

BEFORE THE PUBLIC EDUCATION COMMISSION

STATE OF NEW MEXICO

TRANSCRIPT OF PROCEEDINGS

OPEN PUBLIC MEETING

October 12, 2018

9:00 a.m.

Jerry Apodaca Education Building - Mabry Hall

300 Don Gaspar

Santa Fe, New Mexico

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

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Page 2	Page 4
1 APPEARANCES	1 INDEX TO PROCEEDINGS, Continued
2 COMMISSIONERS:	2 PAGE
3 MS. PATRICIA GIPSON, Chair	3 16 Discussion and Possible Action on 96
4 MR. GILBERT PERALTA, Vice Chair	4 Contract for Professional Services to
5 MS. KARYL ANN ARMBRUSTER, Secretary	5 Oversee and Assist with the Implementation
6 MR. R. CARLOS CABALLERO, Member	6 Year for Raices del Saber Xinachtli Community
7 MR. JAMES CONYERS, Member	7 School
8 MR. TIM CRONE, Member	8 17 Not Addressed on the Record 98
9 MR. DAVID ROBBINS, Member	9 18 Not Addressed on the Record 98
10 MS. TRISH RUIZ, Member	10 19 Not Addressed on the Record 98
11 MS. CARMIE TOULOUSE, Member	11 20 Adjourn 98
12 PED STAFF:	12 REPORTER'S CERTIFICATE 100
13 BAYLOR DEL ROSARIO, Ph.D., Deputy Director,	13 ATTACHMENTS:
14 Options for Parents and	14 1. Visitor Sign-In Sheets
15 Families	15
16 MS. BEVERLY FRIEDMAN, PED Custodian of Record	16
17 and Liaison to the PEC	17
18	18
19 PEC COUNSEL:	19
20	20
21 MS. AMI JAEGER, Counsel to the PEC	21
22 MR. MARK CHAIKEN, Counsel to the PEC	22
23	23
24	24
25	25
Page 3	Page 5
1 INDEX TO PROCEEDINGS	1 THE CHAIR: I'm going to bring to order
2 PAGE	2 this meeting of the Public Education Commission. It
3 1 Call to Order, Roll Call, Pledge of Allegiance and	3 is Friday, October 12th, 2018, and it is 9:12 a.m.
4 Salute to the New Mexico Flag	4 Commissioner Armbruster?
5 2 Approval of Agenda 6	5 COMMISSIONER ARMBRUSTER: Okay. Sure.
6 3 Open Forum 7	6 Commissioner Robbins?
7 4 Consent Agenda 8	7 COMMISSIONER ROBBINS: Present.
8 5 Report from Options for Parents and	8 COMMISSIONER ARMBRUSTER: Commissioner
9 the Charter School Division - Discussion	9 Toulouse?
10 and Possible Actions 11	10 COMMISSIONER TOULOUSE: Presente.
11 6 Discussion and Possible Action on	11 COMMISSIONER ARMBRUSTER: Commissioner
12 the Updated Notice of Intent (NOI)	12 Armbruster is here.
13 for 2019 Applications for New Charter	13 Commissioner Conyers?
14 Continued 40	14 COMMISSIONER CONYERS: Present.
15 7 Tabled 42	15 COMMISSIONER ARMBRUSTER: Commissioner
16 8 Discussion and Possible Action on	16 Peralta?
17 Charter School Renewal Application	17 COMMISSIONER PERALTA: Here.
18	18 COMMISSIONER ARMBRUSTER: Commissioner
19 9 Discussion and Possible Action	19 Gipson?
20 on Revised Amendment Requests and	20 THE CHAIR: Here.
21 Notifications Policies, Forms and Deadlines	21 COMMISSIONER ARMBRUSTER: Commissioner
22 10 Tabled	22 Crone?
23	23 COMMISSIONER CRONE: Here.
24 11 Discussion and Possible Action for	24 COMMISSIONER ARMBRUSTER: Commissioner
25 Site Visit Protocol and Performance	25 Ruiz?
Monitoring 48	
12 Report from the Chair 51	
13 PEC Comments 81	
14 Executive Session 92	
15 Not Addressed on the Record 96	

Page 6	Page 8
<p>1 COMMISSIONER RUIZ: Present.</p> <p>2 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>3 Caballero is not yet here. He may be coming in</p> <p>4 later.</p> <p>5 So we have eight. We have eight present.</p> <p>6 THE CHAIR: Thank you. So we do have a</p> <p>7 quorum.</p> <p>8 I will ask Commissioner Toulouse to lead</p> <p>9 us in the New Mexico pledge after I lead us in the</p> <p>10 Pledge of Allegiance.</p> <p>11 (Pledge of Allegiance and Salute to the</p> <p>12 New Mexico Flag conducted.)</p> <p>13 (Commissioner Caballero enters meeting.)</p> <p>14 THE CHAIR: Let the record reflect that</p> <p>15 Commissioner Caballero has now joined us. Thank</p> <p>16 you. Good morning.</p> <p>17 COMMISSIONER CABALLERO: Good morning.</p> <p>18 THE CHAIR: We are on to Item No. 2,</p> <p>19 Approval of the Agenda.</p> <p>20 Are there any revisions?</p> <p>21 (No response.)</p> <p>22 THE CHAIR: I do have several.</p> <p>23 In Item No. 5, we'll remove DEAP, because</p> <p>24 they are in compliance now. We are also going to</p> <p>25 remove Item No. 7, Discussion and Possible Action on</p>	<p>1 time and effort that she offered to this Commission.</p> <p>2 It's a tireless task, and it often goes</p> <p>3 unappreciated. So I just want to publicly thank her</p> <p>4 for all the time that she did and help us to get</p> <p>5 through the arduous task of the performance</p> <p>6 framework, the contract negotiations.</p> <p>7 COMMISSIONER ARMBRUSTER: Finding an</p> <p>8 attorney.</p> <p>9 THE CHAIR: So thank you to Commissioner</p> <p>10 Johnston.</p> <p>11 We are on to Item No. 4, which is the</p> <p>12 Consent Agenda. So I will entertain a motion for</p> <p>13 approval of the Consent Agenda.</p> <p>14 COMMISSIONER CONYERS: (Indicates.)</p> <p>15 COMMISSIONER RUIZ: Second.</p> <p>16 THE CHAIR: There's a motion by</p> <p>17 Commissioner Conyers, a second by Commissioner Ruiz.</p> <p>18 All in favor?</p> <p>19 (Commissioners so indicate.)</p> <p>20 THE CHAIR: Opposed?</p> <p>21 (No response.)</p> <p>22 THE CHAIR: Hearing no opposition, the</p> <p>23 motion passes.</p> <p>24 We are on to Item No. 6, which is</p> <p>25 Discussion and Possible Action on the Updated Notice</p>
Page 7	Page 9
<p>1 the New Charter School Application and Rubric and</p> <p>2 Item No. 10, the Updated Closure Procedure and</p> <p>3 Checklist. Okay?</p> <p>4 And, Laurel, were you able to find --</p> <p>5 MS. LAUREL PIERCE: I'm looking for it</p> <p>6 right now. I haven't found it yet.</p> <p>7 THE CHAIR: All right. If we find it,</p> <p>8 we'll just take it off then. All right.</p> <p>9 COMMISSIONER RUIZ: Motion to approve the</p> <p>10 agenda with the changes listed.</p> <p>11 COMMISSIONER ROBBINS: Second.</p> <p>12 THE CHAIR: There's a motion by</p> <p>13 Commissioner Ruiz, a second by Commissioner Robbins.</p> <p>14 All in favor?</p> <p>15 (Commissioners so indicate.)</p> <p>16 THE CHAIR: Opposed?</p> <p>17 (No response.)</p> <p>18 THE CHAIR: Hearing no opposition, the</p> <p>19 motion passes.</p> <p>20 No one has signed up for Open Forum.</p> <p>21 And before we proceed any further, I would</p> <p>22 like to note that, unfortunately, Commissioner</p> <p>23 Johnston submitted her resignation to the -- for the</p> <p>24 Public Education Commission. So I would like to</p> <p>25 take the time to publicly thank her for all of the</p>	<p>1 of Intent for 2019 Applications for New Charters.</p> <p>2 We did work on this yesterday. It's</p> <p>3 really just, more or less, date-changing. There</p> <p>4 wasn't a substantive change to that NOI. So I will</p> <p>5 entertain a motion.</p> <p>6 COMMISSIONER RUIZ: (Indicates.)</p> <p>7 THE CHAIR: There's a motion by</p> <p>8 Commissioner Ruiz.</p> <p>9 COMMISSIONER TOULOUSE: (Indicates.)</p> <p>10 THE CHAIR: A second by Commissioner</p> <p>11 Toulouse.</p> <p>12 Any discussion?</p> <p>13 (No response.)</p> <p>14 THE CHAIR: Okay.</p> <p>15 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>16 Caballero?</p> <p>17 COMMISSIONER CABALLERO: Yes.</p> <p>18 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>19 Ruiz?</p> <p>20 COMMISSIONER RUIZ: Yes.</p> <p>21 COMMISSIONER ARMBRUSTER: Commissioner</p> <p>22 Crone?</p> <p>23 Where did he go?</p> <p>24 COMMISSIONER ROBBINS: He stepped out.</p> <p>25 COMMISSIONER ARMBRUSTER: Sorry. I need</p>

Page 10

1 to look before I call names.
 2 Commissioner Gipson?
 3 THE CHAIR: Yes.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Peralta?
 6 COMMISSIONER PERALTA: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Conyers?
 9 COMMISSIONER CONYERS: Yes.
 10 COMMISSIONER ARMBRUSTER: Commissioner
 11 Armbruster votes "Yes."
 12 Commissioner Toulouse?
 13 COMMISSIONER TOULOUSE: Yes.
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Robbins?
 16 COMMISSIONER ROBBINS: Yes.
 17 COMMISSIONER ARMBRUSTER: That is a vote
 18 of nine. We have one out of --
 19 COMMISSIONER ROBBINS: Seven.
 20 COMMISSIONER ARMBRUSTER: We had eight --
 21 now we're back to eight.
 22 THE CHAIR: We have eight.
 23 COMMISSIONER ARMBRUSTER: Except Tim
 24 wasn't here.
 25 COMMISSIONER ROBBINS: Commissioner Crone

Page 11

1 is not here.
 2 THE CHAIR: Commissioner Crone is eight.
 3 The motion passes.
 4 Baylor, do we have the updated renewal
 5 application?
 6 DR. DEL ROSARIO: No. My understanding is
 7 that we were going to have that ready for November.
 8 MS. JAEGER: Not the renewal?
 9 DR. DEL ROSARIO: Renewal?
 10 THE CHAIR: The renewal we finished
 11 yesterday.
 12 DR. DEL ROSARIO: Yeah. I --
 13 THE CHAIR: No. 6.
 14 MS. JAEGER: We're on No. 5.
 15 THE CHAIR: All right. I'm sorry. I kept
 16 thinking -- I kept thinking 5 was part of the
 17 Consent Agenda. That's my error. So -- okay.
 18 So we are now on to No. 5, which is Report
 19 from Options for Parents and the Charter School
 20 Division. Sorry.
 21 DR. DEL ROSARIO: That's all right.
 22 Madam Chair, members of the Commission,
 23 good morning. I thought what we would do for the
 24 Charter School Division was -- a big portion was I
 25 just wanted to highlight some of the individuals'

Page 12

1 positions that we do have.
 2 I know you've had some interactions
 3 already with a couple of our staff. But I thought
 4 this morning we can just briefly introduce Leslie
 5 Kelly, who joined us somewhat recently, you know,
 6 right prior to Katie Poulos', Director Poulos',
 7 departure. And Leslie actually comes from us -- the
 8 last place she was at was at Pueblo of Laguna
 9 Department of Education. She was school counselor
 10 out there for -- I believe middle and elementary
 11 school? And prior to that, she was actually an
 12 administrator with the Albuquerque Public Schools in
 13 the counseling department.
 14 But, anyhow, I thought I could have her
 15 maybe just briefly provide a background on what she
 16 does with the Charter Schools program or CSP grant
 17 and tell you all a little bit about herself really
 18 quick.
 19 MS. LESLIE KELLY: Pull it forward?
 20 THE CHAIR: Yeah. Thanks.
 21 MS. LESLIE KELLY: Okay. Thank you,
 22 Baylor, and good morning, Commissioner, and members
 23 of the Commission.
 24 I don't really know what else to say. But
 25 I was really excited to take this position. It's

Page 13

1 going to be and has been an incredible challenge.
 2 And I hope to have more collaboration than has
 3 occurred up to this point around the CSD, because it
 4 is supporting -- or the intent is to support our new
 5 charters that have applied for that, to help them be
 6 more successful, and those charter schools that have
 7 been successful, to help them grow and continue
 8 their success.
 9 The other part -- that's one part of the
 10 grant is the subgrant applications that you are
 11 aware of. But there's two other pockets of money in
 12 the \$22-1/2 million the State received. One pocket,
 13 several of you have been involved in, which is the
 14 authorizing work that we're doing. I'm real
 15 grateful for your participation in that. We're
 16 looking at creating New Mexico principles and
 17 standards of authorizing. And we're working with
 18 superintendents around the state, APS, the Public
 19 Education Commission, and I think it's going to be
 20 real interesting work. And I appreciate those of
 21 you who have been involved.
 22 We've had two face-to-face meetings; we're
 23 going to meet again in November and hopefully come
 24 up with those principles and standards. So we have
 25 some continuity around the state, hopefully, about

Page 14

1 how people are authorizing charter schools and that
2 we can also take a look at our practices and
3 evaluate them.

4 And then the third bucket of money is for
5 technical assistance and training to charter
6 schools. Some of that is money that we are
7 contracting with Public Impact to help us with the
8 academic data and framework data analysis and the
9 financial framework. We're looking at that piece,
10 but also working with, hopefully, the New Mexico
11 Coalition of Charter Schools and staff -- and
12 myself -- to provide training, technical assistance,
13 support, so that schools can be successful; not
14 just -- I've been helping them with the grant
15 application process. But then once they receive the
16 money, where are the holes, where do they need help.

17 And I think the two new schools,
18 Albuquerque Collegiate and Altura, have some very
19 valuable feedback. One, they struggled because the
20 money didn't get to them in time through PED; you
21 know, I kind of came in in the middle of it. But,
22 also, what do they really need to be successful with
23 dollars in that start-up year. The lessons learned,
24 I think are going to be really valuable.

25 So I have a history with UNM, the

Page 16

1 investigating, and I'll do that and get back to you
2 on that.

3 THE CHAIR: I guess they were just
4 figuring, you know, what happens if there's that
5 unforeseen -- someone misbehaves, and the school
6 doesn't get -- not -- you know, for some unforeseen
7 reason, it just -- the commencement for operation
8 can't happen. You know, what --

9 MS. LESLIE KELLY: I can definitely look
10 into that. I mean, the schools are granted
11 multiple-year funding. But each year, the funding
12 is dependent on them meeting their goals for the
13 prior year. So, you know, unfortunately, at this
14 rate, it's been so hard to get them the money, that
15 hasn't been a concern. But I will definitely check
16 into that for you.

17 THE CHAIR: Okay. Thanks.

18 MS. LESLIE KELLY: You're welcome.

19 THE CHAIR: Thank you.

20 MS. LESLIE KELLY: You're welcome. Thank
21 you.

22 DR. DEL ROSARIO: Thanks, Leslie.

23 Our next item here is just a summary of
24 governing board concerns. I believe you have, in
25 item 5C, labeled 5C, some of the schools there.

Page 15

1 Department of Health, APS. And so I've been excited
2 to be up here. And I am -- we've experienced a lot
3 of change already and more change to come.

4 So, anyway, I'm happy to answer any
5 questions if you have any.

6 THE CHAIR: So this is a glass-half-empty
7 question.

8 MS. LESLIE KELLY: Yes.

9 THE CHAIR: And it comes not from me. But
10 I attended the Implementation Year training. And
11 one of the schools had the gloom-and-doom question
12 of, "What happens if we don't all" -- I mean, let's
13 just think about it. What happens if we don't get
14 for whatever reason -- and we've taken the -- and
15 we've received the grant money.

16 MS. LESLIE KELLY: That's an excellent
17 question.

18 THE CHAIR: Thank you. And I,
19 certainly -- that's above my pay grade to have that
20 answer. But it is -- you know, it's food for
21 thought. It's, like --

22 MS. LESLIE KELLY: It certainly is a
23 possibility. It's -- with the application process
24 and the rigor and the standards involved, I think it
25 would be highly unlikely. But that's worth

Page 17

1 THE CHAIR: Wait a minute. Are we not
2 going to do B?

3 DR. DEL ROSARIO: Oh, yes. Actually,
4 let's back up a little bit to update on school
5 closures.

6 THE CHAIR: You've been around me too
7 long. You're skipping stuff.

8 DR. DEL ROSARIO: Yes. The -- this --
9 there's a document entitled, "Closure Update
10 Report." I think it might actually be in Item 10,
11 but maybe it's still in Item 5 there. Let me
12 double-check. Do you all see it by chance?

13 COMMISSIONER ROBBINS: It's in 5.

14 DR. DEL ROSARIO: It's in 5. Great. Just
15 a quick update for you all on the two schools,
16 Anthony Charter School and SAHQ.

17 Unfortunately, both of those schools have
18 not been closed yet. I've been communicating with
19 some of you all, you, Madam Chair, and counsel,
20 about some legal issues happening with Anthony,
21 with, for example, the portables being affixed
22 permanently and things of that nature.

23 And our General Counsel is looking into
24 whether that's now another -- or that's now the
25 landlord's property and so forth, if they can still

Page 18

1 be moved. So that's -- that actually is still being
2 looking -- is being looked at still by our General
3 Counsel here.

4 THE CHAIR: Okay. So let me ask. So is
5 part of that conversation the possibility that
6 because they may be deemed no longer portables, that
7 the public utility that owns the land would
8 automatically gain possession of those -- what? --
9 nine portables on that property?

10 DR. DEL ROSARIO: My understanding is
11 that's what PED's General Counsel was looking to --
12 that's one of the things that they're looking to
13 determine.

14 THE CHAIR: Interesting.

15 COMMISSIONER CABALLERO: And there's a
16 legal, then Counselor can -- there's a legal
17 definition of what becomes part of the -- of the
18 land, and, therefore, stays with the land once they
19 leave?

20 MS. JAEGER: I have not been in contact
21 with General Counsel for PED; so I'm -- I can't --

22 COMMISSIONER CABALLERO: Just in general
23 terms, what stays and what can be taken out by a
24 lessee.

25 MS. JAEGER: Those are technical legal

Page 20

1 PS- -- has PSCOC signed off on this?

2 DR. DEL ROSARIO: I'm not aware. I don't
3 have any paperwork on PSCOC or PSFA.

4 THE CHAIR: Right.

5 COMMISSIONER PERALTA: Madam Chair, to my
6 knowledge, this matter hasn't really been brought to
7 the attention of the Capital Outlay Council; so I'm
8 not even really sure that they're aware of it. I
9 can maybe funnel that information or these concerns
10 to either Antonio, who is the liaison for PED and
11 sits on the Council, or -- maybe I can find some
12 answers.

13 THE CHAIR: Okay. Thank you.

14 COMMISSIONER ROBBINS: Commissioner
15 Gipson? Commissioner --

16 THE CHAIR: Okay.

17 COMMISSIONER ROBBINS: I just had one
18 question on this. When you're talking about the
19 transfer of all inventory to the City of Anthony, in
20 our discussion yesterday in the Work Session, we
21 talked about the first option of transferring
22 inventory being to other State-chartered schools.
23 So I'm kind of confused about what's going on here
24 with the inventory. First, we need to get a list of
25 inventory, and then determine who would be eligible

Page 19

1 questions.

2 THE CHAIR: Okay.

3 DR. DEL ROSARIO: So, unfortunately, I
4 hate to say -- use the word "stuck." General
5 Counsel, right now, they're wanting to make sure,
6 before approval of the Form PED 947, which goes
7 through our -- our Capital Outlay Bureau, that
8 hasn't been approved because that does involve
9 trying to figure out who owns those portables and
10 such.

11 I did -- I did speak with the Mayor of
12 Anthony. And I did say that we -- as soon as I hear
13 a word about the status of the property there,
14 whether it could be transferred to them or not --
15 that is what the school's governing council had --
16 had decided on -- I would update them on our PED
17 General Counsel's findings.

18 THE CHAIR: So we talked briefly about
19 this yesterday during the Work Session. And I'm
20 still a little confused. Has PSCOC not signed off
21 on that because it's still mired in PED Legal? Or
22 have they previously signed off on it, and now
23 there's additional legal concerns that have come up
24 now that it's -- seems to be understood that at
25 least a number of them are no longer portable? Has

Page 21

1 to receive that in a prioritized order.

2 THE CHAIR: Okay. So I spoke with the
3 vendor, who has the contract to close. And when I
4 spoke to them, that was my -- and this was easily a
5 month ago, and I expressed my concern, the answer
6 that I received at that time -- because it was my
7 understanding that it had always been, prior to
8 this, that that inventory went first to charters,
9 then other -- then the district -- the vendor told
10 me that they complied with the requirement by simply
11 contacting Gadsden School District and asking them
12 if they wanted the materials; and, therefore, their
13 obligation was satisfied. That's what I was told by
14 the vendor.

15 When I expressed extreme concern over the
16 fact that there's at least three computer labs
17 sitting in those portables -- as well as the
18 textbooks -- that a municipality is going to have no
19 use for, plus the, in all likelihood, federally
20 funded kitchen equipment, I was told that they
21 complied with what needed to be done.

22 So that has engaged in a conversation
23 where our counsel has attempted, on several
24 occasions, to try to get in touch with PED General
25 Counsel, and those calls have gone unanswered.

Page 22

1 So it's been very frustrating.
2 The City of Anthony has a very det- -- on
3 that -- part of the reason why we believe the
4 appraisal of several of those portables has come out
5 so high -- which has mired this a little bit more --
6 is because of the equipment that's inside the
7 buildings, you know.

8 And according to the vendor, they told me
9 that everything is being conveyed to the City of
10 Anthony, when we have two schools that just opened.
11 So that is -- that is one of the reasons why I've
12 been working to try to get in conversation with the
13 City of Anthony, so that perhaps, on our own, we
14 can -- but I'll be honest with you. They want those
15 computers.

16 So I don't think -- if they get full title
17 to them, we're not going to be able to negotiate a
18 settlement; but anything else that we could get, the
19 schools would be able to use. But at this moment in
20 time, I'm very concerned that the computers, in
21 particular, are going to go -- no offense to senior
22 citizens -- to a senior citizen center that the City
23 of Anthony wants to open, and that I'm concerned
24 about property that's -- that was purchased with
25 federal monies when we're ultimately responsible for

Page 23

1 the closure of the schools.

2 So it's -- it's disconcerting at this
3 time. And that's why we felt we needed to truly
4 take a look at that closure policy and make sure
5 that our hands were in it more; because it didn't --
6 it absolutely has not gone well with these last two
7 schools.

8 COMMISSIONER ROBBINS: Thank you.

9 DR. DEL ROSARIO: For sure, the governing
10 council meeting minutes for Anthony indicated there
11 was -- the gifting to Anthony, I want to say, back
12 in April. And I think it's absolutely needed, the
13 closure procedure, and specifying where those
14 inventory assets should go.

15 THE CHAIR: But my question is, does the
16 governance council meeting clearly state that the
17 portables, or the portables and all the property
18 inside the portables, are conveyed? That's my
19 question.

20 DR. DEL ROSARIO: Yeah. My recollection,
21 I didn't see portables in there. I saw, I think,
22 "assets," the term "assets."

23 COMMISSIONER PERALTA: That's pretty
24 general.

25 THE CHAIR: Yeah, that's pretty general.

Page 24

1 And, truly -- and I'm not the lawyer -- but their
2 assets, they did own. They had outright ownership
3 of the portables. But in my mind, they don't own
4 the computers, the textbooks, and all that
5 equipment. That was obtained and purchased with
6 State money, and that's the property of the State.
7 That's not their assets.

8 The portables, absolutely, because they
9 did have clear title to those. But everything else,
10 that's not -- they don't own all that. So if it
11 says "assets," then it should just be the portables.

12 Okay. Thank you.

13 DR. DEL ROSARIO: And the SAHQ situation,
14 a little bit different. Again, it's not quite
15 closed yet. The contractor, or the vendor, did get
16 a chance to do a walk-through. And the vendor does
17 have an inventory list. She got a chance to walk
18 through. The landlord did allow that on
19 September 20th.

20 Unfortunately, there is still -- the
21 landlord -- there are still issues around
22 allegations that the school had damaged some of the
23 property. And so right now, PED's General Counsel
24 is looking to obtain a writ of replevin.

25 And the -- the School Budget and Finance

Page 25

1 Analysis Bureau director did meet with that
2 landlord, along with one of our representatives and
3 CSD, on October 3rd. And that was conveyed to
4 them -- conveyed to her.

5 THE CHAIR: Okay. So all of the -- none
6 of the inventory has been taken out of --

7 DR. DEL ROSARIO: They have not.

8 THE CHAIR: -- Anthony -- okay.

9 DR. DEL ROSARIO: Or SA --

10 THE CHAIR: SAHQ. Okay. Thank you.

11 DR. DEL ROSARIO: Just the last piece for
12 the closure update, you know, we had contacted a
13 couple of potential vendors from CES to ACES. We
14 know that one, ACES, will actually be providing a
15 bid on closure services at some time in the next
16 couple of weeks or so. So we're looking forward to
17 that.

18 THE CHAIR: Is there an RFP out on that?

19 DR. DEL ROSARIO: There is not.

20 THE CHAIR: So how are they replying to

21 a --

22 DR. DEL ROSARIO: I guess I shouldn't say
23 bids. A proposal.

24 THE CHAIR: Okay.

25 DR. DEL ROSARIO: Well, they're a

Page 26

1 cooperative.

2 THE CHAIR: Right. Okay.

3 DR. DEL ROSARIO: Were there any
4 questions? Other questions?

5 THE CHAIR: Well, I -- I guess my only
6 concern is without our closure policy being
7 completed, I think it's difficult to -- you know --
8 and I would hope that because it is our policy and
9 our procedures, that whoever -- that we have some
10 input on -- with the vendor.

11 DR. DEL ROSARIO: No. Absolutely.

12 THE CHAIR: Okay. Thank you.

13 COMMISSIONER TOULOUSE: Madam Chair?

14 Baylor, is -- are they attempting to do a
15 sole-source procurement? Is that what we're
16 attempting to do with that?

17 DR. DEL ROSARIO: I don't think it's
18 sole-source.

19 COMMISSIONER TOULOUSE: Because I think
20 that's about the only way you could do it without an
21 RFP. You could sole-source something like this,
22 because there aren't many that could do it, if you
23 could justify it's a sole-source.

24 But it needs to be defined that way;
25 otherwise, I'm very uncomfortable with this

Page 28

1 MS. ABBY LEWIS: Good morning. Thank you,
2 Madam Chair. Thank you, Commissioners. Let me get
3 closer to the mic here. There we go.

4 My name is Abby Lewis, and I am the
5 attorney for North Valley Academy. I'd like to give
6 you a little bit of history about how we got here
7 today. The form that is in front you, which I also
8 have in front of me -- and I brought copies if
9 anyone needs them -- the form is legally
10 problematic, because it uses a word not used by the
11 statute.

12 The word "assurances" is used in the
13 statute; yet the word "certify" is used here.

14 The use of the word "certify" in this
15 context is a different term of art than the word
16 "assurances" and carries different legal
17 connotations, requirements, and liabilities.

18 Let me give you a real-world example. one
19 person gives another person an engagement ring.
20 This is an assurance that they're going to get
21 married. This is different from a marriage
22 certificate, which carries very different legal
23 requirements and liabilities, than giving someone an
24 engagement ring.

25 I originally brought this concern of the

Page 27

1 procedure. It's part of the problem of the rift
2 between us and PED that you're stuck right in the
3 middle of.

4 DR. DEL ROSARIO: Well, let me check with
5 Procurement on that and make sure we follow up on
6 protocol.

7 COMMISSIONER TOULOUSE: Thank you very
8 much.

9 THE CHAIR: Thanks.

10 DR. DEL ROSARIO: Moving on to governing
11 body concerns, we do have five schools that are
12 listed, the summary of governing body concerns on
13 item 5C there in front of you.

14 One of them was taken off, DEAP, who's now
15 in compliance, as stated earlier.

16 The description of -- of some of the items
17 that have not been completed for the remaining five
18 schools are actually listed there.

19 THE CHAIR: Commissioners, any questions
20 on -- I don't know if -- yeah. We do have a couple
21 of schools here. So let's see. I don't believe we
22 have anyone from Aldo Leopold here. No, I didn't
23 see anyone. And there is no one from Hózhó, I
24 believe. No.

25 North Valley?

Page 29

1 school to the attention of the Commission via its
2 designee in August. And in collaborating with the
3 designee, I was told this would be addressed at the
4 Work Session yesterday.

5 This did not happen. But the Commission
6 did say at the Work Session that it would take this
7 form up at its November meeting.

8 So the statute, at 22-8B-9B(6), says that
9 the contract, which isn't what we're dealing with
10 here now; North Valley's contract is three years
11 old. But it says that, "The contract shall include
12 signed assurances from the charter school's
13 governing body members regarding compliance with all
14 federal and state laws governing organizational,
15 programmatic, and financial requirements applicable
16 to charter schools."

17 So let's take one of these assurances as
18 an example. And, again, if you don't have it in
19 front of you, I have copies for everyone.

20 THE CHAIR: We do.

21 MS. ABBY LEWIS: Okay. So No. 7.

22 In order to truly certify rather than
23 assure that the charter school comply with all
24 applicable state and federal laws and rules related
25 to identifying and providing special education

1 services, a governing board member would need to be
2 present at, review, and follow up with each and
3 every IEP to be sure it's kept up to date.

4 This is outside of what is appropriate and
5 even legal for a governing board member to be doing.

6 I brought this form with very simple
7 suggestions. I'm just asking for two words, just
8 striking "certify" and making it "assurance," just
9 so it's in alignment with the statute; because, as
10 I've said, these two words have very different legal
11 meanings. And the statute used the word "assure."

12 So because the school has been trying, in
13 good faith, to resolve this issue collaboratively
14 since August, and because at its Work Session
15 yesterday, the Commission did say it would look at
16 this form in its November meeting, I ask that a
17 Letter of Concern not be sent before the Commission
18 can take up this form for possible revision.

19 Thank you.

20 THE CHAIR: Thank you.

21 MS. ABBY LEWIS: Happy to answer any
22 questions.

23 THE CHAIR: Any questions?

24 MS. JAEGER: So, Madam Chair and
25 Commissioners, because there is a legitimate legal

1 that.

2 MS. ABBY LEWIS: When I mentioned the
3 contract, it's because this provision of the statute
4 is in relation to the contract, rather than as kind
5 of a rolling form that gets sent out. It's supposed
6 to be part of the contract between the school and
7 the PEC.

8 THE CHAIR: Thank you.

9 MS. ABBY LEWIS: Thank you.

10 THE CHAIR: Is there anyone here from
11 Red River Valley? Oh.

12 MS. KIMBERLY RITTERHOUSE: Good morning.
13 I'm the new administrator at Red River Valley
14 Charter School this year. And I filled out forms
15 for a governance council change.

16 THE CHAIR: Before you continue, could you
17 just state your name for the record?

18 MS. KIMBERLY RITTERHOUSE: I'm sorry.
19 Kimberly Ritterhouse, R-I-T-T-E-R-H-O-U-S-E.

20 So I filled out the wrong forms for a
21 governance council change. I should have used the
22 new ones that were sent by Ms. Laurel Pierce. And I
23 failed to do so. So I rectified it and got it
24 submitted to Ms. Woerner by the deadline of the
25 11th, which was yesterday. And I brought copies

1 question, and, through Counsel Lewis, she's willing
2 to negotiate, my recommendation is that we take
3 North Valley Academy off the list for sending the
4 second Notice of Concern so that we can resolve
5 this.

6 And if we can get the resolution and have
7 your client sign it, that would take care of the
8 issue.

9 MS. ABBY LEWIS: Yes, ma'am.

10 Madam Chair, Ami, thank you. Yes, it
11 would be -- it would allow me, with a clear legal
12 conscious, to advise my client to sign this. Yes,
13 ma'am. Just those two words, just the two words;
14 because as a -- you know, unfortunately, for better
15 or worse, I'm a lawyer. So these words mean
16 something to me and to my client.

17 THE CHAIR: Thank you.

18 MS. ABBY LEWIS: Yeah.

19 COMMISSIONER ROBBINS: I just have a
20 question, that you said that the contract uses the
21 term "assurance."

22 MS. ABBY LEWIS: The statute, yes, sir.
23 And I've got that if you'd like to see it.

24 COMMISSIONER ROBBINS: The statute. Okay.
25 I was confused. I thought you said the contract has

1 today just to make sure that we can move forward.

2 THE CHAIR: Okay. If -- Laurel, have you
3 seen them?

4 MS. LAUREL PIERCE: I have not seen those
5 particular documents. I -- the question -- they're
6 kind of in an odd situation because of the
7 resignation. They didn't send the resignation
8 letter, so that put them out of compliance. But the
9 new membership still has until the 17th for the
10 documentation to be submitted.

11 So they're not out of compliance as far as
12 seating the new member; but they are out of
13 compliance for the resignation of the first member.

14 THE CHAIR: Do you have the resignation
15 letter?

16 MS. KIMBERLY RITTERHOUSE: I do. And in
17 my naivete, I failed to submit it. I apologize.

18 MS. LAUREL PIERCE: That would put them in
19 compliance for the resignation portion. If those
20 documents have been submitted, they've not made it
21 to me yet; but they have until, I believe, the 16th
22 or the 17th. So...

23 THE CHAIR: But the issue for here is
24 satisfied with that letter; so we're -- okay.

25 MS. KIMBERLY RITTERHOUSE: Thank you.

Page 34

1 THE CHAIR: Thank you. And welcome.
 2 MS. KIMBERLY RITTERHOUSE: Thank you.
 3 THE CHAIR: And I know there's someone
 4 here from Turquoise Trail.
 5 DR. RAY GRIFFIN: Good morning,
 6 Madam Chair, members of the Commission. I'm Ray
 7 Griffin, Turquoise Trail Charter School
 8 administrator. And I think there are two items that
 9 we are out of compliance with, as far as I know.
 10 One is that one of our board members that
 11 we do not have the proper resignations from, we
 12 believe she's left the state, and all attempts to
 13 contact her have failed.
 14 So one of our questions is how can we sort
 15 of have an affidavit that we have tried to get -- we
 16 have a resignation e-mail from her. But, you know,
 17 the proper forms and the signatures -- is that
 18 correct?
 19 MS. LAUREL PIERCE: Actually, that's not
 20 what we're missing. Turquoise Trail, I show that we
 21 need a Certificate of Assurances by Mr. Wallace and
 22 the Statements to Consult with PED signed by
 23 Stephanie Slone. She's the only member?
 24 DR. RAY GRIFFIN: Yes. Stephanie Slone is
 25 the one we can't reach. That's correct. She's

Page 35

1 resigned.
 2 MS. LAUREL PIERCE: I wasn't aware of
 3 that.
 4 DR. RAY GRIFFIN: So I'm here to tell you
 5 that we are going to try very hard to get the proper
 6 signatures and the forms and the compliance issues.
 7 It's a matter of, I would just call it busy-ness and
 8 paperwork, that we just haven't been able to quite
 9 get together. But we have our board secretary
 10 working hard and communicating consistently, and our
 11 intent is to comply.
 12 I would echo the North Valley Academy
 13 lawyer and her comments that our board has had a
 14 lengthy discussion about the form, wants to comply.
 15 But if this issue is going to be brought up in
 16 November, we will await any changes in the word
 17 "certify" and things like that. And --
 18 THE CHAIR: Okay. I appreciate that. But
 19 that was never communicated to us, that there had --
 20 that at any point in time, there was a concern over
 21 the signing of the document for assurances. So that
 22 is problematic.
 23 DR. RAY GRIFFIN: Okay.
 24 THE CHAIR: That there was no
 25 communication. There was just a worry.

Page 36

1 DR. RAY GRIFFIN: Just no response -- no
 2 response on the part of our board?
 3 THE CHAIR: Right.
 4 DR. RAY GRIFFIN: I will communicate that
 5 message to them when we meet next week.
 6 THE CHAIR: And I understand busy-ness and
 7 paperwork. But we have statutory requirements as
 8 well.
 9 DR. RAY GRIFFIN: Absolutely.
 10 THE CHAIR: And some of this is -- to
 11 qualify as Board of Finances, often. And we can't
 12 allow a school to not -- to let that lapse. So it
 13 goes beyond busy-ness and paperwork.
 14 DR. RAY GRIFFIN: Understand and apologize
 15 on behalf of the board. And I'll communicate that
 16 directly. Thank you. Sure --
 17 THE CHAIR: Thank you.
 18 DR. RAY GRIFFIN: -- Chair Gipson.
 19 THE CHAIR: I appreciate it. Thank you.
 20 DR. RAY GRIFFIN: We're communicating with
 21 Laurel. So I will communicate the responsibility
 22 and the urgency to our board as directly as needed
 23 to get this matter back into compliance.
 24 THE CHAIR: Because this is not just the
 25 first notice. This is the second notice. So we're

Page 37

1 heading towards a notification of breach of
 2 contract.
 3 DR. RAY GRIFFIN: I will make sure they
 4 get that language and apologize on behalf of the
 5 school for not reaching -- or not doing -- exactly
 6 what we're supposed to in the right amount of time.
 7 So that's why I wanted to be here today to make sure
 8 I communicated. I have no intention of not
 9 complying. So we'll get this straightened out.
 10 THE CHAIR: Okay. Thank you so much.
 11 DR. RAY GRIFFIN: Okay. Thank you.
 12 THE CHAIR: Laurel, we still don't have --
 13 we don't have any confirmation about Aldo Leopold,
 14 do we? I've retrieved -- and I can't find it. So
 15 maybe it was my imagination.
 16 MS. LAUREL PIERCE: You were copied on the
 17 original e-mail.
 18 THE CHAIR: That, I have. But this was is
 19 something I know I received from Aldo Leopold.
 20 MS. LAUREL PIERCE: By charter laws, it's
 21 not mine.
 22 THE CHAIR: But I can't -- if we do this,
 23 they can forward it again. Okay. Thank you.
 24 All right. I don't know. Commissioners,
 25 this packet that you received, the motions are in

Page 38

1 there.
 2 It says Agenda Item, Executive Summary.
 3 So all of the motions are in there, with a reminder
 4 that North Valley and Red River are not going to
 5 be -- should not be included in the motion, okay?
 6 Do I have a motion?
 7 (No response.)
 8 THE CHAIR: If not, I'll do it.
 9 Okay. I move that the Public Education
 10 Commission send a second notice Letter of Concern,
 11 informing the school that failure to timely provide
 12 the documents may result in Notice of Breach to the
 13 following schools: Aldo Leopold High School, Hózhó
 14 Academy, and Turquoise Trail Community Charter.
 15 COMMISSIONER ROBBINS: Second.
 16 THE CHAIR: There's a second by
 17 Commissioner Robbins.
 18 Any discussion?
 19 (No response.)
 20 THE CHAIR: Commissioner Armbruster?
 21 COMMISSIONER ARMBRUSTER: Commissioner
 22 Toulouse?
 23 COMMISSIONER TOULOUSE: Yes.
 24 COMMISSIONER ARMBRUSTER: Commissioner
 25 Ruiz?

Page 39

1 COMMISSIONER RUIZ: Yes.
 2 COMMISSIONER ARMBRUSTER: Commissioner
 3 Conyers?
 4 COMMISSIONER CONYERS: Yes.
 5 COMMISSIONER ARMBRUSTER: Commissioner
 6 Armbruster votes "Yes."
 7 Commissioner Peralta?
 8 COMMISSIONER PERALTA: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Caballero?
 11 COMMISSIONER CABALLERO: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Crone?
 14 COMMISSIONER CRONE: Yes.
 15 COMMISSIONER ARMBRUSTER: Sorry.
 16 Commissioner Gipson?
 17 THE CHAIR: Oh. I'm sorry. Yes.
 18 COMMISSIONER ARMBRUSTER: I waited till
 19 the end.
 20 THE CHAIR: I'm sorry.
 21 COMMISSIONER ARMBRUSTER: It's a
 22 nine-to-zero vote.
 23 Commissioner Robbins?
 24 COMMISSIONER ROBBINS: Yes.
 25 COMMISSIONER ARMBRUSTER: Sorry. Now it

Page 40

1 is.
 2 THE CHAIR: Can we take a short break?
 3 COMMISSIONER RUIZ: Yes. Thank you.
 4 THE CHAIR: Let's try to do it in ten.
 5 (Recess taken, 9:57 a.m. to 10:15 a.m.)
 6 THE CHAIR: We are on to Item No. 8, which
 7 is --
 8 MS. JAEGER: Are we going to do 6?
 9 COMMISSIONER PERALTA: No, we haven't done
 10 6.
 11 THE CHAIR: Oh, I said it. But we have to
 12 go back. So I've done half of 6.
 13 We are, on, once again, to the Notice of
 14 Intent, which is -- as I mentioned before, it's
 15 really just the date, updating. There's no
 16 significant changes to the Notice of Intent.
 17 So are there any questions regarding the
 18 NOI that will be posted?
 19 COMMISSIONER ARMBRUSTER: I'm sorry,
 20 Madam --
 21 THE CHAIR: Uh-huh?
 22 COMMISSIONER ARMBRUSTER: We did have a
 23 few words that were changed, but not a big change in
 24 terms of "will" and "must." But other than that and
 25 the date, I don't think --

Page 41

1 COMMISSIONER CABALLERO: So move to
 2 approve.
 3 COMMISSIONER ROBBINS: Madam Chair --
 4 I'll -- you have made the motion?
 5 COMMISSIONER CABALLERO: So move to
 6 approve.
 7 COMMISSIONER ROBBINS: You have to read
 8 the language.
 9 COMMISSIONER CABALLERO: Go ahead.
 10 COMMISSIONER ROBBINS: I move that the
 11 Public Education Commission adopt the changes that
 12 update the Notice of Intent for 2019 applications
 13 for new charter schools.
 14 COMMISSIONER CABALLERO: Second.
 15 THE CHAIR: There's a motion by
 16 Commissioner Robbins, a second by
 17 Commissioner Caballero.
 18 Any discussion?
 19 (No response.)
 20 THE CHAIR: Okay. Commissioner
 21 Armbruster?
 22 COMMISSIONER ARMBRUSTER: Commissioner
 23 Conyers?
 24 COMMISSIONER CONYERS: Yes.
 25 COMMISSIONER ARMBRUSTER: Commissioner

Page 42

1 Toulouse?
 2 COMMISSIONER TOULOUSE: Yes.
 3 COMMISSIONER ARMBRUSTER: Commissioner
 4 Crone?
 5 COMMISSIONER CRONE: Yes.
 6 COMMISSIONER ARMBRUSTER: Commissioner
 7 Caballero?
 8 COMMISSIONER CABALLERO: Yes.
 9 COMMISSIONER ARMBRUSTER: Commissioner
 10 Peralta?
 11 COMMISSIONER PERALTA: Yes.
 12 COMMISSIONER ARMBRUSTER: Commissioner
 13 Gipson?
 14 THE CHAIR: Yes.
 15 COMMISSIONER ARMBRUSTER: Commissioner
 16 Armbruster votes "Yes."
 17 Commissioner Robbins?
 18 COMMISSIONER ROBBINS: Yes.
 19 COMMISSIONER ARMBRUSTER: Commissioner
 20 Ruiz?
 21 COMMISSIONER RUIZ: Yes.
 22 COMMISSIONER ARMBRUSTER: Nine-to-zero
 23 vote. The motion passes.
 24 THE CHAIR: Motion passes nine-zero.
 25 Thank you.

Page 43

1 We are now on to Item No. 8. And today
 2 it's just going to be discussion.
 3 We did work on the renewal application
 4 yesterday. There were -- there were a number -- a
 5 couple of things that were added, and some of the
 6 strikeouts were placed back in.
 7 So this is what I'm proposing to do at
 8 this point in time: To have the Charter School
 9 Division do the -- you know, the --
 10 DR. DEL ROSARIO: Yes.
 11 THE CHAIR: -- the complete, so that
 12 that's done, and we'll work on that, but before it's
 13 posted, for it to be sent over to our counsel so
 14 that they can look at it.
 15 DR. DEL ROSARIO: Will do.
 16 THE CHAIR: Then we can get it posted as a
 17 draft, and we will vote on it in November, once all
 18 the Commissioners get eyes on the clean copy so
 19 we're clear on all of the language that we're voting
 20 on.
 21 Okay?
 22 So thank you for that.
 23 Does anyone who was here yesterday -- is
 24 there anything you want to add to that?
 25 (No response.)

Page 44

1 THE CHAIR: If not, we'll move on to
 2 No. 9.
 3 And we had a number of discussions. Much
 4 of what was done yesterday with the revised
 5 amendment request and notification policies, much of
 6 it was just the timing of when notifications have to
 7 come in, trying to give the Charter School Division
 8 adequate time to be able to look at them to try to
 9 coincide with when we have to post it with the
 10 agenda, so that everyone's clear and that there's
 11 timeliness for schools to know that they will be on
 12 the agenda.
 13 Beyond that, I think there was the one
 14 change that we made to the -- the one amendment, we
 15 took out the word "replication."
 16 DR. DEL ROSARIO: Oh, yes. My notes, I
 17 have the basic stuff. School closure went from
 18 4 days to 14 days, things like that. The school
 19 location with district notification; I think that
 20 might be what you were referring to. There's two
 21 sections in there: Relocation of school, versus
 22 additional facilities, slash, building at current
 23 school location.
 24 Ring a bell?
 25 THE CHAIR: Yeah. But what I was

Page 45

1 referring to, we took out the word "replication"
 2 from the -- the expansion one, to opening up a
 3 school -- a new school within the district. The
 4 word "replication" was false -- was on the website
 5 but not actually on the amendment request form, but
 6 that it be removed off of the website.
 7 DR. DEL ROSARIO: We'll make sure to do
 8 that.
 9 THE CHAIR: Right. Right. I think we're
 10 going to have just a glossary.
 11 COMMISSIONER ARMBRUSTER: Yes. Yeah. The
 12 discussion was each person can interpret something
 13 in a different manner. And we use so many words,
 14 and we use them sometimes interchangeably; but
 15 they're not. So I suggested, probably for my own
 16 benefit, that we have sort of a glossary of these
 17 terms so we would all be on the same page at the
 18 same time.
 19 THE CHAIR: Right.
 20 COMMISSIONER ARMBRUSTER: And it had to do
 21 with the grant, also, because the words that were in
 22 the grant, talking about things that we're not
 23 doing.
 24 THE CHAIR: Yeah. But we can't control
 25 and create the glossary for the grant. That's --

Page 46

1 COMMISSIONER ARMBRUSTER: No. This is for
 2 us.
 3 THE CHAIR: The terms that they use are
 4 the terms that they use, no offense.
 5 MS. LESLIE KELLY: No offense taken.
 6 THE CHAIR: But that -- so that if there's
 7 confusion that develops over that, there's not a
 8 whole lot we can do about that.
 9 But going back to last month, there was
 10 confusion, because of the wording, with the one
 11 amendment request. It wasn't clear that they were
 12 just still on the same plot of land, just a
 13 different address. Because the new building was
 14 facing a different street so that it had a different
 15 address, it appeared that they were opening maybe
 16 across town, if you didn't know the geography.
 17 DR. DEL ROSARIO: Apparently, plots of
 18 land are large so they have two addresses on it,
 19 same school.
 20 THE CHAIR: Right. So, hopefully, that's
 21 a little bit clearer for -- for many of us.
 22 All right. So if there's no other
 23 comments, do I have a motion?
 24 COMMISSIONER PERALTA: Madam Chair, I'll
 25 do that.

Page 47

1 I move that the Public Education
 2 Commission adopt the revisions to the Amendment
 3 Request and Notification policies forms and
 4 deadlines for school closure, school location within
 5 district, and head administrator, governing body
 6 member, or charter representative changes.
 7 COMMISSIONER ROBBINS: Second.
 8 THE CHAIR: There's a motion by
 9 Commissioner Peralta, a second by Commissioner
 10 Robbins.
 11 Any discussion?
 12 (No response.)
 13 THE CHAIR: Commissioner Armbruster?
 14 COMMISSIONER ARMBRUSTER: Commissioner
 15 Gipson?
 16 THE CHAIR: Yes.
 17 COMMISSIONER ARMBRUSTER: Commissioner
 18 Conyers?
 19 COMMISSIONER CONYERS: Yes.
 20 COMMISSIONER ARMBRUSTER: Commissioner
 21 Caballero?
 22 COMMISSIONER CABALLERO: Yes.
 23 COMMISSIONER ARMBRUSTER: Commissioner
 24 Toulouse?
 25 COMMISSIONER TOULOUSE: Yes.

Page 48

1 COMMISSIONER ARMBRUSTER: Commissioner
 2 Robbins?
 3 COMMISSIONER ROBBINS: Yes.
 4 COMMISSIONER ARMBRUSTER: Commissioner
 5 Peralta?
 6 COMMISSIONER PERALTA: Yes.
 7 COMMISSIONER ARMBRUSTER: Commissioner
 8 Armbruster votes "Yes."
 9 Commissioner Ruiz.
 10 COMMISSIONER RUIZ: Yes.
 11 COMMISSIONER ARMBRUSTER: Commissioner
 12 Crone?
 13 COMMISSIONER CRONE: Yes.
 14 COMMISSIONER ARMBRUSTER: Nine-to-zero
 15 vote. The motion passes.
 16 THE CHAIR: Thank you. The motion passes.
 17 We are on to Item No. 11, Discussion and
 18 Possible Action for Site Visit Protocol and
 19 Performance Monitoring.
 20 Baylor, is there anything you'd like to
 21 say?
 22 DR. DEL ROSARIO: No. Just to clarify, as
 23 Megan had brought up yesterday, the areas around
 24 special education and English Learners, the form
 25 that was handed out yesterday revised -- it looks

Page 49

1 like this -- those two areas, EL and special
 2 education, used to be desktop monitoring; but
 3 they're now on-site, at least for the protocol that
 4 we use.
 5 THE CHAIR: Commissioners, any comments?
 6 We spent a fair amount of time on this yesterday. I
 7 think it was a valuable conversation. And I think
 8 the couple of changes that were made, certainly, I
 9 think, will help schools in terms of not -- you
 10 know, if they're heading the way of out of
 11 compliance, that it can be caught before it becomes
 12 an audit finding or something like that.
 13 DR. DEL ROSARIO: Yes. And along those
 14 same lines, we actually have been able to help a few
 15 schools remain in compliance when we found certain
 16 things.
 17 THE CHAIR: Right. Right. So I think
 18 that's important.
 19 COMMISSIONER CABALLERO: I'll make a
 20 motion. I move that the Public Education Commission
 21 adopt the changes to the site visit protocol and
 22 performance monitoring.
 23 COMMISSIONER RUIZ: Second.
 24 THE CHAIR: There's a motion by
 25 Commissioner Caballero, a second by Commissioner

Page 50	Page 52
<p>1 Ruiz. 2 Any discussion? 3 (No response.) 4 THE CHAIR: Commissioner Armbruster? 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Robbins? 7 COMMISSIONER ROBBINS: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Crone? 10 COMMISSIONER CRONE: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Toulouse? 13 COMMISSIONER TOULOUSE: Yes. 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Caballero? 16 COMMISSIONER CABALLERO: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Ruiz? 19 COMMISSIONER RUIZ: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Peralta? 22 COMMISSIONER PERALTA: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 Gipson? 25 THE CHAIR: Yes.</p>	<p>1 anyone else. 2 So next week, I'm going to send over 3 Beverly the dates. I think if you look at this 4 year's calendar, it'll correspond somewhat similar 5 to the calendar this year, with the exception of I 6 will take Ms. Yager's suggestion about maybe having 7 it after the Session, which would be the 22nd of 8 January, something like that. 9 COMMISSIONER CABALLERO: Earlier. 10 COMMISSIONER PERALTA: No? I mean, I -- 11 THE CHAIR: To the start of the session, 12 March. 13 COMMISSIONER PERALTA: March. I'm mixed 14 up. March. 15 And I think, Commissioner Armbruster, you 16 wanted to work around some dates for your trip and 17 what have you. 18 So -- and the dates for the Work Sessions 19 will be in there as well. 20 And so I'll send those dates on over to 21 Beverly next week, and then she can put up a draft. 22 And if you want to send it out electronically to all 23 Commissioners, and then during agenda setting, we 24 can kind of rehash that a bit and then have it ready 25 for November so everybody can take a look at it and</p>
Page 51	Page 53
<p>1 COMMISSIONER ARMBRUSTER: Commissioner 2 Armbruster votes "Yes." 3 Commissioner Conyers? 4 COMMISSIONER CONYERS: Yes. 5 COMMISSIONER ARMBRUSTER: Nine-to-zero 6 vote. The motion passes. 7 THE CHAIR: Thank you. The motion passes. 8 We are on to Item No. 12. And the first 9 item is the calendar. 10 COMMISSIONER PERALTA: Is there one? 11 THE CHAIR: I'll be honest with you. I 12 have not looked at this book. I didn't see it 13 electronically. 14 COMMISSIONER PERALTA: No, we haven't 15 actually -- Madam Chair? 16 So I guess this is where I need to speak 17 to. So I think I've heard -- I know I've heard 18 from -- Beverly, please step in any time you'd like 19 if you've received any information or word from any 20 other Commissioners. 21 I heard from Commissioner Armbruster. I 22 know Ami, verbally, through the last conference we 23 had on the agenda setting you had, mentioned about 24 the Legislature and some dates about that. 25 I don't remember seeing or hearing from</p>	<p>1 see if we need to make any changes or not. 2 THE CHAIR: Just be aware that there are 3 17 schools that are potentially up for renewal. 4 So as we're having a discussion about 5 calendar -- not next year's, but this year's, 6 because we do have an -- so there's two things. And 7 I guess I'll just move into some of my comments. 8 We've got two schools that are on the agenda for 9 November for renewal; correct? 10 DR. DEL ROSARIO: Yes. 11 THE CHAIR: So two things: We need to 12 look at that, because I think we can simply tell -- 13 I believe we had a conversation about hearing the 14 one school Thursday afternoon? And then doing the 15 second school Friday during our regular meeting? 16 That would make the regular meeting -- during our 17 normal Friday meeting time, I think that would make 18 it a little bit easier to do. 19 I don't -- because you never know how long 20 it's really going to take. 21 So at least if we could do one school 22 Thursday afternoon, do another school Friday, it 23 doesn't look like our agenda will be really heavy 24 for November. But just in case, I think that would 25 make it -- make Friday a little more palatable if we</p>

1 could --

2 COMMISSIONER ARMBRUSTER: For the second
3 school?

4 THE CHAIR: Afternoon, Thursday afternoon.

5 COMMISSIONER ARMBRUSTER: Oh. A Friday
6 one. I'm sorry.

7 THE CHAIR: It's on the agenda; so -- but
8 I think the Thursday afternoon one, I think we could
9 determine who we want to notify that they're going
10 to be heard Thursday afternoon.

11 MS. FRIEDMAN: Right.

12 THE CHAIR: Because one's coming from
13 Taos, and one's coming from Gallup. So that leads
14 me to my next question. When are we going to get
15 materials for that?

16 DR. DEL ROSARIO: Good question. We
17 actually haven't written the -- the -- we're a
18 little bit behind with the analysis for at least one
19 of the schools. We'll get that to you guys probably
20 early next week.

21 THE CHAIR: But as we talked yesterday, if
22 we can get the application --

23 DR. DEL ROSARIO: Oh, the application
24 itself.

25 THE CHAIR: -- that would give us the

1 starting around 1:00, and Friday -- Friday, there's
2 no time, because they'll be on the agenda, so we
3 can't say it's definitely going be in the morning;
4 we can't say you're definitely in the afternoon. So
5 they'll have to be here for Friday morning.

6 MS. FRIEDMAN: Madam Chair? Might I
7 suggest that we start the meeting on Thursday
8 afternoon? And then as the first thing on the
9 agenda would be the --

10 THE CHAIR: We could get some things --
11 yeah, that's a good idea.

12 MS. FRIEDMAN: And then you take a recess,
13 and then you go into Friday.

14 THE CHAIR: Right. I think that is what
15 we talked about last month, doing that, yeah. So we
16 might be able to get -- if there's time Thursday
17 afternoon, we might be able to get through some
18 housekeeping things for Friday and, hopefully, be
19 able to hear the school in the morning.

20 But, you know, we don't know what that
21 agenda is going to look like yet; so it's tough to
22 be able to pinpoint that time.

23 DR. DEL ROSARIO: No. Understand. But
24 we'll contact the schools.

25 THE CHAIR: Okay. Okay. Thanks.

1 opportunity to be able to plow through that. And
2 then taking a look at the analysis takes less time
3 if we've already been able to have our eyes for --
4 for a while on the application.

5 DR. DEL ROSARIO: Yes, we can get the
6 application to you then. That one, we already have.

7 THE CHAIR: Right. Right. And if you've
8 got one of the schools done, fine.

9 DR. DEL ROSARIO: Yes.

10 THE CHAIR: If you could send it, that's
11 fine.

12 DR. DEL ROSARIO: Absolutely.

13 THE CHAIR: But the -- all the other
14 materials, that would just be great, so that we
15 can -- we can start looking at it.

16 DR. DEL ROSARIO: We can do that, yes.

17 THE CHAIR: Okay. Thanks. So, I mean, I
18 don't think there's any preference for who goes
19 when. It might be Taos, Gallup -- it might be -- I
20 don't know if it's any easier -- why don't you do
21 this? Because I don't think it matters to us. Why
22 don't you call the two schools --

23 DR. DEL ROSARIO: Okay.

24 THE CHAIR: -- and ask them which time
25 they would prefer? Thursday afternoon, probably

1 So moving forward, as you know, I've been
2 in a lot of discussion in regards to the -- the
3 closure of the one school in particular in Anthony,
4 'cause it is in my district. So we're trying to
5 iron out those issues. But, unfortunately, it's
6 becoming fairly complicated. So hopefully, we can
7 get that resolved, and we can move forward.

8 We did spend a fair amount of time
9 yesterday talking about closure procedures; so that
10 we will final- -- we'll get a cleaner copy of what
11 we talked about yesterday so that it's available for
12 everyone to look at, and we will be able to vote on
13 that in November so that we can move forward with
14 that.

15 We also, yesterday, during the Work
16 Session, took a look and had a discussion about a
17 budget so that Commissioners have a copy of a
18 proposed budget. And I want to thank Commissioner
19 Robbins for all of his work on that. I truly do
20 appreciate that.

21 So I'm going to ask Commissioners to take
22 a look at it -- those of you that weren't here
23 yesterday to take a look at it so that we'll spend
24 some time in the November Work Session taking more
25 input on it. But it -- it is something that we'd

Page 58

1 like to move forward on.
 2 COMMISSIONER ROBBINS: And would you like
 3 me to contact PED to talk about getting that put in?
 4 Getting it segregated? What actions would you like
 5 me to take, or steps, between now and November?
 6 THE CHAIR: But we want to wait -- so
 7 here's my question: Should we open the door for the
 8 discussion, even though it --
 9 MS. JAEGER: Uh-huh. Because we need the
 10 feedback.
 11 THE CHAIR: Absolutely.
 12 COMMISSIONER ROBBINS: Would you like me
 13 to do that? I will do that and keep you and
 14 Ms. Jaeger informed of any discussions I've had.
 15 Thank you.
 16 THE CHAIR: Okay, thanks. I appreciate
 17 that.
 18 I've also had the opportunity to travel to
 19 beautiful downtown Socorro.
 20 COMMISSIONER PERALTA: You didn't give me
 21 a call.
 22 THE CHAIR: But they closed the
 23 Albertson's there. I didn't realize that. Wow.
 24 And attended the implementation -- one of the
 25 implementation year trainings. I think that was

Page 59

1 last week.
 2 So it's -- it's busy, and we're -- we're
 3 moving on, and we're getting ready for a 60-day
 4 Session. So it's going to be a busy winter.
 5 And speaking of winter, it's going to be
 6 winter here next week; so all of you that live up
 7 here, have fun. I'm going to be down probably still
 8 in shorts; so I'll be thinking of you.
 9 All right. Next is the New Mexico -- oh,
 10 yeah, come on up. I'll just add it to my talk.
 11 MR. MATT PAHL: Thank you, Madam Chair.
 12 Good morning, members of the Commission. I'm before
 13 you much earlier than usual today; so appreciate
 14 that.
 15 THE CHAIR: I know.
 16 MR. MATT PAHL: I missed the last meeting
 17 due to a plumbing emergency at home. So I
 18 appreciate the ability to be able to talk today.
 19 And the first thing I want to start with,
 20 because I wasn't able to last time, was to thank
 21 Commissioner Peralta for his leadership on the
 22 PSCOC. That vote on lease assistance for charters
 23 was very important.
 24 And it wasn't a close vote. A 7-2 vote on
 25 that is a recognition of charters' needs. It's also

Page 60

1 a recognition that the rationale behind that cut was
 2 illogical and, thus, ill-fated. So, just, thank
 3 you, Commissioner Peralta, and just note for
 4 everyone that that was a 7-2 vote, and that, I
 5 think, carries extra meaning to it.
 6 The second thing on my list is to
 7 congratulate you for your work on the site visit
 8 protocol. Out of all the comments that we got when
 9 we looked at the performance framework, the clarity
 10 behind the site visit protocol, so schools can look
 11 on one sheet of paper and say, "These are the things
 12 that will be looked at" is a massive step forward
 13 for our charter movement.
 14 And I don't think it lacks
 15 comprehensiveness, either. It's clear; it's
 16 comprehensive. And I think that's just good
 17 government. So thank you for your work on that. I
 18 know that's two years in the making, really. So
 19 thank you.
 20 Third, I want to make an invite -- I have
 21 two invites. One is pretty soon here. It's on Mo65
 22 21 at 10:30 in the morning. The National Alliance
 23 of Charter Schools will be presenting an award to
 24 Governor Martinez as a charter champion. In that
 25 ceremony, I think you'll hear a lot about how that

Page 61

1 was a bipartisan effort. Charters are not a
 2 partisan issue in New Mexico. And we see that from
 3 both the people that are up here before us and also
 4 at the Legislature.
 5 So I'll send an e-mail with the details
 6 for that. But I hope you'll join for that event.
 7 And I think that there will be a lot of -- a lot of
 8 talk about how it wasn't -- it's not any one person
 9 that has gotten us to an environment, and it's
 10 certainly the work of the PEC and other authorizers
 11 that have made this happen as well.
 12 Our conference -- second announcement.
 13 Our conference, 9th and 10th of November. I'll just
 14 keep saying that until it's past; so maybe this is
 15 the last time.
 16 Just a little overview of how we're
 17 operating the conference this year, sessions in the
 18 morning and workshops in the afternoon. The
 19 workshops are targeted on charter issues, where
 20 they're more strategic in nature and less
 21 day-to-day; so things like their student recruitment
 22 plans, how to ask for capital outlay, and what their
 23 capital outlay requests will be of legislators.
 24 That's more than an hour session.
 25 That's something where we're allowing our

<p style="text-align: right;">Page 62</p> <p>1 schools to hear from experts and then start crafting 2 their own plan. So we're hoping our schools really 3 find that that's a very useful use of their time. 4 We'll also have Mark Armijo Academy, who's 5 an Albuquerque charter, who recently did a 6 rebranding. They have renamed themselves in honor 7 of Mark Armijo, a member of the founding board of 8 that school. But with that, they did some changes 9 in their communications on how they talk about their 10 schools to external partners. That's important for 11 our schools, whether they're talking to parents, 12 legislators, or other community members. And that's 13 just another opportunity that will be at the 14 conference. 15 I'll just note two other sessions, just 16 because now I know this is my last time to try and 17 get you all there. We will have Amanda Kocon from 18 TNTP presenting on "The Opportunity Myth." And what 19 that is is many years' long research of following 20 high school students. And, really, at the core of 21 it is asking them the question, "Do you feel 22 challenged at school?" 23 And they got varying responses to that. 24 Some students felt challenged; others didn't. And 25 then they followed those students to see what their</p>	<p style="text-align: right;">Page 64</p> <p>1 in New Mexico. 2 So we have a pretty good slate. 3 Also note that Chairwoman Gipson is 4 presenting for a few of those sessions, as well as 5 staff in PED and Albuquerque Public Schools. Just 6 to get that time with our authorizers, I think it's 7 really important for us. And I just believe that 8 when we look at where we're at right now, we've made 9 a lot of progress in how we engage with one another. 10 Whether it's you, as an authorizing body, or 11 Albuquerque, I think we're really moving in good 12 places; so we want to keep that going with more 13 opportunities for collaboration. 14 A couple of other notes is that two of the 15 three Blue Ribbon -- national Blue Ribbon Schools of 16 Excellence were charter schools in New Mexico. It's 17 just a feather in the cap for the work that our 18 schools do. So they are not PEC schools. But if 19 you run into Anasazi Charter in Taos or 20 East Mountain High School in Albuquerque, feel free 21 to congratulate them. It's a big deal, takes a lot 22 of work, and it's a really nice recognition for our 23 schools. 24 Secondly, I just want to note a little bit 25 on what the future of training looks like from the</p>
<p style="text-align: right;">Page 63</p> <p>1 outcomes were after high school. And what they 2 found with it is pretty striking, that when kids 3 feel challenged, they are more successful after high 4 school than those students that knew they weren't 5 being challenged. 6 And so it's interesting that our kids 7 know -- the consumers of the education we put out 8 there, they know what they're getting. And it 9 actually has real consequences for them at the -- 10 after their high school career. 11 So I think it's going to be really 12 interesting. That report is a national report and 13 just came out two or three weeks ago. So it's nice 14 to have something real timely and relevant at the 15 conference. That will be on Friday morning. 16 And on Saturday morning, we'll have 17 Senator Mimi Stewart talking about the 18 "No-Time-to-Lose" work. It's something that if 19 you're across the street at the Capitol, you've 20 heard enough about No Time to Lose. You know about 21 it. Our schools, I don't think have very often. So 22 it's an opportunity for our schools to learn more 23 about the framework. And it's a bipartisan 24 framework that the Legislature is moving forward on 25 in thinking about how we move forward in education</p>	<p style="text-align: right;">Page 65</p> <p>1 Coalition. 2 As we move forward, we have a full slate 3 of training to offer governing board members. In 4 the next year, you're going to see us trying to 5 engage with individual boards and actually provide 6 training at their board meetings. So boards can 7 learn together, and our training can meet the board 8 where their needs are. 9 We have some boards that are very 10 well-seasoned, and they've been in their roles for a 11 long time. That board needs a different kind of 12 training than a brand new school, for example. And 13 we think that these boards can learn best when 14 they're learning together and ask questions that are 15 really relevant to their situation. 16 Right now, we don't offer training quite 17 like that; but we're moving in that direction. And 18 just want the Commission to be aware of that, 19 because we're -- the biggest concern for us as we -- 20 as we bring up our training is to make sure it's 21 quality and that everybody gets something out of 22 that training. This is our method for trying to 23 make that happen. 24 So, just -- you'll hear from CSD, I'm 25 sure, as our applications come in for those kind of</p>

Page 66

1 trainings. But know that that's the direction that
 2 we're heading in, and we think it's a good one for
 3 schools in general.
 4 And note also that I am listening, when I
 5 hear you all at the Work Sessions and at these
 6 meetings, on some of the issues that we have with
 7 our schools. I think, Madam Chair, I've heard you
 8 say many times, when there's a new administrator,
 9 and they come up here and say, "Oh, I didn't know
 10 what happened the last few years," some boards
 11 really feel like they're stewards of an
 12 organization. That shouldn't be happening anymore.
 13 So it's a -- it's -- those things are kind
 14 of, you know, folding into the way we talk when
 15 we're -- when we're at our training; because we want
 16 our schools to be successful. And if they're to be
 17 successful, they need to look great in front of you,
 18 and all of that accountability.
 19 The last thing I'll just note is that
 20 there are a lot of changes occurring right now. And
 21 changes also equal chances for people. There's a
 22 guest in the room right now, a former Commissioner,
 23 and I'm looking at a couple of current ones, that
 24 were interacting with me when I was first sitting in
 25 Baylor's chair.

Page 67

1 And it wasn't always smooth. But I think
 2 those -- the -- as we move forward as a group that
 3 just touches charters -- there aren't that many of
 4 us in the state -- I just want to note how important
 5 it is to ensure that we're giving those people
 6 chances and being clear and open with them.
 7 I think some of the folks that engaged
 8 with me as I first started in charter schools would
 9 never have guessed that we'd have a -- as fruitful
 10 of a relationship as we have right now. That might
 11 be an assumption; but it was a rocky start.
 12 I mention that just because we're going to
 13 experience a lot of change here over the next few
 14 months. We have an election coming up. There's
 15 going to be new people in new places, new
 16 legislators that are going to make decisions about
 17 what the PEC discusses and what charter schools are
 18 able to do.
 19 I think -- I just think that there is a
 20 lot of opportunity in that. So it's just a note;
 21 it's not a comment saying that that's not happening.
 22 But I do think it's just important to state it out
 23 loud, that there's a lot of opportunity to create
 24 new alliances for people that care about kids and
 25 recognize that charters are a part of that recipe in

Page 68

1 serving them.
 2 So thank you, Madam Chair. I'll stand for
 3 questions.
 4 THE CHAIR: Right. And, hopefully, on
 5 that note, with moving forward with the budget
 6 process, that we can certainly be in partnership
 7 with the support for those charters through engaging
 8 with those trainings, in particular. I think that's
 9 critical.
 10 I do want to thank you. Because Matt was
 11 gracious enough to open the time at the conference
 12 to have a discussion with the SAM schools. And
 13 right now, we only have four I believe. But that
 14 number can change at any time.
 15 And as you remember, we did not address
 16 the SAM schools in the new performance framework.
 17 We said we would address that separately. And in
 18 anticipation that a discussion was happening here at
 19 PED about SAM schools, that conversation
 20 unfortunately kind of went away. But we still have
 21 to address the SAM schools issue.
 22 I had a conversation yesterday with Lyra
 23 Boast from Public Impact on what we can possibly do
 24 with the performance framework as it is and modify
 25 it somehow to address the needs of the SAM schools.

Page 69

1 So we're just going to have a discussion with them
 2 at the conference as to what -- what they feel a
 3 possible fix could be, just to have a little
 4 brainstorming with them; because I understand that
 5 some of them have, they believe, really -- some real
 6 quality measures that they're using. So it's a
 7 possibility that we may be able to use them with the
 8 other SAM schools.
 9 So it's always exciting to see and talk
 10 with other schools. And there is a -- Shelly
 11 Cherrin is doing a renewal workshop. So she asked
 12 me if I would sit in with her. So I appreciate
 13 that.
 14 And just as another update, hopefully, the
 15 2018 data will be available for us by early
 16 November, that's the pie in the sky, so that we'll
 17 have an idea -- we'll have the report -- just as we
 18 did last year, that big report with all the schools,
 19 so that Public Impact is running the performance
 20 framework for us. They're just waiting for the
 21 data.
 22 DR. DEL ROSARIO: Yes, and the
 23 Accountability Bureau to provide that to them.
 24 THE CHAIR: So it would be great -- it
 25 would be great if the schools had that by the

Page 70

1 November conference so that there would be those of
 2 us around, if there were any questions -- I don't
 3 know if it's going be that early in November. So
 4 it's -- we have said that as soon as it's done,
 5 they're going to send it, I do believe, to you, so
 6 that you can -- so that you can -- so that all the
 7 schools will have it. Because it's nothing that we
 8 have to vote on or anything. So as soon as eyes can
 9 be on it, it will be.
 10 MR. MATT PAHL: Okay. Great.
 11 Madam Chair, I have two more quick items.
 12 THE CHAIR: Okay.
 13 MR. MATT PAHL: One is the -- I forgot to
 14 give a shout-out to Broadmoor Elementary School in
 15 Hobbs for Commissioner Ruiz. It was the third
 16 school that received a Blue Ribbon award. So
 17 congratulations to your district, Commissioner Ruiz.
 18 And then, lastly, it's a question. How
 19 would -- I'd love to get feedback on our legislative
 20 agenda, moving -- you know, as we're already talking
 21 November; so if there's an opportunity to get on the
 22 Work Session for PEC where we can actually have some
 23 discussions of what we're looking at proposing and
 24 how they may align with -- with what the PEC wants,
 25 which we'd just really love to have that

Page 71

1 conversation.
 2 So I'll let you kind of provide the venue,
 3 if you're welcome to that. But just want to make
 4 sure we're starting the conversations as we're
 5 moving through the year quickly.
 6 THE CHAIR: Just off the top of my head,
 7 it has to be November Work Session; because if it's
 8 December -- actually, we won't have a work session
 9 in December, because we've got the renewals.
 10 MR. MATT PAHL: Yeah. Okay.
 11 THE CHAIR: Which brings me to another
 12 question. Sorry. The December schedule. How many
 13 schools, total, do we have now, for sure?
 14 DR. DEL ROSARIO: Let me look and check.
 15 THE CHAIR: Because we've now hit the
 16 October 1 deadline.
 17 MS. FRIEDMAN: And, Madam Chair, we have
 18 four days scheduled.
 19 COMMISSIONER ARMBRUSTER: In the interest
 20 of time, can I ask a question of Matt while Baylor
 21 is looking?
 22 THE CHAIR: Sure.
 23 COMMISSIONER ARMBRUSTER: I just want to
 24 know, who was Mark Armijo before the name of that
 25 school? What was it before?

Page 72

1 THE CHAIR: Madam Chair, Commissioner
 2 Armbruster, it was Nuestrros Valores Charter. It's
 3 in the South Valley of Albuquerque; it's an APS
 4 school.
 5 COMMISSIONER TOULOUSE: Madam Chair, he's
 6 the one who took my CNM chair away from me.
 7 COMMISSIONER ARMBRUSTER: Put a little
 8 black mark right there.
 9 COMMISSIONER TOULOUSE: Oh, no, not at
 10 all. I'd still rather be there than here, folks.
 11 COMMISSIONER ARMBRUSTER: This is just a
 12 comment, Matt, is that a long time ago, I -- when
 13 the State was going to the three-tier thing for the
 14 teachers, they had videos, which are way more --
 15 well, most of us are visual. And so they showed
 16 what a Tier I teacher would be like. And not a
 17 terrible teacher; I don't mean it that way.
 18 But you see how a Tier I teacher functions
 19 in the classroom. You see what a Tier III teacher
 20 does, and the difference between experience and
 21 non-experience.
 22 So my suggestion, which you certainly do
 23 not have to take, is that you find -- and I'm sure
 24 you know this, but I don't think that I could add to
 25 that conversation -- but a really well functioning

Page 73

1 board, and ask permission to video them, so when
 2 you're going to either schools who are new or
 3 schools that are not doing as well, you can actually
 4 see what a good one is looking like.
 5 I would not say to show up at one. But
 6 you might find five people to act as -- act badly, I
 7 guess. I just think it's a -- I think it's just
 8 hard to tell people what you should do. It's easier
 9 to see it. That's just my suggestion. Do what you
 10 want with it.
 11 MR. MATT PAHL: Thanks for the
 12 recommendation. It's a good one.
 13 THE CHAIR: Do we have a number?
 14 DR. DEL ROSARIO: We do. We have nine for
 15 December and two for November.
 16 THE CHAIR: Can I ask you, is one of the
 17 renewals coming from Farmington? Or no.
 18 DR. DEL ROSARIO: No.
 19 THE CHAIR: Oh, surprise. Okay. I'm
 20 surprised. Okay.
 21 COMMISSIONER ARMBRUSTER: Will we get a
 22 list of those?
 23 THE CHAIR: And we're going to get all of
 24 the applications.
 25 COMMISSIONER ARMBRUSTER: Nine.

Page 74

1 THE CHAIR: Yeah. Yeah, because we have
2 the two in particular -- we're going to get the two
3 for November right away. And then we'll get the
4 remaining nine -- remaining seven?

5 DR. DEL ROSARIO: Remaining nine.

6 THE CHAIR: Remaining nine by --

7 DR. DEL ROSARIO: We'll probably get it to
8 you today as well.

9 THE CHAIR: Okay. Great. Great. I
10 appreciate that.

11 COMMISSIONER ROBBINS: Madam Chair?

12 THE CHAIR: So with nine schools for
13 December, I think we're good for three -- three
14 days.

15 MS. FRIEDMAN: You have the option of
16 using that other day for a Work Session, if you
17 wish.

18 COMMISSIONER PERALTA: No harm in having
19 an early exit Friday if we start Tuesday.

20 THE CHAIR: So let me ask you. Is your
21 preference to start Tuesday and -- right. I'm
22 asking, would you rather start Tuesday, and that
23 way, if Friday is early, we're done?

24 COMMISSIONER ARMBRUSTER: I think for
25 those people driving -- and I'm not one of them -- I

Page 76

1 just huge gaps of time when we could have heard
2 another school, and it just was unfortunate.

3 So it's just one of those things where you
4 just have to stand in line and bear with it.

5 All right? Okay.

6 COMMISSIONER CONYERS: Madam Chair? I had
7 a question for -- I'm not sure on the location of
8 your conference?

9 MR. MATT PAHL: It's the APS Rankin
10 facility. And I'd be happy to share the address in
11 an e-mail to Commissioners as well.

12 COMMISSIONER CONYERS: Okay.

13 MR. MATT PAHL: Yeah. And, Madam Chair,
14 one request I would have from the schools, if at all
15 possible. It makes sense that you kind of have to
16 stand in line. If there is a way for schools -- you
17 know, if you have the list, and it's -- what I find
18 happens is it's 3:00, and we're midway through one
19 school. And it's not the next school on the list,
20 but the next one down that isn't sure if they should
21 stay or not, if in the late afternoon --

22 THE CHAIR: Give them an idea, sure.

23 MR. MATT PAHL: -- the Commission can --
24 yeah, I think that's just the -- for them, they're
25 just not sure in that scenario. So any

Page 75

1 would think you would prefer that, to drive home
2 Thursday or early Friday, rather than late Friday.
3 But --

4 THE CHAIR: So we want to start Tuesday
5 morning.

6 COMMISSIONER CRONE: Madam Chair? I
7 wanted to ask, we discussed getting State e-mail
8 addresses. Is there any update on that?

9 MS. JAEGER: So I reached out many times
10 to DoIT, which is the agency that could help provide
11 State e-mails, and I was not able to get a response.
12 In the budget proposals, we have IT support to move
13 forward to have the e-mails provided for you through
14 the State. But we don't have it right now.

15 COMMISSIONER CRONE: Thank you.

16 MS. JAEGER: Sorry.

17 THE CHAIR: So the plan now is to start
18 Tuesday, December 11th, at 9:00, and that we're not
19 scheduling schools. Schools are just notified that
20 they'll be heard sometime during that time. So that
21 if a school -- you know, if we get through three and
22 it's early on Tuesday, we'll do four.

23 So it's not the easiest thing for schools;
24 but it didn't work out well when we scheduled
25 schools, because we ended up a couple of times with

Page 77

1 communication around that would be helpful for the
2 schools.

3 THE CHAIR: Okay. Yeah. We'll do the
4 best that we can. And you might have to remind me.

5 MR. MATT PAHL: I would be happy to do
6 that. Thank you.

7 THE CHAIR: Commissioner Toulouse?

8 COMMISSIONER TOULOUSE: I just want to say
9 something to Mr. Pahl. I didn't have a problem with
10 you when you were sitting there. My problem was
11 after you left. And I think we've fixed it.

12 But...

13 THE CHAIR: Because you're not there
14 anymore.

15 COMMISSIONER TOULOUSE: It took some work.

16 But, no, I think you set a good example on how to
17 work with us. You said no, but you did it in ways
18 that weren't as difficult sometimes as the last few
19 years have been on a pushback, you know. There was
20 some discussion; there were other ways of doing it.
21 You had a different management style that I
22 appreciated, and I want you to know that, regardless
23 of anything.

24 And the other thing I want to say,
25 Madam Chair, is that this is the first year that

<p style="text-align: right;">Page 78</p> <p>1 we've done renewals that two schools not renewing 2 with us have actually called me, one of them not 3 even in my district, and wanted -- reached out to me 4 and wanted to tell me that they appreciated the work 5 we had done and that I had done, and they wanted me 6 to know they wouldn't be renewing. 7 And it was because of the treatment they 8 felt they had gotten up here; but not from the PEC. 9 But I just thought that was interesting that they 10 reached out to me. I can see the one in my district 11 which I had had interaction with. But the other one 12 surprised me. And so I think, moving forward, we 13 need, as a group, CSD and the PEC, to be a group and 14 work together and not look like we're working 15 against each other, or we're going to lose more 16 schools that we shouldn't lose. 17 I think there are some from us that went 18 to APS, I'm very glad they went. And there are 19 others, I'm very sorry they did because I think we 20 might have had more to offer. But I just want to 21 say this is the first year I've ever had any 22 schools -- and there have been ones every year in my 23 district that didn't stay with us, too -- that 24 anybody's reached out to me. So I think that was a 25 gesture on the part of the schools that they know</p>	<p style="text-align: right;">Page 80</p> <p>1 Conference, they were -- the School Board 2 Association was kind enough to be able to waive the 3 registration fee for Commissioners for those that 4 wanted to attend. 5 And I told him that it might be a good 6 idea to rethink that again, extend the invitation 7 out to Commissioners. I said we have some 8 Commissioners that would be interested in going, I, 9 for one. And maybe either if he or a designee on -- 10 in November, at the meeting here in Mabry Hall, that 11 they send someone to maybe, you know, extend that -- 12 extend that invite -- if not, I told him to e-mail 13 me with what he might be able to do for the 14 Commission for that convention in December. So... 15 THE CHAIR: It's going to make a long 16 week. So the 7th and then head on through. 17 Just out of curiosity, did they ever make 18 a decision on when they were going to buy that -- 19 the building across the street? 20 COMMISSIONER PERALTA: I didn't hear. 21 Haven't heard yet. But I might ask. 22 THE CHAIR: Because when I had that unique 23 opportunity to sit in for you, that was -- it was 24 contentious. 25 Okay. Thank you. So we'll pencil that in</p>
<p style="text-align: right;">Page 79</p> <p>1 something's going forward, and they know I'm not 2 staying; so I think they felt freer to talk to me. 3 And I tried to talk to them about what I 4 saw as to the future of how things were going to go 5 and changes that should happen. I just thought that 6 should be on the record. 7 THE CHAIR: Okay. Thank you. 8 MR. MATT PAHL: Thank you. 9 THE CHAIR: I'm assuming there's no one 10 here. 11 COMMISSIONER PERALTA: Madam Chair? 12 THE CHAIR: Wow, something from the School 13 Board Association? 14 COMMISSIONER PERALTA: Well, I guess, as 15 the liaison, I'm going to just kind of speak to -- 16 on behalf of the School Board Association -- we 17 haven't heard from them in a while. But at the 18 conclusion of yesterday's Capital Outlay Council 19 meeting yesterday, I did talk with Joe Guillen, and 20 I did remind him we are still recognizing the School 21 Boards on the agenda. 22 They've got an annual convention coming up 23 in December, December 7th and 8th, in Albuquerque, 24 at the Embassy, I believe. So I threw out the idea 25 again that much like in June, during the School Law</p>	<p style="text-align: right;">Page 81</p> <p>1 on our calendar. 2 COMMISSIONER PERALTA: Okay. 3 THE CHAIR: And hopefully -- there was a 4 lot of good information that came from that. So I 5 certainly appreciate when they do extend that 6 invitation to us. So thank you for having that 7 conversation with him. 8 Where did I just put that? Oh. You took 9 it from me. 10 We'll do PEC Comments now before the 11 Executive Session. 12 So Commissioner Caballero? 13 COMMISSIONER CABALLERO: No comments. 14 Thank you. 15 THE CHAIR: Commissioner Conyers? 16 COMMISSIONER CONYERS: None. I have no 17 comment. 18 THE CHAIR: Commissioner Toulouse? 19 COMMISSIONER TOULOUSE: Madam Chair. I 20 went to the LESC meeting in Albuquerque all three 21 days at Hawthorn Elementary School. And the most 22 important part that I think does apply to us -- in 23 fact, it applies to every single school in the 24 state -- was the last morning, on Friday, the entire 25 morning was a presentation on the Yazzie-Martinez</p>

<p style="text-align: right;">Page 82</p> <p>1 lawsuit settlement.</p> <p>2 And I think in even looking at the</p> <p>3 performance -- or the PEC thing here -- or going out</p> <p>4 for the site visit reviews, we're going to have to</p> <p>5 change that again, too, to meet the requirements of</p> <p>6 that, as it works out and after they see about</p> <p>7 appeals and everything else.</p> <p>8 But I think that at some point, we</p> <p>9 probably need a presentation for this Commission on</p> <p>10 the ramifications of that; because it's going to</p> <p>11 apply to every school district in the state.</p> <p>12 Because you have some child in that school district</p> <p>13 who is Native American, who is Hispanic, who has</p> <p>14 special needs, who has something that has not been</p> <p>15 being met that is behind this.</p> <p>16 And this lawsuit is going to have</p> <p>17 significant monitoring. So I just -- I didn't --</p> <p>18 I -- you know, I've been reading the newspaper</p> <p>19 articles. I kept track and listened. I did not</p> <p>20 realize exactly how far that went. I just saw the</p> <p>21 Native American part and some of the Hispanic part.</p> <p>22 I didn't realize all of the ramifications.</p> <p>23 So I would want all of us to look at that</p> <p>24 decision, look at actions as they come out as an</p> <p>25 appeal goes down and all that and see how a lot of</p>	<p style="text-align: right;">Page 84</p> <p>1 you arrive, and you don't even know, number one, who</p> <p>2 these people are, what you're voting for, what the</p> <p>3 jobs entail, who you are. And I thought that might</p> <p>4 be just something we throw in there. I don't think</p> <p>5 it's a do-or-die thing. But we would need to talk</p> <p>6 about it, because -- because on our laws or</p> <p>7 something, it's in January. We didn't do it last</p> <p>8 January for other issues.</p> <p>9 THE CHAIR: I don't think we did it the</p> <p>10 previous January, either.</p> <p>11 COMMISSIONER ARMBRUSTER: Okay. I can't</p> <p>12 remember that. I will say that I can't remember</p> <p>13 that. But I thought that that would be there.</p> <p>14 THE CHAIR: That's because we didn't meet</p> <p>15 last January.</p> <p>16 COMMISSIONER ARMBRUSTER: We didn't do it.</p> <p>17 I just was thinking about it and thought that might</p> <p>18 be something we could decide. But we would have to</p> <p>19 decide it prior to January; because it's already</p> <p>20 there.</p> <p>21 And the other thing is -- and I don't know</p> <p>22 whether this is -- but when schools are -- have an</p> <p>23 issue, they really should probably call first.</p> <p>24 There's, like, an order of how you should do things.</p> <p>25 One of them would be to call your</p>
<p style="text-align: right;">Page 83</p> <p>1 things are going to have to change again.</p> <p>2 Thank you.</p> <p>3 THE CHAIR: Commissioner Peralta?</p> <p>4 COMMISSIONER PERALTA: No comments.</p> <p>5 THE CHAIR: Commissioner Armbruster?</p> <p>6 COMMISSIONER ARMBRUSTER: Yes, I do have a</p> <p>7 few things. One is Ms. Clairvoyant Toulouse. We</p> <p>8 did talk about that. Yesterday I brought it up.</p> <p>9 There's another lawsuit -- and I still can't</p> <p>10 remember the name -- that dealt specifically with</p> <p>11 special education students. And that was part of</p> <p>12 the reason we felt we could justify, really, for the</p> <p>13 protection of the charter schools, an on-site visit</p> <p>14 rather than just doing it on the desktop. So you</p> <p>15 weren't here; but we were thinking it.</p> <p>16 I would also -- trying to think about this</p> <p>17 time scale -- these are some things I'm thinking</p> <p>18 about for the agenda. I'm just putting it out</p> <p>19 there. I've been thinking that maybe -- this was</p> <p>20 from you, Commissioner Caballero -- that changing</p> <p>21 the little booklet -- what's it called? -- the Rules</p> <p>22 of Procedure, of voting, to February might be</p> <p>23 easier, because we're getting four or five new</p> <p>24 people.</p> <p>25 And you're voting at the very first moment</p>	<p style="text-align: right;">Page 85</p> <p>1 Commissioner. I have half of this, not all of it,</p> <p>2 you know how that goes. But maybe schools need to</p> <p>3 know, "Here's the procedure," just like being a</p> <p>4 teacher in a district. First, you do this; then you</p> <p>5 do this; then you go up. You don't go from zero to</p> <p>6 100 in the first issue of that.</p> <p>7 That's just something I thought we could</p> <p>8 talk about. It's not that I'm proposing it for</p> <p>9 right now.</p> <p>10 THE CHAIR: Okay. Thank you.</p> <p>11 Commissioner Ruiz?</p> <p>12 COMMISSIONER RUIZ: Yes, ma'am. I have a</p> <p>13 couple of announcements for NMPSIA. So one of the</p> <p>14 things we're looking at is on the NMAA website,</p> <p>15 there is a video on hazing. And so we discussed at</p> <p>16 the RAC Committee and at their board meeting that we</p> <p>17 might make that mandatory in light of recent events</p> <p>18 in our state.</p> <p>19 And then some other things that are going</p> <p>20 on, they just put out a real neat little bus safety</p> <p>21 video. And it's on the website. So I urge all of</p> <p>22 you to see that.</p> <p>23 And then the other thing that we're</p> <p>24 talking about, we tried the STOPit program, and it</p> <p>25 didn't have a lot of success. Of course, funding</p>

1 was a major part of it. But the Sandy Hook Promise
2 program is free. It's absolutely free.

3 And so we are looking, as a group at
4 NMPSIA, to make that mandatory. We haven't
5 finalized anything on that. But, you know, it's
6 going to be a way to prepare for -- in the event
7 that anything happens with our students.

8 And then the last thing, I wanted to thank
9 Commissioner Robbins. I know you did as well. But
10 I really am appreciative that you gave us that
11 budget that you did. Simple, easy to read, and easy
12 to understand. So thank you.

13 THE CHAIR: So let me ask -- NMPSIA is
14 looking to make a requirement that all school
15 staff -- or would it be students -- with those
16 videos?

17 COMMISSIONER RUIZ: I think it's all the
18 coaches.

19 THE CHAIR: The coaches, so it's through
20 NMAA.

21 COMMISSIONER RUIZ: Uh-huh. Because it's
22 on their website. But it's not mandatory right now.
23 So because of recent hazing situations, they're
24 wanting to make it where you have to look at that.
25 And so they're hoping that, you know, that's going

1 That was just my mind. Not true. Not true. But
2 it's good to learn.

3 And I will say that many terms had to be
4 defined, because some of our older people didn't
5 have any idea -- and I wasn't the only one. But I
6 had no idea of not only what was going on, but the
7 liability that our teachers, as well as -- you know,
8 all teachers, all teachers -- have by not following
9 through, by not being right there, by not preventing
10 things that they should be preventing, even things
11 as small as being at the back of the bus, sitting
12 on -- you know, athletic, as you said, mostly that.

13 They're just things that, wow, I never
14 thought about that. Did I always sit at the back of
15 the bus? I think I actually did, but -- probably
16 because I was placed there.

17 But I just think it is a huge, huge thing,
18 and it's major lawsuits. Major lawsuits.

19 COMMISSIONER CABALLERO: Madam Chair, is
20 it concentrated with the sports? Or unnecessary --

21 THE CHAIR: Well, hazing is. Hazing is
22 certainly is more endemic within the sports.

23 COMMISSIONER ARMBRUSTER: But it's also
24 everywhere. I mean, it's not only that. It's the
25 majority of it. But I think it's something that

1 to curtail some of the issues that we've confronted
2 this year.

3 COMMISSIONER CABALLERO: Madam Chair,
4 Commissioner Ruiz, do we have a serious hazing
5 issue? Do we?

6 THE CHAIR: Oh yeah.

7 COMMISSIONER RUIZ: We've had -- sadly to
8 say, in my city, we had a hazing issue. But it's
9 not limited to Hobbs. My understanding, it's
10 happening in other places as well. And so now we
11 are trying to curtail that.

12 And, again, just -- it's for student
13 safety, to make sure that everybody's viewing that
14 video that's on the NMAA website, and just helping
15 our kids feel safe.

16 THE CHAIR: It's unfortunate. It's still
17 viewed as a kind of rite of passage with a lot of
18 sports teams. It's -- it's very difficult to break
19 away from that, you know. So it's -- it is a shame.

20 Commissioner Armbruster?

21 COMMISSIONER ARMBRUSTER: I just wanted to
22 add on to what Commissioner Ruiz was talking about.
23 At the last law convention that we went to, I went
24 to this one on hazing. And, honestly, I thought
25 hazing, bullying; like, hazing is a minor bullying.

1 everyone -- as Commissioner Ruiz was saying -- it's
2 just a matter of being aware. Whoever thought of
3 all these things when we were growing up? You know,
4 maybe they didn't exist, or maybe we just didn't
5 think about it. But it's a new world.

6 THE CHAIR: It existed when I was on
7 sports teams. So it's -- you know, it's an age-old
8 tradition, you know, unfortunately. And it does --
9 it does go well beyond sports teams. It's part of a
10 lot of other group activities.

11 So it's -- you know, it's -- it's a very
12 difficult thing, too, because unfortunately a lot of
13 the parents just think it's the kids being kids.
14 And it's -- and it's as simple as -- you know, I
15 know when I went to -- on teams, it's as simple as
16 everyone has to wear the same color, or everyone has
17 to wear one sock down. And you think, "Oh, how
18 harmless is that?"

19 But it -- just, it would be there, and
20 it's -- you know, you're creating that culture. And
21 that's what we have to break.

22 Thank you.

23 Commissioner Crone?

24 COMMISSIONER CRONE: Yeah. Hazing was
25 universal when I entered college. Fortunately, I

<p style="text-align: right;">Page 90</p> <p>1 had a roommate that didn't believe in it. So he -- 2 I didn't have to wear that stupid beanie -- 3 THE CHAIR: Absolutely. For a -- 4 COMMISSIONER CRONE: -- with the number 5 "69" on it. I was the class of '69. 6 I had a couple of things. I got a call 7 from a parent who had an issue with a principal at a 8 charter in my district. And I realized that I 9 didn't really know how to deal with that. So I 10 called Beverly; Beverly, the source of all wisdom. 11 And she helped me out. 12 But I was wondering if we could have some 13 sort of, like, quick training as to how we deal with 14 situations like that. 15 THE CHAIR: Sure. Sure. 16 COMMISSIONER CRONE: And it did get 17 resolved. I will say that. 18 Also on the Sandy Hook Promise program, 19 they did a presentation. They have a website, if 20 you want to check it out. It's -- I think it's 21 pretty impressive. I think Trish agrees. 22 We -- it doesn't sound like we have time 23 right now. But at some point, when we have -- maybe 24 we do have time -- we could invite -- the guy who 25 came, his child was in Sandy Hook the day -- his</p>	<p style="text-align: right;">Page 92</p> <p>1 the 14th, I believe. So I don't believe we've 2 gotten our homework yet. We got a copy of the 3 notes; but I don't think we've gotten our homework 4 for that. So I don't know if that's going to be 5 forthcoming or not. So we will -- we will see where 6 we move with that. 7 Okay. I'm going to move that the 8 Commission enter into a Closed Session. The 9 subjects to be discussed are issues subject to 10 attorney-client privilege pertaining to threatened 11 or pending litigation in which the PEC is or may 12 become a participant, pursuant to NMSA 1978, 13 Section 10-15-1(H)(7), specifically: 14 A., In Re New Mexico Public Education 15 Department Notice to Review Public Education 16 Commission's Decision to Grant Raíces del Saber 17 Xinachtli Community School Charter with conditions; 18 B., Contract for Professional Services to Oversee 19 and Assist with the Implementation Year for Raíces 20 del Saber Xinachtli Community School; C., the 21 Governing Council of Taos International v. 22 Christopher Ruskowski, in his Official Capacity as 23 the Secretary of the New Mexico Public Education 24 Department, Case No. D-101-CV-2018-01196; D., 25 Student Athlete Headquarters Academy Closure</p>
<p style="text-align: right;">Page 91</p> <p>1 child survived. 2 COMMISSIONER RUIZ: Yes. 3 COMMISSIONER CRONE: But, of course, how 4 many children didn't survive? So that's it. Thank 5 you. 6 THE CHAIR: Commissioner Robbins? 7 COMMISSIONER ROBBINS: Just want to let 8 the Commissioners know I'm scheduled to go to the 9 NACSA conference in Florida on the 22nd through 10 24th. I have hotel reservations. I think PED is 11 working on airlines. We'll see if they can get that 12 all fixed next week. 13 COMMISSIONER CRONE: Mexico Beach? 14 COMMISSIONER ROBBINS: It's Orlando. 15 Hopefully, another hurricane doesn't hit next week. 16 THE CHAIR: Did Orlando get hit? I didn't 17 pay attention to -- 18 COMMISSIONER ROBBINS: Not this year. 19 THE CHAIR: Well, enjoy. There's a lot of 20 good networking. And it's -- you know, I've enjoyed 21 attending. So happy flying. 22 COMMISSIONER ARMBRUSTER: In odd years. 23 THE CHAIR: Yeah. Yeah. It's tough. The 24 timing isn't great. So -- and those of us, I guess 25 in between -- NACSA will be on the 14th of November;</p>	<p style="text-align: right;">Page 93</p> <p>1 Proceedings Writ of Replevin; E., the Governing 2 Council of New Mexico Connections Academy and 3 New Mexico Connections Academy v. Christopher 4 Ruskowski, in his Official Capacity as Secretary of 5 New Mexico PED, Case No. D-101-CV-2018-01329. 6 The matters discussed in the closed 7 meeting will be limited only to those specified in 8 the motion. 9 Do I have a second? 10 COMMISSIONER RUIZ: Second. 11 THE CHAIR: There's a second by 12 Commissioner Ruiz. 13 COMMISSIONER ARMBRUSTER: Ready? 14 THE CHAIR: Uh-huh. 15 COMMISSIONER ARMBRUSTER: Commissioner 16 Robbins? 17 COMMISSIONER ROBBINS: Yes. 18 COMMISSIONER ARMBRUSTER: Commissioner 19 Toulouse? 20 COMMISSIONER TOULOUSE: Yes. 21 COMMISSIONER ARMBRUSTER: Commissioner 22 Armbruster votes "Yes." 23 Commissioner Conyers? 24 COMMISSIONER CONYERS: Yes. 25 COMMISSIONER ARMBRUSTER: Commissioner</p>

Page 94	Page 96
<p>1 Peralta? 2 COMMISSIONER PERALTA: Yes. 3 COMMISSIONER ARMBRUSTER: Commissioner 4 Gipson? 5 THE CHAIR: Yes. 6 COMMISSIONER ARMBRUSTER: Commissioner 7 Crone? 8 COMMISSIONER CRONE: Yes. 9 COMMISSIONER ARMBRUSTER: Commissioner 10 Ruiz? 11 COMMISSIONER RUIZ: Yes. 12 COMMISSIONER ARMBRUSTER: Commissioner 13 Caballero? 14 COMMISSIONER CABALLERO: Yes. 15 COMMISSIONER ARMBRUSTER: It's a 16 nine-to-zero vote. 17 THE CHAIR: So we'll go to the ladies room 18 while we're clearing out. 19 MS. FRIEDMAN: Madam Chair? 20 THE CHAIR: Sorry. 21 MS. FRIEDMAN: You can meet in 128. 22 THE CHAIR: Oh, okay. 23 (A discussion was held off the record.) 24 (Executive Session held.) 25 THE CHAIR: So I move that Public</p>	<p>1 COMMISSIONER CRONE: Yes. 2 COMMISSIONER ARMBRUSTER: Commissioner 3 Robbins? 4 COMMISSIONER ROBBINS: Yes. 5 COMMISSIONER ARMBRUSTER: Commissioner 6 Toulouse? 7 COMMISSIONER TOULOUSE: Yes. 8 COMMISSIONER ARMBRUSTER: Commissioner 9 Ruiz? 10 COMMISSIONER RUIZ: Yes. 11 COMMISSIONER ARMBRUSTER: Commissioner 12 Caballero? 13 COMMISSIONER CABALLERO: Yes. 14 COMMISSIONER ARMBRUSTER: Nine-to-zero 15 vote. Passes. 16 THE CHAIR: Motion passes nine-zero. 17 Okay. 18 So now we are on to item No. 16, 19 Discussion and Possible Action on Contract for 20 Professional Services to Oversee and Assist with the 21 Implementation Year for Raíces del Saber Xinachtli 22 Community School. 23 COMMISSIONER CABALLERO: Motion, 24 Madam Chair? 25 THE CHAIR: Yes.</p>
Page 95	Page 97
<p>1 Education Commission -- do we have to vote to end 2 Closed Session? We do. 3 MS. JAEGER: On the record. 4 THE CHAIR: So I move that the Public 5 Education Commission end Closed Session. Matters 6 discussed in the closed meeting were limited only to 7 those specified in the motion for closure, and no 8 vote was taken during the Closed Session. 9 Do I have a second? 10 COMMISSIONER RUIZ: Second. 11 THE CHAIR: There's a second by 12 Commissioner Ruiz. 13 Commissioner Armbruster? 14 COMMISSIONER ARMBRUSTER: Commissioner 15 Peralta? 16 COMMISSIONER PERALTA: Yes. 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Conyers? 19 COMMISSIONER CONYERS: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Armbruster votes "Yes." 22 Commissioner Gipson? 23 THE CHAIR: Yes. 24 COMMISSIONER ARMBRUSTER: Commissioner 25 Crone?</p>	<p>1 COMMISSIONER CABALLERO: I move that the 2 Public Education Commission issue a contract to an 3 independent party for technical assistance for the 4 planning and implementation year for Raíces del 5 Saber Xinachtli Community School to address the 6 conflict of interest that was created as a result of 7 the Secretary of PED asking CSD to assist with its 8 review of the PEC's decision to grant the school a 9 charter. 10 COMMISSIONER TOULOUSE: Second. 11 THE CHAIR: There's a motion by 12 Commissioner Caballero, a second by Commissioner 13 Toulouse. 14 Any discussion? 15 (No response.) 16 THE CHAIR: Commissioner Armbruster? 17 COMMISSIONER ARMBRUSTER: Commissioner 18 Ruiz? 19 COMMISSIONER RUIZ: Yes. 20 COMMISSIONER ARMBRUSTER: Commissioner 21 Robbins? 22 COMMISSIONER ROBBINS: Yes. 23 COMMISSIONER ARMBRUSTER: Commissioner 24 1Caballero. 25 COMMISSIONER CABALLERO: Yes.</p>

Page 98

1 COMMISSIONER ARMBRUSTER: Commissioner
2 Toulouse?
3 COMMISSIONER TOULOUSE: Yes.
4 COMMISSIONER ARMBRUSTER: Commissioner
5 Armbruster votes "Yes."
6 Commissioner Conyers?
7 COMMISSIONER CONYERS: Yes.
8 COMMISSIONER ARMBRUSTER: Commissioner
9 Crone?
10 COMMISSIONER CRONE: Yes.
11 COMMISSIONER ARMBRUSTER: Commissioner
12 Peralta?
13 COMMISSIONER PERALTA: Yes.
14 COMMISSIONER ARMBRUSTER: Commissioner
15 Gipson?
16 THE CHAIR: Yes.
17 COMMISSIONER ARMBRUSTER: It's a
18 nine-to-zero vote.
19 THE CHAIR: Motion passes, nine-zero.
20 Thank you very much.
21 We're on to item No. 20, Motion to
22 Adjourn.
23 COMMISSIONER TOULOUSE: So move,
24 Madam Chair.
25 COMMISSIONER ROBBINS: Second.

Page 99

1 THE CHAIR: Motion by Commissioner
2 Toulouse, second by Commissioner Robbins.
3 All in favor?
4 (Commissioners so indicate.)
5 THE CHAIR: Opposed?
6 (No response.)
7 THE CHAIR: Hearing no opposition, the
8 motion passes. Safe travels, everyone. See you
9 soon.
10 (Proceedings concluded at 12:44 p.m.)
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Page 100

1 BEFORE THE PUBLIC EDUCATION COMMISSION
2 STATE OF NEW MEXICO
3
4
5
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 Santa Fe, in the
14 matter therein stated.
15 In testimony whereof, I have hereunto set my
16 hand on October 22, 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.: 1033N (CC)

Page 101

1 RECEIPT
2 JOB NUMBER: 1033N CC Date: 10/12/18
3 PROCEEDINGS: OPEN PUBLIC MEETING
4 CASE CAPTION: In re: Public 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: _____

A

a.m 1:11 5:3 40:5,5	airlines 91:11	41:12 65:25 73:24
Abby 28:1,4 29:21 30:21 31:9,18 31:22 32:2,9	Albertson's 58:23	applied 13:5
ability 59:18	Albuquerque 1:21 12:12 14:18 62:5 64:5,11,20 72:3 79:23 81:20 100:21	applies 81:23
able 7:4 22:17,19 35:8 44:8 49:14 55:1,3 56:16,17,19,22 57:12 59:18,20 67:18 69:7 75:11 80:2 80:13	Aldo 27:22 37:13,19 38:13	apply 81:22 82:11
absolutely 23:6,12 24:8 26:11 36:9 55:12 58:11 86:2 90:3	align 70:24	appraisal 22:4
academic 14:8	alignment 30:9	appreciate 13:20 35:18 36:19 57:20 58:16 59:13,18 69:12 74:10 81:5
Academy 28:5 31:3 35:12 38:14 62:4 92:25 93:2,3	allegations 24:22	appreciated 77:22 78:4
accountability 66:18 69:23	Allegiance 3:3 6:10,11	appreciative 86:10
ACES 25:13,14	Alliance 60:22	appropriate 30:4
act 73:6,6	alliances 67:24	approval 3:5 6:19 8:13 19:6
Action 3:10,14,15,18 4:3 6:25 8:25 48:18 96:19	allow 24:18 31:11 36:12	approve 7:9 41:2,6
actions 3:9 58:4 82:24	allowing 61:25	approved 19:8
activities 89:10	Altura 14:18	April 23:12
add 43:24 59:10 72:24 87:22	Amanda 62:17	APS 13:18 15:1 72:3 76:9 78:18
added 43:5	amendment 3:16 44:5,14 45:5 46:11 47:2	arduous 8:5
additional 19:23 44:22	American 82:13,21	areas 48:23 49:1
address 46:13,15 68:15,17,21,25 76:10 97:5	Ami 2:13 31:10 51:22	Armbruster 2:4 5:4,5,8,11,12,15 5:18,21,24 6:2 8:7 9:15,18,21 9:25 10:4,7,10,11,14,17,20,23 38:20,21,24 39:2,5,6,9,12,15,18 39:21,25 40:19,22 41:21,22,25 42:3,6,9,12,15,16,19,22 45:11 45:20 46:1 47:13,14,17,20,23 48:1,4,7,8,11,14 50:4,5,8,11,14 50:17,20,23 51:1,2,5,21 52:15 54:2,5 71:19,23 72:2,7,11 73:21 73:25 74:24 83:5,6 84:11,16 87:20,21 88:23 91:22 93:13,15 93:18,21,22,25 94:3,6,9,12,15 95:13,14,17,20,21,24 96:2,5,8 96:11,14 97:16,17,20,23 98:1,4 98:5,8,11,14,17
addressed 3:23 4:6,7,8 29:3	announcement 61:12	Armijo 62:4,7 71:24
addresses 46:18 75:8	announcements 85:13	arrive 84:1
adequate 44:8	annual 79:22	art 28:15
Adjourn 4:9 98:22	answer 15:4,20 21:5 30:21	articles 82:19
administrator 12:12 32:13 34:8 47:5 66:8	answers 20:12	asked 69:11
adopt 41:11 47:2 49:21	Anthony 17:16,20 19:12 20:19 22:2,10,13,23 23:10,11 25:8 57:3	asking 21:11 30:7 62:21 74:22 97:7
advise 31:12	anticipation 68:18	assets 23:14,22,22 24:2,7,11
affidavit 34:15	Antonio 20:10	assist 4:4 92:19 96:20 97:7
affixed 17:21	anybody's 78:24	assistance 14:5,12 59:22 97:3
afternoon 53:14,22 54:4,4,8,10 55:25 56:4,8,17 61:18 76:21	anymore 66:12 77:14	Associates 1:19 100:20
age-old 89:7	anyway 15:4	Association 79:13,16 80:2
agency 75:10	Apodaca 1:12	assuming 79:9
agenda 3:5,7 6:19 7:10 8:12,13 11:17 38:2 44:10,12 51:23 52:23 53:8,23 54:7 56:2,9,21 70:20 79:21 83:18	apologize 33:17 36:14 37:4	
ago 21:5 63:13 72:12	Apparently 46:17	
agrees 90:21	appeal 82:25	
ahead 41:9	appeals 82:7	
	appeared 46:15	
	applicable 29:15,24	
	application 3:14 7:1 11:5 14:15 15:23 43:3 54:22,23 55:4,6	
	applications 3:11 9:1 13:10	

assumption 67:11
assurance 28:20 30:8 31:21
assurances 28:12,16 29:12,17
 34:21 35:21
assure 29:23 30:11
Athlete 92:25
athletic 88:12
ATTACHMENTS 4:11
attempted 21:23
attempting 26:14,16
attempts 34:12
attend 80:4
attended 15:10 58:24
attending 91:21
attention 20:7 29:1 91:17
attorney 8:8 28:5 101:7,12,17,22
attorney-client 92:10
audit 49:12
August 29:2 30:14
authorizers 61:10 64:6
authorizing 13:14,17 14:1 64:10
automatically 18:8
available 57:11 69:15
await 35:16
award 60:23 70:16
aware 13:11 20:2,8 35:2 53:2
 65:18 89:2

B

B 17:2 92:18
back 10:21 16:1 17:4 23:11 36:23
 40:12 43:6 46:9 88:11,14
background 12:15
badly 73:6
basic 44:17
Baylor 2:9 11:4 12:22 26:14
 48:20 71:20
Baylor's 66:25
Beach 91:13
Bean 1:19 100:20
beanie 90:2
bear 76:4
beautiful 58:19
becoming 57:6
behalf 36:15 37:4 79:16
believe 12:10 16:24 22:3 27:21
 27:24 33:21 34:12 53:13 64:7

68:13 69:5 70:5 79:24 90:1
 92:1,1
bell 44:24
benefit 45:16
best 65:13 77:4
better 31:14
Beverly 2:11 51:18 52:3,21 90:10
 90:10 101:7
beyond 36:13 44:13 89:9
bid 25:15
bids 25:23
big 11:24 40:23 64:21 69:18
biggest 65:19
bipartisan 61:1 63:23
bit 12:17 17:4 22:5 24:14 28:6
 46:21 52:24 53:18 54:18 64:24
black 72:8
Blue 64:15,15 70:16
board 16:24 30:1,5 34:10 35:9,13
 36:2,11,15,22 62:7 65:3,6,7,11
 73:1 79:13,16 80:1 85:16
boards 65:5,6,9,13 66:10 79:21
Boast 68:23
body 27:11,12 29:13 47:5 64:10
book 51:12
booklet 83:21
brainstorming 69:4
brand 65:12
breach 37:1 38:12
break 40:2 87:18 89:21
briefly 12:4,15 19:18
bring 5:1 65:20
brings 71:11
Broadmoor 70:14
brought 20:6 28:8,25 30:6 32:25
 35:15 48:23 83:8
bucket 14:4
budget 24:25 57:17,18 68:5
 75:12 86:11
building 1:12 44:22 46:13 80:19
buildings 22:7
bullying 87:25,25
Bureau 19:7 25:1 69:23
bus 85:20 88:11,15
busy 59:2,4
busy-ness 35:7 36:6,13
buy 80:18

C

C 1:19 2:1 3:1 4:1 92:20 100:8,19
Caballero 2:4 6:3,13,15,17 9:16
 9:17 18:15,22 39:10,11 41:1,5,9
 41:14,17 42:7,8 47:21,22 49:19
 49:25 50:15,16 52:9 81:12,13
 83:20 87:3 88:19 94:13,14
 96:12,13,23 97:1,12,25
calendar 51:9 52:4,5 53:5 81:1
call 3:3,3 10:1 35:7 55:22 58:21
 84:23,25 90:6
called 78:2 83:21 90:10
calls 21:25
cap 64:17
Capacity 92:22 93:4
capital 19:7 20:7 61:22,23 79:18
Capitol 63:19
CAPTION 101:4
care 31:7 67:24
career 63:10
CARLOS 2:4
CARMIE 2:7
carries 28:16,22 60:5
case 53:24 92:24 93:5 101:4
caught 49:11
cause 57:4
CC 1:25 100:25 101:2
CCR 1:19 100:8,19
center 22:22
ceremony 60:25
certain 49:15
certainly 15:19,22 49:8 61:10
 68:6 72:22 81:5 88:22
certificate 4:10 28:22 34:21
 100:7
Certified 100:8
certify 28:13,14 29:22 30:8 35:17
 100:10
CES 25:13
CHAIKEN 2:14
chair 2:3,3 3:20 5:1,20 6:6,14,18
 6:22 7:7,12,16,18 8:9,16,20,22
 9:7,10,14 10:3,22 11:2,10,13,15
 11:22 12:20 15:6,9,18 16:3,17
 16:19 17:1,6,19 18:4,14 19:2,18
 20:4,5,13,16 21:2 23:15,25 25:5
 25:8,10,18,20,24 26:2,5,12,13

<p>27:9,19 28:2 29:20 30:20,23,24 31:10,17 32:8,10,16 33:2,14,23 34:1,3,6 35:18,24 36:3,6,10,17 36:18,19,24 37:10,12,18,22 38:8,16,20 39:17,20 40:2,4,6,11 40:21 41:3,15,20 42:14,24 43:11,16 44:1,25 45:9,19,24 46:3,6,20,24 47:8,13,16 48:16 49:5,17,24 50:4,25 51:7,11,15 52:11 53:2,11 54:4,7,12,21,25 55:7,10,13,17,24 56:6,10,14,25 58:6,11,16,22 59:11,15 66:7,25 68:2,4 69:24 70:11,12 71:6,11 71:15,17,22 72:1,1,5,6 73:13,16 73:19,23 74:1,6,9,11,12,20 75:4 75:6,17 76:6,13,22 77:3,7,13,25 79:7,9,11,12 80:15,22 81:3,15 81:18,19 83:3,5 84:9,14 85:10 86:13,19 87:3,6,16 88:19,21 89:6 90:3,15 91:6,16,19,23 93:11,14 94:5,17,19,20,22,25 95:4,11,23 96:16,24,25 97:11 97:16 98:16,19,24 99:1,5,7</p> <p>Chairwoman 64:3 challenge 13:1 challenged 62:22,24 63:3,5 champion 60:24 chance 17:12 24:16,17 chances 66:21 67:6 change 9:4 15:3,3 32:15,21 40:23 44:14 67:13 68:14 82:5 83:1 changed 40:23 changes 7:10 35:16 40:16 41:11 47:6 49:8,21 53:1 62:8 66:20 66:21 79:5 changing 83:20 Chapman 1:19 100:8,19 charter 3:8,11,14 7:1 11:19,24 12:16 13:6 14:1,5,11 17:16 29:12,16,23 32:14 34:7 37:20 38:14 41:13 43:8 44:7 47:6 60:13,23,24 61:19 62:5 64:16 64:19 67:8,17 72:2 83:13 90:8 92:17 97:9 charters 9:1 13:5 21:8 59:22 61:1 67:3,25 68:7 charters' 59:25</p>	<p>check 16:15 27:4 71:14 90:20 Checklist 7:3 Cherrin 69:11 child 82:12 90:25 91:1 children 91:4 Christopher 92:22 93:3 citizen 22:22 citizens 22:22 city 20:19 22:2,9,13,22 87:8 Clairvoyant 83:7 clarify 48:22 clarity 60:9 class 90:5 classroom 72:19 clean 43:18 cleaner 57:10 clear 24:9 31:11 43:19 44:10 46:11 60:15 67:6 clearer 46:21 clearing 94:18 clearly 23:16 client 31:7,12,16 close 21:3 59:24 closed 17:18 24:15 58:22 92:8 93:6 95:2,5,6,8 closer 28:3 closure 7:2 17:9 23:1,4,13 25:12 25:15 26:6 44:17 47:4 57:3,9 92:25 95:7 closures 17:5 CNM 72:6 coaches 86:18,19 Coalition 14:11 65:1 coincide 44:9 collaborating 29:2 collaboration 13:2 64:13 collaboratively 30:13 college 89:25 Collegiate 14:18 color 89:16 come 13:23 15:3 19:23 22:4 44:7 59:10 65:25 66:9 82:24 comes 12:7 15:9 coming 6:3 54:12,13 67:14 73:17 79:22 commencement 16:7 comment 67:21 72:12 81:17</p>	<p>comments 3:21 35:13 46:23 49:5 53:7 60:8 81:10,13 83:4 Commission 1:1 5:2 7:24 8:1 11:22 12:23 13:19 29:1,5 30:15 30:17 34:6 38:10 41:11 47:2 49:20 59:12 65:18 76:23 80:14 82:9 92:8 95:1,5 97:2 100:1,12 101:5 Commission's 92:16 Commissioner 5:4,5,6,7,8,8,10 5:11,11,13,14,15,15,17,18,18 5:21,21,23,24,24 6:1,2,2,8,13 6:15,17 7:9,11,13,13,22 8:7,9 8:14,15,17,17 9:6,8,9,10,15,15 9:17,18,18,20,21,21,24,25 10:2 10:4,4,6,7,7,9,10,10,12,13,14 10:14,16,17,19,20,23,25,25 11:2 12:22 17:13 18:15,22 20:5 20:14,14,15,17 23:8,23 26:13 26:19 27:7 31:19,24 38:15,17 38:20,21,21,23,24,24 39:1,2,2,4 39:5,5,7,8,9,9,11,12,12,14,15 39:16,18,21,23,24,25 40:3,9,19 40:22 41:1,3,5,7,9,10,14,16,17 41:20,22,22,24,25,25 42:2,3,3,5 42:6,6,8,9,9,11,12,12,15,15,17 42:18,19,19,21,22 45:11,20 46:1,24 47:7,9,9,13,14,14,17,17 47:19,20,20,22,23,23,25 48:1,1 48:3,4,4,6,7,7,9,10,11,11,13,14 49:19,23,25,25 50:4,5,5,7,8,8 50:10,11,11,13,14,14,16,17,17 50:19,20,20,22,23,23 51:1,1,3,4 51:5,10,14,21 52:9,10,13,15 54:2,5 57:18 58:2,12,20 59:21 60:3 66:22 70:15,17 71:19,23 72:1,5,7,9,11 73:21,25 74:11,18 74:24 75:6,15 76:6,12 77:7,8,15 79:11,14 80:20 81:2,12,13,15 81:16,18,19 83:3,4,5,6,20 84:11 84:16 85:1,11,12 86:9,17,21 87:3,4,7,20,21,22 88:19,23 89:1 89:23,24 90:4,16 91:2,3,6,7,13 91:14,18,22 93:10,12,13,15,15 93:17,18,18,20,21,21,23,24,25 93:25 94:2,3,3,6,6,8,9,9,11,12 94:12,14,15 95:10,12,13,14,14</p>
---	---	--

95:16,17,17,19,20,20,22,24,24
 96:1,2,2,4,5,5,7,8,8,10,11,11,13
 96:14,23 97:1,10,12,12,16,17
 97:17,19,20,20,22,23,23,25
 98:1,1,3,4,4,6,7,8,8,10,11,11,13
 98:14,14,17,23,25 99:1,2
Commissioners 2:2 7:15 8:19
 27:19 28:2 30:25 37:24 43:18
 49:5 51:20 52:23 57:17,21
 76:11 80:3,7,8 91:8 99:4
Committee 85:16
communicate 36:4,15,21
communicated 35:19 37:8
communicating 17:18 35:10
 36:20
communication 35:25 77:1
communications 62:9
community 4:4 38:14 62:12
 92:17,20 96:22 97:5
complete 43:11
completed 26:7 27:17
compliance 6:24 27:15 29:13
 33:8,11,13,19 34:9 35:6 36:23
 49:11,15
complicated 57:6
complied 21:10,21
comply 29:23 35:11,14
complying 37:9
comprehensive 60:16
comprehensiveness 60:15
computer 21:16
computers 22:15,20 24:4
concentrated 88:20
concern 16:15 21:5,15 26:6
 28:25 30:17 31:4 35:20 38:10
 65:19
concerned 22:20,23
concerns 16:24 19:23 20:9 27:11
 27:12
concluded 99:10
conclusion 79:18
conditions 92:17
conducted 6:12
conference 51:22 61:12,13,17
 62:14 63:15 68:11 69:2 70:1
 76:8 80:1 91:9
confirmation 37:13

conflict 97:6
confronted 87:1
confused 19:20 20:23 31:25
confusion 46:7,10
congratulate 60:7 64:21
congratulations 70:17
Connections 93:2,3
connotations 28:17
conscious 31:12
Consent 3:7 8:12,13 11:17
consequences 63:9
consistently 35:10
constitute 100:10
Consult 34:22
consumers 63:7
contact 18:20 34:13 56:24 58:3
contacted 25:12
contacting 21:11
contentious 80:24
context 28:15
continue 13:7 32:16
Continued 3:12 4:1
continuity 13:25
contract 4:3 8:6 21:3 29:9,10,11
 31:20,25 32:3,4,6 37:2 92:18
 96:19 97:2
contracting 14:7
contractor 24:15
control 45:24
convention 79:22 80:14 87:23
conversation 18:5 21:22 22:12
 49:7 53:13 68:19,22 71:1 72:25
 81:7
conversations 71:4
conveyed 22:9 23:18 25:3,4
Conyers 2:5 5:13,14 8:14,17 10:8
 10:9 39:3,4 41:23,24 47:18,19
 51:3,4 76:6,12 81:15,16 93:23
 93:24 95:18,19 98:6,7
cooperative 26:1
copied 37:16
copies 28:8 29:19 32:25
copy 43:18 57:10,17 92:2
core 62:20
correct 34:18,25 53:9
correspond 52:4
council 19:15 20:7,11 23:10,16

32:15,21 79:18 92:21 93:2
counsel 2:12,13,14 17:19,23 18:3
 18:11,21 19:5 21:23,25 24:23
 31:1 43:13
Counsel's 19:17
counseling 12:13
counselor 12:9 18:16
County 100:13
couple 12:3 25:13,16 27:20 43:5
 49:8 64:14 66:23 75:25 85:13
 90:6
course 85:25 91:3
Court 1:20 100:9
crafting 62:1
create 45:25 67:23
created 97:6
creating 13:16 89:20
critical 68:9
Crone 2:5 5:22,23 9:22 10:25
 11:2 39:13,14 42:4,5 48:12,13
 50:9,10 75:6,15 89:23,24 90:4
 90:16 91:3,13 94:7,8 95:25
 96:1 98:9,10
CSD 13:3 25:3 65:24 78:13 97:7
CSP 12:16
culture 89:20
curiosity 80:17
current 44:22 66:23
curtail 87:1,11
Custodian 2:11
cut 60:1
Cynthia 1:19 100:8,19

D

D 3:1,1 4:1,1 92:24
D-101-CV-2018-01196 92:24
D-101-CV-2018-01329 93:5
damaged 24:22
data 14:8,8 69:15,21
date 30:3 40:15,25 101:2,9,14,19
 101:24
date-changing 9:3
dates 51:24 52:3,16,18,20
DAVID 2:6
day 74:16 90:25
day-to-day 61:21
days 44:18,18 71:18 74:14 81:21

deadline 32:24 71:16
deadlines 3:16 47:4
deal 64:21 90:9,13
dealing 29:9
dealt 83:10
DEAP 6:23 27:14
December 71:8,9,12 73:15 74:13
 75:18 79:23,23 80:14
decide 84:18,19
decided 19:16
decision 80:18 82:24 92:16 97:8
decisions 67:16
deemed 18:6
defined 26:24 88:4
definitely 16:9,15 56:3,4
definition 18:17
del 2:9 4:4 11:6,9,12,21 16:22
 17:3,8,14 18:10 19:3 20:2 23:9
 23:20 24:13 25:7,9,11,19,22,25
 26:3,11,17 27:4,10 43:10,15
 44:16 45:7 46:17 48:22 49:13
 53:10 54:16,23 55:5,9,12,16,23
 56:23 69:22 71:14 73:14,18
 74:5,7 92:16,20 96:21 97:4
DEL'D 101:9,14,19,24
DELIVERED 101:9,14,19,24
department 12:9,13 15:1 92:15
 92:24
departure 12:7
dependent 16:12
Deputy 2:9
description 27:16
designee 29:2,3 80:9
desktop 49:2 83:14
det- 22:2
details 61:5
determine 18:13 20:25 54:9
develops 46:7
difference 72:20
different 24:14 28:15,16,21,22
 30:10 45:13 46:13,14,14 65:11
 77:21
difficult 26:7 77:18 87:18 89:12
direction 65:17 66:1
directly 36:16,22
director 2:9 12:6 25:1
disconcerting 23:2

discussed 75:7 85:15 92:9 93:6
 95:6
discusses 67:17
discussion 3:8,10,14,15,18 4:3
 6:25 8:25 9:12 20:20 35:14
 38:18 41:18 43:2 45:12 47:11
 48:17 50:2 53:4 57:2,16 58:8
 68:12,18 69:1 77:20 94:23
 96:19 97:14
discussions 44:3 58:14 70:23
Disks 101:8,13,18,23
district 21:9,11 44:19 45:3 47:5
 57:4 70:17 78:3,10,23 82:11,12
 85:4 90:8
Division 3:8 11:20,24 43:9 44:7
do-or-die 84:5
document 17:9 35:21 101:8,13
 101:18,23
documentation 33:10
documents 33:5,20 38:12
doing 13:14 30:5 37:5 45:23
 53:14 56:15 69:11 73:3 77:20
 83:14
DoIT 75:10
dollars 14:23
Don 1:12
door 58:7
double-check 17:12
downtown 58:19
DR 11:6,9,12,21 16:22 17:3,8,14
 18:10 19:3 20:2 23:9,20 24:13
 25:7,9,11,19,22,25 26:3,11,17
 27:4,10 34:5,24 35:4,23 36:1,4
 36:9,14,18,20 37:3,11 43:10,15
 44:16 45:7 46:17 48:22 49:13
 53:10 54:16,23 55:5,9,12,16,23
 56:23 69:22 71:14 73:14,18
 74:5,7
draft 43:17 52:21
drive 75:1
driving 74:25
due 59:17

E

E 2:1,1 3:1,1,1 4:1,1,1 93:1
e-mail 34:16 37:17 61:5 75:7
 76:11 80:12

e-mails 75:11,13
earlier 27:15 52:9 59:13
early 54:20 69:15 70:3 74:19,23
 75:2,22
easier 53:18 55:20 73:8 83:23
easiest 75:23
easily 21:4
East 64:20
easy 86:11,11
echo 35:12
education 1:1,12 5:2 7:24 12:9
 13:19 29:25 38:9 41:11 47:1
 48:24 49:2,20 63:7,25 83:11
 92:14,15,23 95:1,5 97:2 100:1
 100:12 101:5
effort 8:1 61:1
eight 6:5,5 10:20,21,22 11:2
either 20:10 60:15 73:2 80:9
 84:10
EL 49:1
election 67:14
electronically 51:13 52:22
elementary 12:10 70:14 81:21
eligible 20:25
Embassy 79:24
emergency 59:17
ended 75:25
endemic 88:22
engage 64:9 65:5
engaged 21:22 67:7
engagement 28:19,24
engaging 68:7
English 48:24
enjoy 91:19
enjoyed 91:20
ensure 67:5
entail 84:3
enter 92:8
entered 89:25
enters 6:13
entertain 8:12 9:5
entire 81:24
entitled 17:9
environment 61:9
equal 66:21
equipment 21:20 22:6 24:5
error 11:17

evaluate 14:3
event 61:6 86:6
events 85:17
everybody 52:25 65:21
everybody's 87:13
everyone's 44:10
exactly 37:5 82:20
example 17:21 28:18 29:18 65:12
 77:16
Excellence 64:16
excellent 15:16
exception 52:5
excited 12:25 15:1
exciting 69:9
Executive 3:22 38:2 81:11 94:24
Exhibits 101:8,13,18,23
exist 89:4
existed 89:6
exit 74:19
expansion 45:2
experience 67:13 72:20
experienced 15:2
experts 62:1
expressed 21:5,15
extend 80:6,11,12 81:5
external 62:10
extra 60:5
extreme 21:15
eyes 43:18 55:3 70:8

F

face-to-face 13:22
facilities 44:22
facility 76:10
facing 46:14
fact 21:16 81:23
failed 32:23 33:17 34:13
failure 38:11
fair 49:6 57:8
fairly 57:6
faith 30:13
false 45:4
Families 2:10
far 33:11 34:9 82:20
Farmington 73:17
favor 7:14 8:18 99:3
Fe 1:13 100:13

feather 64:17
February 83:22
federal 22:25 29:14,24
federally 21:19
fee 80:3
feedback 14:19 58:10 70:19
feel 62:21 63:3 64:20 66:11 69:2
 87:15
felt 23:3 62:24 78:8 79:2 83:12
figure 19:9
figuring 16:4
filled 32:14,20
final- 57:10
finalized 86:5
Finance 24:25
Finances 36:11
financial 14:9 29:15
find 7:4,7 20:11 37:14 62:3 72:23
 73:6 76:17
finding 8:7 49:12
findings 19:17
fine 55:8,11
finished 11:10
first 20:21,24 21:8 33:13 36:25
 51:8 56:8 59:19 66:24 67:8
 77:25 78:21 83:25 84:23 85:4,6
five 27:11,17 73:6 83:23
fix 69:3
fixed 77:11 91:12
Flag 3:4 6:12
Florida 91:9
flying 91:21
folding 66:14
folks 67:7 72:10
follow 27:5 30:2
followed 62:25
following 38:13 62:19 88:8
food 15:20
foregoing 100:10
forgot 70:13
form 19:6 28:7,9 29:7 30:6,16,18
 32:5 35:14 45:5 48:24
former 66:22
forms 3:16 32:14,20 34:17 35:6
 47:3
forth 17:25
forthcoming 92:5

Fortunately 89:25
Forum 3:6 7:20
forward 12:19 25:16 33:1 37:23
 57:1,7,13 58:1 60:12 63:24,25
 65:2 67:2 68:5 75:13 78:12
 79:1
found 7:6 49:15 63:2
founding 62:7
four 68:13 71:18 75:22 83:23
framework 8:6 14:8,9 60:9 63:23
 63:24 68:16,24 69:20
free 64:20 86:2,2
freer 79:2
Friday 5:3 53:15,17,22,25 54:5
 56:1,1,5,13,18 63:15 74:19,23
 75:2,2 81:24
FRIEDMAN 2:11 54:11 56:6,12
 71:17 74:15 94:19,21 101:7
front 27:13 28:7,8 29:19 66:17
fruitful 67:9
frustrating 22:1
full 22:16 65:2
fun 59:7
functioning 72:25
functions 72:18
funded 21:20
funding 16:11,11 85:25
funnel 20:9
further 7:21
future 64:25 79:4

G

G 3:1 4:1
Gadsden 21:11
gain 18:8
Gallup 54:13 55:19
gaps 76:1
Gaspar 1:12
general 17:23 18:2,11,21,22 19:4
 19:17 21:24 23:24,25 24:23
 66:3
geography 46:16
gesture 78:25
getting 58:3,4 59:3 63:8 75:7
 83:23
gifting 23:11
GILBERT 2:3

Gipson 2:3 5:19 10:2 20:15 36:18
39:16 42:13 47:15 50:24 64:3
94:4 95:22 98:15
give 28:5,18 44:7 54:25 58:20
70:14 76:22
gives 28:19
giving 28:23 67:5
glad 78:18
glass-half-empty 15:6
gloom-and-doom 15:11
glossary 45:10,16,25
go 9:23 22:21 23:14 28:3 40:12
41:9 56:13 79:4 85:5,5 89:9
91:8 94:17
goals 16:12
goes 8:2 19:6 36:13 55:18 82:25
85:2
going 5:1 6:24 11:7 13:1,19,23
14:24 17:2 20:23 21:18 22:17
22:21 28:20 35:5,15 38:4 40:8
43:2 45:10 46:9 52:2 53:20
54:9,14 56:3,21 57:21 59:4,5,7
63:11 64:12 65:4 67:12,15,16
69:1 70:3,5 72:13 73:2,23 74:2
78:15 79:1,4,15 80:8,15,18 82:3
82:4,10,16 83:1 85:19 86:6,25
88:6 92:4,7
good 6:16,17 11:23 12:22 28:1
30:13 32:12 34:5 54:16 56:11
59:12 60:16 64:2,11 66:2 73:4
73:12 74:13 77:16 80:5 81:4
88:2 91:20
gotten 61:9 78:8 92:2,3
governance 23:16 32:15,21
governing 16:24 19:15 23:9
27:10,12 29:13,14 30:1,5 47:5
65:3 92:21 93:1
government 60:17
Governor 60:24
gracious 68:11
grade 15:19
grant 12:16 13:10 14:14 15:15
45:21,22,25 92:16 97:8
granted 16:10
grateful 13:15
great 17:14 55:14 66:17 69:24,25
70:10 74:9,9 91:24

Griffin 34:5,7,24 35:4,23 36:1,4
36:9,14,18,20 37:3,11
group 67:2 78:13,13 86:3 89:10
grow 13:7
growing 89:3
guess 16:3 25:22 26:5 51:16 53:7
73:7 79:14 91:24
guessed 67:9
guest 66:22
Guillen 79:19
guy 90:24
guys 54:19

H

half 40:12 85:1
Hall 1:12 80:10
hand 100:16
handed 48:25
hands 23:5
happen 16:8 29:5 61:11 65:23
79:5
happened 66:10
happening 17:20 66:12 67:21
68:18 87:10
happens 15:12,13 16:4 76:18
86:7
happy 15:4 30:21 76:10 77:5
91:21
hard 16:14 35:5,10 73:8
harm 74:18
harmless 89:18
hate 19:4
Hawthorn 81:21
hazing 85:15 86:23 87:4,8,24,25
87:25 88:21,21 89:24
head 47:5 71:6 80:16
heading 37:1 49:10 66:2
Headquarters 92:25
Health 15:1
hear 19:12 56:19 60:25 62:1
65:24 66:5 80:20
heard 51:17,17,21 54:10 63:20
66:7 75:20 76:1 79:17 80:21
hearing 7:18 8:22 51:25 53:13
99:7
heavy 53:23
held 94:23,24 100:12

help 8:4 13:5,7 14:7,16 49:9,14
75:10
helped 90:11
helpful 77:1
helping 14:14 87:14
hereunto 100:15
high 22:5 38:13 62:20 63:1,3,10
64:20
highlight 11:25
highly 15:25
Hispanic 82:13,21
history 14:25 28:6
hit 71:15 91:15,16
Hobbs 70:15 87:9
holes 14:16
home 59:17 75:1
homework 92:2,3
honest 22:14 51:11
honestly 87:24
honor 62:6
Hook 86:1 90:18,25
hope 13:2 26:8 61:6
hopefully 13:23,25 14:10 46:20
56:18 57:6 68:4 69:14 81:3
91:15
hoping 62:2 86:25
hotel 91:10
hour 61:24
housekeeping 56:18
Hózhó 27:23 38:13
huge 76:1 88:17,17
hurricane 91:15

I

idea 56:11 69:17 76:22 79:24
80:6 88:5,6
identifying 29:25
IEP 30:3
III 72:19
ill-fated 60:2
illogical 60:2
imagination 37:15
Impact 14:7 68:23 69:19
implementation 4:4 15:10 58:24
58:25 92:19 96:21 97:4
important 49:18 59:23 62:10
64:7 67:4,22 81:22

impressive 90:21
include 29:11
included 38:5
incredible 13:1
independent 97:3
indicate 7:15 8:19 99:4
indicated 23:10
Indicates 8:14 9:6,9
individual 65:5
individuals' 11:25
information 20:9 51:19 81:4
informed 58:14
informing 38:11
input 26:10 57:25
inside 22:6 23:18
intent 3:10 9:1 13:4 35:11 40:14
 40:16 41:12
intention 37:8
interacting 66:24
interaction 78:11
interactions 12:2
interchangeably 45:14
interest 71:19 97:6
interested 80:8
interesting 13:20 18:14 63:6,12
 78:9
International 92:21
interpret 45:12
introduce 12:4
inventory 20:19,22,24,25 21:8
 23:14 24:17 25:6
investigating 16:1
invitation 80:6 81:6
invite 60:20 80:12 90:24
invites 60:21
involve 19:8
involved 13:13,21 15:24
iron 57:5
issue 30:13 31:8 33:23 35:15 61:2
 68:21 84:23 85:6 87:5,8 90:7
 97:2
issues 17:20 24:21 35:6 57:5
 61:19 66:6 84:8 87:1 92:9
it'll 52:4
item 6:18,23,25 7:2 8:11,24
 16:23,25 17:10,11 27:13 38:2
 40:6 43:1 48:17 51:8,9 96:18

98:21
items 27:16 34:8 70:11

J

Jaeger 2:13 11:8,14 18:20,25
 30:24 40:8 58:9,14 75:9,16
 95:3
JAMES 2:5
January 52:8 84:7,8,10,15,19
Jerry 1:12
Job 1:25 100:25 101:2
jobs 84:3
Joe 79:19
Johnston 7:23 8:10
join 61:6
joined 6:15 12:5
June 79:25
justify 26:23 83:12

K

KARYL 2:4
Katie 12:6
keep 58:13 61:14 64:12
Kelly 12:5,19,21 15:8,16,22 16:9
 16:18,20 46:5
kept 11:15,16 30:3 82:19
kids 63:2,6 67:24 87:15 89:13,13
Kimberly 32:12,18,19 33:16,25
 34:2
kind 14:21 20:23 32:4 33:6 52:24
 65:11,25 66:13 68:20 71:2
 76:15 79:15 80:2 87:17
kitchen 21:20
knew 63:4
know 12:2,5,24 14:21 15:20 16:4
 16:6,8,13 22:7 25:12,14 26:7
 27:20 31:14 34:3,9,16 37:19,24
 43:9 44:11 46:16 49:10 51:17
 51:22 53:19 55:20 56:20,20
 57:1 59:15 60:18 62:16 63:7,8
 63:20 66:1,9,14 70:3,20 71:24
 72:24 75:21 76:17 77:19,22
 78:6,25 79:1 80:11 82:18 84:1
 84:21 85:2,3 86:5,9,25 87:19
 88:7,12 89:3,7,8,11,14,15,20
 90:9 91:8,20 92:4
knowledge 20:6

Kocon 62:17

L

labeled 16:25
labs 21:16
lacks 60:14
ladies 94:17
Laguna 12:8
land 18:7,18,18 46:12,18
landlord 24:18,21 25:2
landlord's 17:25
language 37:4 41:8 43:19
lapse 36:12
large 46:18
lastly 70:18
late 75:2 76:21
Laurel 7:4,5 32:22 33:2,4,18
 34:19 35:2 36:21 37:12,16,20
law 79:25 87:23
laws 29:14,24 37:20 84:6
lawsuit 82:1,16 83:9
lawsuits 88:18,18
lawyer 24:1 31:15 35:13
lead 6:8,9
leadership 59:21
leads 54:13
learn 63:22 65:7,13 88:2
learned 14:23
Learners 48:24
learning 65:14
lease 59:22
leave 18:19
left 34:12 77:11
legal 17:20 18:16,16,25 19:21,23
 28:16,22 30:5,10,25 31:11
legally 28:9
legislative 70:19
legislators 61:23 62:12 67:16
Legislature 51:24 61:4 63:24
legitimate 30:25
lengthy 35:14
Leopold 27:22 37:13,19 38:13
LESC 81:20
Leslie 12:4,7,19,21 15:8,16,22
 16:9,18,20,22 46:5
lessee 18:24
lessons 14:23

let's 15:12 17:4 27:21 29:17 40:4
letter 30:17 33:8,15,24 38:10
Lewis 28:1,4 29:21 30:21 31:1,9
 31:18,22 32:2,9
liabilities 28:17,23
liability 88:7
liaison 2:11 20:10 79:15
light 85:17
likelihood 21:19
limited 87:9 93:7 95:6
line 76:4,16
lines 49:14
list 20:24 24:17 31:3 60:6 73:22
 76:17,19
listed 7:10 27:12,18
listened 82:19
listening 66:4
litigation 92:11
little 12:17 17:4 19:20 22:5 24:14
 28:6 46:21 53:18,25 54:18
 61:16 64:24 69:3 72:7 83:21
 85:20
live 59:6
location 44:19,23 47:4 76:7
long 17:7 53:19 62:19 65:11
 72:12 80:15
longer 18:6 19:25
look 10:1 14:2 16:9 23:4 30:15
 43:14 44:8 52:3,25 53:12,23
 55:2 56:21 57:12,16,22,23
 60:10 64:8 66:17 71:14 78:14
 82:23,24 86:24
looked 18:2 51:12 60:9,12
looking 7:5 13:16 14:9 17:23
 18:2,11,12 24:24 25:16 55:15
 66:23 70:23 71:21 73:4 82:2
 85:14 86:3,14
looks 48:25 64:25
lose 63:20 78:15,16
lot 15:2 46:8 57:2 60:25 61:7,7
 64:9,21 66:20 67:13,20,23 81:4
 82:25 85:25 87:17 89:10,12
 91:19
loud 67:23
love 70:19,25
Lyra 68:22

M

ma'am 31:9,13 85:12
Mabry 1:12 80:10
Madam 11:22 17:19 20:5 26:13
 28:2 30:24 31:10 34:6 40:20
 41:3 46:24 51:15 56:6 59:11
 66:7 68:2 70:11 71:17 72:1,5
 74:11 75:6 76:6,13 77:25 79:11
 81:19 87:3 88:19 94:19 96:24
 98:24
major 86:1 88:18,18
majority 88:25
making 30:8 60:18
management 77:21
mandatory 85:17 86:4,22
manner 45:13
March 52:12,13,14
mark 2:14 62:4,7 71:24 72:8
marriage 28:21
married 28:21
Martinez 60:24
massive 60:12
materials 21:12 54:15 55:14
Matt 59:11,16 68:10 70:10,13
 71:10,20 72:12 73:11 76:9,13
 76:23 77:5 79:8
matter 20:6 35:7 36:23 89:2
 100:14
matters 55:21 93:6 95:5
Mayor 19:11
mean 15:12 16:10 31:15 52:10
 55:17 72:17 88:24
meaning 60:5
meanings 30:11
measures 69:6
meet 13:23 25:1 36:5 65:7 82:5
 84:14 94:21
meeting 1:10 5:2 6:13 16:12
 23:10,16 29:7 30:16 53:15,16
 53:17 56:7 59:16 79:19 80:10
 81:20 85:16 93:7 95:6 101:3,4
meetings 13:22 65:6 66:6
Megan 48:23
member 2:4,5,5,6,6,7 30:1,5
 33:12,13 34:23 47:6 62:7
members 11:22 12:22 29:13 34:6
 34:10 59:12 62:12 65:3

membership 33:9
mention 67:12
mentioned 32:2 40:14 51:23
message 36:5
met 82:15
method 65:22
Mexico 1:2,13,21 3:4 6:9,12
 13:16 14:10 59:9 61:2 64:1,16
 91:13 92:14,23 93:2,3,5 100:2,9
 100:12,13,21
mic 28:3
middle 12:10 14:21 27:3
midway 76:18
million 13:12
Mimi 63:17
mind 24:3 88:1
mine 37:21
minor 87:25
minute 17:1
minutes 23:10
mired 19:21 22:5
misbehaves 16:5
missed 59:16
missing 34:20
mixed 52:13
Mo65 60:21
modify 68:24
moment 22:19 83:25
money 13:11 14:4,6,16,20 15:15
 16:14 24:6
monies 22:25
monitoring 3:19 48:19 49:2,22
 82:17
month 21:5 46:9 56:15
months 67:14
morning 6:16,17 11:23 12:4,22
 28:1 32:12 34:5 56:3,5,19
 59:12 60:22 61:18 63:15,16
 75:5 81:24,25
motion 7:9,12,19 8:12,16,23 9:5
 9:7 11:3 38:5,6 41:4,15 42:23
 42:24 46:23 47:8 48:15,16
 49:20,24 51:6,7 93:8 95:7
 96:16,23 97:11 98:19,21 99:1,8
motions 37:25 38:3
Mountain 64:20
move 33:1 38:9 41:1,5,10 44:1

47:1 49:20 53:7 57:7,13 58:1 63:25 65:2 67:2 75:12 92:6,7 94:25 95:4 97:1 98:23 moved 18:1 movement 60:13 moving 27:10 57:1 59:3 63:24 64:11 65:17 68:5 70:20 71:5 78:12 multiple-year 16:11 municipality 21:18 Myth 62:18	NMAA 85:14 86:20 87:14 NMPSIA 85:13 86:4,13 NMSA 92:12 No-Time-to-Lose 63:18 NOI 3:10 9:4 40:18 non-experience 72:21 normal 53:17 North 27:25 28:5 29:10 31:3 35:12 38:4 note 7:22 60:3 62:15 64:3,24 66:4,19 67:4,20 68:5 notes 44:16 64:14 92:3 notice 3:10 8:25 31:4 36:25,25 38:10,12 40:13,16 41:12 92:15 notification 37:1 44:5,19 47:3 notifications 3:16 44:6 notified 75:19 notify 54:9 November 11:7 13:23 29:7 30:16 35:16 43:17 52:25 53:9,24 57:13,24 58:5 61:13 69:16 70:1 70:3,21 71:7 73:15 74:3 80:10 91:25 Nuestros 72:2 number 19:25 43:4 44:3 68:14 73:13 84:1 90:4 101:2 NW 1:20 100:20	16:17 18:4 19:2 20:13,16 21:2 24:12 25:5,8,10,24 26:2,12 29:21 31:24 33:2,24 35:18,23 37:10,11,23 38:5,9 41:20 43:21 55:17,23 56:25,25 58:16 70:10 70:12 71:10 73:19,20 74:9 76:5 76:12 77:3 79:7 80:25 81:2 84:11 85:10 92:7 94:22 96:17 old 29:11 older 88:4 on-site 49:3 83:13 once 14:15 18:18 40:13 43:17 one's 54:12,13 ones 32:22 66:23 78:22 open 1:10 3:6 7:20 22:23 58:7 67:6 68:11 101:3 opened 22:10 opening 45:2 46:15 operating 61:17 operation 16:7 opportunities 64:13 opportunity 55:1 58:18 62:13,18 63:22 67:20,23 70:21 80:23 Opposed 7:16 8:20 99:5 opposition 7:18 8:22 99:7 option 20:21 74:15 Options 2:9 3:8 11:19 order 3:3 5:1 21:1 29:22 84:24 organization 66:12 organizational 29:14 original 37:17 originally 28:25 Orlando 91:14,16 outcomes 63:1 outlay 19:7 20:7 61:22,23 79:18 outright 24:2 outside 30:4 Oversee 4:4 92:18 96:20 overview 61:16 ownership 24:2 owns 18:7 19:9
N		
N 2:1 3:1,1 4:1,1 NACSA 91:9,25 naivete 33:17 name 28:4 32:17 71:24 83:10 names 10:1 national 60:22 63:12 64:15 Native 82:13,21 nature 17:22 61:20 neat 85:20 need 9:25 14:16,22 20:24 30:1 34:21 51:16 53:1,11 58:9 66:17 78:13 82:9 84:5 85:2 needed 21:21 23:3,12 36:22 needs 26:24 28:9 59:25 65:8,11 68:25 82:14 negotiate 22:17 31:2 negotiations 8:6 networking 91:20 never 35:19 53:19 67:9 88:13 new 1:2,13,21 3:4,11 6:9,12 7:1 9:1 13:4,16 14:10,17 32:13,22 33:9,12 41:13 45:3 46:13 59:9 61:2 64:1,16 65:12 66:8 67:15 67:15,15,24 68:16 73:2 83:23 89:5 92:14,23 93:2,3,5 100:2,9 100:12,13,21 newspaper 82:18 nice 63:13 64:22 nine 10:18 18:9 73:14,25 74:4,5 74:6,12 nine-to-zero 39:22 42:22 48:14 51:5 94:16 96:14 98:18 nine-zero 42:24 96:16 98:19 NM 1:19 100:19	O O 3:1,1 4:1,1 obligation 21:13 obtain 24:24 obtained 24:5 occasions 21:24 occurred 13:3 occurring 66:20 October 1:11 5:3 25:3 71:16 100:16 odd 33:6 91:22 offense 22:21 46:4,5 offer 65:3,16 78:20 offered 8:1 Official 92:22 93:4 oh 17:3 32:11 39:17 40:11 44:16 54:5,23 59:9 66:9 72:9 73:19 81:8 87:6 89:17 94:22 okay 5:5 7:3 9:14 11:17 12:21	old 29:11 older 88:4 on-site 49:3 83:13 once 14:15 18:18 40:13 43:17 one's 54:12,13 ones 32:22 66:23 78:22 open 1:10 3:6 7:20 22:23 58:7 67:6 68:11 101:3 opened 22:10 opening 45:2 46:15 operating 61:17 operation 16:7 opportunities 64:13 opportunity 55:1 58:18 62:13,18 63:22 67:20,23 70:21 80:23 Opposed 7:16 8:20 99:5 opposition 7:18 8:22 99:7 option 20:21 74:15 Options 2:9 3:8 11:19 order 3:3 5:1 21:1 29:22 84:24 organization 66:12 organizational 29:14 original 37:17 originally 28:25 Orlando 91:14,16 outcomes 63:1 outlay 19:7 20:7 61:22,23 79:18 outright 24:2 outside 30:4 Oversee 4:4 92:18 96:20 overview 61:16 ownership 24:2 owns 18:7 19:9
	O	
		P
		P 2:1,1 3:1 4:1 p.m 99:10 packet 37:25 page 3:2 4:2 45:17

pages 100:10
Pahl 59:11,16 70:10,13 71:10
 73:11 76:9,13,23 77:5,9 79:8
palatable 53:25
paper 60:11
paperwork 20:3 35:8 36:7,13
parent 90:7
parents 2:9 3:8 11:19 62:11
 89:13
part 11:16 13:9,9 18:5,17 22:3
 27:1 32:6 36:2 67:25 78:25
 81:22 82:21,21 83:11 86:1 89:9
participant 92:12
participation 13:15
particular 22:21 33:5 57:3 68:8
 74:2
partisan 61:2
partners 62:10
partnership 68:6
party 97:3
passage 87:17
passes 7:19 8:23 11:3 42:23,24
 48:15,16 51:6,7 96:15,16 98:19
 99:8
PATRICIA 2:3
pay 15:19 91:17
PEC 2:11,12,13,14 3:21 32:7
 61:10 64:18 67:17 70:22,24
 78:8,13 81:10 82:3 92:11
PEC's 97:8
PED 2:8,11 14:20 18:21 19:6,16
 19:21 20:10 21:24 27:2 34:22
 58:3 64:5 68:19 91:10 93:5
 97:7 101:7
PED's 18:11 24:23
pencil 80:25
pending 92:11
people 14:1 61:3 66:21 67:5,15
 67:24 73:6,8 74:25 83:24 84:2
 88:4
Peralta 2:3 5:16,17 10:5,6 20:5
 23:23 39:7,8 40:9 42:10,11
 46:24 47:9 48:5,6 50:21,22
 51:10,14 52:13 58:20 59:21
 60:3 74:18 79:11,14 80:20 81:2
 83:3,4 94:1,2 95:15,16 98:12,13
PERALTA 52:10

performance 3:19 8:5 48:19
 49:22 60:9 68:16,24 69:19 82:3
permanently 17:22
permission 73:1
person 28:19,19 45:12 61:8
pertaining 92:10
Ph.D 2:9
pie 69:16
piece 14:9 25:11
Pierce 7:5 32:22 33:4,18 34:19
 35:2 37:16,20
pinpoint 56:22
place 12:8
placed 43:6 88:16
places 64:12 67:15 87:10
plan 62:2 75:17
planning 97:4
plans 61:22
please 51:18
pledge 3:3 6:9,10,11
plot 46:12
plots 46:17
plow 55:1
plumbing 59:17
plus 21:19
pocket 13:12
pockets 13:11
point 13:3 35:20 43:8 82:8 90:23
policies 3:16 44:5 47:3
policy 23:4 26:6,8
portable 19:25
portables 17:21 18:6,9 19:9
 21:17 22:4 23:17,17,18,21 24:3
 24:8,11
portion 11:24 33:19
position 12:25
positions 12:1
possession 18:8
possibility 15:23 18:5 69:7
possible 3:9,10,14,15,18 4:3 6:25
 8:25 30:18 48:18 69:3 76:15
 96:19
possibly 68:23
post 44:9
posted 40:18 43:13,16
potential 25:13
potentially 53:3

Poulos' 12:6,6
practices 14:2
prefer 55:25 75:1
preference 55:18 74:21
prepare 86:6
present 5:7,14 6:1,5 30:2
presentation 81:25 82:9 90:19
Presente 5:10
presenting 60:23 62:18 64:4
pretty 23:23,25 60:21 63:2 64:2
 90:21
preventing 88:9,10
previous 84:10
previously 19:22
principal 90:7
principles 13:16,24
prior 12:6,11 16:13 21:7 84:19
prioritized 21:1
privilege 92:10
probably 45:15 54:19 55:25 59:7
 74:7 82:9 84:23 88:15
problem 27:1 77:9,10
problematic 28:10 35:22
procedure 7:2 23:13 27:1 83:22
 85:3
procedures 26:9 57:9
proceed 7:21
proceedings 1:10 93:1 99:10
 100:11 101:3
process 14:15 15:23 68:6
procurement 26:15 27:5
Professional 1:20 4:3 92:18
 96:20
program 12:16 85:24 86:2 90:18
programmatic 29:15
progress 64:9
Promise 86:1 90:18
proper 34:11,17 35:5
property 17:25 18:9 19:13 22:24
 23:17 24:6,23
proposal 25:23
proposals 75:12
proposed 57:18
proposing 43:7 70:23 85:8
protection 83:13
protocol 3:19 27:6 48:18 49:3,21
 60:8,10

provide 12:15 14:12 38:11 65:5
69:23 71:2 75:10
provided 75:13
providing 25:14 29:25
provision 32:3
PS- 20:1
PSCOC 19:20 20:1,3 59:22
PSFA 20:3
public 1:1,10 5:2 7:24 12:12
13:18 14:7 18:7 38:9 41:11
47:1 49:20 64:5 68:23 69:19
92:14,15,23 94:25 95:4 97:2
100:1,12 101:3,4,4
publicly 7:25 8:3
Pueblo 12:8
Pull 12:19
purchased 22:24 24:5
pursuant 92:12
pushback 77:19
put 33:8,18 52:21 58:3 63:7 72:7
81:8 85:20
putting 83:18

Q

qualify 36:11
quality 65:21 69:6
question 15:7,11,17 20:18 23:15
23:19 31:1,20 33:5 54:14,16
58:7 62:21 70:18 71:12,20 76:7
questions 15:5 19:1 26:4,4 27:19
30:22,23 34:14 40:17 65:14
68:3 70:2
quick 12:18 17:15 70:11 90:13
quickly 71:5
quite 24:14 35:8 65:16
quorum 6:7

R

R 2:1,4 3:1 4:1
R-I-T-T-E-R-H-O-U-S-E 32:19
RAC 85:16
Raices 4:4
Raíces 92:16,19 96:21 97:4
ramifications 82:10,22
Rankin 76:9
rate 16:14
rationale 60:1

Ray 34:5,6,24 35:4,23 36:1,4,9
36:14,18,20 37:3,11
reach 34:25
reached 75:9 78:3,10,24
reaching 37:5
read 41:7 86:11
reading 82:18
ready 11:7 52:24 59:3 93:13
real 13:14,20 63:9,14 69:5 85:20
real-world 28:18
realize 58:23 82:20,22
realized 90:8
really 9:3 12:17,24,25 14:22,24
20:6,8 40:15 53:20,23 60:18
62:2,20 63:11 64:7,11,22 65:15
66:11 69:5 70:25 72:25 83:12
84:23 86:10 90:9
reason 15:14 16:7 22:3 83:12
reasons 22:11
rebranding 62:6
REC'D 101:10,15,20,25
RECEIPT 101:1
receive 14:15 21:1
received 13:12 15:15 21:6 37:19
37:25 51:19 70:16
recess 40:5 56:12
recipe 67:25
recognition 59:25 60:1 64:22
recognize 67:25
recognizing 79:20
recollection 23:20
recommendation 31:2 73:12
record 2:11 3:23 4:6,7,8 6:14
32:17 79:6 94:23 95:3
recruitment 61:21
rectified 32:23
Red 32:11,13 38:4
referring 44:20 45:1
reflect 6:14
regarding 29:13 40:17
regardless 77:22
regards 57:2
registration 80:3
regular 53:15,16
rehash 52:24
related 29:24
relation 32:4

relationship 67:10
relevant 63:14 65:15
Relocation 44:21
remain 49:15
remaining 27:17 74:4,4,5,6
remember 51:25 68:15 83:10
84:12,12
remind 77:4 79:20
reminder 38:3
remove 6:23,25
removed 45:6
renamed 62:6
renewal 3:14 11:4,8,9,10 43:3
53:3,9 69:11
renewals 71:9 73:17 78:1
renewing 78:1,6
replevin 24:24 93:1
replication 44:15 45:1,4
replying 25:20
report 3:8,20 11:18 17:10 63:12
63:12 69:17,18
REPORTED 1:19
Reporter 100:9
REPORTER'S 4:10 100:7
Reporting 1:20
representative 47:6
representatives 25:2
request 44:5 45:5 46:11 47:3
76:14
requests 3:16 61:23
requirement 21:10 86:14
requirements 28:17,23 29:15
36:7 82:5
research 62:19
reservations 91:10
resignation 7:23 33:7,7,13,14,19
34:16
resignations 34:11
resigned 35:1
resolution 31:6
resolve 30:13 31:4
resolved 57:7 90:17
response 6:21 7:17 8:21 9:13
36:1,2 38:7,19 41:19 43:25
47:12 50:3 75:11 97:15 99:6
responses 62:23
responsibility 36:21

responsible 22:25
result 38:12 97:6
rethink 80:6
retrieved 37:14
review 30:2 92:15 97:8
reviews 82:4
revised 3:16 44:4 48:25
revision 30:18
revisions 6:20 47:2
RFP 25:18 26:21
Ribbon 64:15,15 70:16
rift 27:1
right 7:6,7,8 11:15,21 12:6 19:5
 20:4 24:23 26:2 27:2 36:3 37:6
 37:24 45:9,9,19 46:20,22 49:17
 49:17 54:11 55:7,7 56:14 59:9
 64:8 65:16 66:20,22 67:10 68:4
 68:13 72:8 74:3,21 75:14 76:5
 85:9 86:22 88:9 90:23
rigor 15:24
ring 28:19,24 44:24
rite 87:17
Ritterhouse 32:12,18,19 33:16
 33:25 34:2
River 32:11,13 38:4
RMR 100:8
RMR-CRR 1:19 100:19
Robbins 2:6 5:6,7 7:11,13 9:24
 10:15,16,19,25 17:13 20:14,17
 23:8 31:19,24 38:15,17 39:23
 39:24 41:3,7,10,16 42:17,18
 47:7,10 48:2,3 50:6,7 57:19
 58:2,12 74:11 86:9 91:6,7,14,18
 93:16,17 96:3,4 97:21,22 98:25
 99:2
rocky 67:11
roles 65:10
Roll 3:3
rolling 32:5
room 66:22 94:17
roommate 90:1
ROSARIO 2:9 11:6,9,12,21
 16:22 17:3,8,14 18:10 19:3
 20:2 23:9,20 24:13 25:7,9,11,19
 25:22,25 26:3,11,17 27:4,10
 43:10,15 44:16 45:7 46:17
 48:22 49:13 53:10 54:16,23

55:5,9,12,16,23 56:23 69:22
 71:14 73:14,18 74:5,7
Rubric 7:1
Ruiz 2:6 5:25 6:1 7:9,13 8:15,17
 9:6,8,19,20 38:25 39:1 40:3
 42:20,21 48:9,10 49:23 50:1,18
 50:19 70:15,17 85:11,12 86:17
 86:21 87:4,7,22 89:1 91:2
 93:10,12 94:10,11 95:10,12
 96:9,10 97:18,19
rules 29:24 83:21
run 64:19
running 69:19
Ruszkowski 92:22 93:4

S

S 2:1 3:1 4:1
SA 25:9
Saber 4:4 92:16,20 96:21 97:5
sadly 87:7
safe 87:15 99:8
safety 85:20 87:13
SAHQ 17:16 24:13 25:10
Salute 3:4 6:11
SAM 68:12,16,19,21,25 69:8
Sandy 86:1 90:18,25
Santa 1:13 100:13
satisfied 21:13 33:24
Saturday 63:16
saw 23:21 79:4 82:20
saying 61:14 67:21 89:1
says 24:11 29:8,11 38:2
scale 83:17
scenario 76:25
schedule 71:12
scheduled 71:18 75:24 91:8
scheduling 75:19
school 3:8,14 4:5 7:1 11:19,24
 12:9,11 16:5 17:4,16 21:11
 24:22,25 29:1,23 30:12 32:6,14
 34:7 36:12 37:5 38:11,13 43:8
 44:7,17,18,21,23 45:3,3 46:19
 47:4,4 53:14,15,21,22 54:3
 56:19 57:3 62:8,20,22 63:1,4,10
 64:20 65:12 70:14,16 71:25
 72:4 75:21 76:2,19,19 79:12,16
 79:20,25 80:1 81:21,23 82:11
 82:12 86:14 92:17,20 96:22
 97:5,8
school's 19:15 29:12
schools 12:12,16 13:6 14:1,6,11
 14:13,17 15:11 16:10,25 17:15
 17:17 20:22 22:10,19 23:1,7
 27:11,18,21 29:16 38:13 41:13
 44:11 49:9,15 53:3,8 54:19
 55:8,22 56:24 60:10,23 62:1,2
 62:10,11 63:21,22 64:5,15,16
 64:18,18,23 66:3,7,16 67:8,17
 68:12,16,19,21,25 69:8,10,18
 69:25 70:7 71:13 73:2,3 74:12
 75:19,19,23,25 76:14,16 77:2
 78:1,16,22,25 83:13 84:22 85:2
seating 33:12
second 7:11,13 8:15,17 9:10 31:4
 36:25 38:10,15,16 41:14,16
 47:7,9 49:23,25 53:15 54:2
 60:6 61:12 93:9,10,11 95:9,10
 95:11 97:10,12 98:25 99:2
Secondly 64:24
secretary 2:4 35:9 92:23 93:4
 97:7
Section 92:13
sections 44:21
see 17:12 23:21 27:21,23 31:23
 51:12 53:1 61:2 62:25 65:4
 69:9 72:18,19 73:4,9 78:10
 82:6,25 85:22 91:11 92:5 99:8
seeing 51:25
seen 33:3,4
segregated 58:4
Senator 63:17
send 33:7 38:10 52:2,20,22 55:10
 61:5 70:5 80:11
sending 31:3
senior 22:21,22
sense 76:15
sent 30:17 32:5,22 43:13
separately 68:17
September 24:19
serious 87:4
Service 1:20
services 4:3 25:15 30:1 92:18
 96:20
serving 68:1

session 3:22 19:19 20:20 29:4,6
 30:14 52:7,11 57:16,24 59:4
 61:24 70:22 71:7,8 74:16 81:11
 92:8 94:24 95:2,5,8
sessions 52:18 61:17 62:15 64:4
 66:5
set 77:16 100:15
setting 51:23 52:23
settlement 22:18 82:1
seven 10:19 74:4
shame 87:19
share 76:10
sheet 60:11
Sheets 4:12
Shelly 69:10
short 40:2
shorts 59:8
shout-out 70:14
show 34:20 73:5
showed 72:15
sign 31:7,12
Sign-In 4:12
signatures 34:17 35:6
signed 7:20 19:20,22 20:1 29:12
 34:22
significant 40:16 82:17
signing 35:21
similar 52:4
simple 30:6 86:11 89:14,15
simply 21:10 53:12
single 81:23
sir 31:22
sit 69:12 80:23 88:14
site 3:19 48:18 49:21 60:7,10
 82:4
sits 20:11
sitting 21:17 66:24 77:10 88:11
situation 24:13 33:6 65:15
situations 86:23 90:14
skipping 17:7
sky 69:16
slash 44:22
slate 64:2 65:2
Slone 34:23,24
small 88:11
smooth 67:1
sock 89:17

Socorro 58:19
sole-source 26:15,18,21,23
something's 79:1
somewhat 12:5 52:4
soon 19:12 60:21 70:4,8 99:9
sorry 9:25 11:15,20 32:18 39:15
 39:17,20,25 40:19 54:6 71:12
 75:16 78:19 94:20
sort 34:14 45:16 90:13
sound 90:22
source 90:10
South 72:3
speak 19:11 51:16 79:15
speaking 59:5
special 29:25 48:24 49:1 82:14
 83:11
specifically 83:10 92:13
specified 93:7 95:7
specifying 23:13
spend 57:8,23
spent 49:6
spoke 21:2,4
sports 87:18 88:20,22 89:7,9
staff 2:8 12:3 14:11 64:5 86:15
stand 68:2 76:4,16
standards 13:17,24 15:24
start 52:11 55:15 56:7 59:19 62:1
 67:11 74:19,21,22 75:4,17
start-up 14:23
started 67:8
starting 56:1 71:4
state 1:2 13:12,18,25 23:16 24:6
 24:6 29:14,24 32:17 34:12 67:4
 67:22 72:13 75:7,11,14 81:24
 82:11 85:18 100:2,9,13
State-chartered 20:22
stated 27:15 100:14
Statements 34:22
status 19:13
statute 28:11,13 29:8 30:9,11
 31:22,24 32:3
statutory 36:7
stay 76:21 78:23
staying 79:2
stays 18:18,23
step 51:18 60:12
Stephanie 34:23,24

stepped 9:24
steps 58:5
stewards 66:11
Stewart 63:17
STOPit 85:24
straightened 37:9
strategic 61:20
street 1:20 46:14 63:19 80:19
 100:20
strikeouts 43:6
striking 30:8 63:2
struggled 14:19
stuck 19:4 27:2
student 61:21 87:12 92:25
students 62:20,24,25 63:4 83:11
 86:7,15
stuff 17:7 44:17
stupid 90:2
style 77:21
subgrant 13:10
subject 92:9
subjects 92:9
submit 33:17
submitted 7:23 32:24 33:10,20
substantive 9:4
success 13:8 85:25
successful 13:6,7 14:13,22 63:3
 66:16,17
suggest 56:7
suggested 45:15
suggestion 52:6 72:22 73:9
suggestions 30:7
Suite 1:20 100:20
summary 16:23 27:12 38:2
superintendents 13:18
support 13:4 14:13 68:7 75:12
supporting 13:4
supposed 32:5 37:6
sure 5:5 19:5 20:8 23:4,9 27:5
 30:3 33:1 36:16 37:3,7 45:7
 65:20,25 71:4,13,22 72:23 76:7
 76:20,22,25 87:13 90:15,15
surprise 73:19
surprised 73:20 78:12
survive 91:4
survived 91:1

T**T** 3:1 4:1**Tabled** 3:13,17**take** 7:8,25 12:25 14:2 23:4 29:6

29:17 30:18 31:2,7 40:2 52:6

52:25 53:20 56:12 57:21,23

58:5 72:23

taken 15:14 18:23 25:6 27:14

40:5 46:5 95:8

takes 55:2 64:21**talk** 58:3 59:10,18 61:8 62:9

66:14 69:9 79:2,3,19 83:8 84:5

85:8

talked 19:18 20:21 54:21 56:15

57:11

talking 20:18 45:22 57:9 62:11

63:17 70:20 85:24 87:22

Taos 54:13 55:19 64:19 92:21**targeted** 61:19**task** 8:2,5**teacher** 72:16,17,18,19 85:4**teachers** 72:14 88:7,8,8**teams** 87:18 89:7,9,15**technical** 14:5,12 18:25 97:3**tell** 12:17 35:4 53:12 73:8 78:4**ten** 40:4**term** 23:22 28:15 31:21**terms** 18:23 40:24 45:17 46:3,4

49:9 88:3

terrible 72:17**testimony** 100:15**textbooks** 21:18 24:4**thank** 6:6,15 7:25 8:3,9 12:21

15:18 16:19,20 20:13 23:8

24:12 25:10 26:12 27:7 28:1,2

30:19,20 31:10,17 32:8,9 33:25

34:1,2 36:16,17,19 37:10,11,23

40:3 42:25 43:22 48:16 51:7

57:18 58:15 59:11,20 60:2,17

60:19 68:2,10 75:15 77:6 79:7

79:8 80:25 81:6,14 83:2 85:10

86:8,12 89:22 91:4 98:20

thanks 12:20 16:17,22 27:9

55:17 56:25 58:16 73:11

thing 56:8 59:19 60:6 66:19

72:13 75:23 77:24 82:3 84:5,21

85:23 86:8 88:17 89:12

things 17:22 18:12 35:17 43:5

44:18 45:22 49:16 53:6,11

56:10,18 60:11 61:21 66:13

76:3 79:4 83:1,7,17 84:24

85:14,19 88:10,10,13 89:3 90:6

think 13:19 14:17,24 15:13,24

17:10 22:16 23:12,21 26:7,17

26:19 34:8 40:25 44:13,19 45:9

49:7,7,9,17 51:17 52:3,15 53:12

53:17,24 54:8,8 55:18,21 56:14

58:25 60:5,14,16,25 61:7 63:11

63:21 64:6,11 65:13 66:2,7

67:1,7,19,19,22 68:8 72:24 73:7

73:7 74:13,24 75:1 76:24 77:11

77:16 78:12,17,19,24 79:2

81:22 82:2,8 83:16 84:4,9

86:17 88:15,17,25 89:5,13,17

90:20,21 91:10 92:3

thinking 11:16,16 59:8 63:25

83:15,17,19 84:17

third 1:20 14:4 60:20 70:15

100:20

thought 11:23 12:3,14 15:21

31:25 78:9 79:5 84:3,13,17

85:7 87:24 88:14 89:2

threatened 92:10**three** 21:16 29:10 63:13 64:15

74:13,13 75:21 81:20

three-tier 72:13**threw** 79:24**throw** 84:4**Thursday** 53:14,22 54:4,8,10

55:25 56:7,16 75:2

Tier 72:16,18,19**till** 39:18**Tim** 2:5 10:23**time** 7:25 8:1,4 14:20 21:6 22:20

23:3 25:15 35:20 37:6 43:8

44:8 45:18 49:6 51:18 53:17

55:2,24 56:2,16,22 57:8,24

59:20 61:15 62:3,16 63:20 64:6

65:11 68:11,14 71:20 72:12

75:20 76:1 83:17 90:22,24

101:10,15,20,25

timeliness 44:11**timely** 38:11 63:14**times** 66:8 75:9,25**timing** 44:6 91:24**tireless** 8:2**title** 22:16 24:9**TNTP** 62:18**today** 28:7 33:1 37:7 43:1 59:13

59:18 74:8

told 21:9,13,20 22:8 29:3 80:5,12**top** 71:6**total** 71:13**touch** 21:24**touches** 67:3**tough** 56:21 91:23**Toulouse** 2:7 5:9,10 6:8 9:9,11

10:12,13 26:13,19 27:7 38:22

38:23 42:1,2 47:24,25 50:12,13

72:5,9 77:7,8,15 81:18,19 83:7

93:19,20 96:6,7 97:10,13 98:2,3

98:23 99:2

town 46:16**track** 82:19**tradition** 89:8**Trail** 34:4,7,20 38:14**training** 14:5,12 15:10 64:25

65:3,6,7,12,16,20,22 66:15

90:13

trainings 58:25 66:1 68:8**transcript** 1:10 100:11 101:8,13

101:18,23

transfer 20:19**transferred** 19:14**transferring** 20:21**travel** 58:18**travels** 99:8**treatment** 78:7**tried** 34:15 79:3 85:24**trip** 52:16**Trish** 2:6 90:21**true** 88:1,1 100:10**truly** 23:3 24:1 29:22 57:19**try** 21:24 22:12 35:5 40:4 44:8

62:16

trying 19:9 30:12 44:7 57:4 65:4

65:22 83:16 87:11

Tuesday 74:19,21,22 75:4,18,22**Turquoise** 34:4,7,20 38:14**two** 13:11,22 14:17 17:15 22:10

23:6 30:7,10 31:13,13 34:8

44:20 46:18 49:1 53:6,8,11
55:22 60:18,21 62:15 63:13
64:14 70:11 73:15 74:2,2 78:1

U

Uh-huh 40:21 58:9 86:21 93:14
ultimately 22:25
unanswered 21:25
unappreciated 8:3
uncomfortable 26:25
understand 36:6,14 56:23 69:4
86:12
understanding 11:6 18:10 21:7
87:9
understood 19:24
unforeseen 16:5,6
unfortunate 76:2 87:16
unfortunately 7:22 16:13 17:17
19:3 24:20 31:14 57:5 68:20
89:8,12
unique 80:22
universal 89:25
UNM 14:25
unnecessary 88:20
update 17:4,9,15 19:16 25:12
41:12 69:14 75:8
updated 3:10 7:2 8:25 11:4
updating 40:15
urge 85:21
urgency 36:22
use 19:4 21:19 22:19 28:14 45:13
45:14 46:3,4 49:4 62:3 69:7
useful 62:3
uses 28:10 31:20
usual 59:13
utility 18:7

V

v 92:21 93:3
Valley 27:25 28:5 31:3 32:11,13
35:12 38:4 72:3
Valley's 29:10
Valores 72:2
valuable 14:19,24 49:7
varying 62:23
vendor 21:3,9,14 22:8 24:15,16
26:10

vendors 25:13
venue 71:2
verbally 51:22
versus 44:21
Vice 2:3
video 73:1 85:15,21 87:14
videos 72:14 86:16
viewed 87:17
viewing 87:13
visit 3:19 48:18 49:21 60:7,10
82:4 83:13
Visitor 4:12
visual 72:15
vote 10:17 39:22 42:23 43:17
48:15 51:6 57:12 59:22,24,24
60:4 70:8 94:16 95:1,8 96:15
98:18
votes 10:11 39:6 42:16 48:8 51:2
93:22 95:21 98:5
voting 43:19 83:22,25 84:2

W

wait 17:1 58:6
waited 39:18
waiting 69:20
waive 80:2
walk 24:17
walk-through 24:16
Wallace 34:21
want 8:3 22:14 23:11 43:24
52:22 54:9 57:18 58:6 59:19
60:20 64:12,24 65:18 66:15
67:4 68:10 71:3,23 73:10 75:4
77:8,22,24 78:20 82:23 90:20
91:7
wanted 11:25 21:12 37:7 52:16
75:7 78:3,4,5 80:4 86:8 87:21
wanting 19:5 86:24
wants 22:23 35:14 70:24
wasn't 9:4 10:24 35:2 46:11
59:20,24 61:8 67:1 88:5
way 26:20,24 49:10 66:14 72:14
72:17 74:23 76:16 86:6
ways 77:17,20
we'll 6:23 7:8 37:9 43:12 44:1
45:7 54:19 56:24 57:10,23 62:4
63:16 69:16,17 74:3,7 75:22

77:3 80:25 81:10 91:11 94:17
we're 10:21 11:14 13:14,15,17,22
14:9 22:17,25 25:16 26:15 29:9
33:24 34:20 36:20,25 37:6
43:19,19 45:9,22 53:4 54:17
57:4 59:2,2,3 61:16,25 62:2
64:8,11 65:17,19 66:2,15,15
67:5,12 69:1 70:20,23 71:4,4
73:23 74:2,13,23 75:18 76:18
78:14,15 82:4 83:23 85:14,23
94:18 98:21
we've 13:22 15:2,14,15 53:8 55:3
64:8 71:9,15 77:11 78:1 87:1,7
92:1,3
wear 89:16,17 90:2
website 45:4,6 85:14,21 86:22
87:14 90:19
week 36:5 52:2,21 54:20 59:1,6
80:16 91:12,15
weeks 25:16 63:13
welcome 16:18,20 34:1 71:3
well-seasoned 65:10
went 21:8 44:17 68:20 78:17,18
81:20 82:20 87:23,23 89:15
weren't 57:22 63:4 77:18 83:15
whereof 100:15
willing 31:1
winter 59:4,5,6
wisdom 90:10
wish 74:17
Woerner 32:24
wondering 90:12
word 19:4,13 28:10,12,13,14,15
30:11 35:16 44:15 45:1,4 51:19
wording 46:10
words 30:7,10 31:13,13,15 40:23
45:13,21
work 9:2 13:14,20 19:19 20:20
29:4,6 30:14 43:3,12 52:16,18
57:15,19,24 60:7,17 61:10
63:18 64:17,22 66:5 70:22 71:7
71:8 74:16 75:24 77:15,17 78:4
78:14
working 13:17 14:10 22:12 35:10
78:14 91:11
works 82:6
workshop 69:11

workshops 61:18,19	10:15 40:5	40 3:12
world 89:5	10:30 60:22	42 3:13,14
worry 35:25	100 4:10 85:6	43 3:15
worse 31:15	1033N 1:25 100:25 101:2	48 3:18
worth 15:25	10th 61:13	<hr/>
wouldn't 78:6	11 3:8,18 48:17	5
wow 58:23 79:12 88:13	11th 32:25 75:18	5 3:3,8 6:23 11:14,16,18 17:11,13
writ 24:24 93:1	12 1:11 3:20 51:8	17:14
written 54:17	12:44 99:10	51 3:20
wrong 32:20	128 94:21	5C 16:25,25 27:13
<hr/>	12th 5:3	<hr/>
X	13 3:21	6
X 3:1 4:1	14 3:22 44:18	6 3:5,10,12 8:24 11:13 40:8,10,12
Xinachtli 4:4 92:17,20 96:21	14th 91:25 92:1	60-day 59:3
97:5	15 3:23	69 90:5,5
<hr/>	16 4:3 96:18	<hr/>
Y	1630 1:20 100:20	7
Yager's 52:6	16th 33:21	7 3:6,13 6:25 29:21
Yazzie-Martinez 81:25	17 4:6 53:3	7-2 59:24 60:4
yeah 11:12 12:20 23:20,25 27:20	17th 33:9,22	7th 79:23 80:16
31:18 44:25 45:11,24 56:11,15	18 4:7	<hr/>
59:10 71:10 74:1,1 76:13,24	19 4:8	8
77:3 87:6 89:24 91:23,23	1978 92:12	8 3:7,10,14 40:6 43:1
year 4:4 14:23 15:10 16:11,13	1Caballero 97:24	81 3:21
32:14 52:5 58:25 61:17 65:4	<hr/>	87102 1:21 100:21
69:18 71:5 77:25 78:21,22 87:2	2	8th 79:23
91:18 92:19 96:21 97:4	2 3:5 6:18	<hr/>
year's 52:4 53:5,5	20 4:9 98:21	9
years 29:10 60:18 66:10 77:19	201 1:20 100:20	9 3:15 44:2
91:22	2018 1:11 5:3 69:15 100:16	9:00 1:11 75:18
years' 62:19	2019 3:11 9:1 41:12	9:12 5:3
yesterday 9:2 11:11 19:19 20:20	20th 24:19	9:57 40:5
29:4 30:15 32:25 43:4,23 44:4	21 60:22	92 3:22
48:23,25 49:6 54:21 57:9,11,15	219 1:19 100:8,19	947 19:6
57:23 68:22 79:19 83:8	22 100:16	96 3:23 4:3
yesterday's 79:18	22-1/2 13:12	98 4:6,7,8,9
<hr/>	22-8B-9B(6) 29:8	9th 61:13
Z	22nd 52:7 91:9	
zero 85:5	24th 91:10	
<hr/>	<hr/>	
0	3	
<hr/>	3 3:6	
1	3:00 76:18	
1 3:3 4:12 71:16	300 1:12	
1:00 56:1	3rd 25:3	
10 3:17 7:2 17:10	<hr/>	
10-15-1(H)(7) 92:13	4	
10/12/18 101:2	4 3:7 8:11 44:18	