And<br/>23 I just wanted to let everyone know that I had had a<br/>24 conversation so that the school would be aware,<br/>25 because the other schools that that individual does</p> |
| <p style="text-align: right;">Page 47</p> <p>1 So as soon as the school doesn't look like<br/>2 the regular school, it's hard to look at what that<br/>3 outcome is going to be and understand it if you<br/>4 don't understand more about the culture that you're<br/>5 trying to represent, and that you can get the same<br/>6 outcome from this kind of a school as you get from,<br/>7 like, the one we'll hear tomorrow, which is a more<br/>8 straightforward curriculum.<br/>9 And that's why I need more details before<br/>10 I'm going to say, "Don't deny this one"; because I<br/>11 think this is a very innovative idea that will serve<br/>12 a population that is not served in New Mexico, and,<br/>13 especially, in Southern New Mexico, the Native<br/>14 American population that has been totally ignored<br/>15 for at least the -- basically, from the Reconquest<br/>16 to today.<br/>17 So from, you know, the last number of<br/>18 hundred years, we haven't served that population<br/>19 because they were separated from the other groups<br/>20 that had strengths in numbers. And I want to see<br/>21 them served.<br/>22 I don't see that the system will not work.<br/>23 I can see in the response we got, and I read<br/>24 through, it's going to tighten up. And I think they<br/>25 have a year to get it together, because the final</p>  | <p style="text-align: right;">Page 49</p> <p>1 work for, paid by, had been notified.<br/>2 So I felt it only in fairness to this<br/>3 school that they know that that -- that there were<br/>4 potential consequences.<br/>5 So I want to let folks know about that.<br/>6 Commissioner Conyers?<br/>7 COMMISSIONER CONYERS: Just looking at<br/>8 this -- you know, the sheet and -- and I don't have<br/>9 any real issues with your philosophy and what you're<br/>10 trying to do there. But I see so many that say<br/>11 "Approaches." And I don't know. To me, if you're<br/>12 developing this application, and you know what's<br/>13 expected, you would put that in there.<br/>14 And so I'm just curious why -- why -- why<br/>15 aren't there more "Meets" rather than so many<br/>16 "Approaches"? I don't know if I'm making that<br/>17 clear.<br/>18 MS. ROCIO BENEDICTO: Yes. Well, so --<br/>19 oh, sorry. Commissioner Conyers, thank you for<br/>20 asking that, because I feel, as I -- so to<br/>21 acknowledge that I'm a new board member, and so I<br/>22 was approached after the process of writing the<br/>23 application and when the submission was happening.<br/>24 So I was able to read the application with fresh<br/>25 eyes, having not seen it until right before it had</p>   |

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| <p style="text-align: right;">Page 50</p> <p>1 been submitted.</p> <p>2 And so when I looked at the application,</p> <p>3 and then I -- we received the -- the scores back, I</p> <p>4 did not understand why so many of the items were</p> <p>5 "Approaches" when it was -- the responses were</p> <p>6 clear. They may have been -- you may have had to</p> <p>7 read that response and -- in another section. But</p> <p>8 that question or those questions or that requirement</p> <p>9 had already been addressed, met and addressed. It</p> <p>10 was just two pages previous, possibly.</p> <p>11 And what became more obvious to me -- and</p> <p>12 I read a lot. I am at a university, and so I read a</p> <p>13 lot, and I read analytically. What became very</p> <p>14 clear to me is that it didn't feel as if people were</p> <p>15 reading consecutively. The comments, the way they</p> <p>16 were being made was such that if you had read this</p> <p>17 section, and then you had followed up and read this</p> <p>18 section, maybe you would have not had -- maybe it</p> <p>19 wasn't necessarily clear in this section; but you</p> <p>20 would have had memory that it was here.</p> <p>21 And possibly what the weakness is -- one</p> <p>22 of the weaknesses -- I will say one of the</p> <p>23 weaknesses in the application -- could be that there</p> <p>24 wasn't reiteration; there wasn't a consistent, and,</p> <p>25 "We're going to say it again, and we're going to say</p> | <p style="text-align: right;">Page 52</p> <p>1 this."</p> <p>2 So to us, it was really unfair to be rated</p> <p>3 as an Approach, because that actually took us</p> <p>4 50 percent of the points, when it was, like, kind of</p> <p>5 just something -- a little line saying, "Oh, it's</p> <p>6 not clear." For instance, "Why this -- why it's</p> <p>7 rigorous," or something like that, right.</p> <p>8 So most of the "Approach the Criteria" was</p> <p>9 because something little was missing or out of</p> <p>10 place.</p> <p>11 MS. ROCIO BENEDICTO: That may have been</p> <p>12 stated two pages previously. And it was -- I have a</p> <p>13 lot of these notes in my -- when it was -- because</p> <p>14 it was -- it was, "Well, no, it's here."</p> <p>15 And that is, in our responses, our</p> <p>16 responses to the CSD, that was what we -- we</p> <p>17 highlighted was, "And on Page 50, Section 3, we did</p> <p>18 answer this."</p> <p>19 So, Commissioner Conyers, thank you for</p> <p>20 asking, because it allows me at least to say there</p> <p>21 was a frustration. And the frustration was simply</p> <p>22 who is reading this document? Was there a</p> <p>23 continu- -- you know, it was -- it appeared as if</p> <p>24 either it was very by-the-letter, and, "We're only</p> <p>25 going to read this section," in which case, it</p>   |
| <p style="text-align: right;">Page 51</p> <p>1 it again," which, in research, we know, right, that</p> <p>2 you have to say it again and again and again.</p> <p>3 But in the application, I don't know that</p> <p>4 that was -- that it was an obvious requirement.</p> <p>5 Even if you said two sections before, make sure you</p> <p>6 say it again, right?</p> <p>7 So I would say, Commissioner Conyers,</p> <p>8 that -- that in my eyes, when I read the</p> <p>9 application, it -- I wondered also why there were so</p> <p>10 many "Approaches Criteria" and "Not Met," and not</p> <p>11 because there was a weakness in the document, but</p> <p>12 because there seemed to be an inconsistency in the</p> <p>13 readers.</p> <p>14 MS. LUCÍA CARMONA: As the project</p> <p>15 coordinator since the very beginning, also learning</p> <p>16 about -- and growing at the same time on the</p> <p>17 knowledge of how to respond to the application and</p> <p>18 coming to the trainings -- twice, actually -- what</p> <p>19 we noticed constantly in all those were saying</p> <p>20 "Approached the Criteria," the starting -- when they</p> <p>21 started to describe the response and saying, "Oh,</p> <p>22 these address -- it was complete. It was</p> <p>23 well-articulated. It was correct," and then go</p> <p>24 describing all what we said on the answers; and then</p> <p>25 at the end, a little line, "However, it's not clear</p>   | <p style="text-align: right;">Page 53</p> <p>1 should be stated in the instructions, "Make sure</p> <p>2 that you repeat, repeat, repeat, repeat, repeat";</p> <p>3 because, otherwise, you know, I think it -- it</p> <p>4 becomes -- it becomes a -- they already -- "We</p> <p>5 already said that over here. We're not going to say</p> <p>6 it over here."</p> <p>7 It doesn't read well as a document; so --</p> <p>8 COMMISSIONER CONYERS: Thank you.</p> <p>9 THE CHAIR: Commissioner Armbruster?</p> <p>10 COMMISSIONER ARMBRUSTER: How to begin? I</p> <p>11 really thank you for doing this. I certainly see</p> <p>12 the uniqueness of what you're offering. And in</p> <p>13 addressing a couple of issues, one is the -- I don't</p> <p>14 think I could have read these and scored them. I</p> <p>15 don't have that expertise.</p> <p>16 But I know that the people -- and I don't</p> <p>17 know them; I don't know, actually, who they are --</p> <p>18 do have that expertise of looking at these grants --</p> <p>19 not grants -- but these applications, because</p> <p>20 they've read grants, they've read different</p> <p>21 applications; they're professionals at doing this.</p> <p>22 So I have to take into consideration that</p> <p>23 that's how they looked at it. It's similar, I'm</p> <p>24 sure, as to getting a grant. How is it that she got</p> <p>25 a grant, and he didn't get the grant? Well, it's</p> |

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| <p style="text-align: right;">Page 54</p> <p>1 how it was written and how it was communicated.<br/> 2 Whether that's fair or not, I believe that I can't<br/> 3 question what they feel.<br/> 4 I think the other thing I wanted to say is<br/> 5 that somewhat kicking and screaming, the PEC spent<br/> 6 many, many, many hours redoing that application, so<br/> 7 that it definitely defined what we know to be true.<br/> 8 And what we know to be true is that schools who do<br/> 9 very well in the application, we believe, will do<br/> 10 very well as a school.<br/> 11 As I have said many times, it would be the<br/> 12 last thing on the earth that I would want to do is<br/> 13 to open a charter school. I used to think it would<br/> 14 be jumping out of an airplane without a parachute,<br/> 15 but I am now thinking it's a charter school, because<br/> 16 it's extremely difficult, it's extremely<br/> 17 time-consuming, it takes up your life.<br/> 18 So although I think you did a good job,<br/> 19 we're looking at it based on information -- we don't<br/> 20 personally come and read your application and grade<br/> 21 it. That's not our job. Our job is to evaluate<br/> 22 what it is.<br/> 23 So I think it's important just to know<br/> 24 that I do have to look at what these experts did,<br/> 25 what they believe. They look at these applications</p> | <p style="text-align: right;">Page 56</p> <p>1 leads to my other question. Because I wish I were<br/> 2 bilingual, and I'm sorry that I'm not. So if<br/> 3 90 percent of the curriculum is in Spanish and<br/> 4 10 percent is in English, that seems advantageous to<br/> 5 those who are Spanish-speakers, or at least are<br/> 6 already bilingual. And that's a certain<br/> 7 possibility.<br/> 8 So how would English-only speakers deal<br/> 9 with 90 percent of the curriculum in Spanish?<br/> 10 MS. ROCIO BENEDICTO: So I have personal<br/> 11 experience with this, as well as experience as a<br/> 12 teacher. So as a -- I can speak to the -- to the<br/> 13 curriculum and instruction that is necessary in<br/> 14 order for monolingual English students to achieve<br/> 15 bilingualism through the 90/10 model. I can also<br/> 16 speak as a parent of children who were monolingual<br/> 17 English and were placed in a dual language program.<br/> 18 So in kindergarten -- and for children,<br/> 19 when immersed in a language, with the part of a good<br/> 20 dual language program or part of an excellent dual<br/> 21 language program is a dual language program that<br/> 22 offers scaffold and sheltering to children who don't<br/> 23 speak -- who don't speak the language of<br/> 24 instruction.<br/> 25 Through this process, anybody can learn a</p>                      |
| <p style="text-align: right;">Page 55</p> <p>1 and make that important -- and, again, how much time<br/> 2 and effort and energy PEC people put into making<br/> 3 that application, it is difficult. And we said you<br/> 4 had to get -- you, as in applicants, have to get<br/> 5 95 percent of these points. And that's kind of<br/> 6 where we ended it.<br/> 7 But I also have another question, which is<br/> 8 how many Anglo English-speaking students would you<br/> 9 expect to get at this school, as compared to how<br/> 10 many non-English-speaking children, first language?<br/> 11 DR. JANE ASCHE: I think we would expect a<br/> 12 fair number of Anglo students. In our area -- in<br/> 13 the Las Cruces Public School system, there are<br/> 14 roughly 50 percent of the homes that identify<br/> 15 English as their spoken language. Almost<br/> 16 30 percent, 29.5, identify that Spanish is the<br/> 17 spoken language in their homes.<br/> 18 And we have had parents attend our<br/> 19 workshops who are English-speakers but are very<br/> 20 interested in their children being bilingual. So<br/> 21 we've had a large number of English-speaking<br/> 22 families attend the workshop and information<br/> 23 sessions. So I would expect probably the school<br/> 24 might be half-and-half.<br/> 25 COMMISSIONER ARMBRUSTER: So that just</p>                     | <p style="text-align: right;">Page 57</p> <p>1 second language. That is -- that is -- and that is<br/> 2 why the 90/10 model is the gold standard for<br/> 3 achieving true bilingualism by the end of five to<br/> 4 seven years, which, as we know, in 1997, Thomas and<br/> 5 Collier produced a report that said -- it was a<br/> 6 longitudinal study -- it was, like, 17 years long --<br/> 7 that said that children who were educated in a dual<br/> 8 language environment outscored -- were more<br/> 9 proficient in both literacy and mathematics after<br/> 10 five to seven years, they were more proficient than<br/> 11 their monolingual counterparts throughout the rest<br/> 12 of their academic education or the rest of their<br/> 13 education.<br/> 14 As a parent, I can attest to this. My<br/> 15 youngest two children -- I have four. My youngest<br/> 16 two received a dual language education all the way<br/> 17 through high school. And at the end of high school,<br/> 18 they were -- they and their peers were -- attended<br/> 19 schools such as Harvard, Yale, Williams College,<br/> 20 UTEP, NMSU.<br/> 21 But they were extremely prepared, and more<br/> 22 prepared than -- or at least their proficiencies in<br/> 23 both literacy and mathematics were always some of<br/> 24 the highest at their -- in their high school and<br/> 25 throughout their education.</p> |

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| <p style="text-align: right;">Page 58</p> <p>1           So it -- the model itself lends -- lends<br/>2 towards bilingualism. And whether you have a child<br/>3 who is a monolingual English child or a child who is<br/>4 already speaking the language, speaking Spanish,<br/>5 there are different -- a well-developed teacher in<br/>6 this environment understands and can get children to<br/>7 bilingualism after five to seven years, true<br/>8 bilingualism, a 50/50 model, or the 50/50<br/>9 expectation.</p> <p>10           MS. LUCÍA CARMONA: During the community<br/>11 engagement and meeting with parents, English parents<br/>12 that are interested in our school, in our model, is<br/>13 because they said, "Well, we don't have the tools to<br/>14 immerse our kids in another language."</p> <p>15           And because we hope -- we house the<br/>16 university in Las Cruces, a lot of foreign students,<br/>17 also, that have their family already there or<br/>18 faculty members that have their children, they are<br/>19 really interested also in our -- in our model.</p> <p>20           COMMISSIONER ARMBRUSTER: And I do want to<br/>21 say also that I did read your entire thing. I did<br/>22 choose not to drive to Las Cruces. I will say that.<br/>23 But I did absolutely read both of these from Page 1<br/>24 to the period at the end, and listened. And then I<br/>25 did take into consideration how they were graded and</p> | <p style="text-align: right;">Page 60</p> <p>1           out, I think, as Rocio has very well summarized.<br/>2           COMMISSIONER ARMBRUSTER: I was just<br/>3 curious how it worked if you were going the opposite<br/>4 direction; because I'm totally for bilingualism.<br/>5 It's the way to be, certainly here.</p> <p>6           THE CHAIR: Commissioner Toulouse?<br/>7           COMMISSIONER TOULOUSE: Madam Chair, I<br/>8 have a couple of points. One is a comment that I<br/>9 have a grandson who's done the -- it's modeled for a<br/>10 reason. The 90/10 model is because it's useful, and<br/>11 it's done. I will tell you at the age of 6, I know<br/>12 from the playgrounds, more bad words than my<br/>13 grandson who had gone through from kindergarten into<br/>14 first grade in his 90/10 model. He's caught up<br/>15 since then. He's 12. But I learned on the<br/>16 playground what he didn't learn yet.</p> <p>17           And I didn't think my mother understood<br/>18 them, and I made the mistake at 8. And I still<br/>19 remember it.</p> <p>20           So I -- it works, you know. And we have<br/>21 several schools in Albuquerque. APS has Coronado,<br/>22 where the APS mayor's kindergarten daughter is<br/>23 there. My grandson was at Cien Aguas.<br/>24 Unfortunately, he wanted to go to public school for<br/>25 sixth grade. They wanted him back there for this</p>   |
| <p style="text-align: right;">Page 59</p> <p>1           all of that. So I didn't want you to think that I<br/>2 am not reading this. There's nothing else in my<br/>3 life.</p> <p>4           DR. JANE ASCHE: And I would --<br/>5 Commissioner Armbruster, I would just like to add,<br/>6 ever so briefly, that it's in kindergarten when they<br/>7 start out. And it's 90 percent Spanish, the<br/>8 instruction, and 10 percent English. But each year<br/>9 that increases by 10 percent. And by the fourth<br/>10 grade, all instruction is 50 percent English,<br/>11 50 percent Spanish.</p> <p>12           And as I studied dual language programs, I<br/>13 used to ask the question, "Well, what about the<br/>14 English-speaking children? Isn't this terribly<br/>15 difficult for them?"</p> <p>16           Well, they are immersed in English<br/>17 everywhere they go. And they continue to develop<br/>18 their English. But what they are not immersed in is<br/>19 this second language.</p> <p>20           And what's happening with the Spanish<br/>21 children, they're getting, as they go up in grades,<br/>22 continually more immersed in English, and the<br/>23 English-speaking children are continually more<br/>24 immersed in Spanish.</p> <p>25           And the research just certainly bears that</p>   | <p style="text-align: right;">Page 61</p> <p>1           year; he's still on a waiting list, which means his<br/>2 little brother didn't get in, either, and he's on a<br/>3 waiting list, because my daughter wanted him there.<br/>4 There's no problem with that.</p> <p>5           I watched a program 40 years ago on the<br/>6 Navajo reservation where one of the schools ran a<br/>7 kindergarten that was Navajo and English. And I was<br/>8 amazed to go visit the friend who was teaching it to<br/>9 see all of these little Anglo kids talking to the<br/>10 other kids in Navajo, because Navajo is not the<br/>11 language any of us can learn easily.</p> <p>12           But I -- also, I have some concerns,<br/>13 again, with the reviewers, because I think when we<br/>14 have a school that is set up to review an ethnic<br/>15 population, especially when you're including Native<br/>16 Americans and all, reviewers need to have a<br/>17 background in that kind of education, too.</p> <p>18           And as far as I can tell from researching,<br/>19 once I got the names of the reviewers, none of them<br/>20 have that kind of a background to evaluate this kind<br/>21 of a school, as opposed to the other kind of school.</p> <p>22           I also am concerned that because<br/>23 New Mexico has the native cultures -- in some parts<br/>24 of the state, there's an African-American group and<br/>25 an old one, and there are several Hispanic groups --</p> |



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| <p style="text-align: right;">Page 62</p> <p>1 that our reviewers need to understand the<br/>2 populations that are cultural for the areas that<br/>3 they're reviewing. And I'm not sure that was taken<br/>4 into account, especially when it comes to a school<br/>5 like that.<br/>6 So that's a concern that I wanted on the<br/>7 record, because I think schools like this need a<br/>8 special kind of review that the generic reviewers<br/>9 can't do. And, I mean, I've been around it all my<br/>10 life. And I probably could do it; but I have not<br/>11 been immersed in these schools like the NACA folks<br/>12 have. And I would have to do a lot of brushing up<br/>13 to be able to do it. And my background, you know,<br/>14 would give me the ability to do that.<br/>15 I can do New Mexico Hispanic very well<br/>16 with all of my various relatives in different parts<br/>17 of the state. I'd have a harder time doing the<br/>18 straight Anglo part on the east side of the state, I<br/>19 think.<br/>20 But I just -- I have that concern when it<br/>21 comes to this one that I'm not sure how fair a<br/>22 review can be when it doesn't include the ethnicity<br/>23 of the students that will be there and of the<br/>24 approach to the school; because the idea is to go<br/>25 past the ethnicity to the basic education principles</p>  | <p style="text-align: right;">Page 64</p> <p>1 know if Carlos would like to add something to this.<br/>2 MR. CARLOS ACEVES: Actually, where I<br/>3 teach, it's a 50/50 model, still two-way bilingual;<br/>4 but still it is -- it is rather successful.<br/>5 Our test scores clearly show that the<br/>6 students in the two-way dual language, in the STAAR<br/>7 test over there, they always outscore the English --<br/>8 or the monolingual students.<br/>9 THE CHAIR: Commissioner Robbins?<br/>10 COMMISSIONER ROBBINS: Yeah. I applaud<br/>11 the innovation of this application. And the<br/>12 consideration I have in terms of the way I will be<br/>13 deciding, the innovation, I think, is excellent, and<br/>14 I like the idea, the 90/10 model. The evidence we<br/>15 have and what we've heard from the testimony here is<br/>16 that it's a good model, and it works. No problems<br/>17 with that.<br/>18 I'll give an example from high school when<br/>19 I took U.S. History. I took a test, and I missed a<br/>20 question, missed several; but on the one question, I<br/>21 wrote down the page number and the paragraph and the<br/>22 cite of the page that the answer was on, but I<br/>23 couldn't remember the exact answer. I was still<br/>24 given a wrong -- you know, I got it wrong.<br/>25 And I think what we're looking at here is</p>  |
| <p style="text-align: right;">Page 63</p> <p>1 that are the same everywhere, whether you're<br/>2 learning in Nahuatl or you're learning it in Spanish<br/>3 or you're learning it in English or a pueblo<br/>4 language or, you know, in Polish, you know.<br/>5 And I just -- I just have concerns overall<br/>6 with this one, because I do see a well-done -- here.<br/>7 But I want to know, on the 90/10 -- and I know<br/>8 you've had experience. But have you -- how many<br/>9 other schools have done that have you talked to<br/>10 find out how to implement it when you're doing this<br/>11 kind of an approach?<br/>12 MS. LUCÍA CARMONA: During the -- during<br/>13 the process, the two years, we went to visit<br/>14 different schools, actually, out of state,<br/>15 including, but mostly, here at Coronado. We came<br/>16 and spent time in learning from their model. It's<br/>17 a -- what is -- it's a magnet school here in<br/>18 Albuquerque -- I mean, there in Albuquerque.<br/>19 We went to visit another school in Arizona<br/>20 that is trilingual, actually, Spanish, English, and<br/>21 Diné, I guess, the Hozho -- Puente del Hozho. And<br/>22 in El Paso -- well, the school where Carlos right<br/>23 now is working, the Children's Village, also, they<br/>24 have that model. And the principal, also, she<br/>25 bragged, also, her support, her testimony. I don't</p> | <p style="text-align: right;">Page 65</p> <p>1 evidence that we've seen -- I've only been on the<br/>2 Commission short of a year now. But a well-prepared<br/>3 application gives an indication of a school that's<br/>4 going to start off on the right foot.<br/>5 There are gaps here. And I'm not looking<br/>6 at the gaps in the educational; I'm looking at gaps<br/>7 in terms of the financial. And although Michael<br/>8 Vigil is here and the Vigil Group is an excellent<br/>9 business partner, I think we have to look at it from<br/>10 the application of what's coming in.<br/>11 It's kind of like if I submit an<br/>12 application for a scholarship and I miss it by<br/>13 3 points, I still miss it. And I think that's the<br/>14 thing that we look at. And that is one of the<br/>15 criteria; and it's the first criteria that's spelled<br/>16 out in statute for not approving an application at<br/>17 this time.<br/>18 And I think that's something to really<br/>19 kind of work on and maybe emphasize, if the vote is<br/>20 not in favor of granting this, is maybe refine that;<br/>21 because, you know, while you can read through an<br/>22 application, I think the evaluators, if I'm not<br/>23 correct, they read different sections. They were<br/>24 actually reviewing just the financial or just the --<br/>25 the -- the financial or the framework; is that true?</p> |

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| <p style="text-align: right;">Page 66</p> <p>1 MS. WOERNER: Chairman Gipson,<br/>2 Commissioner Robbins, Commissioners, no, that's not<br/>3 true. Every member of the team read the whole<br/>4 application.<br/>5 Of course, when it came to the consensus<br/>6 time, I will say that from my observations, they did<br/>7 rely on the expertise in that area. For example, if<br/>8 it was a financial concern, they did rely more<br/>9 heavily on the business manager's input, perhaps.<br/>10 But, in fact, they did read the entire application<br/>11 and score each section.<br/>12 COMMISSIONER ROBBINS: And that's an<br/>13 important point, I think, as was brought up here.<br/>14 If they read the entire application and yet the<br/>15 consensus was these ratings, I think that goes to<br/>16 the point where they felt that there were some<br/>17 inadequacies on some of these scores.<br/>18 And the far -- you know, the approaches<br/>19 don't bother me as much as the Falls Far Below in<br/>20 terms of the Financial, in the finance, and the<br/>21 mission goals and addressing special education<br/>22 needs. That's a special interest to myself, and<br/>23 that's an area that I think, you know, in the Yazzie<br/>24 decision, that came out, was that is an area where<br/>25 the State is lacking.</p> | <p style="text-align: right;">Page 68</p> <p>1 MS. ROCIO BENEDICTO: I can start. Okay,<br/>2 I will.<br/>3 So the College of Education has made a<br/>4 commitment to Raíces del Saber Xinachtli Community<br/>5 School in terms of providing space for the school as<br/>6 well as a partnership with the teacher education --<br/>7 or the teacher preparation program.<br/>8 In terms of the teacher education program,<br/>9 it is very much the desire of the college of<br/>10 education to have a laboratory school or a school<br/>11 where we can take our students -- or teacher<br/>12 candidates over to observe excellent, high-quality<br/>13 education in bilingual and special ed. And so<br/>14 special education is a big area, also, for -- for<br/>15 the teacher preparation program.<br/>16 And so -- and so to that -- to that point,<br/>17 then, and conversations began, but will -- but<br/>18 halted until there is approval of charter, because<br/>19 it really wouldn't make any sense for NMSU to move<br/>20 forward in considering space and all of that if the<br/>21 charter is not approved.<br/>22 But that space -- and I think Lucía can<br/>23 speak more to -- to the exact steps that have been<br/>24 taken. But I could tell you from internally, from<br/>25 the College of Education, that there is a level of</p> |
| <p style="text-align: right;">Page 67</p> <p>1 And so these are concerns that I have at<br/>2 this time; not because of the innovation, not<br/>3 because of the team that you've put together and the<br/>4 passion that they have. When I was down in<br/>5 Las Cruces, I heard that, not only from the school,<br/>6 the governance board -- potential board -- and the<br/>7 community. The passion is there.<br/>8 But I think we need to be careful in<br/>9 opening up a new charter school to make sure it's<br/>10 going to start off on the right foot and give it the<br/>11 best chance at success from the beginning, rather<br/>12 than struggling maybe for a year or two or three<br/>13 before they really kind of figure it out.<br/>14 THE CHAIR: Commissioner Caballero?<br/>15 COMMISSIONER CABALLERO: Thank you. How<br/>16 did you know I wanted to speak? Thank you very<br/>17 much.<br/>18 I have a question that I need more<br/>19 clarification. Then I have a comment to the overall<br/>20 application.<br/>21 I wanted -- I need a little bit more<br/>22 information on the involvement by NMSU University,<br/>23 the Department -- I believe it's the Education<br/>24 Department -- how they will interact with Raíces del<br/>25 Saber.</p>  | <p style="text-align: right;">Page 69</p> <p>1 commitment to working with Raíces.<br/>2 MS. LUCÍA CARMONA: The -- the director of<br/>3 the Children's Village, the early childhood -- I<br/>4 mean early childhood, it's, like -- it's a lab<br/>5 school there in College of Ed for early childhood --<br/>6 also, they see establishing this partnership with<br/>7 the school as a natural path for also 150 students<br/>8 that they have right now, pre-K, and also kinder --<br/>9 I mean pre-K and --<br/>10 MS. ROCIO BENEDICTO: It's early<br/>11 childhood.<br/>12 MS. LUCÍA CARMONA: It's early childhood,<br/>13 like 3, 4 years, yes.<br/>14 So the other partnership is because<br/>15 they -- they just launched an ethnic studies<br/>16 master's degree, bachelor's degree, and they look<br/>17 at, like, this foundation of a school in terms of<br/>18 the background that we're presenting on identity and<br/>19 the historical background and everything; they look<br/>20 this partnership, also, as well.<br/>21 DR. JANE ASCHE: And that particular<br/>22 department is interested in the restorative justice<br/>23 aspect of the curriculum. And also, as Nicholas<br/>24 Natividad said at the public hearing, they also have<br/>25 agreed to provide consultation on evaluation and</p>  |

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| <p style="text-align: right;">Page 70</p> <p>1 assessments, making sure that the teachers are fully<br/>2 up to speed in terms of understanding how to<br/>3 interpret data to make good decisions about guiding<br/>4 corrective actions, improving student outcomes.<br/>5 MR. CARLOS ACEVES: Finally, I'd like to<br/>6 say that one of our founders, Wanda Tamez, is a<br/>7 director of an excellent program there at NMSU, MC<sup>2</sup>,<br/>8 Math Connected Communities. And their purpose is to<br/>9 help public schools do better at teaching math.<br/>10 And we have developed our math curriculum<br/>11 directly with their department, and they are very<br/>12 committed, as soon as the school opens, even before,<br/>13 to start training teachers in the math curriculum<br/>14 that we're going to be using.<br/>15 THE CHAIR: Commissioner Johnston?<br/>16 COMMISSIONER JOHNSTON: Has<br/>17 Commissioner Caballero, has he --<br/>18 THE CHAIR: Oh, I'm sorry.<br/>19 Commissioner Caballero, do you have any<br/>20 follow-up? Did we lose you, Commissioner Caballero?<br/>21 MS. FRIEDMAN: It looks like it's still<br/>22 connected.<br/>23 THE CHAIR: Okay. We'll move on for now.<br/>24 And if he had to take a break -- Commissioner<br/>25 Johnston?</p> | <p style="text-align: right;">Page 72</p> <p>1 You know, Commissioners, we've been -- or<br/>2 I have been asking and trying to hammer in this<br/>3 whole notion that the -- that the State Act wants<br/>4 the charter schools to share their good methods,<br/>5 their good concepts.<br/>6 And we have not done that. We have not<br/>7 shared -- none of the charter schools even cared to<br/>8 do that. And I don't know why. Is that that they<br/>9 want to be the only ones? Or is it the competition?<br/>10 Or is it that the public schools may get better?<br/>11 I'm not quite sure. But this is the<br/>12 perfect opportunity to have this concept that has<br/>13 been tried and tested and is a fantastic concept<br/>14 that will work, I do believe it is, that we have<br/>15 been asking for in the state for many, many years,<br/>16 and it has not come to fruition. And this is the<br/>17 time to do it. That's why I was excited to ask that<br/>18 question.<br/>19 The other thing is I am troubled with the<br/>20 report of -- of no confidence in the charter school.<br/>21 And due respect to the fellow Commissioners that are<br/>22 worried about the finances, this is not a federal<br/>23 program where you put a wrong dot or a wrong comma<br/>24 and you get disqualified. I spent a lifetime<br/>25 doing -- writing proposals and taking proposals.</p>                    |
| <p style="text-align: right;">Page 71</p> <p>1 COMMISSIONER JOHNSTON: I commend everyone<br/>2 on the hard -- the diligent work you have done. And<br/>3 I have spent --<br/>4 COMMISSIONER CABALLERO: Can you hear me?<br/>5 Hello.<br/>6 THE CHAIR: Sorry. We lost you for a<br/>7 second.<br/>8 COMMISSIONER CABALLERO: Oh, okay. I hear<br/>9 something happened with my connection.<br/>10 But, anyway, I did ask that question,<br/>11 because I do need to make some statements.<br/>12 THE CHAIR: Okay. Before you -- I'm<br/>13 sorry. Before you continue, were you able to hear<br/>14 their response?<br/>15 COMMISSIONER CABALLERO: Yes, I heard all<br/>16 the response to -- but I wasn't able to get through<br/>17 to you guys after the response.<br/>18 THE CHAIR: Okay. Thank you.<br/>19 COMMISSIONER CABALLERO: Okay. The reason<br/>20 I asked for that clarification is that, first of<br/>21 all, the concepts that they propose, it is a<br/>22 fantastic concept. I've been excited about the<br/>23 concept; I've been excited about the school. And I<br/>24 was also excited about the connection to the<br/>25 university.</p>  | <p style="text-align: right;">Page 73</p> <p>1 And when I read the -- the request by the<br/>2 team to get more information and the responses, it<br/>3 seemed to you -- and when I used to do proposals, I<br/>4 would get those that would take my proposal, and if<br/>5 I provided the proposal to them in four sections,<br/>6 and I gave the four sections to four different<br/>7 people, I would get responses like the ones that<br/>8 Raices del Saber got, because they were disjointed<br/>9 because they were not reading the other sections of<br/>10 the proposal.<br/>11 And so that's what I got. So from my<br/>12 first take was this proposal was divided among<br/>13 people that are not having the benefit of the whole<br/>14 proposal. That was my first inclination.<br/>15 Thereafter -- and it was now substantiated<br/>16 with some of you-all's comments on the criticism<br/>17 about NACA and the bad management and all of this<br/>18 and all of that -- it seemed to be -- and the<br/>19 recommendation by the Department, to me, is such<br/>20 that because when you list something like that that<br/>21 has no business, no -- it definitely doesn't belong<br/>22 at all in there; either the application say it does<br/>23 or it doesn't -- but you bring in other<br/>24 circumstances, then I have a lack of confidence, a<br/>25 very strong lack of confidence on the</p> |

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1 recommendations by the Department.  
 2 On that first -- on the disjointed  
 3 comments that were already clarified, maybe to some  
 4 people they're not clarified, maybe the process did  
 5 not fit their style, or maybe some of the folks who  
 6 are professionals in education will also feel like  
 7 there is some competition coming from the south. I  
 8 don't know. But it is suspect.  
 9 But I can tell you that, as a  
 10 Commissioner, I truly believe that this charter  
 11 properly needs to be approved. And when you look at  
 12 the finances -- I've had proposals for the finances  
 13 that I've proposed -- I would take -- I would make  
 14 the comments that I was still looking for additional  
 15 monies.  
 16 And then I would get back a comment from  
 17 the feds saying, "Well, we redid your math, and when  
 18 you take this into consideration, you're going to  
 19 have more money than what you need in the first  
 20 place."  
 21 And so the question is, is this proposal  
 22 completely off keel? Like, for instance, were you  
 23 proposing to have 25 students, and you actually need  
 24 55 to make or break even? That's just a business  
 25 question. And if it's not like that, they haven't

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1 started.  
 2 And so when I have proposals -- when I  
 3 haven't even started the program, I would get from  
 4 the -- from the people that I made the proposal  
 5 to -- they would say, "Make this adjustment, make  
 6 this adjustment, make that adjustment, and you can  
 7 do the program."  
 8 And that's where we should be at right  
 9 now. One, is this a good concept? Yes.  
 10 Is it going to be shared as proposed by  
 11 the State statutes? Yes.  
 12 Has this have been proven to work? Yes.  
 13 Is this something that is needed in the  
 14 area and is requested by the area? Yes.  
 15 Can we make it work by proposing changes  
 16 in their financial management? Yes, without taking  
 17 into account that dumb critique that was thrown in  
 18 there in order to yield a negative vote by  
 19 Commissioners. That is grossly unfair. That was  
 20 grossly unfair. And I think that that should be  
 21 something that we should look at.  
 22 Now, the whole notion of a lot of  
 23 Spanish-speaking students -- I went to school with  
 24 primarily Spanish-speaking students. I had some  
 25 African-American friends and some Anglo friends.

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1 Now, when we get together in school reunions, they  
 2 tell me that if they had not learned Spanish during  
 3 the school years that we were all together, they  
 4 wouldn't have been successful in what they were  
 5 doing.  
 6 And they all stayed in El Paso. El Paso  
 7 is 75 percent Spanish. And so you're going to have  
 8 those non-Spanish speakers; but they're going to be  
 9 benefiting more than we anticipate.  
 10 Yes, my friends that were English speakers  
 11 struggled, just the way some of us struggled in  
 12 schools where there was only English.  
 13 But there was a benefit to this: to those  
 14 Spanish-speaking only, the benefits to learn  
 15 English, and those English-speaking only, there was  
 16 a benefit to learning Spanish, or any other language  
 17 and culture.  
 18 This is a great opportunity,  
 19 Commissioners. And I ask you to be open-minded, to  
 20 offer suggestions on the finances. That can be  
 21 corrected. This is the time to correct any  
 22 finances -- the finance area is not a do-or-die now.  
 23 I don't suppose that the finances are so bad that  
 24 they're right off keel that they cannot be  
 25 corrected.

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1 And so I, myself, are going to vote to  
 2 approve, and I hope you help me out in doing that  
 3 approval.  
 4 Thank you very much.  
 5 THE CHAIR: Thank you.  
 6 Commissioner Johnston?  
 7 COMMISSIONER JOHNSTON: Thank you, all.  
 8 And thank you, team, for your patience and your  
 9 diligence during this process.  
 10 I've spent many hours looking at your  
 11 application, because it's important to me that I  
 12 understand so that I can make a clear decision.  
 13 I appreciated what you said about looking  
 14 at the written application, because I was down to  
 15 looking at verb tense to see if I could -- you were  
 16 moving -- you were writing in -- in passive poise  
 17 instead of active voice, and I thought perhaps that  
 18 impacted the readers. And I did see where in one --  
 19 one place, things were not mentioned, and they were  
 20 mentioned in another place, and people didn't make  
 21 that transition.  
 22 But as I've been listening today, because  
 23 the last part was listening to the expertise of  
 24 those who have submitted the application and those  
 25 who sit on the panel, it's almost like we have two

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| <p style="text-align: right;">Page 78</p> <p>1 levels. I'm seeing two levels. It's as if --<br/> 2 almost as if what we have is a draft of a<br/> 3 dissertation. And I don't have a dissertation; I<br/> 4 avoided that.</p> <p>5 But we have the foundational, that<br/> 6 research that is imperative to that dissertation,<br/> 7 and then we have the ideas of that, the passion.</p> <p>8 I absolutely am passionate about<br/> 9 biliterate children. Our human dignity is bound up<br/> 10 in our language. It's in our culture because that's<br/> 11 a part of the language. But to have children -- to<br/> 12 make this available to children is not something<br/> 13 that we aspire to; it's something we must do. Every<br/> 14 day, we must do this.</p> <p>15 And in looking, I ended up doing<br/> 16 comparison and contrast, because that's where it<br/> 17 came to me. We have the foundational work, which is<br/> 18 the organization and the school district work;<br/> 19 because what you're doing is creating a school<br/> 20 district. And we're using taxpayer money. So there<br/> 21 are regulations. There's that foundational support<br/> 22 that we must look at before we can do the conceptual<br/> 23 that we're doing, or as we do the two of them.</p> <p>24 I really appreciated the relevance,<br/> 25 universality, responsiveness, and enrichment of the</p>   | <p style="text-align: right;">Page 80</p> <p>1 the foundational, for the organization, for the<br/> 2 hiring, for meeting the varying needs, for finances.<br/> 3 There's a dependence there.</p> <p>4 We have the philosophical, absolutely. We<br/> 5 have research-based information and a need for it.<br/> 6 But the practical part of that is how are we going<br/> 7 to deliver it? We're kind of dependent on that.<br/> 8 We're not sure yet. We're just not sure yet.</p> <p>9 We've got the thousand-foot view that we<br/> 10 all talk about, as opposed to those feet on the<br/> 11 ground.</p> <p>12 And I have written down so many of these<br/> 13 contrasts, because the two levels -- the one, we<br/> 14 have to have it. And it is so vital that I tell you<br/> 15 if it should be a "no" vote today, it's because we<br/> 16 must strengthen this.</p> <p>17 New Mexico State has made a commitment,<br/> 18 absolutely. They want a lab school. They don't<br/> 19 want to have to worry about who's figuring FTEs and<br/> 20 what the budget is going to be and what they're<br/> 21 going to do with that first quarter while we look at<br/> 22 the number of students enrolled. They want to be in<br/> 23 those classrooms with those teachers doing the<br/> 24 enriching. They're expecting you to do that<br/> 25 foundational work.</p> |
| <p style="text-align: right;">Page 79</p> <p>1 program, because those are all very high-level<br/> 2 concepts that I had looked at as I was making<br/> 3 comparisons; because on the one hand, you are a very<br/> 4 independent, research-based applicant for your<br/> 5 curriculum and your design of education. But you<br/> 6 are very dependent on outside entities yet when it<br/> 7 comes to your organization and your finance and your<br/> 8 ability to deliver this absolutely necessary and<br/> 9 really difficult-to-do job.</p> <p>10 You have to have -- it -- you have a<br/> 11 well-oiled machine on the one hand -- and that's<br/> 12 your foundational; that's your organization. That<br/> 13 has to -- you have to be able to do that in your<br/> 14 sleep, almost, so that you can spend all of your<br/> 15 time and energy in those classrooms doing those<br/> 16 relevant, universal, responsive activities for those<br/> 17 children, so that they truly become biliterate, all<br/> 18 of those children. We owe that to them, and we owe<br/> 19 that to their parents.</p> <p>20 We have -- we have -- we have that balance<br/> 21 of needing to be reflective, because we're<br/> 22 reflective practitioners; at the same time having to<br/> 23 be absolutely proactive. We can't let the dust grow<br/> 24 under our feet at any time. And I don't see the<br/> 25 proactive exhibited in the written application for</p> | <p style="text-align: right;">Page 81</p> <p>1 And I am unsure at this point that<br/> 2 foundationally, this group of committed individuals<br/> 3 who are doing the right thing for students -- and<br/> 4 it's a maddening situation to be a part of. But<br/> 5 that's where I'm seeing that duality that's keeping<br/> 6 me awake at nights.</p> <p>7 MS. ROCIO BENEDICTO: So if I -- may I<br/> 8 respond or make a statement?</p> <p>9 COMMISSIONER JOHNSTON: That's up to you,<br/> 10 Madam Chair.</p> <p>11 THE CHAIR: Sure.</p> <p>12 MS. ROCIO BENEDICTO: Well, my -- my -- so<br/> 13 we -- we may have -- it may appear in -- or it may<br/> 14 read in the -- in the application as if we are not<br/> 15 sure about our foundation. And I can -- I can<br/> 16 definitely see where it can read that way.</p> <p>17 I think that -- I think maybe there isn't<br/> 18 a recognition that there are numerous organizations<br/> 19 that are chomping at the bit to support, materially,<br/> 20 this school, that will, upon approval -- pray for<br/> 21 approval -- upon approval, all we are going to have<br/> 22 to do is make phone calls to say, "We've been<br/> 23 approved."</p> <p>24 And we have the Kellogg Foundation, the<br/> 25 McCune Foundation. We have Raza Development Fund;</p>   |

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| <p>Page 82</p> <p>1 we have NMSU. We have professors at NMSU who are<br/>                 2 experts in bilingual education as well as special<br/>                 3 education as well as literacy and mathematics, who<br/>                 4 are just wanting to get their hands into this -- to<br/>                 5 this opportunity.<br/>                 6 We have families that are standing in line<br/>                 7 and calling us as we are waiting here to speak with<br/>                 8 you. We have families who are saying, "We will --<br/>                 9 we want this innovation, and we will commit our<br/>                 10 children to this."<br/>                 11 We have all of these things in place. And<br/>                 12 maybe what you're reading is a cultural difference.<br/>                 13 And I would just like to posit that, that maybe what<br/>                 14 you are reading -- and what I have learned, being an<br/>                 15 academic in the United States, is that I should use<br/>                 16 the active voice. But my culture uses a passive<br/>                 17 voice. So if you are reading the document in<br/>                 18 passive voice, it is because, amongst my people, we<br/>                 19 do not presume. We do not say, "I will, we will, we<br/>                 20 do, we are." We say, "We want. This is our<br/>                 21 desire."<br/>                 22 And so maybe -- and I will -- I will -- I<br/>                 23 thank Mr. Caballero -- Commissioner Caballero -- for<br/>                 24 bringing up the fact that this may be a -- a nuance<br/>                 25 that -- I run projects at NMSU. And I travel</p> | <p>Page 84</p> <p>1 or this organization. And I want to see these<br/>                 2 people ready to step up and work within that system<br/>                 3 to make these wonderful things happen for these<br/>                 4 children, rather than, say, "We have people ready to<br/>                 5 jump in."<br/>                 6 I want independence on both sides. And<br/>                 7 that's where -- and we won't resolve it here.<br/>                 8 But I will tell you that however the vote<br/>                 9 comes out, you have my utmost respect. And what you<br/>                 10 are doing is what I think every school in this<br/>                 11 nation truly, bottom-line, aspire to do, and that's<br/>                 12 provide every student with the best education, every<br/>                 13 day, that they can. We fall short sometimes. But<br/>                 14 it's every student, every day.<br/>                 15 So thank you, Madam Chair.<br/>                 16 MS. ROCIO BENEDICTO: Thank you.<br/>                 17 THE CHAIR: Okay. Seeing no other<br/>                 18 questions, I'm going to move that the Commission<br/>                 19 enter into a Closed Session, the subject to be<br/>                 20 discussed are, pursuant to NMSA 1978, Sections<br/>                 21 10-15-1(H)(1), pertaining to issuance, suspension,<br/>                 22 renewal, or revocation of Raíces del Saber Xinachtli<br/>                 23 Community School license; and, 2, pursuant to NMSA<br/>                 24 1978, Sections 10-15-1(H)(7), related to the<br/>                 25 attorney-client privilege pertaining to threatened</p> |
| <p>Page 83</p> <p>1 throughout the state. And so for me, I'm very<br/>                 2 familiar with many communities. And the tone and<br/>                 3 the way we use language is very different in working<br/>                 4 classrooms, and I support teachers in working with<br/>                 5 diverse students. And so we talk a lot about<br/>                 6 language.<br/>                 7 And so we may not have presumed in our<br/>                 8 application -- or may not have made it as needed for<br/>                 9 you to -- for anybody to understand, possibly --<br/>                 10 that these organizations are ready. These<br/>                 11 organizations have committed a significant dollar<br/>                 12 amount to our success so that we don't have to worry<br/>                 13 about the building, and we don't have to worry about<br/>                 14 how the children are going to be educated, and we<br/>                 15 don't have to worry about those -- we don't have to<br/>                 16 worry about the instructors or the selection of a<br/>                 17 principal.<br/>                 18 COMMISSIONER JOHNSTON: Now -- and that<br/>                 19 would raise my concerns; because -- and it could<br/>                 20 very well be a cultural difference. But I have to<br/>                 21 respect both sides of it. And I want the people who<br/>                 22 form this school to be independent.<br/>                 23 MS. ROCIO BENEDICTO: Yes.<br/>                 24 COMMISSIONER JOHNSTON: I don't want a<br/>                 25 dependence on this organization or this organization</p>                           | <p>Page 85</p> <p>1 or pending litigation in which the public body is or<br/>                 2 may become a participant, specifically State of New<br/>                 3 Mexico ex rel. Mario Guggino, qui tam Plaintiff, v.<br/>                 4 Southwest Primary Learning Center, et al.,<br/>                 5 D-202-CV-2014-06924.<br/>                 6 Do I have a second?<br/>                 7 COMMISSIONER ARMBRUSTER: (Indicates.)<br/>                 8 THE CHAIR: There's a second by<br/>                 9 Commissioner Armbruster.<br/>                 10 Roll-call vote, please.<br/>                 11 COMMISSIONER ARMBRUSTER: Commissioner<br/>                 12 Caballero?<br/>                 13 COMMISSIONER CABALLERO: To go into closed<br/>                 14 session?<br/>                 15 THE CHAIR: Correct.<br/>                 16 COMMISSIONER CABALLERO: Yes.<br/>                 17 COMMISSIONER ARMBRUSTER: Thank you.<br/>                 18 Commissioner Crone?<br/>                 19 COMMISSIONER CRONE: Yes.<br/>                 20 COMMISSIONER ARMBRUSTER: Commissioner<br/>                 21 Johnston?<br/>                 22 COMMISSIONER JOHNSTON: Yes.<br/>                 23 COMMISSIONER ARMBRUSTER: Commissioner<br/>                 24 Gipson?<br/>                 25 THE CHAIR: Yes.</p>  |

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1 COMMISSIONER ARMBRUSTER: Commissioner  
 2 Conyers?  
 3 COMMISSIONER CONYERS: Yes.  
 4 COMMISSIONER ARMBRUSTER: Commissioner  
 5 Armbruster votes "Yes."  
 6 Commissioner Toulouse?  
 7 COMMISSIONER TOULOUSE: Yes.  
 8 COMMISSIONER ARMBRUSTER: Commissioner  
 9 Robbins?  
 10 COMMISSIONER ROBBINS: Yes.  
 11 THE CHAIR: And, Commissioners, we're  
 12 going to move into the conference room so that we  
 13 don't have to clear everyone.  
 14 Commissioner Caballero?  
 15 COMMISSIONER CABALLERO: Yes.  
 16 THE CHAIR: We're going to have to drop  
 17 you for -- while we're in Closed Session, simply  
 18 because the Commission is moving into a conference  
 19 room. So...  
 20 COMMISSIONER CABALLERO: Okay. Okay.  
 21 That's the downside of being on the phone.  
 22 THE CHAIR: We'll call you when we come  
 23 back in.  
 24 COMMISSIONER CABALLERO: Okay.  
 25 THE CHAIR: Okay. Thank you.

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1 COMMISSIONER CABALLERO: Sounds good.  
 2 (Closed Session, 3:01 p.m. to 4:07 p.m.)  
 3 (Public Meeting resumes.)  
 4 THE CHAIR: Okay. I move that the  
 5 Commission end Closed Session. The matters -- the  
 6 matters discussed in the Closed Session were limited  
 7 only to those specified in the motion for closure,  
 8 and no vote was taken during closed session.  
 9 Do I have a second?  
 10 COMMISSIONER ROBBINS: Second.  
 11 THE CHAIR: There's a second by  
 12 Commissioner Robbins.  
 13 COMMISSIONER ARMBRUSTER: Commissioner  
 14 Toulouse?  
 15 COMMISSIONER TOULOUSE: Yes.  
 16 COMMISSIONER ARMBRUSTER: Commissioner  
 17 Conyers?  
 18 COMMISSIONER CONYERS: Yes.  
 19 COMMISSIONER ARMBRUSTER: Commissioner  
 20 Gipson?  
 21 THE CHAIR: Yes.  
 22 COMMISSIONER ARMBRUSTER: Commissioner  
 23 Caballero?  
 24 COMMISSIONER CABALLERO: Abstain.  
 25 THE CHAIR: We're voting to come out of

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1 Closed Session. You abstain?  
 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 Johnston?  
 10 COMMISSIONER JOHNSTON: Yes.  
 11 COMMISSIONER ARMBRUSTER: Commissioner  
 12 Armbruster. We are voting to come out of Closed  
 13 Session.  
 14 THE CHAIR: Thank you. So next on the  
 15 agenda is the determination of the vote.  
 16 COMMISSIONER ROBBINS: Madam Chair, I  
 17 would like to make a motion.  
 18 THE CHAIR: Sure.  
 19 COMMISSIONER ROBBINS: The motion is as  
 20 follows:  
 21 The overall application of Raíces  
 22 predominantly is complete and adequate. However,  
 23 the PEC is conditionally approving it with the  
 24 following conditions:  
 25 To move at least 50 percent of the

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1 evaluated areas initially rated "Approaches" to be  
 2 rated "Meets" and to eliminate all evaluated areas  
 3 that are rated "Falls Below" -- "Far Below," to  
 4 eliminate those by February 28th, and that CSD will  
 5 be doing the reevaluation.  
 6 COMMISSIONER TOULOUSE: Second.  
 7 THE CHAIR: There's a motion by  
 8 Commissioner Robbins; there's a second by  
 9 Commissioner Toulouse.  
 10 Discussion?  
 11 Commissioner Conyers?  
 12 COMMISSIONER CONYERS: Yes. Initially, in  
 13 looking at the application and the recommendations,  
 14 I was very skeptical. But having met with the --  
 15 the founding members and group, I feel very positive  
 16 that you folks can -- can make this happen. So I  
 17 just want to say I feel a lot better.  
 18 Thank you.  
 19 THE CHAIR: Commissioner Armbruster?  
 20 COMMISSIONER ARMBRUSTER: I am concerned  
 21 that we have not allowed sort of resubmissions to do  
 22 this again, that we're setting a new precedent. And  
 23 I'm also going to say that in the past -- which does  
 24 not mean the future -- but in the past, we've not  
 25 really had terribly good success with schools that

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1 we've allowed for another year to fix it up.  
 2 At the same time, we are not -- and I  
 3 think CSD actually said their recommendation was to  
 4 resubmit, to bring up these areas so that it would  
 5 be an application the first time correctly in  
 6 showing the capacity. So...  
 7 THE CHAIR: And I'll just briefly speak.  
 8 I don't view it as a resubmission. I view it as  
 9 conditions, as we have done with renewals; so that  
 10 there's some deficiencies that have been identified.  
 11 So that I don't -- I don't see it as a resubmission.  
 12 And I don't have any historical doctoral  
 13 evidence, really, with schools that we've asked to  
 14 come back; because since I've been here, we've only  
 15 had -- and I'm sorry. There seems to be just this  
 16 plague of little gnats around me.  
 17 So I -- you know, I'm comfortable with --  
 18 I'm very comfortable with doing this, because once  
 19 again, I don't feel it's a resubmission.  
 20 I think that's part of the planning year.  
 21 And I think this just gives the school a little bit  
 22 better direction as to what they need to focus their  
 23 attention on during this getting-ready year.  
 24 COMMISSIONER JOHNSTON: I guess --  
 25 THE CHAIR: Sure.

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1 COMMISSIONER JOHNSTON: Thank you. I  
 2 remain concerned, because if -- the response that  
 3 was made by the school to the initial evaluation was  
 4 very detailed. And so -- and very complete, in the  
 5 school's perception. And there remained in my mind  
 6 deficiencies.  
 7 And I'm uncertain a little bit -- I'm  
 8 uncertain about how the school would -- would  
 9 address conditions. If we're being fair, I'm  
 10 concerned about the fairness of my vote. So I still  
 11 am weighing things in my mind.  
 12 Thank you.  
 13 THE CHAIR: And, once again, you know, I  
 14 think the school is also very aware that June of  
 15 2019 is a Commencement of Operation vote; so that  
 16 this isn't a guarantee that that Commencement of  
 17 Operation vote will be successful.  
 18 It's based on what you show us through  
 19 this -- if the vote is successful, what you would  
 20 shows us through the remainder of that time that you  
 21 do have, in fact, the capacity to do it. And in  
 22 that case, we're -- we're back here once again for a  
 23 vote for the Commencement of Operation.  
 24 So we're -- Commissioner Armbruster,  
 25 roll-call vote, please?

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

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1 to 3.  
 2 THE CHAIR: 6 to 3? It should be --  
 3 COMMISSIONER TOULOUSE: 5 to 3.  
 4 THE CHAIR: 5-3; correct?  
 5 COMMISSIONER ARMBRUSTER: 5-3.  
 6 THE CHAIR: So the motion passes. The  
 7 motion passes 5-to-3. Congratulations.  
 8 You will be receiving a letter within  
 9 14 days, and that will outline once again the  
 10 conditions.  
 11 FROM THE FLOOR: Thank you very much.  
 12 THE CHAIR: And we very much look forward  
 13 to hearing from you during the course of this year.  
 14 Thank you.  
 15 FROM THE FLOOR: Thank you very much.  
 16 MS. ROCIO BENEDICTO: Thank you for giving  
 17 us this opportunity.  
 18 THE CHAIR: And, Commissioners, we are at  
 19 recess. So we stand at recess until 9:00 tomorrow  
 20 morning.  
 21 (Proceedings in recess at 4:14 p.m.)  
 22  
 23  
 24  
 25



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 August , 2018.

Cynthia C. Chapman, RMR-CRR, NM CCR #219  
BEAN & ASSOCIATES, INC.  
201 Third Street, NW, Suite 1630  
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