

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

August 23, 2018

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300 Don Gaspar

Santa Fe, New Mexico

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<p style="text-align: right;">Page 6</p> <p>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</p>	<p style="text-align: right;">Page 8</p> <p>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</p>
<p style="text-align: right;">Page 7</p> <p>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</p>	<p style="text-align: right;">Page 9</p> <p>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>

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

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

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

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.

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.

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

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

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

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

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

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

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

<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>

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

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

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

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

<p style="text-align: right;">Page 70</p> <p>1 assessments, making sure that the teachers are fully 2 up to speed in terms of understanding how to 3 interpret data to make good decisions about guiding 4 corrective actions, improving student outcomes. 5 MR. CARLOS ACEVES: Finally, I'd like to 6 say that one of our founders, Wanda Tamez, is a 7 director of an excellent program there at NMSU, MC², 8 Math Connected Communities. And their purpose is to 9 help public schools do better at teaching math. 10 And we have developed our math curriculum 11 directly with their department, and they are very 12 committed, as soon as the school opens, even before, 13 to start training teachers in the math curriculum 14 that we're going to be using. 15 THE CHAIR: Commissioner Johnston? 16 COMMISSIONER JOHNSTON: Has 17 Commissioner Caballero, has he -- 18 THE CHAIR: Oh, I'm sorry. 19 Commissioner Caballero, do you have any 20 follow-up? Did we lose you, Commissioner Caballero? 21 MS. FRIEDMAN: It looks like it's still 22 connected. 23 THE CHAIR: Okay. We'll move on for now. 24 And if he had to take a break -- Commissioner 25 Johnston?</p>	<p style="text-align: right;">Page 72</p> <p>1 You know, Commissioners, we've been -- or 2 I have been asking and trying to hammer in this 3 whole notion that the -- that the State Act wants 4 the charter schools to share their good methods, 5 their good concepts. 6 And we have not done that. We have not 7 shared -- none of the charter schools even cared to 8 do that. And I don't know why. Is that that they 9 want to be the only ones? Or is it the competition? 10 Or is it that the public schools may get better? 11 I'm not quite sure. But this is the 12 perfect opportunity to have this concept that has 13 been tried and tested and is a fantastic concept 14 that will work, I do believe it is, that we have 15 been asking for in the state for many, many years, 16 and it has not come to fruition. And this is the 17 time to do it. That's why I was excited to ask that 18 question. 19 The other thing is I am troubled with the 20 report of -- of no confidence in the charter school. 21 And due respect to the fellow Commissioners that are 22 worried about the finances, this is not a federal 23 program where you put a wrong dot or a wrong comma 24 and you get disqualified. I spent a lifetime 25 doing -- writing proposals and taking proposals.</p>
<p style="text-align: right;">Page 71</p> <p>1 COMMISSIONER JOHNSTON: I commend everyone 2 on the hard -- the diligent work you have done. And 3 I have spent -- 4 COMMISSIONER CABALLERO: Can you hear me? 5 Hello. 6 THE CHAIR: Sorry. We lost you for a 7 second. 8 COMMISSIONER CABALLERO: Oh, okay. I hear 9 something happened with my connection. 10 But, anyway, I did ask that question, 11 because I do need to make some statements. 12 THE CHAIR: Okay. Before you -- I'm 13 sorry. Before you continue, were you able to hear 14 their response? 15 COMMISSIONER CABALLERO: Yes, I heard all 16 the response to -- but I wasn't able to get through 17 to you guys after the response. 18 THE CHAIR: Okay. Thank you. 19 COMMISSIONER CABALLERO: Okay. The reason 20 I asked for that clarification is that, first of 21 all, the concepts that they propose, it is a 22 fantastic concept. I've been excited about the 23 concept; I've been excited about the school. And I 24 was also excited about the connection to the 25 university.</p>	<p style="text-align: right;">Page 73</p> <p>1 And when I read the -- the request by the 2 team to get more information and the responses, it 3 seemed to you -- and when I used to do proposals, I 4 would get those that would take my proposal, and if 5 I provided the proposal to them in four sections, 6 and I gave the four sections to four different 7 people, I would get responses like the ones that 8 Raices del Saber got, because they were disjointed 9 because they were not reading the other sections of 10 the proposal. 11 And so that's what I got. So from my 12 first take was this proposal was divided among 13 people that are not having the benefit of the whole 14 proposal. That was my first inclination. 15 Thereafter -- and it was now substantiated 16 with some of you-all's comments on the criticism 17 about NACA and the bad management and all of this 18 and all of that -- it seemed to be -- and the 19 recommendation by the Department, to me, is such 20 that because when you list something like that that 21 has no business, no -- it definitely doesn't belong 22 at all in there; either the application say it does 23 or it doesn't -- but you bring in other 24 circumstances, then I have a lack of confidence, a 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

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

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

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<p>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.</p>	<p>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</p>
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<p>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</p>	<p>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</p>

<p>Page 90</p> <p>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.</p>	<p>Page 92</p> <p>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</p>
<p>Page 91</p> <p>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?</p>	<p>Page 93</p> <p>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</p>

BEFORE THE PUBLIC EDUCATION COMMISSION
STATE OF NEW MEXICO

REPORTER'S CERTIFICATE

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

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

Cynthia C. Chapman, RMR-CRR, NM CCR #219
BEAN & ASSOCIATES, INC.
201 Third Street, NW, Suite 1630
Albuquerque, New Mexico 87102

Job No.: 902N

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