

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
EMERGENCY MEETING

July 19, 2018

1:30 p.m.

New Mexico Activities Association
6600 Palomas, Northeast
Albuquerque, New Mexico

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

Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, NW, Suite 1630
Albuquerque, New Mexico 87102

JOB NO.: 733N (CC)

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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 4 MS. KARYL ANN ARMBRUSTER, Secretary
 MR. TIM CRONE, Member
 5 MS. DANIELLE JOHNSTON, Member
 MR. DAVID ROBBINS, Member
 6 MS. TRISH RUIZ, Member
 MS. CARMIE TOULOUSE, Member
 7
 NMPED and Charter School Division Staff:
 8
 MS. BEVERLY FRIEDMAN, Custodian of Records
 9 Liaison to the PEC
 10
 Counsel to the NMPEC: MS. AMI JAEGER
 11 Attorney at Law
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1 THE CHAIR: We're going to bring to order
 2 this Emergency Meeting of the Public Education
 3 Commission.
 4 It is Thursday, July 19th, and it is
 5 1:31 p.m. And we will begin the meeting by the
 6 Pledge of Allegiance and Salute to the New Mexico
 7 Flag.
 8 COMMISSIONER TOULOUSE: Madam Chair, I
 9 will say the Salute to the flag; but I will not say
 10 the Pledge, per my statement yesterday.
 11 THE CHAIR: All right.
 12 (Pledge of Allegiance and Salute to the
 13 New Mexico Flag conducted.)
 14 THE CHAIR: Commissioner Armbruster, can
 15 we have roll call, please?
 16 COMMISSIONER ARMBRUSTER: Commissioner
 17 Robbins?
 18 COMMISSIONER ROBBINS: Present.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Toulouse?
 21 COMMISSIONER TOULOUSE: Present.
 22 COMMISSIONER ARMBRUSTER: Commissioner
 23 Armbruster is here.
 24 Commissioner Conyers is not here.
 25 Commissioner Peralta is not here.

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1 INDEX TO PROCEEDINGS
 2 1 Call to Order, Roll Call, 4
 Pledge of Allegiance and
 3 Salute to the New Mexico Flag
 4 2 Approval of Agenda 5
 5 3 Executive Session 6
 6 4 Adjourn 11
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 8 ATTACHMENTS:
 9 1. Visitors Sign-In Sheet
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1 Commissioner Gipson?
 2 THE CHAIR: Here.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Johnston?
 5 COMMISSIONER JOHNSTON: Present.
 6 THE CHAIR: Commissioner Crone?
 7 Commissioner Crone?
 8 COMMISSIONER CRONE: I'm sorry. I'm
 9 gossiping. I'm here.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Ruiz?
 12 COMMISSIONER RUIZ: Present.
 13 COMMISSIONER ARMBRUSTER: Commissioner
 14 Caballero is not here.
 15 So we have a quorum of seven.
 16 THE CHAIR: Thank you. Okay.
 17 So I don't know if the Commissioners have
 18 copies of the agenda.
 19 COMMISSIONER ARMBRUSTER: It's just this
 20 paper?
 21 THE CHAIR: All right. Okay. So you can
 22 take a quick look at it.
 23 COMMISSIONER TOULOUSE: I'll share.
 24 COMMISSIONER CRONE: Okay.
 25 THE CHAIR: So if there are no changes to

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<p>1 the agenda, I'll have a motion to approve the 2 agenda. 3 COMMISSIONER RUIZ: (Indicates.) 4 THE CHAIR: A motion by Commissioner Ruiz. 5 COMMISSIONER CRONE: Second. 6 THE CHAIR: Second by Commissioner Crone. 7 All in favor? 8 (Commissioners so indicate.) 9 THE CHAIR: Opposed? 10 (No response.) 11 THE CHAIR: Hearing no opposition, the 12 motion passes. 13 I am going to now make a motion to go into 14 Executive Session. 15 I move that the Commission enter into 16 Closed Meeting, pursuant to NMSA 1978 17 Section 10-15-1(H)(7), which provides that meetings 18 subject to the attorney-client privilege pertaining 19 to threatened or pending litigation in which the 20 public body is or may become a participant 21 authorizes the Commission to meet in a Closed 22 Meeting. 23 The following items will be discussed: 24 Student Athlete Headquarters Academy. 25 Do I have a second?</p>	<p>1 THE CHAIR: Motion passes, 7-0. So I will 2 ask those that are in the audience to please step 3 outside now. 4 Do you want -- we could do that. Would 5 you prefer -- 'cause there's a separate room. 6 COMMISSIONER TOULOUSE: I can get in 7 there. 8 THE CHAIR: Trish, can you get in there? 9 COMMISSIONER RUIZ: Yes, ma'am. 10 (Executive Session conducted.) 11 THE CHAIR: I'm going to call us back. I 12 affirm that the matters discussed in the Closed 13 Meeting were limited to those stated in the motion 14 to close, and no action was taken. 15 And I'm going to ask Commissioner 16 Armbruster to take a roll-call vote to bring us back 17 into Open Session. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Toulouse? 20 COMMISSIONER TOULOUSE: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Robbins? 23 COMMISSIONER ROBBINS: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Ruiz?</p>
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<p>1 COMMISSIONER RUIZ: Second. 2 THE CHAIR: There's a second by 3 Commissioner Ruiz. 4 Roll-call vote, please. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Ruiz? 7 COMMISSIONER RUIZ: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Gipson? 10 THE CHAIR: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Robbins? 13 COMMISSIONER ROBBINS: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Toulouse? 16 COMMISSIONER TOULOUSE: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Crone? 19 COMMISSIONER CRONE: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Armbruster votes "Yes." 22 Commissioner Johnston? 23 COMMISSIONER JOHNSTON: Yes. 24 COMMISSIONER ARMBRUSTER: Seven-to-zero 25 vote.</p>	<p>1 COMMISSIONER RUIZ: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Johnston? 4 COMMISSIONER JOHNSTON: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Crone? 7 COMMISSIONER CRONE: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Gipson? 10 THE CHAIR: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Armbruster votes "Yes." 13 Seven to zero, the motion passes. 14 THE CHAIR: Thank you. 15 And I'm going to make a motion to send a 16 Notice of Suspension of Student Athlete Headquarters 17 Academy Charter School's charter for material 18 violation of the charter contract for failing to 19 accomplish requirements of law, rule, charter 20 bylaws, or charter contract that substantially 21 affects employees' or students' rights or 22 privileges. 23 COMMISSIONER ARMBRUSTER: Second. 24 THE CHAIR: Do I have a second? 25 There's a second by Commissioner</p>

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1 Armbruster.
 2 Can we have a roll-call vote, please?
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Gipson?
 5 THE CHAIR: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Robbins?
 8 COMMISSIONER ROBBINS: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Crone?
 11 COMMISSIONER CRONE: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Toulouse?
 14 COMMISSIONER TOULOUSE: Yes.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Ruiz?
 17 COMMISSIONER RUIZ: Yes.
 18 COMMISSIONER ARMBRUSTER: Commissioner
 19 Johnston?
 20 COMMISSIONER JOHNSTON: Yes.
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Armbruster votes "Yes."
 23 It's a seven-to-zero vote.
 24 THE CHAIR: Motion passes, seven to zero.
 25 Can I have a motion to adjourn, please?

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1 COMMISSIONER TOULOUSE: So move.
 2 COMMISSIONER ROBBINS: Second.
 3 TRIAL OFFICER: There's a motion by
 4 Commissioner Toulouse; there's a second by
 5 Commissioner Robbins.
 6 All in favor?
 7 (Commissioners so indicate.)
 8 THE CHAIR: Opposed?
 9 (No response.)
 10 THE CHAIR: Hearing no opposition, the
 11 meeting is adjourned.
 12 (Proceedings adjourned at 3:05 p.m.)
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1 BEFORE THE PUBLIC EDUCATION COMMISSION
 2 STATE OF NEW MEXICO
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 6
 7 REPORTER'S CERTIFICATE
 8 I, Cynthia C. Chapman, RMR, CCR #219, Certified
 9 Court Reporter in the State of New Mexico, do hereby
 10 certify that the foregoing pages constitute a true
 11 transcript of proceedings had before the said
 12 NEW MEXICO PUBLIC EDUCATION COMMISSION, held in the
 13 State of New Mexico, County of Bernalillo, in the
 14 matter therein stated.
 15 In testimony whereof, I have hereunto set my
 16 hand on July 23, 2018.
 17
 18
 19 _____
 20 Cynthia C. Chapman, RMR-CRR, NM CCR #219
 21 BEAN & ASSOCIATES, INC.
 22 201 Third Street, NW, Suite 1630
 23 Albuquerque, New Mexico 87102
 24
 25 Job No.: 733N (CC)

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1 RECEIPT
 2 JOB NUMBER: 733N CC Date: 7/19/18
 3 PROCEEDINGS: EMERGENCY MEETING
 4 CASE CAPTION: In re: Emergency Meeting of the Public
 5 Education Commission
 6 *****
 7 ATTORNEY: MS. BEVERLY FRIEDMAN - PED
 8 DOCUMENT: Transcript / Exhibits / Disks / Other _____
 9 DATE DELIVERED: _____ DEL'D BY: _____
 10 REC'D BY: _____ TIME: _____
 11 *****
 12 ATTORNEY:
 13 DOCUMENT: Transcript / Exhibits / Disks / Other _____
 14 DATE DELIVERED: _____ DEL'D BY: _____
 15 REC'D BY: _____ TIME: _____
 16 *****
 17 ATTORNEY:
 18 DOCUMENT: Transcript / Exhibits / Disks / Other _____
 19 DATE DELIVERED: _____ DEL'D BY: _____
 20 REC'D BY: _____ TIME: _____
 21 *****
 22 ATTORNEY:
 23 DOCUMENT: Transcript / Exhibits / Disks / Other _____
 24 DATE DELIVERED: _____ DEL'D BY: _____
 25 REC'D BY: _____ TIME: _____

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2 STATE OF NEW MEXICO

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16 hand on July 23, 2018.

17
18
19 *Cynthia Chapman*

20 Cynthia C. Chapman, RMR-CRR, NM CCR #219
21 BEAN & ASSOCIATES, INC.
22 201 Third Street, NW, Suite 1630
23 Albuquerque, New Mexico 87102

24
25 Job No.: 733N (CC)

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

BEAN
& ASSOCIATES, Inc.
A
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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