

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

July 18, 2018

11:20 a.m.

Mabry Hall, Jerry Apodaca Education Building

300 Don Gaspar

Santa Fe, New Mexico

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

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1 APPEARANCES
 2 COMMISSIONERS:
 3 MS. PATRICIA GIPSON, Chair
 MR. GILBERT PERALTA, Vice 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
 STAFF:
 8
 MS. KATIE POULOS, Director,
 9 Charter School Division
 10 MS. AMI JAEGER, Counsel to the PEC
 MR. MARK CHAIKEN, Counsel to the PEC
 11
 MS. BEVERLY FRIEDMAN, PED Custodian of
 12 Record and Liaison
 to the PEC
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1 THE CHAIR: I am going to bring to order
 2 this meeting of the Public Education Commission. It
 3 is Wednesday, July 18th, and it is 11:20 a.m.
 4 And, Commissioner Armbruster, will you do
 5 the honors?
 6 COMMISSIONER ARMBRUSTER: Yes.
 7 Commissioner Robbins?
 8 COMMISSIONER ROBBINS: Present.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Toulouse?
 11 COMMISSIONER TOULOUSE: Present.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Armbruster is here.
 14 Commissioner Conyers is not here.
 15 Commissioner Peralta?
 16 COMMISSIONER PERALTA: Here.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Gipson?
 19 THE CHAIR: Here.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Johnston?
 22 COMMISSIONER JOHNSTON: Here.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Crone?
 25 COMMISSIONER CRONE: Here.

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1 COMMISSIONER ARMBRUSTER: Commissioner
 2 Ruiz?
 3 COMMISSIONER RUIZ: Present.
 4 THE CHAIR: Commissioner Caballero is not
 5 present.
 6 There are eight out of ten.
 7 THE CHAIR: Thank you. And I will lead us
 8 in the Pledge of Allegiance. And, Commissioner
 9 Armbruster --
 10 COMMISSIONER TOULOUSE: Madam Chair,
 11 before we do that, I want to make a statement. I
 12 will not say the Pledge of Allegiance as long as we
 13 have people on the border who are trying to claim
 14 asylum, children who are separated from their
 15 parents.
 16 That last line of the Constitution -- or
 17 the Pledge -- I can't say. So I will not stand or
 18 say the Pledge, because I really have very important
 19 feelings about this.
 20 But I wanted it on the record so people
 21 didn't think I was just sitting because my knees
 22 hurt. They do. But I will stand for the New Mexico
 23 Flag.
 24 (Pledge of Allegiance and Salute to the
 25 New Mexico Flag conducted.)

<p style="text-align: right;">Page 6</p> <p>1 THE CHAIR: We are on to Item No. 2, the 2 Approval of the Agenda. And I do have a change in 3 the agenda. And I am asking to remove Item No. 7, 4 removing letter C. 5 COMMISSIONER ROBBINS: I'll second. 6 THE CHAIR: Do we have any other changes? 7 (No response.) 8 THE CHAIR: Seeing no other changes, I 9 will entertain a motion. 10 COMMISSIONER RUIZ: (Indicates.) 11 THE CHAIR: There's a motion by 12 Commissioner Ruiz, a second by Commissioner Robbins. 13 All in favor? 14 (Commissioners so indicate.) 15 THE CHAIR: Opposed? 16 (No response.) 17 THE CHAIR: Hearing no opposition, the 18 motion passes. 19 I don't believe anyone has signed up for 20 Public Comment, have they? 21 MS. FRIEDMAN: They hadn't a few minutes 22 ago. 23 THE CHAIR: There hadn't been any when I 24 went out the last time. 25 MS. FRIEDMAN: Let me check.</p>	<p style="text-align: right;">Page 8</p> <p>1 Reimbursement Awards. 2 So I don't know if anyone has any 3 additional questions about this, if you have any 4 additional questions or concerns for Matt regarding 5 this; but -- I hope everyone's fairly clear. 6 Commissioner Robbins? 7 COMMISSIONER ROBBINS: Yeah. I just 8 wanted to -- there was a thing I mentioned to Matt 9 Pahl during one of our recesses that -- and I think 10 a couple of Commissioners -- leases oftentimes are 11 triple-net. So that could include janitorial; they 12 could include utilities, things like that. 13 Most school districts will pay 4 to 14 5 percent of their operating funds for those types 15 of things, if they're included in the lease. That's 16 4 to 5 percent of the operating funds, the SEG. 17 That needs to be in consideration when they're 18 looking at any reductions. 19 I said, absent of that, if they're having 20 to pay for those over and above their lease, any 21 reductions in the lease assistance should be 22 resisted. 23 THE CHAIR: And I -- and, Matt, you can 24 probably speak to this better than I can. And we 25 still have one or two charter people here. But my</p>
<p style="text-align: right;">Page 7</p> <p>1 THE CHAIR: Or if anyone wants to identify 2 themselves? 3 MS. FRIEDMAN: No. 4 THE CHAIR: Okay. So there is no one that 5 has signed up for Open Forum. 6 So we are on to Item No. 4, the Consent 7 Agenda. 8 Do I have any Commissioners that wish to 9 have something removed from the consent agenda? 10 (No response.) 11 THE CHAIR: If not, I will entertain a 12 motion for approval of the consent agenda. 13 COMMISSIONER TOULOUSE: Madam Chair, so 14 move. 15 COMMISSIONER RUIZ: Second. 16 THE CHAIR: A motion by Commissioner 17 Toulouse, a second by Commissioner Ruiz. 18 All in favor? 19 (Commissioners so indicate.) 20 THE CHAIR: Opposed? 21 (No response.) 22 THE CHAIR: Hearing no opposition, the 23 motion passed. 24 We are on to Item No. 5, which is the 25 Discussion and Possible Action on the Lease</p>	<p style="text-align: right;">Page 9</p> <p>1 understanding from most charters is that it's not in 2 their lease. They contract out separately for 3 the -- most. 4 But I don't think we have a clear idea. 5 But most do. I think a couple of schools that may 6 lease through school districts, they get those 7 services included in their lease; for instance, the 8 schools in my district that lease from LCPS, I know 9 that those services are included in that lease 10 arrangement they've made. 11 But I believe most others, it is not. But 12 you probably have more accurate information than I 13 do, or maybe you don't. 14 MR. MATT PAHL: Madam Chair, I think you 15 hit it on the head. I think the other case where 16 that may happen is if there's shared facilities, in 17 a way in which, you know, a building gets broken up 18 like that. But, generally speaking, yes, it comes 19 out of operational. 20 THE CHAIR: Right. But it's a point 21 well-taken. It's an important part of the 22 conversation, so that people need to -- people who 23 are making those decisions need to know that in 24 addition to that lease, we also have to -- we either 25 do or do not have to pay for these additional</p>

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1 services.

2 Because I know, as an example, ACES,
3 that's one of the things that they do do, is they
4 help to combine cer- -- get the contracts so that
5 there's more schools involved in that contract so
6 that they help to get the contracts for custodial
7 services and other maintenance services. Yeah.

8 Okay. Commissioner Toulouse?

9 COMMISSIONER TOULOUSE: Madam Chair, this
10 is a comment. I think, in having listened to all of
11 this and having listened over the years, in a way,
12 I'm playing devil's advocate; because we've known
13 they were trying to reduce leases for years. But
14 having spent 30 years in state government and
15 12 years on the CNM board, I learned a long time ago
16 to prepare budgets of different sizes and kinds.

17 And I think someone needs to work with the
18 charter schools to do a specific workshop, because I
19 don't think anybody thinks that far ahead, to come
20 up with several versions of a budget so they know if
21 they're going to get hit, what they have at that
22 point in time.

23 Nobody taught me, either. But I figured
24 it out about my second year of doing budgets, just
25 like I learned to budget more stuff toward the end

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1 about the lease reduction; because whether the PSCOC
2 is going to do it or not, the Legislature is going
3 to have a say at some point down the line. You
4 know, it's got to come back on them.

5 I'm concerned that there are a lot of
6 brand new people on the PSCOC who haven't been
7 through this before who don't understand. I think
8 there needs to be more of an outreach than us just
9 having poor Gilbert have to do all that for us. I
10 think the schools, besides Matt, have to be
11 proactive in reaching out.

12 I even talked to a couple of Republicans
13 who the Governor is still talking to, to ask who are
14 charter school folks, because I can't get to her. I
15 found two, still, she does take their calls and are
16 charter school proponents. I talked to them,
17 because her person on the PSCOC is new, you know.

18 And I just think we need more of that for
19 people to understand; but we also need to understand
20 that if something's going to happen, you already
21 need to have your budgets prepared and be able to do
22 it, rather than this after-the-fact.

23 And I think it's hard enough to do a
24 year-by-year-by-year budget, not knowing until
25 spring what you're going to get. But I think there

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1 of the year, in case they were going to take stuff
2 away from me early on, so then I could pick it up
3 later.

4 You know, it just -- but I think
5 somewhere, we need to help the schools do that,
6 because at some point, they're going to -- our
7 legislature is not particularly in favor of charter
8 schools; they're just not. I sit there at the LESC
9 and I listen, because I'm going off the Commission
10 at the end of this year.

11 And, again -- I will say again, I am not
12 an absolute proponent of all charter schools. I
13 believe in the need of schools of choice.

14 So I look at the schools, the ones -- our
15 high schools that are our second-chance schools for
16 kids who just couldn't handle it, the schools for
17 very bright kids, or kids who are talented in the
18 arts, or kids who have a different bend in where
19 they want to go. So I believe in our charter
20 schools, but only the ones that work that way.

21 But I can see where I can make a
22 difference, because I do have enough contacts in the
23 Legislature, that will continue -- to start trying
24 to talk to people. I'm already doing it. I've
25 already started talking to legislators that I can

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1 are ways to do that if we have a workshop, several
2 workshops, even, that help the schools figure out
3 how to budget. I mentioned this to Martica when she
4 was leaving, and she thought that was a fantastic
5 idea that would help her job, too, in dealings with
6 people.

7 So I just want to throw that out there for
8 when I'm no longer here, to think about. But I will
9 be doing more the political side. I may come to see
10 how my replacement is doing once in a while. That's
11 getting up awfully early to have to get up here.
12 And I don't like early mornings.

13 I will still do the LESC and those type of
14 things. I've been thinking about that since our
15 last meeting, that we really do need some way to get
16 the schools figuring out how to work this so that
17 there -- can do this or this or this or this, and
18 even have a little money at the end of the year to
19 do something special. So, anyway, thank you.

20 THE CHAIR: And I think -- I hope -- that
21 Steve Salzmann will continue to be a valuable asset
22 to the charter community. I had an opportunity to
23 meet with him months ago, and then he did come into
24 the charter conference. And one of the -- one of
25 his pets is leases, and, for charters, looking at

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1 what is a good lease, and -- and that's -- you know,
2 for so many of schools, it's not necessarily in
3 their wheelhouse that you've negotiated a lease.

4 So it is -- it's very different language.

5 And I think -- and I hope -- that he will continue
6 to be a valuable asset for the charter community
7 going forward, to help schools understand and help
8 to navigate the process and potentially open the
9 doors. Because we also know that one of the areas
10 that's very lacking is that funding for schools to
11 be able to get construction money at a reasonable
12 rate so that they don't have to stay in a burdensome
13 lease, that they have that pathway forward for their
14 own facility.

15 But look at what happened with McCurdy.
16 We had to keep giving them construction extensions
17 because there were prohibitive interest rates. They
18 lost the creditor. We don't have a lot of creditors
19 that are willing to hedge their bets on charters in
20 New Mexico.

21 And I hope that will change. And I think
22 someone like Steve helps to change that conversation
23 as well.

24 Commissioner Armbruster?

25 COMMISSIONER ARMBRUSTER: I sort of

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1 lot of things in the facility world in general, we
2 have PED and PSFA, and we don't have statute
3 directing one of them to do either of it.

4 So the history, in my short history, the
5 nine years I've been up here talking about education
6 facilities, both are kind of saying, "Oh, it's not
7 me; it's the other guy."

8 And the reason why I bring that up is
9 because Senator Ortiz y Pino carried a bill for us
10 last year. It was just to introduce it, you know, a
11 30-day session, a brand new bill, and a pretty big
12 overhaul. And we got that out there for
13 conversation.

14 I bring that up because one of the
15 solutions we have in mind is to direct the PSFA --
16 and if it turns out to be the PED, that's okay,
17 too -- but direct someone to say we're going to have
18 a standard template, at least, you know, 70 percent
19 standard. It's going to be different for the
20 context of every school.

21 To say that somebody needs to uphold the
22 law right now, which says that if districts have
23 available facilities, they need to offer it to
24 charters. That's on the books; but nobody enforces
25 that right now, because it doesn't say who needs to

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1 mentioned this. I will profess that I -- I'm not a
2 lease expert. But I don't know if there's something
3 that, as a Coalition leader, you can kind of decide
4 how leases should look -- maybe it's with Martica,
5 whomever -- because I think they vary so much.

6 Well, we give you custodial services; we
7 don't. We maintain the building; well, apparently
8 they don't, because I always think about Pattie.

9 So if there was some sort of template of
10 leases -- and having said that, I realize how
11 difficult it can be, and is, for charter schools to
12 find a place to even lease. At the same time, I
13 want to say maybe the tax laws give money to people
14 who just leave things vacant, as opposed to leasing
15 it for a certain amount, or having to do repairs or
16 bringing it up to E-Occupancy. But -- and I don't
17 know about that stuff.

18 But I would like to see some uniformity so
19 that the charters are kind of in the same place at
20 the same time. And I don't know exactly how that
21 is. I'm sorry. I'm not being very specific. But
22 that's what I wanted to say.

23 MR. MATT PAHL: Madam Chair and
24 Commissioner Armbruster, that's actually been a long
25 conversation about this lease template. And like a

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1 do that.

2 And just to touch on Madam Chair's
3 thoughts on Steve Salzmann, we do plan on having a
4 policy summit this fall where we get charter leaders
5 together with Steve. We're actually working with
6 him on a date, and several others with facility
7 expertise, to just spend half a day, maybe a full
8 day, and figure out what's our vision for a
9 long-term solution here, that it both provides
10 access to charters to that kind of funding, but also
11 addresses some of these items that are more
12 process-oriented.

13 And I think it's a frustration of not just
14 the charters, but probably PSFA and PED, that, you
15 know, we just haven't gotten to a point where
16 charters are being empowered to become good
17 consumers. You know, we have amazing school leaders
18 that do -- have amazing academic programs. None of
19 them started a school because they really knew real
20 estate and thought, "That's what -- now I'm going to
21 start a school to flex my real estate muscles."

22 So we, as a Coalition, to Commissioner
23 Toulouse's point, we need to offer that assistance,
24 too, in addition to helping advocate for the best
25 long-term solution.

<p style="text-align: right;">Page 18</p> <p>1 THE CHAIR: Right. Thank you. 2 Commissioner Johnston? 3 COMMISSIONER JOHNSTON: Thank you, 4 Madam Chair. 5 I have wrestled with my thoughts on this 6 since the last meeting. I've spoken with Matt. I 7 had an extensive tutorial with Commissioner Robbins 8 trying to understand. 9 One -- I echo what Commissioner Toulouse 10 said, that, again, it goes back to finances and 11 budget and planning. And there's not a budget at a 12 traditional school or a non-traditional school in 13 the State of New Mexico that is final until the 14 40th day, it doesn't happen to anybody. So to use 15 that as a reason that we need to avoid lease 16 assistance is that -- I still question that. 17 Every traditional and non-traditional 18 school at the beginning of each fiscal year faces 19 budget cuts. That's why Commissioner Toulouse is 20 talking about having some scenarios in that 21 conservative budgeting. 22 Where budget cuts are made after the 23 40th day is a local decision. So to say that it's 24 going to human resources is a local decision. By 25 the same token, that word "resist" that you used is</p>	<p style="text-align: right;">Page 20</p> <p>1 performing charter schools accountable. And I'm 2 working towards that. I'm striving to be better at 3 that. 4 But I agree. We must resist. We cannot, 5 because it would be devastating at this point to 6 schools. But where you determine to cut a budget is 7 purely a local decision. 8 THE CHAIR: Commissioners, anyone else? 9 (No response.) 10 THE CHAIR: Okay. So I am going to 11 propose a motion that the PEC support not reducing 12 the lease reimbursement awards for the 2018-2019 13 school year. 14 COMMISSIONER JOHNSTON: I will second 15 that. 16 THE CHAIR: There's a motion by 17 Commissioner Gipson, a second by Commissioner 18 Johnston. 19 Is there any discussion? 20 COMMISSIONER CRONE: I have a question. I 21 don't feel like I have enough information to vote 22 wisely on this. So do we abstain before the vote is 23 taken or before the motion? 24 THE CHAIR: After the motion. 25 COMMISSIONER CRONE: Okay. Then I</p>
<p style="text-align: right;">Page 19</p> <p>1 absolutely imperative in my mind. And I will 2 continue to resist any cut. I want that to be 3 clear. 4 But at the same time, it goes back to 5 accountability, because as a charter leader and 6 working with leases, there are some charter schools 7 that the PSFA and Martica has, for years, not held 8 as accountable in reporting and has provided that 9 assistance. And it's kind of come to a point where 10 the rubber is meeting the road. And the people who 11 have been doing that, the non-traditional school 12 districts who have been doing that accounting and 13 that responding to PSFA, are high-performing schools 14 for the most part. If you have a strong facility 15 base, a strong budget base, then you have that time. 16 The leaders who are in front of us today, 17 they know how to do that. And that's why I take 18 just a bit of umbrage with them saying, "We didn't 19 know we were going to have these budget cuts." 20 They've been planning these budgets for -- 21 that's why they're due at the end of the year. But 22 we can't cut this money, because it cuts into it at 23 another level. 24 So there's the reality of it. We need to 25 plan better. And we need to be able to hold poor</p>	<p style="text-align: right;">Page 21</p> <p>1 abstain. 2 THE CHAIR: Commissioner Armbruster, 3 actually, will ask before she takes the roll call, 4 if she remembers. 5 COMMISSIONER ARMBRUSTER: I actually have 6 it here right now. 7 THE CHAIR: Are there any other 8 questions -- discussion? 9 (No response.) 10 THE CHAIR: If not, Commissioner 11 Armbruster? 12 COMMISSIONER ARMBRUSTER: It's just 13 phrased in the negative. So I was just making sure 14 which way you should vote. Voting "yes" is not 15 reducing them. 16 THE CHAIR: Correct. If you're voting 17 "yes," you're voting not to reduce the -- the lease 18 reimbursement award. 19 COMMISSIONER ARMBRUSTER: Are there any 20 abstentions? 21 COMMISSIONER CRONE: I abstain for lack of 22 sufficient information. 23 COMMISSIONER ARMBRUSTER: Thank you. 24 Commissioner Ruiz? 25 COMMISSIONER RUIZ: Yes.</p>

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1 COMMISSIONER ARMBRUSTER: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Johnston?
6 COMMISSIONER JOHNSTON: Yes.
7 COMMISSIONER ARMBRUSTER: Commissioner
8 Robbins?
9 COMMISSIONER ROBBINS: Yes.
10 COMMISSIONER ARMBRUSTER: Commissioner
11 Peralta?
12 COMMISSIONER PERALTA: Yes.
13 COMMISSIONER ARMBRUSTER: Commissioner
14 Armbruster votes "Yes."
15 Commissioner Gipson?
16 THE CHAIR: Yes.
17 COMMISSIONER ARMBRUSTER: And that is
18 seven "for." The motion passes.
19 THE CHAIR: The motion passes seven in
20 favor, one abstention. Thank you very much.
21 COMMISSIONER JOHNSTON: Madam Chair, may I
22 just thank Commissioner Robbins for the time he
23 spent with me as a fellow Commissioner helping me
24 understand? And I fully understand the abstention.
25 I thank you, commissioner Robbins.

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1 COMMISSIONER ROBBINS: Thank you.
2 THE CHAIR: Commissioner Peralta?
3 COMMISSIONER PERALTA: Thank you,
4 Madam Chair. As the liaison for the Commission on
5 the Capital Outlay Council, I may recommend or ask
6 that the Chair, along with our counsel, draft or put
7 together a letter that is from the Commission.
8 I don't know if Madam Chair of the
9 Commission, if she would sign the letter or prefer
10 that the members of the Commission sign the letter,
11 but that that letter goes to the PSFA within the
12 next week or so, possibly at the latest, two weeks,
13 to be sent to the director, Jonathan Chamblin, so
14 that that letter of the Commission supporting not to
15 reduce the lease reimbursement awards gets into the
16 Capital Outlay Council books prior to their
17 September meeting, which is where the point the
18 Council will be voting on whether there is a
19 reduction or not.
20 So if you could do that, and I would be
21 most confident to take the wishes of the Commission
22 and show our vote for no reduction in leases.
23 Thank you.
24 THE CHAIR: Sure. We will do that.
25 Thanks.

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1 COMMISSIONER JOHNSTON: And, Madam Chair,
2 again, that I ask that be included in that letter
3 recognition of the positive work that PSCOC does for
4 school districts and recognition of the work over
5 the years with charter schools. I think that's
6 important.
7 THE CHAIR: Sure.
8 COMMISSIONER JOHNSTON: Thank you.
9 THE CHAIR: Okay. We are on to Item
10 No. 7, which is Discussion and Possible Action on
11 Governance Changes and Reporting Policy
12 Non-Compliance.
13 MS. POULOS: Madam Chairwoman,
14 Commissioners. So I'll just take you quickly
15 through the list.
16 Item A, Albuquerque Institute of Math and
17 Science at UNM has been cleared up. We have
18 received all the documentation. And, actually, I do
19 have a packet.
20 THE CHAIR: Oh, I'm sorry. I'm sorry. I
21 skipped 6.
22 MS. POULOS: Okay.
23 COMMISSIONER CRONE: She did.
24 THE CHAIR: I did. I did. So we need to
25 take action on amendment and notification policies.

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1 Sorry. I did. So let's --
2 COMMISSIONER ROBBINS: I move we approve.
3 THE CHAIR: Let's regroup and go back to
4 6.
5 And does anybody have any additional
6 comments or concerns? We just finished those, and
7 that's why I think we skipped them, because I
8 thought we had done them.
9 (No response.)
10 THE CHAIR: So if there are no additional
11 questions or concerns, I'll entertain a motion to
12 approve the amendment request policies and forms.
13 COMMISSIONER RUIZ: (Indicates.)
14 THE CHAIR: Commissioner Ruiz?
15 So there is a motion by Commissioner Ruiz
16 to accept the amendment request and notification
17 policies and forms. A second by --
18 COMMISSIONER ROBBINS: I will.
19 THE CHAIR: -- Commissioner Robbins.
20 Any abstentions? I'll ask.
21 COMMISSIONER ARMBRUSTER: Okay. Either
22 one of us. Okay.
23 THE CHAIR: Roll-call vote, please.
24 COMMISSIONER ARMBRUSTER: Commissioner
25 Peralta?

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<p>1 COMMISSIONER PERALTA: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Crone? 4 COMMISSIONER CRONE: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Toulouse? 7 COMMISSIONER TOULOUSE: 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 Armbruster votes "Yes." 16 Commissioner Johnston? 17 COMMISSIONER JOHNSTON: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Ruiz? 20 COMMISSIONER RUIZ: Yes. 21 COMMISSIONER ARMBRUSTER: It's eight to 22 zero. 23 THE CHAIR: The motion passes, eight to 24 zero. Thank you. 25 We are now on to Item 7, which is the</p>	<p>1 complete documentation still for all those changes. 2 MS. LAUREL PIERCE: Yes, yes. Sorry. I'm 3 in a corner today. 4 Commissioners, we received most of the 5 documentation from Roots & Wings at this point. I 6 have been in contact with the school to get the 7 final documentation that is available. Some of the 8 documentation is from the past and can no longer be 9 obtained, because the members are no longer seated 10 on the board. 11 THE CHAIR: Okay. Thanks. 12 MS. POULOS: Then we did, this morning -- 13 or late last night -- receive the documentation from 14 DEAP. 15 THE CHAIR: DEAP? Okay. 16 MS. POULOS: So that one, we also don't 17 have. 18 THE CHAIR: All right. Thank you. 19 MS. POULOS: And, Madam Chairwoman, I did 20 see someone from Roots & Wings who's in the 21 audience. 22 THE CHAIR: Okay. This is a new face. 23 MR. MARK RICHERT: New faces all the way 24 around for us. 25 THE CHAIR: Welcome.</p>
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<p>1 Governance Changes and Reporting Policy 2 Non-Compliance. 3 MS. POULOS: Madam Chairwoman, 4 Commissioners. So I'm going to take you through 5 each of the schools. 6 The first one that has been resolved is 7 the Albuquerque Institute of Math and Science. I do 8 have the full documentation here, which we can 9 include in next month's. But we have received all 10 the information, and there is no longer active 11 non-compliance. 12 New America School-Las Cruces, those were 13 resolved before we completed these packets; so we 14 were able to update that. As you noted, you've 15 removed Item C, and we will discuss that at a later 16 date. 17 Turquoise Trail Community Charter School's 18 compliance concerns were also resolved prior to 19 completion of these packets. 20 Roots & Wings Community School I believe 21 is our only current non-compliance. 22 MS. LAUREL PIERCE: Yes. 23 MS. POULOS: And that's continuing from, I 24 believe the prior month, where we have had four 25 resignations, three designations, and we don't have</p>	<p>1 MR. MARK RICHERT: Thank you. I'm Mark 2 Richert. I am the new director at Roots & Wings 3 Community School. This is my 12th day on the job. 4 On Friday the 13th, I received an e-mail 5 from Ms. Pierce notifying me of this situation. I 6 called our governing council members and set them 7 into action. They've been working very diligently 8 to resolve this issue. 9 I went back and also reviewed the minutes 10 from your last meeting, where I believe the former 11 director was here for one item but was not present 12 for this particular issue. And that information 13 never got passed on. 14 So during that transitional period between 15 the outgoing director and me coming in on July the 16 2nd, there was a gap. 17 I have a statement here from Erica Lannon, 18 our council person, who is pursuing this issue, if I 19 may read it to you. She just sent it this morning. 20 THE CHAIR: Sure. 21 MR. MARK RICHERT: I'm discovering this 22 age where I need to split my glasses. 23 "Madam Chair, Commissioners, and PED 24 Staff: In an effort to clear up these problems, our 25 board has spent much time in communication with</p>

<p style="text-align: right;">Page 30</p> <p>1 Laurel Pierce in the past week, and here we restate 2 what has been done. 3 "To clear up Ms. Mayo's status, we have 4 submitted both the minutes that created the 5 confusion about her designation on 4/18/18, the 6 minutes where she was actually designated on 7 6/25/18, and affidavits for Ms. Mayo and Ms. Lewis, 8 who was designated at the same meeting. We have 9 submitted resignation letters for both Mr. Karvis 10 and Mr. Abt's minutes, reflecting Mr. Abt's 11 resignation, and a change form that brings us up to 12 date. 13 "We apologize that we do not have minutes 14 to reflect Mr. Karvis's resignation. Frankly, it 15 was clear that he could not commit his time to being 16 on the board, as evidenced by his repetitive 17 absences for meetings. 18 "Since Ms. Mayo and Ms. Lewis were 19 designated on June 25th, we understand that our 20 obligation for reporting the most recent changes is 21 due no later than July 25th. We believe all that is 22 left notification-wise is to submit the Statement of 23 Governing Body to Consult with PED form. Since we 24 have our regular meeting this evening..." -- which 25 will be a robust conversation, my insertion there --</p>	<p style="text-align: right;">Page 32</p> <p>1 and defining what training is needed to strengthen 2 our individual members, our board, and our school on 3 the whole. 4 "Both Ms. Mayo and Ms. Lewis are currently 5 registered for the upcoming introductory training on 6 July 28th in Santa Fe. We appreciate the learning 7 opportunity this process has offered and look 8 forward to continued development in our efforts to 9 serve as a high-functioning board. 10 "Thank you. Erica Lannon. Roots & Wings 11 Community School Governing Council." 12 THE CHAIR: Thank you. And welcome 13 aboard. 14 MR. MARK RICHERT: Thank you. 15 THE CHAIR: It's kind of trial by fire. 16 MR. MARK RICHERT: I am understanding 17 that. 18 THE CHAIR: So -- and we appreciate the 19 diligence to this. So -- 20 MR. MARK RICHERT: Thank you. 21 THE CHAIR: -- good luck in the upcoming 22 school year. 23 MR. MARK RICHERT: Thank you so much. 24 THE CHAIR: Thanks. 25 I have a quick -- do you have anything</p>
<p style="text-align: right;">Page 31</p> <p>1 ..."we will be able to sign at that time and submit 2 the form before the July 25th deadline. 3 "Regarding clerical errors, our secretary 4 has made a number of clerical errors that this 5 investigation has brought to light, things such as 6 Special Emergency Meeting, an incorrect date for 7 Friday, May 24th, minutes -- it was Friday, the 8 25th -- and, of course the voting confusion. 9 "We are aware that no members should vote 10 before receiving training, but she thought 'All in 11 favor' would mean to include only those who were 12 eligible to vote. We now realize Ms. Mayo should 13 have been stated as 'abstained.' 14 "We do have an agenda this evening for the 15 points that Ms. Pierce mentioned in the next steps. 16 We will review the board policies and procedures 17 regarding board membership to ensure members are 18 designated timely, and the board maintains the 19 minimum required membership of five, review training 20 requirements, as listed in 6.80.5 NMAC for new and 21 continuing board members to make sure all 22 requirements are met timely. 23 "We also have an all-day board retreat 24 scheduled tomorrow where we will be reviewing roles, 25 responsibilities, procedures, and accountability,</p>	<p style="text-align: right;">Page 33</p> <p>1 else? 2 MS. POULOS: (Indicates.) 3 THE CHAIR: Okay. I don't have a lot with 4 my report. I think since we've last met, a number 5 of us attended the charter school conference. So it 6 was well-attended. It was almost all good 7 conversation. 8 So I appreciate all the work that PED and 9 CSD did to help put that on and everyone that came 10 and participated. I think it's always a great 11 opportunity to be able to simply have the charter 12 schools be able to network with each other, because 13 it's something that we don't do enough of. And I 14 think it's also important for us to be able to just 15 have that casual, nice conversation with schools and 16 not because they're up here in front of us. 17 So it's always important to have those 18 opportunities as well, and I appreciate all of that. 19 We had contract negotiations -- we had 20 mission-specific negotiations with three schools 21 this past Monday and Tuesday. We had a number of 22 schools that initially indicated that they were 23 interested in doing it. Unfortunately, with the 24 lease reimbursement applications as they were 25 rolling out, we had a real time crunch this year.</p>

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1 And as you remember, we did 15 schools in
 2 four days to get the contract negotiations done.
 3 Because the lease reimbursement had to be completed,
 4 we held off on the mission-specific goals until
 5 after that, so that we could get all those initial
 6 negotiations done.
 7 It was not great timing for those
 8 mission-specific goals, because a lot of the schools
 9 only had the head administrator around. Staff is
 10 not around; there's not a lot of conversation that
 11 can go on about that. So a number of schools
 12 decided not to do it this time around.
 13 We had three that decided they would come
 14 for the negotiations. One decided at the meeting
 15 that it just wasn't -- they weren't quite ready
 16 enough yet.
 17 So we have two schools. And I think it --
 18 it'll be nice to be able to watch and see how they
 19 are able to be -- because they truly are
 20 mission-specific goals. And that was the purpose,
 21 so that they can show us and show community and
 22 their staff that they are absolutely fulfilling
 23 their mission.
 24 So Commissioner Robbins and Commissioner
 25 Johnston and Commissioner Peralta and myself

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1 participated in those. So I appreciate the time and
 2 effort that went into that. And we're going off to
 3 the LESC shortly; so it's -- we have a fun-packed
 4 day scheduled.
 5 So it's -- moving on, Matt, do you have
 6 anything else you want to --
 7 MR. MATT PAHL: Just real quick.
 8 Three things:
 9 One, first, thank you for your vote on
 10 lease assistance. It's really important to the
 11 schools. And as you heard, it would have
 12 significant impact.
 13 The second, again, just to connect back to
 14 Commissioner Toulouse's comments on some of the
 15 support that the Coalition can provide, I think you
 16 see the advocacy side a little more than the
 17 support. I just wanted to update you on some of the
 18 work we're doing there.
 19 We have sponsored three schools to join
 20 the Principals Pursuing Excellence program, and --
 21 which is run out of the PED here. We're paying for
 22 their fees, and that allowed them to be able to --
 23 to join up there. That brings the cohort up to
 24 eight schools that are going through that program
 25 right now.

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1 It's a significant portion of our
 2 charters. And I think you'll find that some of the
 3 conversations that they have that come out of them
 4 will leave them more prepared for meeting their
 5 goals in their charter contract.
 6 It was an interesting thing, at the
 7 initial conference, you know, as they were talking
 8 about the goals that you set at a district school
 9 and the charter is, like, "I got mine right here in
 10 the contract." It was pretty neat. It actually
 11 broke down some barriers between the district
 12 schools and the charters, which I also think is
 13 important for our movement for people to really
 14 understand both sides.
 15 Secondly, we are supporting a cohort of
 16 brand new teachers that are teaching in charter
 17 schools to get where they call a SEIT. It's a
 18 training for first-year teachers that's run out of
 19 CES. So we'll have a cohort between 17 and 20
 20 first-year teachers at charter schools that just
 21 really helps them with some of those first-year
 22 competencies for teachers.
 23 So just a couple of things we're able to
 24 support. We're going to start engaging on
 25 Legislative Session items soon. It's hard to

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1 believe that first school is starting in a couple of
 2 weeks, and then Session is going. But giving you an
 3 update on that work that we do.
 4 Thanks, Madam Chair.
 5 THE CHAIR: Thank you. And I know we also
 6 had a conversation with Martica about setting up
 7 training, so that the charters are, you know,
 8 well-versed in what they have to -- what they have
 9 to do with the charter application and hopefully
 10 moving forward anything that we can do to facilitate
 11 that conversation also with folks like Steve
 12 Salzmann so that the charters are better educated
 13 and prepared when they go into either their initial
 14 lease negotiations or any renegotiation of that
 15 lease. I think that's really important.
 16 MR. MATT PAHL: Yeah. Thank you for that.
 17 MS. FRIEDMAN: Madam Chair, I'd like to --
 18 I'd like to just mention that Commissioners can give
 19 me their orange folders tomorrow at the meeting, and
 20 that there is that emergency meeting set for 1:30
 21 tomorrow afternoon.
 22 THE CHAIR: Correct. Right.
 23 COMMISSIONER ARMBRUSTER: Where we will
 24 already be.
 25 THE CHAIR: Yes, yes.

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1 COMMISSIONER JOHNSTON: Madam Chair, may I
 2 ask Mr. Pahl not to leave before our comments are
 3 over. I just had something I wanted to say, and I
 4 wanted him to hear it; so -- so --
 5 THE CHAIR: Okay. Sure.
 6 COMMISSIONER JOHNSTON: Sorry. But I
 7 needed to stop you.
 8 MR. MATT PAHL: That's okay.
 9 THE CHAIR: Okay. We're on to PEC
 10 Comments.
 11 Matt, do you have to book it out of here?
 12 Because I'll let Commissioner Johnston go first.
 13 MR. MATT PAHL: I'm 45 minutes late for a
 14 meeting.
 15 COMMISSIONER JOHNSTON: Thank you,
 16 Madam Chair.
 17 I, too, really enjoyed and appreciate -- I
 18 learned from the contract negotiations -- or the
 19 amendment negotiations.
 20 THE CHAIR: Whatever.
 21 COMMISSIONER JOHNSTON: My vocabulary --
 22 the last two days. I would like to applaud the work
 23 of the Charter School Division and Ms. Poulos,
 24 because they were able to take ideas that people had
 25 put together on a short time frame and simplify and

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1 clarify and make them quantifiable. And that, to
 2 me, was a huge step, that we were able to assist
 3 some of these heads of schools with clarity of goals
 4 that they will be the ones that will have to put in
 5 place.
 6 I was real pleased, Mr. Pahl, that you --
 7 that you brought up CES. I greatly respect ACES.
 8 But while we were at the CES building, I ran into a
 9 long-time colleague, Gary Tripp, who is now the
 10 Director of Human Resources and does teacher and
 11 administrator training now for -- for CES.
 12 So the services that charter schools can
 13 receive through CES. Mr. Tripp even said to me that
 14 as a part of what they offer to schools, they offer
 15 eight days of professional development training
 16 free, at no charge.
 17 So both ACES and CES, because Max Luft
 18 knows them all. But I just wanted to tell you that
 19 I'm so glad that you're utilizing both.
 20 So thank you.
 21 I appreciate that, Madam Chair.
 22 COMMISSIONER ARMBRUSTER: Run, run.
 23 THE CHAIR: You're late.
 24 COMMISSIONER JOHNSTON: Thanks for
 25 waiting.

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1 THE CHAIR: Commissioner Robbins?
 2 COMMISSIONER ROBBINS: I'll just second
 3 what Commissioner Johnston said about the input and
 4 the preparation that CES did, and the staff --
 5 CED -- excuse me.
 6 THE CHAIR: CSD.
 7 COMMISSIONER ROBBINS: CSD. Get our
 8 acronym right here. But I do appreciate all the
 9 preparation they did, getting the materials to us so
 10 we could review that and everything. I also learned
 11 quite a bit in the exchanges that we had with the
 12 charter schools.
 13 So that's all I have.
 14 THE CHAIR: Thanks.
 15 Commissioner Toulouse?
 16 COMMISSIONER TOULOUSE: Madam Chair, just
 17 briefly. I attended the LESC meeting in Aztec. And
 18 it had a lot to do with school security. And I was
 19 interested, knowing that part of the state well -- I
 20 had relatives up there many years -- I had sort of
 21 assumed that that would be one of the areas that
 22 wanted to arm their teachers.
 23 But the superintendents from Bloomfield,
 24 Aztec, and Farmington all insisted that was the last
 25 thing they wanted to do. They do want armed

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1 security guards; but they also wanted them to be
 2 retired law enforcement officials, not just somebody
 3 hired from a security force. So that pleased me.
 4 There were several presentations there
 5 that were interesting to me on, for instance, what
 6 San Juan College is doing with programs with
 7 teaching with the schools there that I think, down
 8 the road, some of our community colleges might want
 9 to look at, working with our charter schools as well
 10 as -- whatever.
 11 I also think that there's a very
 12 interesting presentation from the New Mexico -- or
 13 from UNM Medical School, where they now are doing
 14 medical consultation with the software system they
 15 developed all over the world. And they are now
 16 bringing that system into the education system so
 17 that they can -- they offer it to different school
 18 districts and all where it can be coordinated.
 19 You can do all kinds of getting experts
 20 from all over the country in to deal with you in
 21 your system. And it's something I think would be an
 22 interesting presentation to get to this Commission
 23 at some point down the road.
 24 I know we're busy for months. But maybe
 25 in the spring sometime, you could get the doctor

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1 from the medical school to do it; because it was
2 fascinating what they started with just a few
3 New Mexico clinics, and it expanded to other states,
4 and now it's international.

5 So that was the extent of Aztec. It was
6 very pleasant weather up there at that point. It
7 had gone from being hot to being cool, and it just
8 rained. So it was much better than if it been the
9 week before that.

10 Thank you very much.

11 THE CHAIR: Commissioner Peralta?

12 COMMISSIONER PERALTA: I have no comments,
13 Madam Chair.

14 THE CHAIR: And those of us that were at
15 the School Law Conference had the opportunity to
16 hear the superintendent from Aztec speak and talk
17 about the unfortunate events and the unspeakable
18 events that took place there. So it's -- you know,
19 without a doubt -- and the whole conference was
20 about school safety.

21 So it's -- it's a fabric of our life right
22 now. So we have to keep moving on.

23 Commissioner Armbruster?

24 COMMISSIONER ARMBRUSTER: No comments.

25 THE CHAIR: You're done?

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1 for charters -- and I'm -- I might see Matt later at
2 the LESC, to say, "Hey, let's -- let's work together
3 and have, you know, a meeting so that
4 representatives from the charter schools can also be
5 there and get -- so it's not just secondhand
6 information that's going to them."

7 So that might be -- so let's -- you know,
8 let's talk about that, because I think it is
9 absolutely an important -- and what's the date of
10 the NMPSIA meeting?

11 COMMISSIONER CRONE: The 28th.

12 THE CHAIR: Of July?

13 COMMISSIONER CRONE: Yes.

14 THE CHAIR: Okay. All right. Thank you.
15 I appreciate it.

16 COMMISSIONER CRONE: Yeah. I didn't give
17 contact information to him. So he'll have the
18 opportunity to invite people, I'm sure.

19 THE CHAIR: To that July 28th meeting?

20 COMMISSIONER CRONE: No, no. We'll just
21 be doing business at the 28th meeting. But the
22 public is welcome to those meetings. And there is
23 a --

24 THE CHAIR: Kind of like ours.

25 COMMISSIONER CRONE: You don't have to

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1 COMMISSIONER JOHNSTON: I'm done.

2 THE CHAIR: Commissioner Ruiz?

3 Commissioner Crone?

4 COMMISSIONER CRONE: Yes. I put out the
5 idea earlier that we might get a presentation by the
6 Sandy Hook. I believe NMPSIA was part of that
7 meeting, or some of our vendors were part of that
8 meeting in Aztec.

9 With consent, we're having a NMPSIA
10 meeting on the 28th --

11 COMMISSIONER RUIZ: Uh-huh.

12 COMMISSIONER CRONE: -- at Buffalo
13 Thunder. So if you're in the neighborhood -- if
14 you're at the Casino, come on to the meeting. But I
15 could ask the director, who's retiring by the way,
16 Sandy Quintana.

17 THE CHAIR: Oh, that's right.

18 COMMISSIONER CRONE: If -- I'm sure
19 they'll be interested in giving a short presentation
20 to the Commission at a future meeting.

21 THE CHAIR: Sure. And I certainly would
22 appreciate that. But I'm also looking at a bigger
23 picture, that maybe it's an important -- if that is
24 something that really has that kind of value, maybe
25 it's something that we have to open an opportunity

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1 sign in in ours. You just raise your hand.

2 THE CHAIR: Okay. Thanks.

3 COMMISSIONER ARMBRUSTER: July 28th?

4 THE CHAIR: At Buffalo Thunder.

5 COMMISSIONER CRONE: Buffalo Thunder,
6 yeah.

7 THE CHAIR: Okay. Do I have a motion to
8 adjourn?

9 COMMISSIONER TOULOUSE: So move.

10 COMMISSIONER RUIZ: Second.

11 THE CHAIR: All in favor?

12 (Commissioners so indicate.)

13 THE CHAIR: Anyone opposed?

14 (No response.)

15 THE CHAIR: So moved.

16 (Proceedings in recess at 12:06 p.m.)

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