

NEW MEXICO PUBLIC EDUCATION DEPARTMENT

IN THE MATTER OF  
RAÍCES DEL SABER XINACHTLI COMMUNITY SCHOOL

THE SECRETARY OF THE NEW MEXICO PUBLIC EDUCATION DEPARTMENT'S  
MOTION TO REVIEW THE NEW MEXICO PUBLIC EDUCATION COMMISSION'S  
DECISION TO GRANT A CHARTER TO RAÍCES DEL SABER XINACHTLI  
COMMUNITY SCHOOL

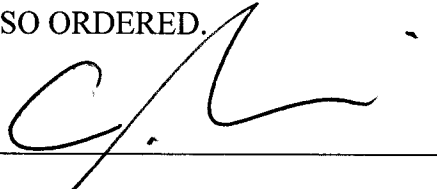
COMES NOW, Christopher N. Ruszkowski, Secretary of the New Mexico Public Education Department, ("PED"), and pursuant to NMSA § 22-8B-7(C), states that he intends to review the August 23, 2018 decision of the Public Education Commission, ("PEC"), to grant the charter application submitted by Raíces del Saber Xinachtli Community School, ("School").

The Secretary, upon review, will determine whether the PEC's decision was arbitrary and capricious based on a violation of § 6.80.4.10(A) NMAC. The PEC granted the charter on the condition that the School revise, complete, and re-submit its application during the first year of operation, specifically, by February 28, 2019. Section 6.80.4.10(A) NMAC states: "A charter may be approved for an initial term of six years, *provided that the first year shall be used exclusively for planning and not for completing the application.*" (emphasis inserted).

An Order establishing the procedures for the chartering authority and the School to submit information and arguments for review by the secretary and charter school division staff will follow this Motion.

IT IS SO ORDERED.

By: \_\_\_\_\_

  
Christopher Ruszkowski  
Secretary of Education

Dated: \_\_\_\_\_

September 24, 2018


## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Decision and Order was served upon the following individuals by first class mail at the following addresses and also served as indicated in italics, this 24<sup>th</sup> day of September, 2018, as indicated below:

Lucia V. Carmona  
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Patricia Gipson, Chair  
Public Education Commission  
c/o Beverly Friedman  
300 Don Gaspar  
Santa Fe, NM 875010  
*gipwillpec7@gmail.com*

On this, the 24<sup>th</sup> day of September, 2018



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